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CODE OF FEDERAL REGULATIONS

Title 40
Protection of Environment

Part 52 (§ 52.2020 to end of part 52)

Revised as of July 1, 2014

Containing a codification of documents
of general applicability and future effect

As of July 1, 2014

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Cite this Code: CFR

To cite the regulations in this volume use title, part and section number. Thus, 40 CFR 52.2020 *refers to title 40, part 52, section 2020.*

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Title 1 through Title 16.....as of January 1
Title 17 through Title 27.....as of April 1
Title 28 through Title 41.....as of July 1
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An index to the text of ''Title 3—The President'' is carried within that volume.

The Federal Register Index is issued monthly in cumulative form. This index is based on a consolidation of the ''Contents'' entries in the daily Federal Register.

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CHARLES A. BARTH,
Director,
Office of the Federal Register.
July 1, 2014.

THIS TITLE

Title 40—PROTECTION OF ENVIRONMENT is composed of thirty-three volumes. The parts in these volumes are arranged in the following order: Parts 1–49, parts 50–51, part 52 (52.01–52.1018), part 52 (52.1019–52.2019), part 52 (52.2020–end of part 52), parts 53–59, part 60 (60.1–end of part 60, sections), part 60 (Appendices), parts 61–62, part 63 (63.1–63.599), part 63 (63.600–63.1199), part 63 (63.1200–63.1439), part 63 (63.1440–63.6175), part 63 (63.6580–63.8830), part 63 (63.8980–end of part 63), parts 64–71, parts 72–80, parts 81–84, parts 85–86, parts 87–95, parts 96–99, parts 100–135, parts 136–149, parts 150–189, parts 190–259, parts 260–265, parts 266–299, parts 300–399, parts 400–424, parts 425–699, parts 700–789, parts 790–999, and part 1000 to end. The contents of these volumes represent all current regulations codified under this title of the CFR as of July 1, 2014.

Chapter I—Environmental Protection Agency appears in all thirty-three volumes. Regulations issued by the Council on Environmental Quality, including an Index to Parts 1500 through 1508, appear in the volume containing part 1000 to end. The OMB control numbers for title 40 appear in § 9.1 of this chapter.

For this volume, Michele Bugenhagen was Chief Editor. The Code of Federal Regulations publication program is under the direction of John Hyrum Martinez, assisted by Ann Worley.

Title 40—Protection of Environment

(This book contains part 52, § 52.2020 to end of part 52)

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EDITORIAL NOTE: Nomenclature changes to chapter I appear at 65 FR 47324, 47325, Aug. 2, 2000, 66 FR 34375, 34376, June 28, 2001, and 69 FR 18803, Apr. 9, 2004.

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Subpart NN—Pennsylvania

§ 52.2020 Identification of plan.

(a) *Purpose and scope.* This section sets forth the applicable State implementation plan for Pennsylvania under section 110 of the Clean Air Act, 42 U.S.C. 7410, and 40 CFR part 51 to meet national ambient air quality standards.

(b) *Incorporation by reference.* (1) Material listed as incorporated by reference in paragraphs (c) and (d) of this section with an EPA approval date of April 1, 2013 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. The material incorporated is 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 on or after April 1, 2013 will be incorporated by reference in the next update to the SIP compilation.

(2)(i) EPA Region III certifies that the following rules and regulations provided by EPA 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 April 1, 2013:

(A) Materials in Notebook ''40 CFR 52.2020(c)(1)—1. PA Department of Environmental Protection (PA DEP); 2. PA Department of Transportation (PA DOT).''

(B) Materials in Notebook ''1. 40 CFR 52.2020(c)(2)—Allegheny County Health Department (ACHD); 2. 40 CFR 52.2020(c)(3)—Philadelphia Air Management Services (AMS).''

(ii) EPA Region III certifies that the following source-specific requirements provided by EPA at the addresses in paragraph (b)(3) of this section are an exact duplicate of the officially promulgated State source-specific requirements which have been approved as part of the State implementation plan as of November 1, 2006. No additional revisions were made between November 1, 2006 and April 1, 2013:

(A) [Reserved]

(B) Materials in Notebook ''40 CFR 52.2020(d)(1)—Source-specific Requirements—Volume 1, Part 1.''

(C) Materials in Notebook ''40 CFR 52.2020(d)(1)—Source-specific Requirements—Volume 1, Part 2.''

(D) Materials in Notebook ''40 CFR 52.2020(d)(1)—Source-specific Requirements—Volume 2, Part 1.''

(E) Materials in Notebook ''40 CFR 52.2020(d)(1)—Source-specific Requirements—Volume 2, Part 2.''

(F) Materials in Notebook ''40 CFR 52.2020(d)(1)—Source-specific Requirements—Volume 3.''

(G) Materials in Notebook ''40 CFR 52.2020(d)(1)—Source-specific Requirements—Volume 4.''

(H) Materials in Notebook ''40 CFR 52.2020(d)(1)—Source-specific Requirements—Volume 5.''

(I) Materials in Notebook ''40 CFR 52.2020(d)(2)–(d)(4)—Source-specific Requirements.''

(iii) EPA Region III certifies that the materials in Notebook ''40 CFR 52.2020(d)(1)—Source-specific Requirements—Volume 6'' provided by EPA at the addresses in paragraph (b)(3) of this section are an exact duplicate of the officially promulgated State source-specific requirements which have been approved as part of the State implementation plan as of November 1, 2008. No additional revisions were made between November 1, 2008 and April 1, 2013.

(3) Copies of the materials incorporated by reference may be inspected at the EPA Region III Office at 1650 Arch Street, Philadelphia, PA 19103. For further information, call (215) 814–2108; the EPA, Air and Radiation Docket and Information Center, Room Number 3334, EPA West Building, 1301 Constitution Avenue NW., Washington, DC 20460. For further information, call (202) 566–1742; or at the National Archives and Records Administration (NARA). 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*

(1) EPA-APPROVED PENNSYLVANIA REGULATIONS AND STATUTES

State citation	Title/subject	State effective date	EPA approval date	Additional explanation/ § 52.2063 citation
Title 25—Environmental Protection				
Article III—Air Resources				
Chapter 121—General Provisions				
Section 121.1	Definitions	9/3/11	7/13/12, 78 FR 41276	Added definition of $PM_{2.5}$, modified definitions of ''regulated NSR pollutant'' and ''significant,'' and removed existing term, ''maximum allowable emissions.''
Section 121.2	Purpose	3/20/72	5/31/72, 37 FR 10842	(c)(1).
Section 121.3	Applicability	3/20/72	5/31/72, 37 FR 10842	(c)(1).
Section 121.4	Regional Organization of the Department.	5/23/92	12/22/94, 59 FR 65971	(c)(94).
Section 121.7	Prohibition of Air Pollution	3/20/72	5/31/72, 37 FR 10842	(c)(1).
Section 121.8	Compliance responsibilities	8/13/77	12/17/79, 44 FR 73031	(c)(21); correction published 8/22/80 (45 FR 56060).
Section 121.9	Circumvention	3/20/72	5/31/72, 37 FR 10842	(c)(1).
Section 121.10	Existing orders	3/20/72	5/31/72, 37 FR 10842	(c)(1).
Section 121.11	Severability clause	3/20/72	5/31/72, 37 FR 10842	(c)(1); no longer in PA DEP rules.
Chapter 123—Standards for Contaminants				
Fugitive Emissions				
Section 123.1(a) through (c).	Prohibition of certain fugitive emissions.	8/29/77	12/17/79, 44 FR 73031	(c)(21); Paragraph 123.1(d) is not in the SIP.
Section 123.2	Fugitive particulate matter	8/13/83	7/27/84, 49 FR 30183	(c)(60).
Particulate Matter Emissions				
Section 123.11	Combustion units	3/20/72	5/31/72, 37 FR 10842	(c)(1).
Appendix A [Graph]	Particulate Matter—Combustion Units	3/20/72	5/31/72, 37 FR 10842	(c)(1).
Section 123.12	Incinerators	3/20/72	5/31/72, 37 FR 10842	(c)(1).
Section 123.13(a) through (c).	Processes	8/27/80	11/13/81, 46 FR 55971	(c)(39); paragraph 123.13(d) is not in the SIP.
Section 123.14	Outdoor wood-fired boilers	10/2/10	9/20/11, 76 FR 58116	New section.
Appendix B [Graph]	Particulate Matter—Processes Listed in Table 1.	3/20/72	5/31/72, 37 FR 10842	(c)(1).
Appendix C [Graph]	Particulate Matter—Processes Not Listed in Table 1.	3/20/72	5/31/72, 37 FR 10842	(c)(1).
Sulfur Compound Emissions				
Section 123.21	General	3/20/72	5/31/72, 37 FR 10842	(c)(1).
Section 123.22	Combustion units. [General provisions—air basins and non-air basins.	3/20/72	5/31/72, 37 FR 10842	(c)(1).
Section 123.22	Combustion units [General provisions—air basins and non-air basins].	3/20/72	5/31/72, 37 FR 10842	(c)(1).
Section 123.22(b)	Combustion units—Erie Air Basin	8/1/79	8/8/79, 44 FR 46465	(c)(20); correction published 1/23/80 (45 FR 5303).
Section 123.22(c)	Combustion units—Southeast PA Air Basin.	10/1/78	6/4/79, 44 FR 31980	(c)(18).
Section 123.22(c)	Combustion units—Upper Beaver Valley Air Basin.	8/21/82	7/5/83, 48 FR 30630	(c)(53).
Section 123.22(d)	Combustion units—Lower Beaver Valley Air Basin.	1/1/81	12/16/81, 46 FR 61267	(c)(40).
Figure 4 [Graph]	Sulfur Oxides—Combustion Units	3/20/72	5/31/72, 37 FR 10842	(c)(1).

(1) EPA-APPROVED PENNSYLVANIA REGULATIONS AND STATUTES—Continued

State citation	Title/subject	State effective date	EPA approval date	Additional explanation/ § 52.2063 citation
Section 123.24	Primary zinc smelters	8/11/75	4/30/76, 41 FR 18077	(c)(14).
Section 123.25	Monitoring requirements	10/27/90	6/30/93, 58 FR 34911	(c)(81).
Odor Emissions				
Section 123.31	Limitations	3/20/72	5/31/72, 37 FR 10842	(c)(1); SIP version of Section 123.31 is different from State version.
Visible Emissions				
Section 123.41	Limitations	3/20/72	5/31/72, 37 FR 10842	(c)(1).
Section 123.42 (Except paragraph 123.42(4)).	Exceptions	3/20/72	5/31/72, 37 FR 10842	(c)(1); Paragraph 123.42(4) is declared not in SIP at (c)(21).
Section 123.43	Measuring Techniques	3/20/72	5/31/72, 37 FR 10842	(c)(1).
Section 123.44	Limitations of visible fugitive air contaminants from operation of any coke oven battery.	12/27/97	6/11/02, 67 FR 39854	(c)(189).
Section 123.45	Alternative opacity limitations	6/20/81	1/19/83, 48 FR 2319	(c)(48).
Appendix D [Chart]	Alternate Opacity Limitation—Application.	6/20/81	1/19/83, 48 FR 2319	(c)(48).
Section 123.46	Monitoring requirements	6/20/81	1/19/83, 48 FR 2319	(c)(48).
Nitrogen Compound Emissions				
Section 123.51	Monitoring requirements	10/20/90	9/23/92, 57 FR 43905	(c)(74).
NO_X Allowance Requirements				
Section 123.101	Purpose	11/1/97	6/6/00, 65 FR 35840	(c)(145).
Section 123.102	Source NO_X allowance requirements and NO_X allowance control period.	11/1/97	6/6/00, 65 FR 35840	(c)(145).
Section 123.103	General NO_X allowance provisions	11/1/97	6/6/00, 65 FR 35840	(c)(145).
Section 123.104	Source authorized account representative requirements.	11/1/97	6/6/00, 65 FR 35840	(c)(145).
Section 123.105	NATS provisions	11/1/97	6/6/00, 65 FR 35840	(c)(145).
Section 123.106	NO_X allowance transfer protocol	11/1/97	6/6/00, 65 FR 35840	(c)(145).
Section 123.107	NO_X allowance transfer procedures	11/1/97	6/6/00, 65 FR 35840	(c)(145).
Section 123.108	Source emissions monitoring requirements.	11/1/97	6/6/00, 65 FR 35840	(c)(145).
Section 123.109	Source emissions reporting requirements.	11/1/97	6/6/00, 65 FR 35840	(c)(145).
Section 123.110	Source compliance requirements	11/1/97	6/6/00, 65 FR 35840	(c)(145).
Section 123.111	Failure to meet source compliance requirements.	11/1/97	6/6/00, 65 FR 35840	(c)(145).
Section 123.112	Source operating permit provision requirements.	11/1/97	6/6/00, 65 FR 35840	(c)(145)
Section 123.113	Source recordkeeping requirements	11/1/97	6/6/00, 65 FR 35840	(c)(145).
Section 123.114	General NO_X allocation provisions	11/1/97	6/6/00, 65 FR 35840	(c)(145).
Section 123.115	Initial NO_X allowance NO_X allocations	3/11/00	6/6/00, 65 FR 35840	(c)(145).
Section 123.116	Source opt-in provisions	11/1/97	6/6/00, 65 FR 35840	(c)(145).
Section 123.117	New NO_X affected source provisions	11/1/97	6/6/00, 65 FR 35840	(c)(145).
Section 123.118	Emission reduction credit provisions	11/1/97	6/6/00, 65 FR 35840	(c)(145).
Section 123.119	Bonus NO_X allowance awards	11/1/97	6/6/00, 65 FR 35840	(c)(145).
Section 123.120	Audit	11/1/97	6/6/00, 65 FR 35840	(c)(145).
Appendix E [Chart]	Appendix E [NO_X Allowances Chart]	3/11/00	6/6/00, 65 FR 35840	(c)(145).
Chapter 126—Standard for Motor Fuels				
Subchapter A—Oxygenate Content of Gasoline				
Section 126.101	General	8/19/95	12/17/99, 64 FR 70589	(c)(142).
Section 126.102	Sampling and testing	8/19/95	12/17/99, 64 FR 70589	(c)(142).
Section 126.103	Recordkeeping and reporting	8/19/95	12/17/99, 64 FR 70589	(c)(142).
Section 126.104	Labeling requirements	8/19/95	12/17/99, 64 FR 70589	(c)(142).

(1) EPA-APPROVED PENNSYLVANIA REGULATIONS AND STATUTES—Continued

State citation	Title/subject	State effective date	EPA approval date	Additional explanation/ § 52.2063 citation
Subchapter C—Gasoline Volatility Requirements				
Section 126.301 (a) through (c).	Compliant fuel requirement	11/1/97	6/8/98, 63 FR 31116	(c)(131).
Section 126.302 (Except Paragraph (a)(6) pertaining to RFG).	Recordkeeping and reporting	11/1/97	6/8/98, 63 FR 31116	(c)(131).
Section 126.303(a)	Compliance and test methods	11/1/97	6/8/98, 63 FR 31116	(c)(131).
Subchapter D—Motor Vehicle Emissions Control Program				
General Provisions				
Section 126.401	Purpose	12/9/06	1/24/12, 77 FR 3386	
Pennsylvania Clean Vehicles Program				
Section 126.411	General requirements	12/9/06	1/24/12, 77 FR 3386	
Section 126.412	Emission requirements	12/9/06	1/24/12, 77 FR 3386	
Section 126.413	Exemptions	12/9/06	1/24/12, 77 FR 3386	
Applicable Motor Vehicle Testing				
Section 126.421	Exemptions	12/9/06	1/24/12, 77 FR 3386	
Section 126.422	New motor vehicle compliance testing	12/9/06	1/24/12, 77 FR 3386	
Section 126.423	Assembly line testing	12/9/06	1/24/12, 77 FR 3386	
Section 126.424	In-use motor vehicle enforcement testing.	12/9/06	1/24/12, 77 FR 3386	
Section 126.425	In-use surveillance testing	12/9/06	1/24/12, 77 FR 3386	
Motor Vehicle Manufacturers' Obligations				
Section 126.431	Warranty and recall	12/9/06	1/24/12, 77 FR 3386	
Section 126.432	Reporting requirements	12/9/06	1/24/12, 77 FR 3386	
Motor Vehicle Dealer Responsibilities				
Section 126.441	Responsibility of motor vehicle dealers.	12/9/06	1/24/12, 77 FR 3386	
Department Responsibilities				
Section 126.451	Responsibilities of the Department	12/9/06	1/24/12, 77 FR 3386	
Chapter 127—Construction, Modification, Reactivation, and Operation of Sources				
Subchapter A—General				
Section 127.1	Purpose	11/26/94	7/30/96, 61 FR 39597	(c)(110)(i)(C).
Section 127.3	Operational flexibility	11/26/94	7/30/96, 61 FR 39597	(c)(110)(i)(C).
Subchapter B—Plan Approval Requirements				
Section 127.11	Plan approval requirements	11/26/94	7/30/96, 61 FR 39597	(c)(110)(i)(C).
Section 127.11a	Reactivation of sources	11/26/94	7/30/96, 61 FR 39597	(c)(110)(i)(C).
Section 127.12	Content of applications	11/26/94	7/30/96, 61 FR 39597	(c)(110)(i)(C).
Section 127.12a	Compliance review	11/26/94	7/30/96, 61 FR 39597	(c)(110)(i)(C).
Section 127.12b	Plan Approval Terms and Conditions	5/24/08	10/5/12, 77 FR 60910	Revised; limited approval.
Section 127.12c	Plan approval reporting requirements	11/26/94	7/30/96, 61 FR 39597	(c)(110)(i)(C).
Section 127.12d	Completeness Determination	5/24/08	10/5/12, 77 FR 60910	Added; limited approval.
Section 127.13	Extensions	5/19/07	5/14/12, 77 FR 28261	Revised.
Section 127.13a	Plan approval changes for cause	11/26/94	7/30/96, 61 FR 39597	(c)(110)(i)(C).
Section 127.13b	Denial of Plan approval application	11/26/94	7/30/96, 61 FR 39597	(c)(110)(i)(C).
Section 127.13c	Notice of basis for certain plan approval decisions.	11/26/94	7/30/96, 61 FR 39597	(c)(110)(i)(C).
Section 127.14	Exemptions	11/26/94	7/30/96, 61 FR 39597	(c)(110)(i)(C).
Section 127.25	Compliance requirement	11/26/94	7/30/96, 61 FR 39597	(c)(110)(i)(C).
Section 127.32	Transfer of plan approvals	11/26/94	7/30/96, 61 FR 39597	(c)(110)(i)(C).

(1) EPA-APPROVED PENNSYLVANIA REGULATIONS AND STATUTES—Continued

State citation	Title/subject	State effective date	EPA approval date	Additional explanation/ § 52.2063 citation
Section 127.35	Maximum achievable control technology standards for hazardous air pollutants.	11/26/94	7/30/96, 61 FR 39597	(c)(110)(i)(C).
Section 127.36	Health risk-based emission standards and operating practice requirements.	11/26/94	7/30/96, 61 FR 39597	(c)(110)(i)(C).
Section 127.44	Public Notice	5/24/08	10/5/12, 77 FR 60910	Revised; limited approval.
Section 127.45	Contents of Notice	5/24/08	10/5/12, 77 FR 60910	Revised; limited approval.
Section 127.46	Filing protests	8/13/83	7/27/84, 49 FR 30183	(c)(60).
Section 127.47	Consideration of protests	11/26/94	7/30/96, 61 FR 39597	(c)(110)(i)(C).
Section 127.48	Conferences and Hearings	5/24/08	10/5/12, 77 FR 60910	Revised; limited approval.
Section 127.49	Conference or hearing procedure	11/26/94	7/30/96, 61 FR 39597	(c)(110)(i)(C).
Section 127.50	Conference or hearing record	11/26/94	7/30/96, 61 FR 39597	(c)(110)(i)(C).
Section 127.51	Plan approval disposition	11/26/94	7/30/96, 61 FR 39597	(c)(110)(i)(C).
Subchapter D—Prevention of Significant Deterioration of Air Quality				
Section 127.81	Purpose	6/18/83	8/21/84, 49 FR 33127	(c)(57).
Section 127.82	Scope	6/18/83	8/21/84, 49 FR 33127	(c)(57).
Section 127.83	Adoption of Program	6/18/83	8/21/84, 49 FR 33127	(c)(57).
Subchapter E—New Source Review				
Section 127.201	General requirements	9/3/11	7/13/12, 78 FR 41276	Revised.
Section 127.201a	Measurements, abbreviations and acronyms.	9/3/11	7/13/12, 77 FR 41276	Revised.
Section 127.202	Effective date	9/3/11	7/13/12, 77 FR 41276	Revised.
Section 127.203	Facilities subject to special permit requirements.	9/3/11	7/13/12, 77 FR 41276	Revised.
Section 127.203a	Applicability determination	9/3/11	7/13/12, 77 FR 41276	Revised.
Section 127.204	Emissions subject to this Subchapter	9/3/11	7/13/12, 77 FR 41276	Revised.
Section 127.205	Special permit requirements	5/19/07	5/14/12, 77 FR 28261	Revised.
Section 127.206	ERC general requirements	9/3/11	7/13/12, 77 FR 41276	Revised.
Section 127.207	Creditable emissions decrease or ERC generation and creation.	5/19/07	5/14/12, 77 FR 28261	Revised.
Section 127.208	ERC use and transfer requirements	5/19/07	5/14/12, 77 FR 28261	Revised.
Section 127.209	ERC registry system	5/19/07	5/14/12, 77 FR 28261	Revised.
Section 127.210	Offset ratios	9/3/11	7/13/12, 77 FR 41276	Revised.
Section 127.212	Portable facilities	5/19/07	5/14/12, 77 FR 28261	Revised.
Section 127.213	Construction and demolition	5/19/07	5/14/12, 77 FR 28261	Revised.
Section 127.215	Reactivation	5/19/07	5/14/12, 77 FR 28261	Revised.
Section 127.216	Circumvention	1/15/94	12/9/97, 62 FR 64722	(c)(107).
Section 127.217	Clean Air Act Titles III–V applicability	5/19/07	5/14/12, 77 FR 28261	Revised.
Section 127.218	PALs	5/19/07	5/14/12, 77 FR 28261	New.
Subchapter F—Operating Permit Requirements				
General				
Section 127.401	Scope	11/26/94	7/30/96, 61 FR 39597	(c)(110)(i)(C).
Section 127.402	General provisions	11/26/94	7/30/96, 61 FR 39597	(c)(110)(i)(C).
Section 127.403	Permitting of sources operating lawfully without a permit.	11/26/94	7/30/96, 61 FR 39597	(c)(110)(i)(C).
Section 127.404	Compliance schedule for repermitting	11/26/94	7/30/96, 61 FR 39597	(c)(110)(i)(C).
Permit Applications				
Section 127.411	Content of applications.	11/26/94	7/30/96, 61 FR 39597	(c)(110)(i)(C).
Section 127.412	Compliance review forms	11/26/94	7/30/96, 61 FR 39597	(c)(110)(i)(C).
Section 127.413	Municipal notification	11/26/94	7/30/96, 61 FR 39597	(c)(110)(i)(C).
Section 127.414	Supplemental information	11/26/94	7/30/96, 61 FR 39597	(c)(110)(i)(C).
Review of Applications				
Section 127.421	Review of Applications	11/26/94	7/30/96, 61 FR 39597	(c)(110)(i)(C).
Section 127.422	Denial of permits	11/26/94	7/30/96, 61 FR 39597	(c)(110)(i)(C).
Section 127.423	Notice of basis for certain operating permit decisions.	11/26/94	7/30/96, 61 FR 39597	(c)(110)(i)(C).
Section 127.424	Public notice	11/26/94	7/30/96, 61 FR 39597	(c)(110)(i)(C).

(1) EPA-APPROVED PENNSYLVANIA REGULATIONS AND STATUTES—Continued

State citation	Title/subject	State effective date	EPA approval date	Additional explanation/ § 52.2063 citation
Section 127.425	Contents of notice	11/26/94	7/30/96, 61 FR 39597	(c)(110)(i)(C).
Section 127.426	Filing protests	11/26/94	7/30/96, 61 FR 39597	(c)(110)(i)(C).
Section 127.427	Consideration of protest	11/26/94	7/30/96, 61 FR 39597	(c)(110)(i)(C).
Section 127.428	Conferences and hearings	11/26/94	7/30/96, 61 FR 39597	(c)(110)(i)(C).
Section 127.429	Conference or hearing procedure	11/26/94	7/30/96, 61 FR 39597	(c)(110)(i)(C).
Section 127.430	Conference or hearing record	11/26/94	7/30/96, 61 FR 39597	(c)(110)(i)(C).
Section 127.431	Operating permit disposition	11/26/94	7/30/96, 61 FR 39597	(c)(110)(i)(C).
Operating Permit Conditions				
Section 127.441	Operating permit terms and conditions	11/26/94	7/30/96, 61 FR 39597	(c)(110)(i)(C).
Section 127.442	Reporting requirements	11/26/94	7/30/96, 61 FR 39597	(c)(110)(i)(C).
Section 127.443	Operating permit requirements	11/26/94	7/30/96, 61 FR 39597	(c)(110)(i)(C).
Section 127.444	Compliance requirements	11/26/94	7/30/96, 61 FR 39597	(c)(110)(i)(C).
Section 127.445	Operating permit compliance schedules.	11/26/94	7/30/96, 61 FR 39597	(c)(110)(i)(C).
Section 127.446	Operating permit duration	11/26/94	7/30/96, 61 FR 39597	(c)(110)(i)(C).
Section 127.447	Alternate operating scenarios	11/26/94	7/30/96, 61 FR 39597	(c)(110)(i)(C).
Section 127.448	Emissions trading at facilities with Federally enforceable emissions cap.	11/26/94	7/30/96, 61 FR 39597	(c)(110)(i)(C).
Section 127.449	De minimis emission increases	11/26/94	7/30/96, 61 FR 39597	(c)(110)(i)(C).
Section 127.450	Administrative operating permit amendments.	11/26/94	7/30/96, 61 FR 39597	(c)(110)(i)(C).
Operating Permit Modifications				
Section 127.461	Operating permit changes for cause	11/26/94	7/30/96, 61 FR 39597	(c)(110)(i)(C).
Section 127.462	Minor operating permit modifications	11/26/94	7/30/96, 61 FR 39597	(c)(110)(i)(C).
Section 127.463	Operating permit revisions to incorporate applicable standards.	11/26/94	7/30/96, 61 FR 39597	(c)(110)(i)(C).
Section 127.464	Transfer of operating permits	11/26/94	7/30/96, 61 FR 39597	(c)(110)(i)(C).
Subchapter H—General Plan Approvals and Operating Permits				
General				
Section 127.601	Scope	11/26/94	7/30/96, 61 FR 39594	(c)(111).
Issuance of General Plan Approvals and General Operating Permits				
Section 127.611	General plan approvals and general operating permits.	11/26/94	7/30/96, 61 FR 39594	(c)(111).
Section 127.612	Public notice and review period	11/26/94	7/30/96, 61 FR 39594	(c)(111).
Use of General Plan Approvals and Permits				
Section 127.621	Application for use of general plan approvals and general operating permits.	11/26/94	7/30/96, 61 FR 39594	(c)(111).
Section 127.622	Compliance with general plan approvals and general operating permits.	11/26/94	7/30/96, 61 FR 39594	(c)(111).
Subchapter I—Plan Approval and Operating Permit Fees				
Section 127.701	General provisions	11/26/94	7/30/96, 61 FR 39597	(c)(110)(i)(C).
Section 127.702	Plan approval fees	11/26/94	7/30/96, 61 FR 39597	(c)(110)(i)(C).
Section 127.703	Operating permit fees under Subchapter F.	11/26/94	7/30/96, 61 FR 39597	(c)(110)(i)(C).
Section 127.707	Failure to pay fee	11/26/94	7/30/96, 61 FR 39597	(c)(110)(i)(C).
Subchapter J—General Conformity				
Section 127.801	Purpose	11/9/96	9/29/97, 62 FR 50870	(c)(126).
Section 127.802	Adoption of Standards	11/9/96	9/29/97, 62 FR 50870	(c)(126).
Chapter 129—Standards for Sources				
Miscellaneous Sources				
Section 129.11	Nitric acid plants	3/20/72	5/31/72, 37 FR 10842	(c)(1).

(1) EPA-APPROVED PENNSYLVANIA REGULATIONS AND STATUTES—Continued

State citation	Title/subject	State effective date	EPA approval date	Additional explanation/ § 52.2063 citation
Section 129.12	Sulfuric acid plants	3/20/72	5/31/72, 37 FR 10842	(c)(1).
Section 129.13	Sulfur recovery plants	3/20/72	5/31/72, 37 FR 10842	(c)(1).
APPENDIX A	Allowable emissions, sulfur oxides—sulfur recovery plants.	4/23/94	3/23/98, 63 FR 13789	(c)(129).
Section 129.14	Open burning operations	8/9/76	8/19/80, 45 FR 55178	(c)(33).
Section 129.15	Coke pushing operations	8/29/77,12/31/77	12/17/79, 44 FR 73031	(c)(21); correction published 8/22/80, 45 FR 56060.
Section 129.16	Door maintenance, adjustment and replacement practices.	12/12/77	7/17/79, 44 FR 41429	(c)(19).
Section 129.18	Municipal waste incinerators	10/27/90	6/30/93, 58 FR 34911	(c)(81).
Sources of VOCs				
Section 129.51	General	12/25/10	9/26/12, 77 FR 59090	Amends section 129.51(a).
Section 129.52	Surface coating processes	11/20/10	8/24/2011, 76 FR 52870	Paragraph 129.52(i) is added. The State effective date is 9/11/10.
Section 129.52a	Control of VOC emissions from large appliance and metal furniture surface coating processes.	9/11/10	8/24/2011, 76 FR 52870	New section is added.
Section 129.52b	Control of VOC emissions from paper, film, and foil surface coating processes.	11/20/10	5/23/11, 76 FR 29649	New section is added.
Section 129.52c	Control of VOC emissions from flat wood paneling surface coating processes.	12/18/10	6/2/11, 76 FR 31855	New section is added.
Section 129.54	Seasonal operation of auxiliary incineration equipment.	8/3/91	5/13/93, 58 FR 28362	(c)(79).
Section 129.55	Petroleum refineries—specific sources	6/20/81	1/19/83, 48 FR 2319	(c)(48).
Section 129.56	Storage tanks greater than 40,000 gallons capacity containing VOCs.	9/5/98	7/26/00, 65 FR 45920	(c)(147).
Section 129.57	Storage tanks less than or equal to 40,000 gallons capacity containing VOCs.	6/20/81	1/19/83, 48 FR 2319	(c)(48).
Section 129.58	Petroleum refineries—fugitive sources	8/13/83	7/27/84, 49 FR 30183	(c)(60).
Section 129.59	Bulk gasoline terminals	8/3/91	5/13/93, 58 FR 28362	(c)(79).
Section 129.60	Bulk gasoline plants	8/3/91	5/13/93, 58 FR 28362	(c)(79).
Section 129.61	Small gasoline storage tank control (Stage I control).	8/3/91	5/13/93, 58 FR 28362	(c)(79).
Section 129.62	General standards for bulk gasoline terminals, bulk gasoline plants, and small gasoline storage tanks.	5/23/94	12/22/94, 59 FR 65971	(c)(94).
Section 129.63	Degreasing operations	12/22/01	1/16/03, 68 FR 2208	(c)(195)(i)(B)(2).
Section 129.64	Cutback asphalt paving	8/13/83	7/27/84, 49 FR 30183	(c)(60).
Section 129.65	Ethylene production plants	8/1/79	5/20/80	(c)(22).
Section 129.66	Compliance schedules and final compliance dates.	12/18/10	6/2/11, 76 FR 31855	This section is amended.
Section 129.67	Graphic arts systems	9/5/98	7/26/00, 65 FR 45920	(c)(147).
Section 129.68	Manufacture of synthesized pharmaceutical products.	8/3/91	5/13/93, 58 FR 28362	(c)(79).
Section 129.69	Manufacture of pneumatic rubber tires	5/23/92	12/22/94, 59 FR 65971	(c)(94).
Section 129.71	Synthetic organic chemical and polymer manufacturing—fugitive sources.	5/23/92	12/22/94, 59 FR 65971	(c)(94).
Section 129.72	Manufacture of surface active agents	5/23/92	12/22/94, 59 FR 65971	(c)(94).
Section 129.73	Aerospace manufacturing and rework	4/10/99	6/25/01, 66 FR 33645	(c)(155).
Section 129.75	Mobile equipment repair and refinishing.	11/27/99	8/14/00, 65 FR 49501	(c)(148).
Section 129.77	Control of emissions from the use or application of adhesives, sealants, primers and solvents.	12/25/10	9/26/12, 77 FR 59090	New section is added.
Mobile Sources				
Section 129.81	Organic liquid cargo vessel loading and ballasting.	9/28/91	9/28/93, 58 FR 50517	(c)(84).

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State citation	Title/subject	State effective date	EPA approval date	Additional explanation/ § 52.2063 citation
Section 129.82	Control of VOCs from gasoline dispensing facilities (Stage II).	4/10/99	5/21/01, 66 FR 27875	(c)(153).
Stationary Sources of NO_X and VOCs				
Section 129.91	Control of major sources of NO_X and VOCs.	6/10/00	7/20/01, 66 FR 37908	(c)(152).
Section 129.92	RACT proposal requirements	4/23/94	3/23/98, 63 FR 13789	(c)(129).
Section 129.93 [Except for 129.93(c)(6) &(7)].	Presumptive RACT emission limitations.	4/23/94	3/23/98, 63 FR 13789	(c)(129).
Section 129.94	NO_X RACT emission averaging general requirements.	4/23/94	3/23/98, 63 FR 13789	(c)(129).
Section 129.95	Recordkeeping	4/23/94	3/23/98, 63 FR 13789	(c)(129).
Wood Furniture Manufacturing Operations				
Section 129.101	General provisions and applicability	6/10/00	7/20/01, 66 FR 37908	(c)(152).
Section 129.102	Emission standards	6/10/00	7/20/01, 66 FR 37908	(c)(152).
Section 129.103	Work practice standards	6/10/00	7/20/01, 66 FR 37908	(c)(152).
Section 129.104	Compliance procedures and monitoring requirements.	6/10/00	7/20/01, 66 FR 37908	(c)(152).
Section 129.105	Recordkeeping requirements	6/10/00	7/20/01, 66 FR 37908	(c)(152).
Section 129.106	Reporting requirements	6/10/00	7/20/01, 66 FR 37908	(c)(152).
Section 129.107	Special provisions for facilities using an emissions averaging approach.	6/10/00	7/20/01, 66 FR 37908	(c)(152).
Additional NO_X Requirements				
Section 129.201	Boilers	4/12/08	12/10/09, 74 FR 65446	Revised section.
Section 129.202	Stationary combustion turbines	4/12/08	12/10/09, 74 FR 65446	Revised section.
Section 129.203	Stationary internal combustion engines.	12/11/04	9/29/06, 71 FR 57428	SIP-effective date is 10/30/06.
Section 129.204	Emission accountability	4/12/08	12/10/09, 74 FR 65446	Revised section.
Section 129.205	Zero emission renewable energy production credit.	12/11/04	9/29/06, 71 FR 57428	SIP-effective date is 10/30/06.
Control of NO_X Emissions From Glass Melting Furnaces				
Section 129.301	Purpose	6/19/10	8/22/11, 76 FR 52283	New section
Section 129.302	Applicability	6/19/10	8/22/11, 76 FR 52283	New section
Section 129.303	Exemptions	6/19/10	8/22/11, 76 FR 52283	New section
Section 129.304	Emission requirements	6/19/10	8/22/11, 76 FR 52283	New section
Section 129.305	Start-up requirements	6/19/10	8/22/11, 76 FR 52283	New section
Section 129.306	Shutdown requirements	6/19/10	8/22/11, 76 FR 52283	New section
Section 129.307	Idling requirements	6/19/10	8/22/11, 76 FR 52283	New section
Section 129.308	Compliance determination	6/19/10	8/22/11, 76 FR 52283	New section
Section 129.309	Compliance demonstration	6/19/10	8/22/11, 76 FR 52283	New section
Section 129.310	Recordkeeping	6/19/10	8/22/11, 76 FR 52283	New section
Chapter 130—Standards for Products				
Subchapter A—Portable Fuel Containers				
Section 130.101	Applicability	10/5/02	12/8/04, 69 FR 70893	(c)(229).
Section 130.102	Definitions	10/5/02	12/8/04, 69 FR 70893	(c)(229).
Section 130.103	Performance Standards for portable fuel containers and spill-proof spouts.	10/5/02	12/8/04, 69 FR 70893	(c)(229).
Section 130.104	Exemptions	10/5/02	12/8/04, 69 FR 70893	(c)(229).
Section 130.105	Innovative products	10/5/02	12/8/04, 69 FR 70893	(c)(229).
Section 130.106	Administrative requirements	10/5/02	12/8/04, 69 FR 70893	(c)(229).
Section 130.107	Variances	10/5/02	12/8/04, 69 FR 70893	(c)(229).
Section 130.108	Test procedures	10/5/02	12/8/04, 69 FR 70893	(c)(229).
Subchapter B—Consumer Products				
General Provisions				
Section 130.201	Applicability	10/11/08	10/18/10, 75 FR 63717.	
Section 130.202	Definitions	10/11/08	10/18/10, 75 FR 63717.	

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	Standard			
Section 130.211	Table of standards	10/11/08	10/18/10, 75 FR 63717.	
Section 130.212	Products diluted prior to use	10/5/02	12/8/04, 69 FR 70895	(c)(230).
Section 130.213	Products registered under FIFRA	10/11/08	10/18/10, 75 FR 63717.	
Section 130.214	Requirements for charcoal lighter materials.	10/11/08	10/18/10, 75 FR 63717.	
Section 130.215	Requirements for aerosol adhesives	10/11/08	10/18/10, 75 FR 63717.	
Section 130.216	Requirements for floor wax strippers	10/5/02	12/8/04, 69 FR 70895	(c)(230).
Section 130.217	Sell-through of products	10/11/08	10/18/10, 75 FR 63717	Adds section to allow for the sell-through of product manufactured prior to applicable effective dates.
	Exemptions			
Section 130.331	Products for shipment and use outside this Commonwealth.	10/11/08	10/18/10, 75 FR 63717..	
Section 130.332	Antiperspirants and deodorants	10/11/08	10/18/10, 75 FR 63717..	
Section 130.333	LVP–VOC	10/5/02	12/8/04, 69 FR 70895	(c)(230).
Section 130.334	Products registered under FIFRA	10/11/08	10/18/10, 75 FR 63717..	
Section 130.335	Air fresheners	10/11/08	10/18/10, 75 FR 63717..	
Section 130.336	Adhesives	10/5/02	12/8/04, 69 FR 70895	(c)(230).
Section 130.337	Bait station insecticides	10/5/02	12/8/04, 69 FR 70895	(c)(230).
Section 130.338	Fragrances	10/11/08	10/18/10, 75 FR 63717	Added section.
	Innovative Products			
Section 130.351	Innovative products exemption	10/5/02	12/8/04, 69 FR 70895	(c)(230).
Section 130.352	Request for exemption	10/5/02	12/8/04, 69 FR 70895	(c)(230).
	Administrative Requirements			
Section 130.371	Code-dating	10/11/08	10/18/10, 75 FR 63717..	
Section 130.372	Most restrictive limit	10/11/08	10/18/10, 75 FR 63717.	
Section 130.373	Additional labeling requirements for aerosol adhesives.	10/11/08	10/18/10, 75 FR 63717.	
	Reporting Requirements			
Section 130.391	Required reporting of information to the Department.	10/5/02	12/8/04, 69 FR 70895	(c)(230).
Section 130.392	Confidentiality	10/5/02	12/8/04, 69 FR 70895	(c)(230).
	Variances			
Section 130.411	Application for variance	10/11/08	10/18/10, 75 FR 63717..	
Section 130.412	Variance orders	10/11/08	10/18/10, 75 FR 63717..	
Section 130.413	Termination of variance	10/5/02	12/8/04, 69 FR 70895	(c)(230).
Section 130.414	Modification of variance	10/11/08	10/18/10, 75 FR 63717..	
	TEST METHODS			
Section 130.431	Testing for compliance	10/5/02	12/8/04, 69 FR 70895	(c)(230).
	ACP for Consumer Products			
Section 130.451	Alternative methods of compliance	10/5/02	12/8/04, 69 FR 70895	(c)(230)
Section 130.452	Exemption	10/11/08	10/18/10, 75 FR 63717..	
Section 130.453	Request for exemption	10/11/08	10/18/10, 75 FR 63717..	
Section 130.454	Application for an ACP	10/11/08	10/18/10,75 FR 63717..	
Section 130.455	Recordkeeping and availability of requested information.	10/11/08	10/18/10, 75 FR 63717..	
Section 130.456	Surplus reductions and surplus trading.	10/5/02	12/8/04, 69 FR 70895	(c)(230).
Section 130.457	Limited-use surplus reduction credits for early reformulations of ACP products.	10/11/08	10/18/10, 75 FR 63717..	

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Section 130.458	Reconciliation of shortfalls	10/11/08	10/18/10, 75 FR 63717..	
Section 130.459	Notification of modifications to an ACP by the responsible ACP party.	10/5/02	12/8/04, 69 FR 70895	(c)(230).
Section 130.460	Modifications that require Department preapproval.	10/11/08	10/18/10, 75 FR 63717..	
Section 130.461	Other modifications	10/5/02	12/8/04, 69 FR 70895	(c)(230).
Section 130.462	Modification of an ACP by the Department.	10/11/08	10/18/10, 75 FR 63717..	
Section 130.463	Cancellation of an ACP	10/5/02	12/8/04, 69 FR 70895	(c)(230).
Section 130.464	Treatment of information	10/5/02	12/8/04, 69 FR 70895	(c)(230).
Section 130.465	Other applicable requirements	10/11/08	10/18/10, 75 FR 63717..	
Public Hearing Requirements				
Section 130.471	Public hearings	10/11/08	10/18/10, 75 FR 63717..	
Subchapter C—Architectural and Industrial Maintenance Coatings				
Section 130.601	Applicability	10/25/03	11/23/04, 69 FR 68080	(c)(227).
Section 130.602	Definitions	10/11/08	10/18/10, 75 FR 63717..	
Section 130.603	Standards	10/25/03	11/23/04, 69 FR 68080	(c)(227).
Section 130.604	Container labeling requirements	10/25/03	11/23/04, 69 FR 68080	(c)(227).
Section 130.605	Reporting requirements	10/25/03	11/23/04, 69 FR 68080	(c)(227).
Section 130.606	Application for variance	10/25/03	11/23/04, 69 FR 68080	(c)(227).
Section 130.607	Variance orders	10/25/03	11/23/04, 69 FR 68080	(c)(227).
Section 130.608	Termination of variance	10/25/03	11/23/04, 69 FR 68080	(c)(227).
Section 130.609	Extension, modification or revocation of variance.	10/25/03	11/23/04, 69 FR 68080	(c)(227).
Section 130.610	Public hearings	10/25/03	11/23/04, 69 FR 68080	(c)(227).
Section 130.611	Compliance provisions and test methods.	10/25/03	11/23/04, 69 FR 68080	(c)(227).
Subchapter D—Adhesives, Sealants, Primers and Solvents				
Section 130.701	Applicability	12/25/10	9/26/12, 77 FR 59090	New section is added.
Section 130.702	Emission standards	12/25/10	9/26/12, 77 FR 59090	New section is added.
Section 130.703	Exemptions and exceptions	12/25/10	9/26/12, 77 FR 59090	New section is added.
Section 130.704	Recordkeeping requirements	12/25/10	9/26/12, 77 FR 59090	New section is added.
Section 130.705	Compliance procedures and test methods.	12/25/10	9/26/12, 77 FR 59090	New section is added.
Section 130.706	Container labeling	12/25/10	9/26/12, 77 FR 59090	New section is added.
Section 130.707	Product dating	12/25/10	9/26/12, 77 FR 59090	New section is added.
Section 130.708	Sell-through of products	12/25/10	9/26/12, 77 FR 59090	New section is added.
Chapter 131—Ambient Air Quality Standards				
Section 131.1	Purpose	3/20/72	5/31/72, 37 FR 10842	(c)(1).
Section 131.2	National Ambient Air Quality Standards.	3/20/72	5/31/72, 37 FR 10842	(c)(1).
Section 131.3	Ambient air quality standards	8/13/83	7/27/84, 49 FR 30183	(c)(60); Amendment removed a lead standard provision. The remaining standards are not SIP-related.
Section 131.4	Application of ambient air quality standards.	3/20/72	5/31/72, 37 FR 10842	(c)(1).
Chapter 135—Reporting of Sources				
General				
Section 135.1	Definitions	3/20/72	5/31/72, 37 FR 10842	(c)(1).
Section 135.2	Applicability [of sources]	3/20/72	5/31/72, 37 FR 10842	(c)(1).

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Section 135.3	Reporting	3/20/72	5/31/72, 37 FR 10842	(c)(1).
Section 135.4	Reporting forms and guides	3/20/72	5/31/72, 37 FR 10842	(c)(1).
Section 135.5	Recordkeeping	10/10/92	1/12/95, 60 FR 2081	(c)(96).
Emission Statements				
Section 135.21	Emission statements	10/10/92	1/12/95, 60 FR 2081	(c)(96).
Chapter 137—Air Pollution Episodes				
General				
Section 137.1	Purpose	1/28/72	5/31/72, 37 FR 10842	(c)(1).
Section 137.2	Monitoring facilities	1/28/72	5/31/72, 37 FR 10842	(c)(1).
Section 137.3	Episode criteria	6/9/90	6/16/93, 58 FR 33203	(c)(75).
Section 137.4	Standby plans	12/27/97	6/11/02, 67 FR 39854	(c)(189).
Section 137.5	Implementation of emission reduction procedures.	1/28/72	5/31/72, 37 FR 10842	(c)(1).
Level Actions				
Section 137.11	Forecast level actions	1/28/72	5/31/72, 37 FR 10842	(c)(1).
Section 137.12	Alert level actions	1/28/72	5/31/72, 37 FR 10842	(c)(1).
Section 137.13	Warning level actions	1/28/72	5/31/72, 37 FR 10842	(c)(1).
Section 137.14	Emergency level actions	1/28/72	5/31/72, 37 FR 10842	(c)(1).
Chapter 139—Sampling and Testing				
Subchapter A—Sampling and Testing Methods and Procedures				
General				
Section 139.1	Sampling facilities	3/20/72	5/31/72, 37 FR 10842	(c)(1).
Section 139.2	Sampling by others	3/20/72	5/31/72, 37 FR 10842	(c)(1).
Section 139.3	General requirements	8/1/79	8/8/79, 44 FR 46465	(c)(20); Correction published 1/23/80 (45 FR 5303).
Section 139.4	References	6/10/00	7/20/01, 66 FR 37908	(c)(152).
Section 139.5	Revisions to the source testing manual and continuous source monitoring manual.	11/26/94	7/30/96, 61 FR 39597	(c)(110)(i)(D).
Stationary Sources				
Section 139.11	General requirements	3/20/72	5/31/72, 37 FR 10842	(c)(1).
Section 139.12	Emissions of particulate matter	3/7/98	6/11/02, 67 FR 39854	(c)(189).
Section 139.13 (Except Provisions applicable to H_2S and TRS).	Emissions of SO_2, H_2S, TRS and NO_2	11/26/94	7/30/96, 61 FR 39597	(c)(110)(i)(D).
Section 139.14	Emissions of VOCs	6/10/00	7/20/01, 66 FR 37908	(c)(152).
Section 139.16	Sulfur in fuel oil	8/13/83	7/27/84, 49 FR 30183	(c)(60).
Section 139.17	General requirements	6/20/81	1/19/83, 48 FR 2319	(c)(48).
Section 139.18	Calculation of alternative opacity limitations.	6/20/81	1/19/83, 48 FR 2319	(c)(48).
Ambient Levels of Air Contaminants				
Section 139.31	General	3/20/72	5/31/72, 37 FR 10842	(c)(1).
Section 139.32	Sampling and analytical procedures	11/26/94	7/30/96, 61 FR 39597	(c)(110)(i)(D).
Section 139.33	Incorporation of Federal procedures	3/20/72	5/31/72, 37 FR 10842	(c)(1).
Subchapter B—Monitoring Duties of Certain Sources				
General				
Section 139.51	Purpose	8/29/77	7/17/79, 44 FR 41429	(c)(19).
Section 139.52	Monitoring methods and techniques	8/29/77	7/17/79, 44 FR 41429	(c)(19).
Section 139.53	Filing monitoring reports	8/13/83	7/27/84, 49 FR 30183	(c)(60).

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Subchapter C—Requirements for Continuous In-Stack Monitoring for Stationary Sources				
Section 139.101	General Requirements	3/7/98	6/11/02, 67 FR 39854	(c)(189).
Section 139.102	References	11/26/94	7/30/96, 61 FR 39597	(c)(110)(i)(D).
Section 139.103	Opacity monitoring requirements	11/26/94	7/30/96, 61 FR 39597	(c)(110)(i)(D).
Section 139.111	Waste incinerator monitoring requirements.	12/27/97	6/11/02, 67 FR 39854	(c)(189).
Chapter 141—Alternate Standards				
Section 141.1	Imposing alternate standards authorized.	5/14/88	9/17/92, 57 FR 42894	(c)(73).
Chapter 145—Interstate Pollution Transport Reduction				
Subchapter A—NO_X Budget Trading Program				
General Provisions				
Section 145.1	Purpose	9/23/00	8/21/01, 66 FR 43795	(c)(168).
Section 145.2	Definitions	9/23/00	8/21/01, 66 FR 43795	(c)(168).
Section 145.3	Measurements, abbreviations and acronyms.	9/23/00	8/21/01, 66 FR 43795	(c)(168).
Section 145.4	Applicability	9/23/00	8/21/01, 66 FR 43795	(c)(168).
Section 145.5	Retired unit exemption	9/23/00	8/21/01, 66 FR 43795	(c)(168).
Section 145.6	Standard requirements	9/23/00	8/21/01, 66 FR 43795	(c)(168).
Section 145.7	Computation of time	9/23/00	8/21/01, 66 FR 43795	(c)(168).
Section 145.8	Transition to CAIR NO_X Trading Programs.	4/12/08	12/10/09, 74 FR 65446	New section.
NO_X Account				
Section 145.10	Authorization and responsibilities of the NO_X authorized account representative.	9/23/00	8/21/01, 66 FR 43795	(c)(168).
Section 145.11	Alternate NO_X authorized account representative.	9/23/00	8/21/01, 66 FR 43795	(c)(168).
Section 145.12	Changing the NO_X authorized account representative; and changes in the Alternate NO_X authorized account representative; changes in the owners and operators.	9/23/00	8/21/01, 66 FR 43795	(c)(168).
Section 145.13	Account certificate of representation	9/23/00	8/21/01, 66 FR 43795	(c)(168).
Section 145.14	Objections concerning the NO_X authorized account representative.	9/23/00	8/21/01, 66 FR 43795	(c)(168).
Compliance Certification				
Section 145.30	Compliance certification report	9/23/00	8/21/01, 66 FR 43795	(c)(168).
Section 145.31	Department's action on compliance certifications.	9/23/00	8/21/01, 66 FR 43795	(c)(168).
NO_X Allowance Allocations				
Section 145.40	State Trading Program budget	9/23/00	8/21/01, 66 FR 43795	(c)(168).
Section 145.41	Timing Requirements for NO_X allowance allocations.	9/23/00	8/21/01, 66 FR 43795	(c)(168).
Section 145.42	NO_X Allowance allocations	12/11/04	9/29/06, 71 FR 57428	Revised; SIP-effective date is 10/30/06.
Section 145.43	Compliance supplement pool	9/23/00	8/21/01, 66 FR 43795	(c)(168).
Accounting Process for Deposit Use and Transfer of Allowances				
Section 145.50	NO_X Allowance Tracking System accounts.	9/23/00	8/21/01, 66 FR 43795	(c)(168).
Section 145.51	Establishment of accounts	9/23/00	8/21/01, 66 FR 43795	(c)(168).
Section 145.52	NO_X Allowance Tracking System responsibilities of NO_X authorized account representative.	9/23/00	8/21/01, 66 FR 43795	(c)(168).

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Section 145.53	Recordation of NO_X allowance allocations.	9/23/00	8/21/01, 66 FR 43795	(c)(168).
Section 145.54	Compliance	9/23/00	8/21/01, 66 FR 43795	(c)(168).
Section 145.55	Banking	9/23/00	8/21/01, 66 FR 43795	(c)(168).
Section 145.56	Account error	9/23/00	8/21/01, 66 FR 43795	(c)(168).
Section 145.57	Closing of general accounts	9/23/00	8/21/01, 66 FR 43795	(c)(168).
NO_X Allowance Transfers				
Section 145.60	Submission of NO_X allowance transfers.	9/23/00	8/21/01, 66 FR 43795	(c)(168).
Section 145.61	NO_X transfer recordation	9/23/00	8/21/01, 66 FR 43795	(c)(168).
Section 145.62	Notification	9/23/00	8/21/01, 66 FR 43795	(c)(168).
Recording and Recordkeeping Requirements				
Section 145.70	General monitoring requirements	9/23/00	8/21/01, 66 FR 43795	(c)(168).
Section 145.71	Initial certification and recertification procedures.	9/23/00	8/21/01, 66 FR 43795	(c)(168).
Section 145.72	Out of control periods	9/23/00	8/21/01, 66 FR 43795	(c)(168).
Section 145.73	Notifications	9/23/00	8/21/01, 66 FR 43795	(c)(168).
Section 145.74	Recordkeeping and reporting	9/23/00	8/21/01, 66 FR 43795	(c)(168).
Section 145.75	Petitions	9/23/00	8/21/01, 66 FR 43795	(c)(168).
Section 145.76	Additional requirements to provide heat input data.	9/23/00	8/21/01, 66 FR 43795	(c)(168).
Opt-In Process				
Section 145.80	Applicability for opt-in sources	9/23/00	8/21/01, 66 FR 43795	(c)(168).
Section 145.81	Opt-in source general provisions	9/23/00	8/21/01, 66 FR 43795	(c)(168).
Section 145.82	NO_X authorized account representative for opt-in sources.	9/23/00	8/21/01, 66 FR 43795	(c)(168).
Section 145.83	Applying for a NO_X budget opt-in approval.	9/23/00	8/21/01, 66 FR 43795	(c)(168).
Section 145.84	Opt-in process	9/23/00	8/21/01, 66 FR 43795	(c)(168).
Section 145.85	NO_X budget opt-in application contents.	9/23/00	8/21/01, 66 FR 43795	(c)(168).
Section 145.86	Opt-in source withdrawal from NO_X Budget Trading Program.	9/23/00	8/21/01, 66 FR 43795	(c)(168).
Section 145.87	Opt-in unit change in regulatory status	9/23/00	8/21/01, 66 FR 43795	(c)(168).
Section 145.88	NO_X allowance allocations to opt-in units.	9/23/00	8/21/01, 66 FR 43795	(c)(168).
Emission Reduction Credit Provisions				
Section 145.90	Emission reduction credit provisions	9/23/00	8/21/01, 66 FR 43795	(c)(168).
Interstate Pollution Transport Reduction Requirements				
Section 145.100	Applicability to upwind states	9/23/00	8/21/01, 66 FR 43795	(c)(168).
Subchapter B—Emissions of NO_X from Stationary Internal Combustion Engines				
Section 145.111	Applicability	12/11/04	9/29/06, 71 FR 57428	New Section SIP-effective date is 10/30/06.
Section 145.112	Definitions	12/11/04	9/29/06, 71 FR 57428	New Section SIP-effective date is 10/30/06.
Section 145.113	Standard requirements	4/12/08	12/10/09, 74 FR 65446	New subsection d.
Subchapter C—Emissions of NO_X from Cement Manufacturing				
Section 145.141	Applicability	12/11/04	9/29/06, 71 FR 57428	New Section SIP-effective date is 10/30/06.
Section 145.142	Definitions	6/19/10	7/19/11, 76 FR 42558	Added new definitions and terms.

(1) EPA-APPROVED PENNSYLVANIA REGULATIONS AND STATUTES—Continued

State citation	Title/subject	State effective date	EPA approval date	Additional explanation/ § 52.2063 citation
Section 145.143	Standard requirements	6/19/10	7/19/11, 76 FR 42558	Added compliance dates and allowable emissions of NO_X.
Section 145.144	Compliance determination	6/19/10	7/19/11, 76 FR 42558	New section.
Section 145.145	Compliance demonstration and reporting requirements.	6/19/10	7/19/11, 76 FR 42558	New section.
Section 145.146	Recordkeeping	6/19/10	7/19/11, 76 FR 42558	New section.
Subchapter D. CAIR NO_X and SO_2 Trading Programs—General Provisions				
Section 145.201	Purpose	4/12/08	12/10/09, 74 FR 65446.	
Section 145.202	Definitions	4/12/08	12/10/09, 74 FR 65446.	
Section 145.203	Applicability	4/12/08	12/10/09, 74 FR 65446.	
Section 145.204	Incorporation of Federal regulations by reference.	4/12/08	12/10/09, 74 FR 65446.	
ADDITIONAL REQUIREMENTS FOR CHAPTER 127 EMISSION REDUCTION CREDIT PROVISIONS				
Section 145.205	Emission reduction credit provisions	4/12/08	12/10/09, 74 FR 65446.	
ADDITIONAL REQUIREMENTS FOR CAIR NO_X ANNUAL TRADING PROGRAM				
Section 145.211	Timing Requirements for CAIR NO_X allowance allocations.	4/12/08	12/10/09, 74 FR 65446.	
Section 145.212	CAIR NO_X allowance allocations	4/12/08	12/10/09, 74 FR 65446.	
Section 145.213	Supplemental monitoring, recordkeeping and reporting requirements for gross electrical output and useful thermal energy for units subject to 40 CFR 96.170–96.175.	4/12/08	12/10/09, 74 FR 65446.	
ADDITIONAL REQUIREMENTS FOR CAIR NO_X OZONE SEASON TRADING PROGRAM				
Section 145.221	Timing requirements for CAIR NO_X ozone season allowance allocations.	4/12/08	12/10/09, 74 FR 65446.	
Section 145.222	CAIR NO_X Ozone Season allowance allocations.	4/12/08	12/10/09, 74 FR 65446.	
Section 145.223	Supplemental monitoring, recordkeeping and reporting requirements for gross electrical output and useful thermal energy for units subject to 40 CFR 96.370–96.375.	4/12/08	12/10/09, 74 FR 65446.	
Title 67—Transportation				
Part I—Department of Transportation				
Subpart A—Vehicle Code Provisions				
Article VII—Vehicle Characteristics				
Chapter 175—Vehicle Equipment and Inspection				
Subchapter A—General Provisions				
Section 175.2	Definitions	9/27/97	6/17/99, 64 FR 32411	"Temporary Inspection Approval Indicator" only.
Section 175.2	Definitions	12/3/88	10/6/05, 70 FR 58313	Definitions which apply to safety inspection program in non-I/M counties.
Section 175.3	Application of equipment rules	12/3/88	10/6/05, 70 FR 58313	Applies to safety inspection program in non-I/M counties.

(1) EPA-APPROVED PENNSYLVANIA REGULATIONS AND STATUTES—Continued

State citation	Title/subject	State effective date	EPA approval date	Additional explanation/ § 52.2063 citation
Section 175.4	Vehicles required to be inspected	12/3/88	10/6/05, 70 FR 58313	Applies to safety inspection program in non-I/M counties.
Section 175.6	Annual inspection	12/3/88	10/6/05, 70 FR 58313	Applies to safety inspection program in non-I/M counties.
Section 175.7	Inspection of vehicle reentering this Commonwealth.	12/3/88	10/6/05, 70 FR 58313	Applies to safety inspection program in non-I/M counties.
Section 175.8	Newly purchased vehicles	2/19/94	10/6/05, 70 FR 58313	Applies to safety inspection program in non-I/M counties.
Section 175.11	Coordination of safety and emission inspection.	9/27/97	6/17/99, 64 FR 32411	(c)(139).
Subchapter B—Official Inspection Stations				
Section 175.21	Appointment	12/3/88	10/6/05, 70 FR 58313	Applies to safety inspection program in non-I/M counties.
Section 175.22	Making application	12/3/88	10/6/05, 70 FR 58313	Applies to safety inspection program in non-I/M counties.
Section 175.23(a) and (c).	Approval	12/3/88	10/6/05, 70 FR 58313	Applies to safety inspection program in non-I/M counties.
Section 175.24	Required certificates and station signs	12/3/88	10/6/05, 70 FR 58313	Applies to safety inspection program in non-I/M counties.
Section 175.25(a), (b)(1), (b)(3), and (c).	Inspection area	12/3/88	10/6/05, 70 FR 58313	Applies to safety inspection program in non-I/M counties.
Section 175.26(a) introductory sentence and (a)(3).	Tools and equipment	9/28/96	10/6/05, 70 FR 58313	Applies to safety inspection program in non-I/M counties.
Section 175.27	Hours	12/3/88	10/6/05, 70 FR 58313	Applies to safety inspection program in non-I/M counties.
Section 175.28 [Except for (c)(2), (g)(2), (g)(3), and (g)(5)–((9)].	Certified Inspection Mechanics	12/3/88	10/6/05, 70 FR 58313.	Applies to safety inspection program in non-I/M counties.
Section 175.29(f)(4)	Obligations and responsibilities of station.	9/27/97	6/17/99, 64 FR 32411	(c)(139).
Section 175.29	Obligations and responsibilities of stations.	9/27/97	10/6/05, 70 FR 58313	Applies to safety inspection program in non-I/M counties (except for (f)(4), which applies to I/M and non-I/M programs).
Section 175.31	Fleet inspection stations	12/3/88	10/6/05, 70 FR 58313	Applies to safety inspection program in non-I/M counties.

(1) EPA-APPROVED PENNSYLVANIA REGULATIONS AND STATUTES—Continued

State citation	Title/subject	State effective date	EPA approval date	Additional explanation/ § 52.2063 citation
Subchapter C—Certificate of Inspection				
Section 175.41(a), (b)(1), (b)(3), (c), (d), (e)(1), (e)(3), (e)(5), and (f)(4).	Procedure	9/27/97	10/6/05, 70 FR 58313	Applies statewide; To I/M program and non-I/M safety inspection program.
Section 175.42	Recording inspection	9/27/97	6/17/99, 64 FR 32411.	
Section 175.43	Security	9/27/97	6/17/99, 64 FR 32411.	
Section 175.44	Ordering certificates of inspection	9/27/97	6/17/99, 64 FR 32411.	
Section 175.45	Violation of use of certificate of inspection.	9/27/97	6/17/99, 64 FR 32411.	
Subchapter D—Schedule of Penalties and Suspensions: Official Inspection Stations and Certified Mechanics				
Section 175.51	Cause for suspension	2/19/94	10/6/05, 70 FR 58313	New section; Applies to safety inspection program in non-I/M counties.
Section 175.52	Reapplication	12/3/88	10/6/05, 70 FR 58313	New section; Applies to safety inspection program in non-I/M counties.
Subchapter E—Passenger Cars and Light Trucks				
Section 175.61	Application of subchapter	12/3/88	10/6/05, 70 FR 58313	New section; Applies to safety inspection program in non-I/M counties.
Section 175.72(d)	Fuel systems	12/3/88	10/6/05, 70 FR 58313	New section; Applies to safety inspection program in non-I/M counties.
Section 175.80(d)	Inspection procedure	5/13/99	10/6/05, 70 FR 58313	New section; Applies to safety inspection program in non-I/M counties.
Subchapter H—Motorcycles				
Section 175.141	Application of subchapter	12/3/88	10/6/05, 70 FR 58313	New section; Applies to safety inspection program in non-I/M counties.
Subchapter J—Motor-Driven Cycles and Motorized Pedalcycles				
Section 175.171	Application	12/3/88	10/6/05, 70 FR 58313	New section; Applies to safety inspection program in non-I/M counties.
Subchapter K—Street Rods, Specially Constructed and Reconstructed Vehicles				
Section 175.201	Application of subchapter	12/3/88	10/6/05, 70 FR 58313	New section; Applies to safety inspection program in non-I/M counties.
Section 175.202	Conditions	12/3/88	10/6/05, 70 FR 58313	Applies to safety inspection program in non-I/M counties.

(1) EPA-APPROVED PENNSYLVANIA REGULATIONS AND STATUTES—Continued

State citation	Title/subject	State effective date	EPA approval date	Additional explanation/ § 52.2063 citation
Section 175.220(d) [introductory sentence only].	Inspection procedure	5/13/99	10/6/05, 70 FR 58313	Applies to safety inspection program in non-I/M counties.
Subchapter L—Animal-Drawn Vehicles, Implements of Husbandry and Special Mobile Equipment				
Section 175.221	Application	12/3/88	10/6/05, 70 FR 58313.	
Chapter 177—Enhanced Emission Inspection Program				
Subchapter A—General Provisions				
Section 177.1	Purpose	10/1/97	6/17/99, 64 FR 32411	(c)(139).
Section 177.2	Application of equipment rules	10/1/97	6/17/99, 64 FR 32411	(c)(139).
Section 177.3	Definitions	11/22/03	10/6/05, 70 FR 58313.	
Implementation of Emission Inspection Program				
Section 177.22	Commencement of inspections	11/22/03	10/6/05, 70 FR 58313	Retitled and revised.
Section 177.23	Notification of requirement for emission inspection.	11/22/03	10/6/05, 70 FR 58313.	
Section 177.24	Program evaluation	11/22/03	10/6/05, 70 FR 58313.	
I/M Program				
Section 177.51	Program requirements	11/22/03	10/6/05, 70 FR 58313	Excludes paragraphs (c)(1), (c)(2), and (c)(3), and reference to those paragraphs.
Section 177.52	Emission inspection prerequisites	11/22/03	10/6/05, 70 FR 58313.	
Section 177.53	Vehicle inspection process	11/22/03	10/6/05, 70 FR 58313.	
Subchapter B—Subject Vehicles				
Section 177.101	Subject vehicles	11/22/03	10/6/05, 70 FR 58313.	
Section 177.102	Inspection of vehicles reentering this Commonwealth.	9/27/97	6/17/99, 64 FR 32411	(c)(139).
Section 177.103	Used vehicles after sale or resale	9/27/97	6/17/99, 64 FR 32411	(c)(139).
Section 177.104	Vehicles registered in nondesignated areas or other states.	9/27/97	6/17/99, 64 FR 32411	(c)(139).
Section 177.105	Vehicles requiring emission inspection due to change of address.	11/22/03	10/6/05, 70 FR 58313.	
Subchapter C—Emission Test Procedures and Emission Standards				
General				
Section 177.201	General requirements	11/22/03	10/6/05, 70 FR 58313.	
Section 177.202	Emission test equipment	11/22/03	10/6/05, 70 FR 58313.	
Section 177.202a	OBD–I/M check equipment	11/22/03	10/6/05, 70 FR 58313	New section.
Section 177.202b	Equipment for gas cap test and visual inspection.	11/22/03	10/6/05, 70 FR 58313	New section.
Section 177.203	Test procedures	11/22/03	10/6/05, 70 FR 58313.	
Section 177.204	Basis for failure	11/22/03	10/6/05, 70 FR 58313	Retitled and revised.
Recall Provisions				
Section 177.231	Requirements regarding manufacturer recall notices.	9/27/97	6/17/99, 64 FR 32411	(c)(139).
Section 177.232	Compliance with recall notices	9/27/97	6/17/99, 64 FR 32411	(c)(139).
Section 177.233	Failure to comply	9/27/97	6/17/99, 64 FR 32411	(c)(139).
Emission Inspection Report				
Section 177.251	Record of test results	9/27/97	6/17/99, 64 FR 32411	(c)(139).
Section 177.252	Emission inspection report	11/22/03	10/6/05, 70 FR 58313	Retitled and revised.
Section 177.253	Responsibility of the station owner for vehicles which fail the emission inspection.	11/22/03	10/6/05, 70 FR 58313	Retitled and revised.

(1) EPA-APPROVED PENNSYLVANIA REGULATIONS AND STATUTES—Continued

State citation	Title/subject	State effective date	EPA approval date	Additional explanation/ § 52.2063 citation
Retest				
Section 177.271	Procedure	11/22/03	10/6/05, 70 FR 58313.	
Section 177.272	Prerequisites	11/22/03	10/6/05, 70 FR 58313.	
Section 177.273	Content of repair data form	11/22/03	10/6/05, 70 FR 58313.	
Section 177.274	Retest fees	11/22/03	10/6/05, 70 FR 58313.	
Section 177.275	Repair technician training and certification.	11/22/03	10/6/05, 70 FR 58313	New section.
Issuance of Waiver				
Section 177.281	Issuance of waiver	11/22/03	10/6/05, 70 FR 58313.	
Section 177.282	Annual adjustment of minimum waiver expenditure for emission inspection.	11/22/03	10/6/05, 70 FR 58313	Excludes/removes the sentence and partial sentence, ''The minimum expenditure for the first 2 years after commencement of the program in an affected area is $150. Beginning with the 3rd year of the program in an affected area''.
Procedures Relating to Certificates of Emission Inspection				
Section 177.291	Procedures relating to certificates of emission inspection.	11/22/03	10/6/05, 70 FR 58313	Retitled and revised.
Section 177.292	Recording inspection	11/22/03	10/6/05, 70 FR 58313.	
Registration Recall Procedure for Violation of §§ 177.301–177.305 (Relating to On-Road Testing)				
Section 177.301	Authorization to conduct on-road emission testing.	9/27/97	6/17/99, 64 FR 32411	(c)(139).
Section 177.302	On-road testing devices	9/27/97	6/17/99, 64 FR 32411	(c)(139).
Section 177.304	Failure of on-road emission test	11/22/03	10/6/05, 70 FR 58313.	
Section 177.305	Failure to produce proof of correction of on-road emission test failure.	9/27/97	6/17/99, 64 FR 32411	(c)(139).
Subchapter D—Official Emission Inspection Station Requirements				
General				
Section 177.401	Appointment	11/22/03	10/6/05, 70 FR 58313.	
Section 177.402	Application	9/27/97	6/17/99, 64 FR 32411	(c)(139).
Section 177.403	Approval of emission inspection station.	9/27/97	6/17/99, 64 FR 32411	(c)(139).
Section 177.404	Required certificates and station signs	11/22/03	10/6/05, 70 FR 58313.	
Section 177.405	Emission inspection areas	11/22/03	10/6/05, 70 FR 58313.	
Section 177.406	Equipment	11/22/03	10/6/05, 70 FR 58313	Retitled and revised.
Section 177.407	Hours of operation	11/22/03	10/6/05, 70 FR 58313.	
Section 177.408	Certified emission inspectors	11/22/03	10/6/05, 70 FR 58313.	
Obligations and Responsibilities of Station Owners/Agents				
Section 177.421	Obligations and responsibilities of station owners/agents.	11/22/03	10/6/05, 70 FR 58313.	
Section 177.422	Commonwealth emission inspection stations.	11/22/03	10/6/05, 70 FR 58313	Retitled and revised.
Section 177.423	Fleet emission inspection stations	11/22/03	10/6/05, 70 FR 58313	Retitled and revised.
Section 177.424	General emission inspection stations	11/22/03	10/6/05, 70 FR 58313.	
Section 177.425	Security	11/22/03	10/6/05, 70 FR 58313.	
Section 177.426	Ordering certificates of emission inspection.	9/27/97	6/17/99, 64 FR 32411	(c)(139).
Section 177.427	Violations of use of certificate of emission inspection.	9/27/97	6/17/99, 64 FR 32411	(c)(139).

(1) EPA-APPROVED PENNSYLVANIA REGULATIONS AND STATUTES—Continued

State citation	Title/subject	State effective date	EPA approval date	Additional explanation/ § 52.2063 citation
Quality Assurance				
Section 177.431	Quality assurance	11/22/03	10/6/05, 70 FR 58313.	
Subchapter E—Equipment Manufacturers' and Contractors' Requirements and Obligations				
Equipment Manufacturers' Requirements				
Section 177.501	Equipment approval procedures	11/22/03	10/6/05, 70 FR 58313.	
Section 177.502	Service commitment	11/22/03	10/6/05, 70 FR 58313.	
Section 177.503	Performance commitment	11/22/03	10/6/05, 70 FR 58313.	
Section 177.504	Revocation of approval	9/27/97	6/17/99, 64 FR 32411	(c)(139).
Contractor Obligations				
Section 177.521	Contractor obligations and responsibilities.	11/22/03	10/6/05, 70 FR 58313.	
Subchapter F—Schedule of Penalties and Hearing Procedure				
Schedule of Penalties and Suspensions				
Section 177.601	Definitions	11/22/03	10/6/05, 70 FR 58313	New section.
Section 177.602	Schedule of penalties for emission inspection stations.	11/22/03	10/6/05, 70 FR 58313.	
Section 177.603	Schedule of penalties for emission inspectors.	11/22/03	10/6/05, 70 FR 58313.	
Additional Violations				
Section 177.605	Subsequent violations	11/22/03	10/6/05, 70 FR 58313.	
Section 177.606	Multiple violations	9/27/97	6/17/99, 64 FR 32411	(c)(139).
Departmental Hearing Procedure				
Section 177.651	Notice of alleged violation and opportunity to be heard prior to immediate suspension.	11/22/03	10/6/05, 70 FR 58313	Retitled and revised.
Section 177.652	Official documents	9/27/97	6/17/99, 64 FR 32411	(c)(139).
Restoration After Suspension				
Section 177.671	Restoration of certification of an emission inspector after suspension.	9/27/97	6/17/99, 64 FR 32411	(c)(139).
Section 177.672	Restoration of certification of an emission inspection station after suspension.	9/27/97	6/17/99, 64 FR 32411	(c)(139).
Section 177.673	Restoration of certification of certified repair technician after suspension.	9/27/97	6/17/99, 64 FR 32411	(c)(139).
Registration Recall Procedure for Violation of §§ 177.301–177.305 (Relating Toon-Road Resting)				
Section 177.691	Registration Recall Committee	11/22/03	10/6/05, 70 FR 58313.	
Appendix A	Acceleration Simulation Mode: Pennsylvania Procedures, Standards, Equipment Specifications and Quality Control Requirements.	11/22/03	10/6/05, 70 FR 58313	Replaces previous Appendix A.
Appendix B	Department Procedures and Specifications.	11/22/03	10/6/05, 70 FR 58313	Replaces previous Appendix B.
Title 35 Pennsylvania Statute—Health and Safety				
Chapter 23B—Diesel-Powered Motor Vehicle Idling Act				
Section 4601	Short title	2/6/09	8/1/11, 76 FR 45708.	
Section 4602	Definitions	2/6/09	8/1/11, 76 FR 45708.	
Section 4603	Restrictions on idling	2/6/09	8/1/11, 76 FR 45708.	
Section 4604	Increase of weight limit	2/6/09	8/1/11, 76 FR 45708.	
Section 4605	Penalties	2/6/09	8/1/11, 76 FR 45708.	
Section 4606	Disposition of fines	2/6/09	8/1/11, 76 FR 45708.	
Section 4607	Enforcement	2/6/09	8/1/11, 76 FR 45708.	

(1) EPA-APPROVED PENNSYLVANIA REGULATIONS AND STATUTES—Continued

State citation	Title/subject	State effective date	EPA approval date	Additional explanation/ § 52.2063 citation
Section 4608	Permanent idling restriction signs	2/6/09	8/1/11, 76 FR 45708.	
Section 4609	Preemption	2/6/09	8/1/11, 76 FR 45708.	
Section 4610	Applicability	2/6/09	8/1/11, 76 FR 45708	

(2) EPA-APPROVED ALLEGHENY COUNTY HEALTH DEPARTMENT (ACHD) REGULATIONS

Article XX or XXI citation	Title/subject	State effective date	EPA approval date	Additional explanation/ § 52.2063 citation
Part A—General				
2101.01	Short Titles	10/20/95	11/14/02, 67 FR 68935	In SIP at 52.2020(c)(92); citation change only at (c)(192).
2101.02.a, .02.c	Declaration of Policy and Purpose.	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2101.03	Effective Date and Repealer.	10/20/95	11/14/02, 67 FR 68935	In SIP at (c)(92); citation change only at (c)(192).
2101.04	Existing Orders	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2101.05	Existing Permits and Licenses.	3/31/98	8/30/04, 69 FR 52831	52.2420(c)(209).
2101.06	Construction and Interpretation.	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2101.07 (Except paragraphs .07.c.2 and c.8).	Administration and Organization.	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2101.10	Ambient Air Quality Standards (Except: PM_{10}—County & Free silica portion; Pb (1-hr & 8-hr avg.); settled particulates, beryllium, sulfates, fluorides, and hydrogen sulfide).	5/24/10	1/2/14, 79 FR 54	Addition of $PM_{2.5}$ standards.
2101.11	Prohibition of Air Pollution.	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2101.12	Interstate Air Pollution.	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2101.13	Nuisances	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2101.14	Circumvention	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2101.20	Definitions	10/20/95	11/14/02, 67 FR 68935	(c)(192); See Part I of the IBR document.
2101.20	Definitions related to gasoline volatility.	5/15/98, 9/1/99	4/17/01, 66 FR 19724	(c)(151); See Part I of the IBR document.
2101.20	Definitions	7/10/03	6/24/05, 70 FR 36511	See Part II of the IBR document.
2101.20	Definitions	5/24/10	12/28/10, 75 FR 81555	Addition of four new definitions: Exterior panels, interior panels, flat wood panel coating, and tileboard. See Part III of the IBR document.
2101.20	Definitions	5/24/10	1/2/14, 79 FR 54	Addition of "PM–2.5" definition.
Part B—Permits Generally				
2102.01	Certification	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2102.02	Applicability	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2102.03.a through .k	Permits Generally	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2102.04	Installation Permits	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2102.05	Installation Permits for New and Modified Major Sources.	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2102.06	Major Sources Locating in or Impacting a Nonattainment Area.	7/10/05	6/10/11, 76 FR 34000	Addition of new paragraph 2102.06.g.

(2) EPA-APPROVED ALLEGHENY COUNTY HEALTH DEPARTMENT (ACHD) REGULATIONS—Continued

Article XX or XXI citation	Title/subject	State effective date	EPA approval date	Additional explanation/ § 52.2063 citation
2102.07	Prevention of Significant Deterioration.	3/31/98	2/28/13, 78 FR 13493	Added.
2102.08	Emission Offset Registration.	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2102.10	Installation Permit Application and Administration Fees.	10/20/95	11/14/02, 67 FR 68935	(c)(192).
Part C—Operating Permits				
2103.01	Transition	10/20/95	8/30/04, 69 FR 52831	(c)(209).
Subpart 1—Operating Permits (All Major and Minor Permits)				
2103.10.a., b	Applicability, Prohibitions, Records.	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2103.11	Applications	10/20/95	8/30/04, 69 FR 52831	(c)(209).
2103.12	Issuance, Standard Conditions.	3/31/98	8/30/04, 69 FR 52831	(c)(209).
2103.13	Expiration, Renewals, Reactivation.	10/20/95	8/30/04, 69 FR 52831	(c)(209).
2103.14	Revisions, Amendments, Modifications.	1/12/01	8/30/04, 69 FR 52831	(c)(209).
2103.15	Reopenings, Revocations.	10/20/95	8/30/04, 69 FR 52831	(c)(209).
Subpart 2—Additional Requirements for Major Permits				
2103.20.b.4	Applicability, Prohibitions, Records.	10/20/95	11/14/02, 67 FR 68935	(c)(192).
Part D—Pollutant Emission Standards				
2104.01	Visible Emissions	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2104.02	Particulate Mass Emissions.	8/15/97	6/12/98, 63 FR 32126	(c)(133)(i)(B)(*1*); Citation changes approved on 11/12/02 (67 FR 68935) at (c)(192).
2104.03	Sulfur Oxide Emissions.	7/10/03	7/21/04, 69 FR 43522	(c)(216)(i)(C).
2104.05	Materials Handling	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2104.06	Violations	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2104.07	Stack Heights	10/20/95	11/14/02, 67 FR 68935	(c)(192).
Part E—Source Emission and Operating Standards				
2105.01	Equivalent Compliance Techniques.	7/10/03	6/24/05, 70 FR 36511.	
2105.02	Other Requirements Not Affected.	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2105.03	Operation and Maintenance.	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2105.04	Temporary Shutdown of Incineration Equipment.	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2105.06	Major Sources of Nitrogen Oxides and Volatile Organic Compounds.	10/20/95	10/7/02, 67 FR 62389	(c)(157).
Subpart 1—VOC Sources				
2105.10	Surface Coating Processes.	5/24/10	12/28/10, 75 FR 81480	Revision to *Applicability,* section 2105.10(a).
2105.11	Graphic Arts Systems.	10/20/95	11/14/02, 67 FR 68935	(c)(192).

(2) EPA-APPROVED ALLEGHENY COUNTY HEALTH DEPARTMENT (ACHD) REGULATIONS—Continued

Article XX or XXI citation	Title/subject	State effective date	EPA approval date	Additional explanation/ § 52.2063 citation
2105.12	Volatile Organic Compound Storage Tanks.	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2105.13	Gasoline Loading Facilities.	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2105.14	Gasoline Dispensing Facilities—Stage II Control.	7/10/05	1/17/08, 73 FR 3190.	
2105.15	Degreasing Operations.	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2105.16	Cutback Asphalt Paving.	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2105.17	Ethylene Production Processes.	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2105.19	Synthetic Organic Chemical & Polymer Manufacturing—Fugitive Sources.	10/20/95	11/14/02, 67 FR 68935	(c)(192).
Subpart 2—Stag, Coke, and Miscellaneous Sulfur Sources				
2105.20	Slag Quenching	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2105.21	Coke Ovens and Coke Oven Gas.	4/1/07	7/13/09, 74 FR 33329	Revision to paragraph 2105.21.f (Combustion Stacks). 2. EPA approved revisions effective 10/20/95 on 11/14/02 (67 FR 68935) at (c)(192).
2105.22	Miscellaneous Sulfur Emitting Processes.	10/20/95	11/14/02, 67 FR 68935	(c)(192).
Subpart 3—Incineration and Combustion Sources				
2105.30 (except paragraphs .b.3 and .f).	Incinerators	10/20/95	11/14/02, 67 FR 68935	(c)(192); Section 2105.30.f. is federally enforceable as part of the applicable section 111(d) plan.
Subpart 4—Miscellaneous Fugitive Sources				
2105.40	Permit Source Premises.	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2105.41	Non-Permit Premises.	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2105.42	Parking Lots and Roadways.	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2105.43	Permit Source Transport.	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2105.44	Non-Permit Source Transport.	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2105.45	Construction and Land Clearing.	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2105.46	Mining	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2105.47	Demolition	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2105.48	Areas Subject to Sections 2105.40 Through 2105.47.	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2105.49.a, .b	Fugitive Emissions	10/20/95	11/14/02, 67 FR 68935	(c)(192).
Subpart 5—Open Burning and Abrasive Blasting Sources				
2105.50 (except paragraph .50.d).	Open Burning	10/20/95	11/14/02, 67 FR 68935	(c)(192).
Article XX, Section 533	Abrasive Blasting	10/9/86	10/19/87, 51 FR 38758	(c)(69).
Subpart 7—Miscellaneous VOC Sources				
2105.70	Petroleum Refineries.	10/20/95	11/14/02, 67 FR 68935	(c)(192).

(2) EPA-APPROVED ALLEGHENY COUNTY HEALTH DEPARTMENT (ACHD) REGULATIONS—Continued

Article XX or XXI citation	Title/subject	State effective date	EPA approval date	Additional explanation/ § 52.2063 citation
2105.71	Pharmaceutical Products.	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2105.72	Manufacturer of Pneumatic Rubber Tires.	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2105.74	Aerospace Manufacturing and Rework.	7/10/03	6/24/05, 70 FR 36511.	
2105.75	Mobile Equipment Repair and Refinishing.	7/10/03	6/24/05, 70 FR 36511.	
2105.76	Wood Furniture Manufacturing Operations.	7/10/03	6/24/05, 70 FR 36511.	
2105.77	Control of VOC Emissions from Large Appliance and Metal Furniture Surface Coating Processes.	5/24/10	12/28/10, 75 FR 81480	New Regulation.
2105.78	Control of VOC Emissions from Flat Wood Paneling Coating Processes.	5/24/10	12/28/10, 75 FR 81480	New Regulation.
2105.79	Control of VOC Emissions from Paper, Film, and Foil Surface Coating Processes.	5/24/10	12/28/10, 75 FR 81480	New Regulation.
Subpart 8—Additional Miscellaneous VOC Sources				
2105.88	Consumer Products	4/3/12	11/29/12, 77 FR 71115	New section is added.
Subpart 9—Transportation Related Sources				
2105.90	Gasoline Volatility	5/15/98 9/1/99	4/17/01, 66 FR 19724	(c)(151).
Subpart 10—NO_X Sources				
2105.101	Control of NO_X Emissions from Glass Melting Furnaces.	4/3/12	11/29/12, 77 FR 71117	New subpart and section are added.
Part F—Air Pollution Episodes				
2106.01	Air Pollution Episode System.	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2106.02	Air Pollution Source Curtailment Plans.	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2106.03	Episode Criteria	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2106.04	Episode Actions	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2106.05	USX-Clairton Works PM–10 Self Audit Emergency Action Plan.	8/15/97	6/12/98, 63 FR 32126	(c)(133)(i)(B)(*3*).
Part G—Methods				
2107.01	General	10/20/95	1/14/02, 67 FR 68935	(c)(192).
2107.02	Particulate Matter	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2107.03	Sulfur Oxides	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2107.04 (except paragraph .04.h).	Volatile Organic Compounds.	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2107.05	Nitrogen Oxides	10/20/95	11/14/02, 67 FR 68935	(c)(192).

(2) EPA-APPROVED ALLEGHENY COUNTY HEALTH DEPARTMENT (ACHD) REGULATIONS—Continued

Article XX or XXI citation	Title/subject	State effective date	EPA approval date	Additional explanation/ § 52.2063 citation
2107.06	Incinerator Temperatures.	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2107.07	Coke Oven Emissions.	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2107.08	Coke Oven Gas	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2107.10	Sulfur Content of Coke.	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2107.11	Visible Emissions	4/1/07	7/13/09, 74 FR 3329.	
2107.15	Gasoline Volatility and RFG.	5/15/98	4/17/01, 66 FR 19724	(c)(151).
2107.20.c, .g through .j, .m and .n.	Ambient Measurements.	10/20/95	11/14/02, 67 FR 68935	(c)(192).
Part H—Reporting, Testing & Monitoring				
2108.01	Reports Required	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2108.01.a.	Termination of Operation.	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2108.01.b	Shutdown of Control Equipment.	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2108.01.c	Breakdowns	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2108.01.d.	Cold Start	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2108.01.e (Except paragraphs e.1.A &.B).	Emissions Inventory Statements.	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2108.01.f	Orders	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2108.01.g	Violations	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2108.02	Emissions Testing	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2108.03	Continuous Emission Monitoring.	4/1/07	7/13/09, 74 FR 3329	Revision to paragraph 2108.03.f (Violations).
2108.04	Ambient Monitoring	10/20/95	11/14/02, 67 FR 68935	(c)(192).
Part I—Enforcement				
2109.01	Inspections	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2109.02 (except paragraph.02.a.7).	Remedies	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2109.03a. (introductory sentence), b. through f.	Enforcement Orders.	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2109.04	Orders Establishing an Additional or More Restrictive Standard.	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2109.05	Emergency Orders	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2109.06 (Except paragraphs .06.a.2, .a.3, and .a.4).	Civil Proceedings	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2109.10	Appeals	10/20/95	11/14/02, 67 FR 68935	(c)(192).
2109.20	General Federal Conformity.	10/20/95	11/14/02, 67 FR 68935	(c)(192).

(3) EPA-APPROVED PHILADELPHIA AMS REGULATIONS

Rule citation	Title/subject	State effective date	EPA approval date	Additional explanation/ § 52.2063 citation
Title 3—Air Management Code				
Chapter 3–100	General Provisions	10/20/69	5/31/72, 37 FR 10842	(c)(1).
Chapter 3–200 (Except § 3–207(4)).	Prohibited Conduct	10/4/76	6/4/79, 44 FR 31980	(c)(18).
Chapter 3–300	Administrative Provisions	9/21/72	3/12/79, 44 FR 13480	(c)(15).
Regulation I—General Provisions				
Section I	Definitions	4/29/70	5/31/72, 37 FR 10842	(c)(1).
Section II (Except portions of paragraph II.B).	Source Registration and Emission Reporting.	5/4/74	9/9/75, 40 FR 41787	(c)(12).

(3) EPA-APPROVED PHILADELPHIA AMS REGULATIONS—Continued

Rule citation	Title/subject	State effective date	EPA approval date	Additional explanation/ § 52.2063 citation
Section III	Testing and Test Methods	4/29/70	5/31/72, 37 FR 10842	(c)(1).
Section IV	Availability of Technology	4/29/70	5/31/72, 37 FR 10842	(c)(1).
Section V	Improvement and Plan	4/29/70	5/31/72, 37 FR 10842	(c)(1).
Section VI	Pre-existing Regulations	4/29/70	5/31/72, 37 FR 10842	(c)(1).
Section VII	Circumvention	4/29/70	5/31/72, 37 FR 10842	(c)(1).
Section VIII	Severability	4/29/70	5/31/72, 37 FR 10842	(c)(1).
Section IX	Effective Date	4/29/70	5/31/72, 37 FR 10842	(c)(1).
Section XI.D	Compliance with Federal Regulations—Stack Height Regulations.	3/27/86	1/23/89, 54 FR 3029	(c)(70).
Regulation II—Air Contaminant and Particulate Matter Emissions				
Section I	No Title [General Provisions]	4/29/70	5/31/72, 37 FR 10842	(c)(1).
Section II	Open Fires	4/29/70	5/31/72, 37 FR 10842	(c)(1).
Section IV	Visible Emissions	5/4/74	9/9/75, 40 FR 41787	(c)(12).
Section V	Particulate Matter Emissions from the Burning of Fuels.	8/27/81	4/16/82, 47 FR 16325	(c)(43).
Section VI	Selection of Fuel for Particulate Matter Emission Control.	4/29/70	5/31/72, 37 FR 10842	(c)(1).
Section VII	Particulate Matter Emissions from Chemical, Metallurgical, Mechanical and Other Processes.	4/29/70	5/31/72, 37 FR 10842	(c)(1).
Section VIII	Fugitive Dust	4/29/70	5/31/72, 37 FR 10842	(c)(1).
Table 1	No Title [Allowable Process Weight Emissions].	4/29/70	5/31/72, 37 FR 10842	(c)(1).
Regulation III—The Control of Emissions of Oxides and Sulfur Compounds				
Section I	No Title [General Provisions]	4/29/70	5/31/72, 37 FR 10842	(c)(1).
Section II	Control of Emission of Sulfur Compounds.	5/10/80	9/17/81, 46 FR 46133	(c)(37).
Section III	Control of Sulfur in Fuels	8/27/81	4/16/82, 47 FR 16325	(c)(43).
Regulation IV—Governing Air Pollution Control Measures During High Air Pollution Episodes				
Section I	Definitions	2/5/71	5/31/72, 37 FR 10842	(c)(1).
Section II	Declaration of Conditions	2/5/71	5/31/72, 37 FR 10842	(c)(1).
Section III	Termination of Conditions	2/5/71	5/31/72, 37 FR 10842	(c)(1).
Section IV	Alert and Notification System by the Health Commissioner and the Emergency Coordinator.	2/5/71	5/31/72, 37 FR 10842	(c)(1).
Section V	Advance Preparation for High Air Pollution Episodes.	2/5/71	5/31/72, 37 FR 10842	(c)(1)
Section VI	Actions and Restrictions	2/5/71	5/31/72, 37 FR 10842	(c)(1).
Section VII	Severability	2/5/71	5/31/72, 37 FR 10842	(c)(1).
Section VIII	Effective Date	2/5/71	5/31/72, 37 FR 10842	(c)(1).
Table I	Minimum Abatement Strategies for Emission Reduction Plans—Stage I Condition.	2/5/71	5/31/72, 37 FR 10842	(c)(1).
Table II	Minimum Abatement Strategies for Emission Reduction Plans—Stage II Condition.	2/5/71	5/31/72, 37 FR 10842	(c)(1).
Table III	Minimum Abatement Strategies for Emission Reduction Plans—Emergency Condition.	2/5/71	5/31/72, 37 FR 10842	(c)(1).
Table IV	Emergency Business and Establishment List.	2/5/71	5/31/72, 37 FR 10842	(c)(1).
Regulation V—Control of Emissions of Organic Substances From Stationary Sources				
Section I (Except for definitions related to paragraphs V.C.& V.D.).	Definitions	11/28/86	6/16/93, 58 FR 33200	(c)(83).
Section I	Definitions	5/23/88	4/6/93, 48 FR 17778	(c)(78).
Section II	Storage Tanks	7/10/71	5/31/72, 37 FR 10842	(c)(1).
Section III	Oil-Effluent Water Separator	7/10/71	5/31/72, 37 FR 10842	(c)(1).
Section IV	Pumps and Compressors	7/10/71	5/31/72, 37 FR 10842	(c)(1).
Section V (Except paragraphs V.C and V.D).	Organic Material Loading	7/10/71	5/31/72, 37 FR 10842	(c)(1).

(3) EPA-APPROVED PHILADELPHIA AMS REGULATIONS—Continued

Rule citation	Title/subject	State effective date	EPA approval date	Additional explanation/ § 52.2063 citation
Section VI	Solvents	7/10/71	5/31/72, 37 FR 10842	(c)(1).
Section VII	Processing of Photochemically Reactive Materials.	7/10/71	5/31/72, 37 FR 10842	(c)(1).
Section VIII	Architectural Coatings	7/10/71	5/31/72, 37 FR 10842	(c)(1).
Section IX	Disposal of Solvents	7/10/71	5/31/72, 37 FR 10842	(c)(1).
Section X	Compliance with Pennsylvania Standards for Volatile Organic Compounds (VOC).	11/28/86	6/16/93, 58 FR 33192	(c)(82).
Section XI	Petroleum Solvent Dry Cleaning	11/28/86	4/12/93, 58 FR 19066	(c)(77).
Section XII	Pharmaceutical Tablet Coating	11/28/86	6/16/93, 58 FR 33200	(c)(83).
Section XIII	Process Equipment Leaks	5/23/98	4/6/93, 58 FR 17778	(c)(78).
Section XXII	Circumvention	7/10/71 recodified 5/23/88	5/31/72, 37 FR 10842	(c)(1).
Section XXIII	Severability	7/10/71 recodified 5/23/88	5/31/72, 37 FR 10842	(c)(1).
Section XXIV	Effective Date	7/10/71 recodified 5/23/88	5/31/72, 37 FR 10842	(c)(1).
Regulation VII—Control of Emissions of Nitrogen Oxides From Stationary Sources				
Section I	Definitions	7/1/72	5/14/73, 38 FR 12696	(c)(7).
Section II	Fuel Burning Equipment	11/20/85	1/14/87, 52 FR 1456	(c)(65).
Section III	Nitric Acid Plants	7/1/72	5/14/73, 38 FR 12696	(c)(7).
Section IV	Emissions Monitoring	7/1/72	5/14/73, 38 FR 12696	(c)(7).
Section V	Circumvention	7/1/72	5/14/73, 38 FR 12696	(c)(7).
Section VI	Severability	7/1/72	5/14/73, 38 FR 12696	(c)(7).
Section VII	Effective Date	7/1/72	5/14/73, 38 FR 12696	(c)(7).
Regulation VIII—Control of Emissions of Carbon Monoxide From Stationary Sources				
Section I	Definitions	8/20/72	5/14/73, 38 FR 12696	(c)(7).
Section II	General	8/20/72	5/14/73, 38 FR 12696	(c)(7).
Section III	Emissions Monitoring	8/20/72	5/14/73, 38 FR 12696	(c)(7).
Section IV	Circumvention	8/20/72	5/14/73, 38 FR 12696	(c)(7).
Section V	Severability	8/20/72	5/14/73, 38 FR 12696	(c)(7).
Section VI	Effective Date	8/20/72	5/14/73, 38 FR 12696	(c)(7).
Regulation XI—Control of Emissions From Incinerators				
Section I	Definitions	5/4/74	9/9/75, 40 FR 41787	(c)(12).
Section II	General Provisions	5/4/74	9/9/75, 40 FR 41787	(c)(12).
Section III (Except paragraph III.E. (odors)).	Emissions Limitations	5/4/74	9/9/75, 40 FR 41787	(c)(12).
Section IV	Design	5/4/74	9/9/75, 40 FR 41787	(c)(12).
Section V	Operation	5/4/74	9/9/75, 40 FR 41787	(c)(12).
Section VI	Permits and Licenses	5/4/74	9/9/75, 40 FR 41787	(c)(12).
Section VII	Circumvention	5/4/74	9/9/75, 40 FR 41787	(c)(12).
Section VIII	Severability	5/4/74	9/9/75, 40 FR 41787	(c)(12).
Section IX	Effective Date	5/4/74	9/9/75, 40 FR 41787	(c)(12).
Regulation XIII—Construction, Modification, Reactivation and Operation of Sources				
Section I	Introduction	10/30/95	3/28/03, 68 FR 15059	(c)(203).
Section II	Program Adoption	10/30/95	3/28/03, 68 FR 15059	(c)(203).

(d) EPA-Approved State Source-Specific Requirements

(1) EPA-APPROVED SOURCE-SPECIFIC REASONABLY AVAILABLE CONTROL TECHNOLOGY (RACT) REQUIREMENTS FOR VOLATILE ORGANIC COMPOUNDS (VOC) AND OXIDES OF NITROGEN (NO_X)

Name of source	Permit No.	County	State effective date	EPA approval date	Additional explanation/ § 52.2063 citation
For exceptions, *see* the applicable paragraphs in 40 CFR § 52.2063(c)					
ARCO Chemical Company	04–313–052	Beaver	12/9/86	5/16/90, 55 FR 20267	(c)(71).
IMC Chemical Group	39–313–014	Lehigh	12/10/86	5/16/90, 55 FR 20267	(c)(72).
Aristech Chemical Corp	86–I–0024–P	Allegheny	8/28/86 3/3/87	6/16/93, 58 FR 33197	(c)(80).
The Knoll Group	46–326–001A	Montgomery	3/24/93	10/19/93, 58 FR 53885	(c)(87).
ESSROC Materials	PA–48–0004A	Northampton	12/20/94	08/08/95, 60 FR 40292	(c)(98)(i)(B)(*1*).
Pennsylvania Power and Light Co. (PP&L)—Brunner Island	PA–67–2005	York	12/22/94	08/08/95, 60 FR 40292	(c)(98)(i)(B)(*2*).
PPG Industries, Inc.—South Middleton	OP–21–2002	Cumberland	12/22/94	08/08/95, 60 FR 40292	(c)(98)(i)(B)(*3*).
Stroehmann Bakeries—Dauphin County	PA–22–2003	Dauphin	12/22/94	08/08/95, 60 FR 40292	(c)(98)(i)(B)(*4*).
General Electric Transportation Systems—Erie	OP–25–025	Erie	12/21/94	08/08/95, 60 FR 40292	(c)(98)(i)(B)(*5*).
J. E. Baker Co. (Refractories)—York	OP–67–2001	York	12/22/94	08/08/95, 60 FR 40292	(c)(98)(i)(B)(*6*).
Lafarge Corp	OP–39–0011	Lehigh	12/23/94	08/08/95, 60 FR 40292	(c)(98)(i)(B)(*7*).
Lafarge Corp	PA–39–0011A	Lehigh	12/23/94	08/08/95, 60 FR 40292	(c)(98)(i)(B)(*7*).
West Penn Power—Armstrong	PA–03–000–023	Armstrong	12/29/94	08/08/95, 60 FR 40292	(c)(98)(i)(B)(*8*).
West Penn Power—Armstrong	PA–03–306–004	Armstrong	3/28/94	08/08/95, 60 FR 40292	(c)(98)(i)(B)(*8*).
West Penn Power—Armstrong	PA–03–306–006	Armstrong	11/22/94	08/08/95, 60 FR 40292	(c)(98)(i)(B)(*8*).
Plain and Fancy Kitchens, Inc	PA–38–318–019C	Lebanon	12/23/94	08/08/95, 60 FR 40292	(c)(98)(i)(B)(*9*).
Stroehmann Bakeries—Bradford County	PA–08–0001	Bradford	2/9/95	08/10/95, 60 FR 40758	(c)(101)(i)(B).
Stroehmann Bakeries—Bradford County	OP–08–0001A	Bradford	2/9/95	08/10/95, 60 FR 40758	(c)(101)(i)(B).
Stroehmann Bakeries—Lycoming County	PA–41–0001	Lycoming	2/9/95	08/10/95, 60 FR 40758	(c)(101)(i)(B).
Stroehmann Bakeries—Lycoming County	OP–41–0001A	Lycoming	2/9/95	08/10/95, 60 FR 40758	(c)(101)(i)(B).
Philadelphia Electric Co. (PECO)—Eddystone	OP–23–0017	Delaware	12/28/94	09/08/95, 60 FR 46768	(c)(102)(i)(B)(*1*).
Philadelphia Electric Co. (PECO)—Eddystone	PA–23–0017	Delaware	12/28/94	09/08/95, 60 FR 46768	(c)(102)(i)(B)(*1*).
Gilberton Power Co.—John Rich Memorial	OP–54–0004	Schuylkill	12/20/94	09/08/95, 60 FR 46768	(c)(102)(i)(B)(*2*).
Bethlehem Steel—Coke and Chemical Production	OP–48–0013	Northampton	12/20/94	09/08/95, 60 FR 46768	(c)(102)(i)(B)(*3*).
Bethlehem Steel—Foundry	OP–48–0014	Northampton	12/20/94	09/08/95, 60 FR 46768	(c)(102)(i)(B)(*3*).
Bethlehem Steel—Structural Products	OP–48–0010	Northampton	12/20/94	09/08/95, 60 FR 46768	(c)(102)(i)(B)(*3*).
Bethlehem Steel—Forging	OP–48–0015	Northampton	12/20/94	09/08/95, 60 FR 46768	(c)(102)(i)(B)(*3*).

(1) EPA-APPROVED SOURCE-SPECIFIC REASONABLY AVAILABLE CONTROL TECHNOLOGY (RACT) REQUIREMENTS FOR VOLATILE ORGANIC COMPOUNDS (VOC) AND OXIDES OF NITROGEN (NO_X)—Continued

Name of source	Permit No.	County	State effective date	EPA approval date	Additional explanation/ § 52.2063 citation
Westwood Energy Properties, Inc. (CRS Sirrine, Inc.)	OP–54–000–6	Schuylkill	12/27/94	09/08/95, 60 FR 46768	(c)(102)(i)(B)(*4*).
PECO Energy Co.—Front Street	OP–46–0045	Montgomery	3/31/95	09/08/95, 60 FR 46768	(c)(102)(i)(B)(*5*).
Crawford Furniture Manufacturing Corp.—Clarion County	OP–16–021	Clarion	3/27/95	09/08/95, 60 FR 46768	(c)(102)(i)(B)(*6*).
Schuylkill Energy Resources	OP–54–0003	Schuylkill	5/19/95	09/08/95, 60 FR 46768	(c)(102)(i)(B)(*7*).
Columbia Gas Transmission Corp.—Milford Compressor Station	OP–52–0001	Pike	4/21/95	09/08/95, 60 FR 46768	(c)(102)(i)(B)(*9*).
Texas Eastern Transmission Corp.—Entriken Compressor Station	OP–31–2003	Huntingdon	5/16/95	09/08/95, 60 FR 46768	(c)(102)(i)(B)(*10*).
Columbia Gas Transmission Corp.—Greencastle Compressor Station	OP–28–2003	Franklin	4/21/95	09/08/95, 60 FR 46768	(c)(102)(i)(B)(*11*).
Lord Corporation—Aerospace Div	OP–25–095	Erie	3/30/95	09/08/95, 60 FR 46768	(c)(102)(i)(B)(*12*).
Tennessee Gas Pipeline Co. (TENNECO)—Station 313	PA–53–0001 OP–53–0001 CP–53–0001	Potter	11/27/95	04/09/96, 61 FR 15709	(c)(103)(i)(B)(*1*).
Corning Asahi Video Products—State College	OP–14–0003	Centre	12/27/94	04/09/96, 61 FR 15709	(c)(103)(i)(B)(*2*).
Corning Asahi Video Products—State College	OP–14–309–009C	Centre	5/5/94	04/09/96, 61 FR 15709	(c)(103)(i)(B)(*2*).
Corning Asahi Video Products—State College	OP–14–309–010A	Centre	8/18/94	04/09/96, 61 FR 15709	(c)(103)(i)(B)(*2*).
Corning Asahi Video Products—State College	OP–14–309–037A	Centre	5/5/94	04/09/96, 61 FR 15709	(c)(103)(i)(B)(*2*).
Columbia Gas Transmission Corp.—Easton Compressor Station	OP–48–0001 PA–48–0001A	Northampton	5/19/95	04/09/96, 61 FR 15709	(c)(103)(i)(B)(*3*).
Texas Eastern Transmission Corp.—Bedford Compressor Station	OP–05–2007	Bedford	5/16/95	04/09/96, 61 FR 15709	(c)(103)(i)(B)(*4*).
Texas Eastern Transmission Corp.—Marietta Compressor Station	PA–36–2025	Lancaster	5/16/95	04/09/96, 61 FR 15709	(c)(103)(i)(B)(*5*).
Hercules Cement Co	OP–48–0005 PA–48–0005A	Northampton	12/23/94	04/09/96, 61 FR 15709	(c)(103)(i)(B)(*6*).
ESSROC (formerly Lone Star Industries, Inc.)	OP–48–0007	Northampton	12/29/94	04/09/96, 61 FR 15709	(c)(103)(i)(B)(*7*).
Pennsylvania Power and Light Co. (PP&L)—Montour	OP–47–0001 PA–47–0001A	Montour	12/27/94	04/09/96, 61 FR 15709	(c)(103)(i)(B)(*8*).
Pennsylvania Electric Co. (PENELEC)—Shawville	PA–17–0001	Clearfield	12/27/94	04/09/96, 61 FR 15709	(c)(103)(i)(B)(*9*).
Zinc Corp. of America—Potter Twp	OP–04–000–044	Beaver	12/29/94	04/09/96, 61 FR 15709	(c)(103)(i)(B)(*10*).
The Proctor and Gamble Paper Products Company Mehoopany	OP–66–0001 PA–66–0001A	Wyoming	12/20/94	04/09/96, 61 FR 15709	(c)(103)(i)(B)(*11*).
Columbia Gas Transmission Corp.—Union City Compressor Station	OP–25–892	Erie	4/11/95	04/09/96, 61 FR 15709	(c)(103)(i)(B)(*12*).
James River Corp.—Chambersburg	OP–28–2006	Franklin	6/14/95	02/12/96, 61 FR 05303	(c)(104)(i)(C)(*1*).

(1) EPA-APPROVED SOURCE-SPECIFIC REASONABLY AVAILABLE CONTROL TECHNOLOGY (RACT) REQUIREMENTS FOR VOLATILE ORGANIC COMPOUNDS (VOC) AND OXIDES OF NITROGEN (NO_x)—Continued

Name of source	Permit No.	County	State effective date	EPA approval date	Additional explanation/ § 52.2063 citation
Appleton Papers, Inc.—Harrisburg	OP–21–2004	Cumberland	5/24/95	02/12/96, 61 FR 05303	(c)(104)(i)(C)(*2*).
Air Products and Chemicals, Inc.—Corporate R & D	OP–39–0008	Lehigh	5/25/95	02/12/96, 61 FR 05303	(c)(104)(i)(C)(*3*).
Elf Atochem North America, Inc.—King of Prussia	OP–46–0022	Montgomery	6/27/95	02/12/96, 61 FR 05303	(c)(104)(i)(C)(*4*).
York City Sewer Authority (Wastewater Treatment Plant)	OP–67–2013	York	3/1/95	02/12/96, 61 FR 05303	(c)(104)(i)(C)(*5*).
Glasgow, Inc.—Ivy Rock	OP–46–0043	Montgomery	6/7/95	02/12/96, 61 FR 05303	(c)(104)(i)(C)(*6*).
Glasgow, Inc.—Spring House	OP–46–0029	Montgomery	6/7/95	02/12/96, 61 FR 05303	(c)(104)(i)(C)(*7*).
Glasgow, Inc.—Catanach	OP–15–0021	Chester	6/7/95	02/12/96, 61 FR 05303	(c)(104)(i)(C)(*8*).
Glasgow, Inc.—Freeborn	OP–23–0026	Delaware	6/7/95	02/12/96, 61 FR 05303	(c)(104)(i)(C)(*9*).
UGI Utilities—Hunlock Creek	OP–40–0005 PA–40–0005A	Luzerne	12/20/94	05/16/96, 61 FR 24706	(c)(108)(i)(B)(*1*).
Solar Turbines, Inc. (York Cogeneration Facility)	PA–67–2009	York	8/17/95	05/16/96, 61 FR 24706	(c)(108)(i)(B)(*2*).
Solar Turbines, Inc. (York Cogeneration Facility)	CP–67–2009	York	8/17/95	05/16/96, 61 FR 24706	(c)(108)(i)(B)(*2*).
Columbia Gas Transmission Corp.—Renovo Compressor Station	OP–18–0001 PA–18–0001	Clinton	7/18/95	05/16/96, 61 FR 24706	(c)(108)(i)(B)(*3*).
National Fuel Gas Supply Corp.—East Fork Compressor Station	OP–53–0007 PA–53–0007A	Potter	7/17/95	05/16/96, 61 FR 24706	(c)(108)(i)(B)(*4*).
York County Solid Waste & Refuse Authority (Y.C.R.R.C.)	PA–67–2006	York	8/25/95	05/16/96, 61 FR 24706	(c)(108)(i)(B)(*5*).
W. R. Grace and Co.—FORMPAC Div	PA–06–1036	Berks	5/12/95	05/16/96, 61 FR 24706	(c)(108)(i)(B)(*6*).
W. R. Grace and Co.—Reading Plant	PA–06–315–001	Berks	6/4/92	05/16/96, 61 FR 24706	(c)(108)(i)(B)(*6*).
CNG Transmission Corp.—Cherry Tree Sta	PA–32–000–303	Indiana	7/5/95	05/16/96, 61 FR 24706	(c)(108)(i)(B)(*7*).
EPC Power Corp. of Bethlehem (Crozer Chester CoGen)	OP–23–0007	Delaware	6/8/95	05/16/96, 61 FR 24706	(c)(108)(i)(B)(*8*).
C–P Converters, Inc.—York	OP–67–2030	York	8/30/95	05/16/96, 61 FR 24706	(c)(108)(i)(B)(*9*).
Fisher Scientific Co. International—Indiana	OP–32–000–100	Indiana	7/18/95	05/16/96, 61 FR 24706	(c)(108)(i)(B)(*10*).
Adelphi Kitchens, Inc.—Robesonia Factory	OP–06–1001	Berks	4/4/95	05/16/96, 61 FR 24706	(c)(108)(i)(B)(*11*).
Birchcraft Kitchens, Inc.—Reading Factory	OP–06–1005	Berks	4/4/95	05/16/96, 61 FR 24706	(c)(108)(i)(B)(*12*).
Glasgow, Inc.—Bridgeport Asphalt Plant	OP–46–0044	Montgomery	6/7/95	05/16/96, 61 FR 24706	(c)(108)(i)(B)(*13*).
Caparo Steel Co.—Farrell	OP–43–285	Mercer	11/3/95	12/20/96, 61 FR 67229	(c)(113)(i)(B)(*1*); 52.2037(g).
Sharon Steel Corp.—Farrell	OP–43–017	Mercer	11/3/95	12/20/96, 61 FR 67229	(c)(113)(i)(B)(*2*); 52.2036(f); 52.2037(e).

(1) EPA-APPROVED SOURCE-SPECIFIC REASONABLY AVAILABLE CONTROL TECHNOLOGY (RACT) REQUIREMENTS FOR VOLATILE ORGANIC COMPOUNDS (VOC) AND OXIDES OF NITROGEN (NO_X)—Continued

Name of source	Permit No.	County	State effective date	EPA approval date	Additional explanation/ § 52.2063 citation
DMi Furniture, Inc.—Timely Plant #7 (Gettysburg)	OP–01–2001	Adams	6/13/95	03/12/97, 62 FR 11079	(c)(114)(i)(B)(*1*).
R. R. Donnelley and Sons Co.—Lancaster West Plant	OP–36–2026	Lancaster	7/14/95	03/12/97, 62 FR 11079	(c)(114)(i)(B)(*2*).
International Paper Company—Hammermill Papers Division	OP–18–0005	Clinton	12/27/94	01/29/97, 62 FR 04167	(c)(115)(i)(B).
Lucent Technology (formerly AT&T Corp.)—Reading	PA–06–1003	Berks	6/26/95	04/18/97, 62 FR 19051	(c)(117)(i)(B)(*1*).
Garden State Tanning, Inc.—Fleetwood Plant	PA–06–1014	Berks	6/21/95	04/18/97, 62 FR 19051	(c)(117)(i)(B)(*2*).
Glidden Co., The—Reading	OP–06–1035	Berks	2/15/96	04/18/97, 62 FR 19051	(c)(117)(i)(B)(*3*).
Maier's Bakery—Reading Plant	PA–06–1023	Berks	9/20/95	04/18/97, 62 FR 19047	(c)(118)(i)(B)(*1*).
Morgan Corp.—Morgantown Plant	OP–06–1025	Berks	8/31/95	04/18/97, 62 FR 19047	(c)(118)(i)(B)(*2*).
Allentown Cement Co., Inc.—Evansville Plant	PA–06–1002	Berks	10/11/95	04/18/97, 62 FR 19047	(c)(118)(i)(B)(*3*).
Quaker Maid (Schrock Cabinet Group)—Leesport	OP–06–1028	Berks	10/27/95	04/18/97, 62 FR 19047	(c)(118)(i)(B)(*4*).
Brentwood Industries, Inc.—Reading Plant	PA–06–1006	Berks	2/12/96	04/18/97, 62 FR 19047	(c)(118)(i)(B)(*5*).
Metropolitan Edison Co. (MetEd)—Titus Station	PA–06–1024	Berks	3/9/95	04/18/97, 62 FR 19047	(c)(118)(i)(B)(*6*).
ICI Fluoropolymers—Downingtown	PA–15–0009 CP–15–0009	Chester	10/3/95	04/18/97, 62 FR 19047	(c)(118)(i)(B)(*7*).
Synthetic Thread Co., Inc.—Bethlehem	PA–39–0007A	Lehigh	8/10/95	04/18/97, 62 FR 19047	(c)(118)(i)(B)(*8*).
Bird-in-Hand Woodwork, Inc. (Childcraft Education Corp.)	OP–36–2022	Lancaster	9/27/95	04/18/97, 62 FR 19047	(c)(118)(i)(B)(*9*).
Heinz Pet Products—Bloomsburg	OP–19–0003	Columbia	11/27/95	08/21/97, 62 FR 44413	(c)(119)(i)(B)(*1*).
Graco Children's Products, Inc.—Elverson	OP–15–0006	Chester	11/30/95	08/21/97, 62 FR 44413	(c)(119)(i)(B)(*2*).
Texas Eastern Transmission Corp.—Bernville	OP–06–1033	Berks	1/31/97	04/18/97, 62 FR 19049	(c)(120)(i)(B)(*1*).
Texas Eastern Transmission Corp.—Bechtelsville	OP–06–1034	Berks	1/31/97	04/18/97, 62 FR 19049	(c)(120)(i)(B)(*2*).
Carpenter Technology Corp.—Reading Plant	OP–06–1007	Berks	9/27/96	04/18/97, 62 FR 19049	(c)(120)(i)(B)(*3*), (ii)(B).
North American Fluoropolymers Co. (NAFCO)	06–1026, CP–06–1026	Berks	4/19/95 6/1/95	04/18/97, 62 FR 19049	(c)(120)(i)(B)(*4*), (ii)(B).
CNG Transmission Corp.—Ellisburg Compressor Station	PA–53–0004A	Potter	2/29/96	06/11/97, 62 FR 31732	(c)(121)(i)(B)(*1*).
CNG Transmission Corp.—Ellisburg Compressor Station	OP–53–0004	Potter	2/29/96	06/11/97, 62 FR 31732	(c)(121)(i)(B)(*1*).
CNG Transmission Corp.—Ellisburg Compressor Station	CP–53–0004A	Potter	2/29/96	06/11/97, 62 FR 31732	(c)(121)(i)(B)(*1*).

(1) EPA-APPROVED SOURCE-SPECIFIC REASONABLY AVAILABLE CONTROL TECHNOLOGY (RACT) REQUIREMENTS FOR VOLATILE ORGANIC COMPOUNDS (VOC) AND OXIDES OF NITROGEN (NO_x)—Continued

Name of source	Permit No.	County	State effective date	EPA approval date	Additional explanation/ § 52.2063 citation
CNG Transmission Corp.—Greenlick Compressor Station	PA–53–0003A	Potter	12/18/95	06/11/97, 62 FR 31732	(c)(121)(i)(B)(*2*).
CNG Transmission Corp.—Greenlick Station	CP–53–0003A	Potter	12/18/95	06/11/97, 62 FR 31732	(c)(121)(i)(B)(*2*).
CNG Transmission Corp.—Greenlick Compressor Station	OP–53–0003	Potter	2/18/95	06/11/97, 62 FR 31732	(c)(121)(i)(B)(*2*).
CNG Transmission Corp.—Crayne Station	30–000–089	Greene	2/22/95	06/11/97, 62 FR 31732	(c)(121)(i)(B)(*3*).
CNG Transmission Corp.—State Line Station	OP–53–0008	Potter	1/10/96	06/11/97, 62 FR 31732	(c)(121)(i)(B)(*4*).
CNG Transmission Corp.—Big Run Station	PA–33–147	Jefferson	6/27/95	06/11/97, 62 FR 31732	(c)(121)(i)(B)(*5*).
Medusa Cement Company	OP–37–013	Lawrence	7/27/95	06/03/97, 62 FR 30250	(c)(122)(i)(B)(*1*).
Keystone Cement Co	OP–48–0003	Northampton	5/25/95	06/03/97, 62 FR 30250	(c)(122)(i)(B)(*2*).
Lehigh Portland Cement Company	OP–67–2024	York	5/26/95	06/03/97, 62 FR 30250	(c)(122)(i)(B)(*3*).
Mercer Lime and Stone Company	OP–10–023	Butler	5/31/95	06/03/97, 62 FR 30250	(c)(122)(i)(B)(*4*).
Con-Lime, Inc	OP–14–0001	Centre	6/30/95	06/03/97, 62 FR 30250	(c)(122)(i)(B)(*5*).
Pennzoil Products Co.—Rouseville	PA–61–016	Venango	9/8/95	06/11/97, 62 FR 31738	(c)(124)(i)(B).
R. R. Donnelley & Sons Co.—Lancaster East Plant	OP–36–2027	Lancaster	7/14/95	07/21/97, 62 FR 33891	(c)(125)(i)(B); 52.2036j.
Panther Creek Partners	OP–13–0003	Carbon	12/2/96	09/29/97, 62 FR 50871	(c)(128)(i)(B).
Allegro Microsystems, W.G., Inc.—Willow Grove	OP–46–0006	Montgomery	12/19/97	03/09/98, 63 FR 11370	(c)(130)(i)(B)(*1*).
Hale Products, Inc.—Conshohocken	OP–46–0057	Montgomery	11/21/97	03/09/98, 63 FR 11370	(c)(130)(i)(B)(*2*).
Con-Lime, Inc.—Bellefonte	OP–14–0001	Centre	1/7/98	03/09/98, 63 FR 11370	(c)(130)(i)(B)(*3*).
Coastal Aluminum Rolling Mills, Inc.—Williamsport	OP–41–0007	Lycoming	11/21/97	03/09/98, 63 FR 11370	(c)(130)(i)(B)(*4*).
ABP/International Envelope Co	OP–15–0023	Chester	11/2/95	03/09/98, 63 FR 11370	(c)(130)(i)(B)(*5*).
Brown Printing Company	CP–46–0018	Montgomery	9/26/96 10/27/97	03/09/98, 63 FR 11370	(c)(130)(i)(B)(*6*).
Fibre-Metal Products Company	OP–23–0025	Delaware	2/20/98	06/29/98, 63 FR 35145	(c)(132)(i)(B)(*1*).
Finnaren & Haley, Inc	OP–46–0070	Montgomery	3/5/98	06/29/98, 63 FR 35145	(c)(132)(i)(B)(*2*).
Fres-co System USA, Inc	OP–09–0027	Bucks	3/5/98	06/29/98, 63 FR 35145	(c)(132)(i)(B)(*3*).
Graphic Packaging Corporation	OP–15–0013	Chester	2/28/98	06/29/98, 63 FR 35145	(c)(132)(i)(B)(*4*).
Montour Oil Service Company, a division of Sun Company, Inc	OP–41–0013	Lycoming	3/19/98	06/29/98, 63 FR 35145	(c)(132)(i)(B)(*5*).
Atlantic Refining and Marketing Corp. (Sun Co., Inc. (R&M))	OP–49–0015	Northampton	3/19/98	06/29/98, 63 FR 35145	(c)(132)(i)(B)(*6*).
Transwall Corporation	OP–15–0025	Chester	3/10/98	06/29/98, 63 FR 35145	(c)(132)(i)(B)(*7*).
Tavo Packaging (formerly Mead Packaging Company)	OP–09–0008	Bucks	11/8/95	06/29/98, 63 FR 35145	(c)(132)(i)(B)(*8*).

(1) EPA-APPROVED SOURCE-SPECIFIC REASONABLY AVAILABLE CONTROL TECHNOLOGY (RACT) REQUIREMENTS FOR VOLATILE ORGANIC COMPOUNDS (VOC) AND OXIDES OF NITROGEN (NO_X)—Continued

Name of source	Permit No.	County	State effective date	EPA approval date	Additional explanation/ § 52.2063 citation
CNG Transmission Corp.—Harrison Compressor Station	PA–53–0005A	Potter	4/16/96	10/08/98, 63 FR 54050	(c)(134)(i)(B)(*1*).
CNG Transmission Corp.—Harrison Compressor Station	OP–53–0005	Potter	4/16/96	10/08/98, 63 FR 54050	(c)(134)(i)(B)(*1*).
CNG Transmission Corp.—Harrison Station	CP–53–0005A	Potter	4/16/96	10/08/98, 63 FR 54050	(c)(134)(i)(B)(*1*).
CNG Transmission Corp.—Leidy Station	PA–18–0004A	Clinton	3/25/96	10/08/98, 63 FR 54050	(c)(134)(i)(B)(*2*).
CNG Transmission Corp.—Leidy Compressor Station	OP–18–0004	Clinton	2/29/96	10/08/98, 63 FR 54050	(c)(134)(i)(B)(*2*).
CNG Transmission Corp.—Leidy Station	CP–18–0004A	Clinton	3/25/96	10/08/98, 63 FR 54050	(c)(134)(i)(B)(*2*).
CNG Transmission Corp.—Sabinsville Compressor Station	PA–59–0002A	Tioga	12/18/95	10/08/98, 63 FR 54050	(c)(134)(i)(B)(*3*).
CNG Transmission Corp.—Sabinsville Compressor Station	OP–59–0002	Tioga	12/18/95	10/08/98, 63 FR 54050	(c)(134)(i)(B)(*3*).
CNG Transmission Corp.—Sabinsville Station	CP–59–0002A	Tioga	12/18/95	10/08/98, 63 FR 54050	(c)(134)(i)(B)(*3*).
CNG Transmission Corp.—Tioga Station	OP–59–0006	Tioga	1/16/96	10/08/98, 63 FR 54050	(c)(134)(i)(B)(*4*).
Eldorado Properties Corp.—Northumberland Terminal	OP–49–0016	Northumberland	5/1/98	11/06/98, 63 FR 59884	(c)(136)(i)(B)(*1*).
Endura Products, Inc	OP–09–0028	Bucks	5/13/98	11/06/98, 63 FR 59884	(c)(136)(i)(B)(*2*).
Ford Electronics & Refrigeration Company	OP–46–0036	Montgomery	4/30/98	11/06/98, 63 FR 59884	(c)(136)(i)(B)(*3*).
H & N Packaging, Inc. (formerly Paramount Packaging Corp.)	OP–09–0038	Bucks	6/8/98	11/06/98, 63 FR 59884	(c)(136)(i)(B)(*4*).
Lancaster County Solid Waste Management Authority	36–02013	Lancaster	6/3/98	11/06/98, 63 FR 59884	(c)(136)(i)(B)(*5*).
Monsey Products Co.—Kimberton	OP–15–0031	Chester	6/4/98	11/06/98, 63 FR 59884	(c)(136)(i)(B)(*6*).
Ortho-McNeil Pharmaceutical—Spring House	OP–46–0027	Montgomery	6/4/98	11/06/98, 63 FR 59884	(c)(136)(i)(B)(*7*).
Piccari Press, Inc	OP–09–0040	Bucks	4/29/98	11/06/98, 63 FR 59884	(c)(136)(i)(B)(*8*).
Pierce and Stevens Corp.—Kimberton	OP–15–0011	Chester	3/27/98	11/06/98, 63 FR 59884	(c)(136)(i)(B)(*9*).
PQ Corporation—Chester	OP–23–0016	Delaware	6/16/98	11/06/98, 63 FR 59884	(c)(136)(i)(B)(*10*).
Reynolds Metals Company Downington	OP–15–0004	Chester	5/8/98	11/06/98, 63 FR 59884	(c)(136)(i)(B)(*11*).
Rhone-Poulenc Rorer Pharmaceutical, Inc	OP–46–0048B	Montgomery	4/2/98	11/06/98, 63 FR 59884	(c)(136)(i)(B)(*12*).
Superior Tube Company	OP–46–0020	Montgomery	4/17/98	11/06/98, 63 FR 59884	(c)(136)(i)(B)(*13*).
Uniform Tubes Inc	OP–46–0046A	Montgomery	3/26/98	11/06/98, 63 FR 59884	(c)(136)(i)(B)(*14*).
U.S. Air Force—Willow Grove Air Reserve Station	OP–46–0072	Montgomery	5/1/98	11/06/98, 63 FR 59884	(c)(136)(i)(B)(*15*).

(1) EPA-APPROVED SOURCE-SPECIFIC REASONABLY AVAILABLE CONTROL TECHNOLOGY (RACT) REQUIREMENTS FOR VOLATILE ORGANIC COMPOUNDS (VOC) AND OXIDES OF NITROGEN (NO_x)—Continued

Name of source	Permit No.	County	State effective date	EPA approval date	Additional explanation/ § 52.2063 citation
Naval Air Station, Joint Reserve Base—Willow Grove	OP–46–0079	Montgomery	5/4/98	11/06/98, 63 FR 59884	(c)(136)(i)(B)(*16*).
Columbia Gas Transmission Corp.—Artemas Compressor Station	05–2006	Bedford	4/19/95	12/03/98, 63 FR 66755	(c)(137)(i)B)(*1*).
Columbia Gas Transmission Corp.—Donegal Compressor Station	63–000–631	Washington	7/10/95	12/03/98, 63 FR 66755	(c)(137)(i)B)(*2*).
Columbia Gas Transmission Corp.—Gettysburg Compressor Station	01–2003	Adams	4/21/95	12/03/98, 63 FR 66755	(c)(137)(i)B)(*3*).
Columbia Gas Transmission Corp.—Eagle Compressor Station	OP–15–0022	Chester	2/1/96	12/03/98, 63 FR 66755	(c)(137)(i)B)(*4*).
Columbia Gas Transmission Corp.—Downingtown	CP–15–0020	Chester	9/15/95	12/03/98, 63 FR 66755	(c)(137)(i)B)(*5*).
GKN Sinter Metals, Inc	OP–12–0002	Cameron	10/30/98	04/16/99, 64 FR 18821	(c)(138)(i)(B)(*1*).
Cabinet Industries, Inc.—Water Street Plant	OP–47–0005	Montour	9/21/98	04/16/99, 64 FR 18821	(c)(138)(i)(B)(*2*).
Springs Window Fashions Division, Inc	OP–41–0014	Lycoming	9/29/98	04/16/99, 64 FR 18821	(c)(138)(i)(B)(*3*).
Centennial Printing Corp	OP–46–0068	Montgomery	10/31/96 5/11/98	04/16/99, 64 FR 18821	(c)(138)(i)(B)(*4*).
Strick Corp.—Danville	OP–47–0002	Montour	8/28/96	04/16/99, 64 FR 18821	(c)(138)(i)(B)(*5*).
Handy and Harmon Tube Co.—Norristown	OP–46–0016	Montgomery	9/25/95	04/16/99, 64 FR 18821	(c)(138)(i)(B)(*6*).
Boeing Defense & Space Group—Helicopters Div	CP–23–0009	Delaware	9/3/97	12/15/00, 65 FR 78418	(c)(143)(i)(B)(*1*).
Delaware County Regional Authority's Western Regional Treatment Plant (DELCORA WRTP)	OP–23–0032	Delaware	3/12/97 5/16/97	12/15/00, 65 FR 78418	(c)(143)(i)(B)(*2*).
Delbar Products, Inc.—Perkasie	OP–09–0025	Bucks	2/1/96	12/15/00, 65 FR 78418	(c)(143)(i)(B)(*3*).
Department of Public Welfare (NSH)—Norristown	OP–46–0060	Montgomery	1/21/98	12/15/00, 65 FR 78418	(c)(143)(i)(B)(*4*).
Dopaco, Inc.—Downingtown	CP–15–0029	Chester	3/6/96	12/15/00, 65 FR 78418	(c)(143)(i)(B)(*5*).
Garlock, Inc. (Plastomer Products)	PA–09–0035	Bucks	3/12/97	12/15/00, 65 FR 78418	(c)(143)(i)(B)(*6*).
Interstate Brands Corporation (formerly, Continental Baking Company)	PLID (51–) 5811	Philadelphia	4/10/95	12/15/00, 65 FR 78418	(c)(143)(i)(B)(*7*).
J. B. Slevin Company Inc.—Lansdowne	OP–23–0013	Delaware	9/3/96	12/15/00, 65 FR 78418	(c)(143)(i)(B)(*8*).
Laclede Steel Co.—Fairless Hills	OP–09–0023	Bucks	7/17/95	12/15/00, 65 FR 78418	(c)(143)(i)(B)(*9*).
LNP Engineering Plastics, Inc.—Thorndale	OP–15–0035	Chester	10/31/97	12/15/00, 65 FR 78418	(c)(143)(i)(B)(*10*).
Lukens Steel Co.—Coatesville	OP–15–0010	Chester	5/6/99	12/15/00, 65 FR 78418	(c)(143)(i)(B)(*11*).
Nabisco Biscuit Co	PLID (51–) 3201	Philadelphia	4/10/95	12/15/00, 65 FR 78418	(c)(143)(i)(B)(*12*).
PECO Energy Co.—Croydon Generating Station	OP–09–0016A	Bucks	12/20/96	12/15/00, 65 FR 78418	(c)(143)(i)(B)(*13*).

(1) EPA-APPROVED SOURCE-SPECIFIC REASONABLY AVAILABLE CONTROL TECHNOLOGY (RACT) REQUIREMENTS FOR VOLATILE ORGANIC COMPOUNDS (VOC) AND OXIDES OF NITROGEN (NO_x)—Continued

Name of source	Permit No.	County	State effective date	EPA approval date	Additional explanation/ § 52.2063 citation
PECO Energy Co.—Limerick Generating Station	OP–46–0038	Montgomery	7/25/95	12/15/00, 65 FR 78418	(c)(143)(i)(B)(*14*).
PECO Energy Co.—USX Fairless Works Powerhouse	OP–09–0066	Bucks	12/31/98 4/6/99	12/15/00, 65 FR 78418	(c)(143)(i)(B)(*15*).
PECO Energy Co.—West Conshohocken Plant	OP–46–0045A	Montgomery	12/4/97	12/15/00, 65 FR 78418	(c)(143)(i)(B)(*16*).
Pennsylvania Electric Co.—Front Street Station	25–0041	Erie	2/25/99	12/15/00, 65 FR 78418	(c)(143)(i)(B)(*17*).
American Inks and Coatings Corp.—Valley Forge	OP–15–0026A	Chester	1/10/97	12/15/00, 65 FR 78418	(c)(143)(i)(B)(*18*).
Avery Dennison Co. (Fasson Roll Division)—Quakertown	OP–09–0001A	Bucks	10/2/97	12/15/00, 65 FR 78418	(c)(143)(i)(B)(*19*).
Cabot Performance Materials—Boyertown	OP–46–0037	Montgomery	4/13/99	12/15/00, 65 FR 78418	(c)(143)(i)(B)(*20*).
Cleveland Steel Container Corp.—Quakertown	OP–09–0022	Bucks	9/30/96	12/15/00, 65 FR 78418	(c)(143)(i)(B)(*21*).
CMS Gilbreth Packaging Systems—Bristol	OP–09–0036	Bucks	1/7/97	12/15/00, 65 FR 78418	(c)(143)(i)(B)(*22*).
CMS Gilbreth Packaging Systems—Bensalem	OP–09–0037	Bucks	4/10/97	12/15/00, 65 FR 78418	(c)(143)(i)(B)(*23*).
Congoleum Corp.—Marcus Hook	OP–23–0021	Delaware	12/31/98	12/15/00, 65 FR 78418	(c)(143)(i)(B)(*24*).
Epsilon Products Co.—Marcus Hook	OP–23–0012	Delaware	2/15/96	12/15/00, 65 FR 78418	(c)(143)(i)(B)(*25*).
Foamex International, Inc.—Eddystone	OP–23–0006A	Delaware	3/30/99	12/15/00, 65 FR 78418	(c)(143)(i)(B)(*26*).
Forms, Inc., Spectra Graphics—Willow Grove	OP–46–0023	Montgomery	11/9/95 3/25/98	12/15/00, 65 FR78418	(c)(143)(i)(B)(*27*).
Global Packaging, Inc. (formerly BG Packaging)—Oaks	OP–46–0026	Montgomery	8/30/96 12/24/97	12/15/00, 65 FR78418	(c)(143)(i)(B)(*28*).
Jefferson Smurfit Corp. (Container Corp. of Amer.)—Oaks	OP–46–0041	Montgomery	4/18/97	12/15/00, 65 FR78418	(c)(143)(i)(B)(*29*).
Jefferson Smurfit Corp. (Container Corp. of Amer.)—North Wales	OP–46–0062	Montgomery	7/15/96	12/15/00, 65 FR 78418	(c)(143)(i)(B)(*30*).
Lonza, Inc.—Conshohocken	OP–46–0025	Montgomery	4/22/97 6/16/98	12/15/00, 65 FR 78418	(c)(143)(i)(B)(*31*).
Markel Corporation	OP–46–0081	Montgomery	4/9/99	12/15/00, 65 FR 78418	(c)(143)(i)(B)(*32*).
McCorquodale Security Cards, Inc.—West Whiteland	OP–15–0037	Chester	9/3/96	12/15/00, 65 FR 78418	(c)(143)(i)(B)(*33*).
Mike-Rich, Inc. (MRI)—Newtown	OP–09–0021	Bucks	12/20/96	12/15/00, 65 FR 78418	(c)(143)(i)(B)(*34*).
Minnesota Mining and Manufacturing (3M) Company—Bristol	CP–09–0005	Bucks	8/8/96	12/15/00, 65 FR 78418	(c)(143)(i)(B)(*35*).
MM Biogas Power LLC (formerly O'Brien Environmental Energy, Inc.)	CP–46–0067	Montgomery	10/31/97	12/15/00, 65 FR 78418	(c)(143)(i)(B)(*36*).
Norwood Industries, Inc.—Frazer	OP–15–0014A	Chester	12/20/96 12/2/99	12/15/00, 65 FR 78418	(c)(143)(i)(B)(*37*).
NVF Company	OP–15–0030	Chester	4/13/99	12/15/00, 65 FR 78418	(c)(143)(i)(B)(*38*).

(1) EPA-APPROVED SOURCE-SPECIFIC REASONABLY AVAILABLE CONTROL TECHNOLOGY (RACT) REQUIREMENTS FOR VOLATILE ORGANIC COMPOUNDS (VOC) AND OXIDES OF NITROGEN (NO_x)—Continued

Name of source	Permit No.	County	State effective date	EPA approval date	Additional explanation/ § 52.2063 citation
Occidental Chemical Corp. (Vinyls Div.)—Pottstown	OP–46–0015	Montgomery	11/7/96	12/15/00, 65 FR 78418	(c)(143)(i)(B)(*39*).
Philadelphia Newspapers, Inc. (Schuylkill Printing Plant)	OP–46–0012	Montgomery	8/30/96 3/15/00	12/15/00, 65 FR 78418	(c)(143)(i)(B)(*40*).
The Proctor and Gamble Paper Products Co	OP–66–0001	Wyoming	4/4/97	12/15/00, 65 FR 78418	(c)(143)(i)(B)(*41*).
Quebecor Printing Atglen, Inc.—Atglen	OP–15–0002	Chester	12/10/96	12/15/00, 65 FR 78418	(c)(143)(i)(B)(*42*).
Sartomer Company, Inc	OP–15–0015	Chester	1/17/96 3/25/98	12/15/00, 65 FR 78418	(c)(143)(i)(B)(*43*).
Silberline Manufacturing Co	OP–54–0041	Schuylkill	4/19/99	12/15/00, 65 FR 78418	(c)(143)(i)(B)(*44*).
SmithKline Beecham Research Co. (formerly Sterling Winthrop, Inc.)	OP–46–0031	Montgomery	10/31/97 5/1/98	12/15/00, 65 FR 78418	(c)(143)(i)(B)(*45*).
Sullivan Graphics, Inc.—York	OP–67–2023	York	8/22/95	12/15/00, 65 FR 78418	(c)(143)(i)(B)(*46*).
Sun Company, Inc (R&M) (formerly Chevron USA)—Tinicum	OP–23–0010	Delaware	10/31/96	12/15/00, 65 FR 78418	(c)(143)(i)(B)(*47*).
Sun Company, Inc (R&M) (formerly Chevron USA)—Darby	OP–23–0011	Delaware	10/31/96	12/15/00, 65 FR 78418	(c)(143)(i)(B)(*48*).
Universal Packaging Corporation	OP–46–0156	Montgomery	4/8/99	12/15/00, 65 FR 78418	(c)(143)(i)(B)(*49*).
Zenith Products Corp.—Aston	OP–23–0008	Delaware	4/7/97	12/15/00, 65 FR 78418	(c)(143)(i)(B)(*50*).
Budd Company	PLID 51–1564	Philadelphia	12/28/95	12/15/00, 65 FR 78418	(c)(143)(i)(B)(*51*).
Bellevue Cogeneration Plant	PLID (51–) 6513	Philadelphia	4/10/95	12/15/00, 65 FR 78418	(c)(143)(i)(B)(*52*).
MSC Pre-Finish Metals, Inc.—Morrisville	OP–09–0030	Bucks	11/7/96 3/31/98	12/15/00, 65 FR 78418	(c)(143)(i)(B)(*53*).
Temple University, Health Sciences Center	PLID (51–) 8906	Philadelphia	5/27/95	12/15/00, 65 FR 78418	(c)(143)(i)(B)(*54*).
TRIGEN—Schuylkill Station	PLID (51–) 4942	Philadelphia	5/29/95	12/15/00, 65 FR 78418	(c)(143)(i)(B)(*55*).
TRIGEN—Edison Station	PLID (51–) 4902	Philadelphia	5/29/95	12/15/00, 65 FR 78418	(c)(143)(i)(B)(*56*).
Advanced Glassfiber Yarns LLC (formerly Owens Corning)—Huntingdon	OP–31–02002	Huntingdon	4/13/99	08/06/01, 66 FR 40891	(c)(149)(i)(B)(*1*).
Armstrong World Industries, Inc.—Beech Creek	OP–18–0002	Clinton	7/6/95	08/06/01, 66 FR 40891	(c)(149)(i)(B)(*2*).
Bemis Company, Film Division	OP–40–0007A	Luzerne	10/10/95	08/06/01, 66 FR 40891	(c)(149)(i)(B)(*3*).
Brentwood Industries, Inc	PA–06–1006A	Berks	6/3/99	08/06/01, 66 FR 40891	(c)(149)(i)(B)(*4*).
Certainteed Corp.—Mountaintop	OP–40–0010	Luzerne	5/31/96	08/06/01, 66 FR 40891	(c)(149)(i)(B)(*5*).
CNG Transmission Corp.—Ardell Station	OP–24–120	Elk	9/30/95	08/06/01, 66 FR 40891	(c)(149)(i)(B)(*6*).
CNG Transmission Corp.—Finnefrock Station	PA–18–0003A	Clinton	2/29/96	08/06/01, 66 FR 40891	(c)(149)(i)(B)(*7*).
Consol Pennsylvania Coal Company—Bailey Prep Plant	OP–30–000–072	Greene	3/23/99	08/06/01, 66 FR 40891	(c)(149)(i)(B)(*8*).

(1) EPA-APPROVED SOURCE-SPECIFIC REASONABLY AVAILABLE CONTROL TECHNOLOGY (RACT) REQUIREMENTS FOR VOLATILE ORGANIC COMPOUNDS (VOC) AND OXIDES OF NITROGEN (NO_X)—Continued

Name of source	Permit No.	County	State effective date	EPA approval date	Additional explanation/ § 52.2063 citation
Consolidated Rail Corp. (CONRAIL)—Hollidaysburg Car Shop	OP–07–2002	Blair	8/29/95	08/06/01, 66 FR 40891	(c)(149)(i)(B)(*9*).
Consolidated Rail Corp. (CONRAIL)—Juniata	OP–07–2003	Blair	8/29/95	08/06/01, 66 FR 40891	(c)(149)(i)(B)(*10*).
Containment Solutions, Inc. (formerly called Fluid Containment—Mt. Union)	OP–31–02005	Huntingdon	4/9/99	08/06/01, 66 FR 40891	(c)(149)(i)(B)(*11*).
Cooper Energy Systems, Grove City	OP–43–003	Mercer	7/25/96	08/06/01, 66 FR 40891	(c)(149)(i)(B)(*12*).
Cyprus Cumberland Resources Corp	OP–30–000–040	Greene	3/26/99	08/06/01, 66 FR 40891	(c)(149)(i)(B)(*13*).
Defense Distribution—Susquehanna	OP–67–02041	York	2/1/00	08/06/01, 66 FR 40891	(c)(149)(i)(B)(*14*).
EMI Company	OP–25–070	Erie	10/24/96	08/06/01, 66 FR 40891	(c)(149)(i)(B)(*15*).
Empire Sanitary Landfill, Inc	OP–35–0009	Lackawanna	10/17/96	08/06/01, 66 FR 40891	(c)(149)(i)(B)(*16*).
Equitrans, Inc.—Rogersville Station	(OP)30–000–109	Greene	7/10/95	08/06/01, 66 FR 40891	(c)(149)(i)(B)(*17*).
Equitrans, Inc.—Pratt Station	(OP)30–000–110	Greene	7/10/95	08/06/01, 66 FR 40891	(c)(149)(i)(B)(*18*).
Erie Coke Corporation—Erie	OP–25–029	Erie	6/27/95	08/06/01, 66 FR 40891	(c)(149)(i)(B)(*19*).
Fleetwood Folding Trailers, Inc.—Somerset	(OP)56–000–151	Somerset	2/28/96	08/06/01, 66 FR 40891	(c)(149)(i)(B)(*20*).
Gichner Systems Group, Inc	(OP)67–2033	York	8/5/97	08/06/01, 66 FR 40891	(c)(149)(i)(B)(*21*).
Offset Paperback Manufacturers, Inc.—Dallas	(OP)40–0008	Luzerne	4/16/99	08/06/01, 66 FR 40891	(c)(149)(i)(B)(*22*).
Overhead Door Corporation—Mifflin County	(OP)44–2011	Mifflin	6/4/97	08/06/01, 66 FR 40891	(c)(149)(i)(B)(*23*).
SANYO Audio Manufacturing (USA) Corp	(OP)44–2003	Mifflin	6/30/95	08/06/01, 66 FR 40891	(c)(149)(i)(B)(*24*).
Stroehmann Bakeries OP—Luzerne County	(OP)40–0014A	Luzerne	5/30/95	08/06/01, 66 FR 40891	(c)(149)(i)(B)(*25*).
Merck and Co., Inc.—West Point Facility	OP–46–0005	Montgomery	1/13/97 6/23/00	04/18/01, 66 FR 19858	(c)(154)(i)(D).
Amerada Hess Corp	PA–PLID (51–) 5009	Philadelphia	5/29/95	10/31/01, 66 FR 54936	(c)(156)(i)(B)(*1*).
Amoco Oil Company	PA–PLID (51–) 5011	Philadelphia	5/29/95	10/31/01, 66 FR 54936	(c)(156)(i)(B)(*2*).
Cartex Corporation	OP–09–0076	Bucks	4/9/99	10/31/01, 66 FR 54936	(c)(156)(i)(B)(*3*).
Exxon Company, USA	PA–PLID (51–) 5008	Philadelphia	5/29/95	10/31/01, 66 FR 54936	(c)(156)(i)(B)(*4*).
GATX Terminals Corporation	PA–PLID (51–) 5003	Philadelphia	5/29/95	10/31/01, 66 FR 54936	(c)(156)(i)(B)(*5*).
Hatfield Quality Meats, Inc.—Hatfield	OP–46–0013A	Montgomery	1/9/97 10/1/98	10/31/01, 66 FR 54936	(c)(156)(i)(B)(*6*).
J. L. Clark, Inc	OP–36–02009	Lancaster	4/16/99	10/31/01, 66 FR 54936	(c)(156)(i)(B)(*7*).
Johnson Matthey, Inc.—Wayne	OP–15–0027	Chester	8/3/98 4/15/99	10/31/01, 66 FR 54936	(c)(156)(i)(B)(*8*).
Kurz Hastings, Inc	PA–PLID (51–) 1585	Philadelphia	5/29/95	10/31/01, 66 FR 54936	(c)(156)(i)(B)(*9*).
Lawrence McFadden, Inc	PA–PLID (51–) 2074	Philadelphia	6/11/97	10/31/01, 66 FR 54936	(c)(156)(i)(B)(*10*).
Philadelphia Baking Company	PA–PLID (51–) 3048	Philadelphia	4/10/95	10/31/01, 66 FR 54936	(c)(156)(i)(B)(*11*).

(1) EPA-APPROVED SOURCE-SPECIFIC REASONABLY AVAILABLE CONTROL TECHNOLOGY (RACT) REQUIREMENTS FOR VOLATILE ORGANIC COMPOUNDS (VOC) AND OXIDES OF NITROGEN (NO_X)—Continued

Name of source	Permit No.	County	State effective date	EPA approval date	Additional explanation/ § 52.2063 citation
Philadelphia Gas Works—Passyunk ..	PA–PLID (51–) –4921	Philadelphia	5/29/95	10/31/01, 66 FR 54936	(c)(156)(i)(B)(*12*).
PPG Industries, Inc. (BASF)	OP–23–0005	Delaware	6/4/97	10/31/01, 66 FR 54936	(c)(156)(i)(B)(*13*).
SmithKline Beecham Pharmaceuticals	OP–46–0035	Montgomery	3/27/97 10/20/98	10/31/01, 66 FR 54936	(c)(156)(i)(B)(*14*).
Teva Pharmaceuticals USA (formerly Lemmon company)	OP–09–0010	Bucks	4/9/99	10/31/01, 66 FR 54936	(c)(156)(i)(B)(*15*).
The Philadelphian Condominium Building	PA–PLID (51–) 6512	Philadelphia	5/29/95	10/31/01, 66 FR 54936	(c)(156)(i)(B)(*16*).
Warner Company	OP–15–0001	Chester	7/17/95	10/31/01, 66 FR 54936	(c)(156)(i)(B)(*17*).
Webcraft Technologies, Inc	OP–09–0009	Bucks	4/18/96 10/15/98	10/31/01, 66 FR 54936	(c)(156)(i)(B)(*18*).
Latrobe Steel Company—Latrobe	OP–65–000–016	Westmoreland	12/22/95	10/16/01, 66 FR 52517	(c)(158)(i)(B).
Allegheny Ludlum Corporation—Brackenridge	CO–260	Allegheny	12/19/96	10/18/01, 66 FR 52851	(c)(159)(i)(B).
Kosmos Cement Co.—Neville Island Facility	EO–208	Allegheny	12/19/96	10/18/01, 66 FR 52857	(c)(160)(i)(B)(*1*).
Armstrong Cement and Supply Company—Cabot	OP–10–028	Butler	3/31/99	10/18/01, 66 FR 52857	(c)(160)(i)(B)(*2*).
Duquesne Light Company—Cheswick Power Station	CO–217	Allegheny	3/8/96	10/18/01, 66 FR 52867	(c)(161)(i)(B)(*1*).
Duquesne Light Company—Elrama Plant	(PA)63–000–014	Washington	12/29/94	10/18/01, 66 FR 52867	(c)(161)(i)(B)(*2*).
Pennsylvania Electric Co. (PENELEC)—Keystone Generating Station	(PA–)03–000–027	Armstrong	12/29/94	10/18/01, 66 FR 52867	(c)(161)(i)(B)(*3*).
IDL, Incorporated	CO–225	Allegheny	7/18/96	10/18/01, 66 FR 52862	(c)(162)(i)(B)(*1*).
Oakmont Pharmaceutical, Inc	CO–252	Allegheny	12/19/96	10/18/01, 66 FR 52862	(c)(162)(i)(B)(*2*).
U.S. Air, Inc	CO–255	Allegheny	1/14/97	10/18/01, 66 FR 52862	(c)(162)(i)(B)(*3*).
Lukens Steel Corporation—Houston Plant	(OP)63–000–080	Washington	2/22/99	10/16/01, 66 FR 52522	(c)(163)(i)(B)(*1*).
Allegheny Ludlum Steel Corporation—West Leechburg Plant	(OP)65–000–183	Westmoreland	3/23/99	10/16/01, 66 FR 52522	(c)(163)(i)(B)(*2*).
(Allegheny Ludlum Corporation) Jessop Steel Company—Washington Plant	(OP)63–000–027	Washington	3/26/99	10/16/01, 66 FR 52522	(c)(163)(i)(B)(*3*).
Koppel Steel Corporation—Koppel Plant	(OP)04–000–059	Beaver	3/23/01	10/16/01, 66 FR 52522	(c)(163)(i)(D).
Consolidated Natural Gas (CNG) Transmission Corp.—Beaver Station	OP–04–000–490	Beaver	6/23/95	10/12/01, 66 FR 52055	(c)(164)(i)(B)(*1*).
Consolidated Natural Gas (CNG) Transmission Corp.—Oakford Compressor Station	OP–65–000–837	Westmoreland	10/13/95	10/12/01, 66 FR 52055	(c)(164)(i)(B)(*2*).

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Name of source	Permit No.	County	State effective date	EPA approval date	Additional explanation/ § 52.2063 citation
Consolidated Natural Gas (CNG) Transmission Corp.—South Oakford Station	(OP)65–000–840	Westmoreland	10/13/95	10/12/01, 66 FR 52055	(c)(164)(i)(B)(*3*).
Consolidated Natural Gas (CNG) Transmission Corp.—Tonkin Compressor Station	(OP)65–000–634	Westmoreland	10/13/95	10/12/01, 66 FR 52055	(c)(164)(i)(B)(*4*).
Consolidated Natural Gas (CNG) Transmission Corp.—Jeannette Station	(OP)65–000–852	Westmoreland	10/13/95	10/12/01, 66 FR 52055	(c)(164)(i)(B)(*5*).
Carnegie Natural Gas Co.—Creighton Station	EO–213	Allegheny	5/14/96	10/12/01, 66 FR 52055	(c)(164)(i)(B)(*6*).
Texas Eastern Transmission Corp.—Uniontown Station	(OP)26–000–413	Fayette	12/20/96	10/12/01, 66 FR 52055	(c)(164)(i)(B)(*7*).
Consolidated Natural Gas (CNG) Transmission Corp.—South Bend Station	OP–03–000–180	Armstrong	12/2/98	10/12/01, 66 FR 52055	(c)(164)(i)(B)(*8*).
Pruett Schaffer Chemical Company	CO–266	Allegheny	9/2/98	10/12/01, 66 FR 52050	(c)(165)(i)(B)(*1*).
PPG Industries, Inc.—Springdale	CO–254	Allegheny	12/19/96	10/12/01, 66 FR 52050	(c)(165)(i)(B)(*2*).
Reichhold Chemicals, Inc.—Bridgeville	CO–218	Allegheny	12/19/96	10/12/01, 66 FR 52050	(c)(165)(i)(B)(*3*) [NOX RACT].
Reichhold Chemicals, Inc.—Bridgeville	CO–219	Allegheny	2/21/96	10/12/01, 66 FR 52050	(c)(165)(i)(B)(*4*) [VOC RACT].
Valspar Corporation—Pittsburgh	CO–209	Allegheny	3/8/96	10/12/01, 66 FR 52050	(c)(165)(i)(B)(*5*).
Ashland Chemical Corporation	CO–227	Allegheny	12/30/96	10/16/01, 66 FR 52506	(c)(166)(i)(B)(*1*).
Hercules, Inc.—West Elizabeth	EO–216	Allegheny	3/8/96	10/16/01, 66 FR 52506	(c)(166)(i)(B)(*2*).
Hercules, Inc.—West Elizabeth	CO–257	Allegheny	1/14/97 11/1/99	10/16/01, 66 FR 52506	(c)(166)(i)(B)(*3*).
Neville Chemical Company	CO–230	Allegheny	12/13/96	10/16/01, 66 FR 52506	(c)(166)(i)(B)(*4*).
Anchor Glass Container Corp.—Plant 5	(PA)26–000–119	Fayette	12/20/96	10/16/01, 66 FR 52527	(c)(167)(i)(B)(*1*).
Anchor Hocking Specialty Glass Co.—Phoenix Glass Plant	(OP)04–000–084	Beaver	10/13/95	10/16/01, 66 FR 52527	(c)(167)(i)(B)(*2*).
Corning Consumer Products Co.—Charleroi Plant	(PA)63–000–110	Washington	1/4/96	10/16/01, 66 FR 52527	(c)(167)(i)(B)(*3*).
General Electric Company	CO–251	Allegheny	12/19/96	10/16/01, 66 FR 52527	(c)(167)(i)(B)(*4*).
Glenshaw Glass Company, Inc	CO–270	Allegheny	3/10/00	10/16/01, 66 FR 52527	(c)(167)(i)(B)(*5*).
Guardian Industries Corp	CO–242	Allegheny	8/27/96	10/16/01, 66 FR 52527	(c)(167)(i)(B)(*6*).
Allegheny County Sanitary Authority	CO–222	Allegheny	5/14/96	10/16/01, 66 FR 52527	(c)(167)(i)(B)(*7*).
Browning-Ferris Industries	CO–231A	Allegheny	4/28/97	10/16/01, 66 FR 52527	(c)(167)(i)(B)(*8*).
Chambers Development Company—Monroeville Borough Landfill	CO–253	Allegheny	12/30/96	10/16/01, 66 FR 52527	(c)(167)(i)(B)(*9*).
Kelly Run Sanitation, Forward Township Landfill	CO–236	Allegheny	1/23/97	10/16/01, 66 FR 52527	(c)(167)(i)(B)(*10*).

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Name of source	Permit No.	County	State effective date	EPA approval date	Additional explanation/ § 52.2063 citation
Stroehmann Bakeries—Montgomery County (Norristown)	PA–46–0003	Montgomery	5/4/95	10/31/01, 66 FR 54942	(c)(169)(i)(B)(*1*).
Schlosser Steel, Inc	OP–46–0051	Montgomery	2/1/96	10/31/01, 66 FR 54942	(c)(169)(i)(B)(*2*).
Perkasie Industries Corp.—Perkasie	OP–09–0011	Bucks	8/14/96	10/31/01, 66 FR 54942	(c)(169)(i)(B)(*3*).
Quaker Chemical Corporation—Conshohocken	OP–46–0071	Montgomery	9/26/96	10/31/01, 66 FR 54942	(c)(169)(i)(B)(*4*).
Worthington Steel Company	OP–15–0016	Chester	7/23/96	10/31/01, 66 FR 54942	(c)(169)(i)(B)(*5*).
Transcontinental Gas Pipeline Corp.—Sta. 200, Frazer	PA–15–0017	Chester	6/5/95	10/31/01, 66 FR 54942	(c)(169)(i)(B)(*6*).
Rohm and Haas Company, Bucks County Plant	OP–09–0015	Bucks	4/20/99	10/31/01, 66 FR 54942	(c)(169)(i)(B)(*7*).
SEPTA—Berridge/Courtland Maintenance Shop	PA–51–4172	Philadelphia	7/27/99	10/31/01, 66 FR 54942	(c)(169)(i)(B)(*8*).
Southwest Water Pollution Control Plant/Biosolids Recycling Center	PA–51–9515	Philadelphia	7/27/99	10/31/01, 66 FR 54942	(c)(169)(i)(B)(*9*).
Rohm and Haas Company—Philadelphia Plant	PA–51–1531	Philadelphia	7/27/99	10/31/01, 66 FR 54942	(c)(169)(i)(B)(*10*).
Sunoco Inc. (R&M)—Philadelphia	PA(51–)1501 PA(51–)1517	Philadelphia	8/1/00	10/31/01, 66 FR 54942	(c)(169)(i)(B)(*11*).
SBF Communications (owned by Avant Garde Ent.)	PA(51–)2197	Philadelphia	7/21/00	10/31/01, 66 FR 54942	(c)(169)(i)(B)(*12*).
Smith-Edwards-Dunlap Company	PA–(51–)2255	Philadelphia	7/14/00	10/31/01, 66 FR 54942	(c)(169)(i)(B)(*13*).
Tasty Baking Co	PLID (51–) 2054	Philadelphia	4/9/95	10/31/01, 66 FR 54942	(c)(169)(i)(B)(*14*).
Armstrong World Industries, Inc.—Beaver Falls Plant	(OP)04–000–108	Beaver	5/29/96	10/17/01, 66 FR 52695	(c)(170)(i)(B)(*1*).
Bacharach, Inc	CO–263	Allegheny	10/10/97	10/17/01, 66 FR 52695	(c)(170)(i)(B)(*2*).
Bakerstown Container Corporation	CO–221	Allegheny	5/14/96	10/17/01, 66 FR 52695	(c)(170)(i)(B)(*3*).
Chestnut Ridge Foam, Inc.—Latrobe	(OP)65–000–181	Westmoreland	12/29/95	10/17/01, 66 FR 52695	(c)(170)(i)(B)(*4*).
Flexsys America LP, Monongahela Plant	(OP)63–000–015	Washington	3/23/01	10/17/01, 66 FR 52695	(c)(170)(i)(B)(*5*).
Haskell of Pittsburgh, Inc	CO–224	Allegheny	12/19/96	10/17/01, 66 FR 52695	(c)(170)(i)(B)(*6*).
Three Rivers Aluminum Company (TRACO)	OP–10–267	Butler	3/1/01	10/17/01, 66 FR 52695	(c)(170)(i)(B)(*7*).
Tuscarora Plastics, Inc	(OP)04–000–497	Beaver	4/3/96	10/17/01, 66 FR 52695	(c)(170)(i)(B)(*8*).
Witco Corporation	CO–210	Allegheny	5/14/96	10/17/01, 66 FR 52695	(c)(170)(i)(B)(*9*).
GenCorp (Plastic Films Division)—Jeannette Plant	(OP)65–000–207	Westmoreland	1/4/96	10/15/01, 66 FR 52322	(c)(171)(i)(B).
CENTRIA—Ambridge Coil Coating Operations Plant	(OP)04–000–043	Beaver	5/17/99	10/15/01, 66 FR 52322	(c)(171)(i)(D).
J & L Structural, Inc.—Aliquippa	OP–04–000–467	Beaver	6/23/95	10/16/01, 66 FR 52511	(c)(172)(i)(B)(*1*).
Universal Stainless & Alloy Products, Inc	CO–241	Allegheny	12/19/96	10/16/01, 66 FR 52511	(c)(172)(i)(B)(*2*).

(1) EPA-APPROVED SOURCE-SPECIFIC REASONABLY AVAILABLE CONTROL TECHNOLOGY (RACT) REQUIREMENTS FOR VOLATILE ORGANIC COMPOUNDS (VOC) AND OXIDES OF NITROGEN (NO_X)—Continued

Name of source	Permit No.	County	State effective date	EPA approval date	Additional explanation/ § 52.2063 citation
Shenango, Inc	CO–233	Allegheny	12/30/96	10/16/01, 66 FR 52511	(c)(172)(i)(B)(*3*).
LTV Steel Company	CO–259	Allegheny	12/30/96	10/16/01, 66 FR 52511	(c)(172)(i)(B)(*4*).
U.S. Steel (USX Corporation.)—Clairton Works	CO–234	Allegheny	12/30/96	10/16/01, 66 FR 52511	(c)(172)(i)(B)(*5*).
USX Corporation—Edgar Thomson Works	CO–235	Allegheny	12/30/96	10/16/01, 66 FR 52511	(c)(172)(i)(B)(*6*).
USX, Inc.—Irvin Works	CO–258	Allegheny	12/30/96	10/16/01, 66 FR 52511	(c)(172)(i)(B)(*7*).
Wheeling-Pittsburgh Steel Corporation—Allenport Plant	(OP)63–000–066	Washington	2/8/99	10/16/01, 66 FR 52511	(c)(172)(i)(B)(*8*).
Koppers—Monessen Coke Plant	(OP)65–000–853	Westmoreland	3/20/98	10/16/01, 66 FR 52511	(c)(172)(i)(B)(*9*).
J & L Specialty Steel, Inc.—Midland Facility	(OP)04–000–013	Beaver	3/23/01	10/16/01, 66 FR 52511	(c)(172)(i)(B)(*10*).
Washington Steel Corp.—Washington Plant	(OP)63–000–023	Washington	9/12/96	10/16/01, 66 FR 52511	(c)(172)(i)(B)(*11*).
Equitrans, Inc.—Hartson	(OP)63–000–642	Washington	7/10/95	10/17/01, 66 FR 52705	(c)(173)(i)(B)(*1*).
Witco Corp.—Petrolia Facility	PA–10–037	Butler	6/27/95	10/17/01, 66 FR 52705	(c)(173)(i)(B)(*2*).
Ranbar Electrical Materials Inc. (formerly Westinghouse Electric Co. EMD)—Manor	(OP)65–000–042	Westmoreland	2/22/99	10/17/01, 66 FR 52705	(c)(173)(i)(B)(*3*).
Nova Chemicals, Inc. (formerly Arco Chemical Co.—Beaver Valley)	(OP)04–000–033	Beaver	4/16/99 1/24/01	10/17/01, 66 FR 52705	(c)(173)(i)(B)(*4*).
BASF Corporation—Monaca Site	(OP)04–000–306	Beaver	3/23/01	10/17/01, 66 FR 52705	(c)(173)(i)(B)(*5*).
Cardone Industries—Rising Sun Ave	PA(51–) PLID 3887	Philadelphia	5/29/95	10/30/01, 66 FR 54710	(c)(174)(i)(B)(*1*).
Cardone Industries—Chew St	PA(51–) PLID 2237	Philadelphia	5/29/95	10/30/01, 66 FR 54710	(c)(174)(i)(B)(*2*).
U.S. Navy, Naval Surface Warfare Center—Carderock Division	PA(51–)9724	Philadelphia	12/27/97	10/30/01, 66 FR 54710	(c)(174)(i)(B)(*3*).
Wheelabrator Falls, Inc	OP–09–0013	Bucks	1/11/96 5/17/96	10/30/01, 66 FR 54710	(c)(174)(i)(B)(*4*).
US Steel Group/USX Corporation—Fairless Works	OP–09–0006	Bucks	4/8/99	10/30/01, 66 FR 54710	(c)(174)(i)(B)(*5*).
Brown Printing Company	OP–46–0018A	Montgomery	5/17/00	10/30/01, 66 FR 54710	(c)(174)(i)(B)(*6*).
Sun Chemical—General Printing Ink Division	PA(51–) 2052	Philadelphia	7/14/00	10/30/01, 66 FR 54710	(c)(174)(i)(B)(*7*).
Sunoco Chemicals, Frankford Plant	PA(51–) 1551	Philadelphia	7/27/99	10/30/01, 66 FR 54710	(c)(174)(i)(B)(*8*).
Armco, Inc. Butler Operations Main Plant	PA–10–001M	Butler	2/23/96	10/15/01, 66 FR 52338	(c)(175)(i)(B).
Armco, Inc. Butler Operations Stainless Plant	PA–10–001S	Butler	2/23/96	10/15/01, 66 FR 52338	(c)(175)(i)(C).
Pennsylvania Power Co.—Bruce Mansfield Plant	(PA)04–000–235	Beaver	12/29/94	10/15/01, 66 FR 52333	(c)(176)(i)(B)(*1*).
West Penn Power Co.—Mitchell Station	(PA)63–000–016	Washington	6/12/95	10/15/01, 66 FR 52333	(c)(176)(i)(B)(*2*).

(1) EPA-APPROVED SOURCE-SPECIFIC REASONABLY AVAILABLE CONTROL TECHNOLOGY (RACT) REQUIREMENTS FOR VOLATILE ORGANIC COMPOUNDS (VOC) AND OXIDES OF NITROGEN (NO_x)—Continued

Name of source	Permit No.	County	State effective date	EPA approval date	Additional explanation/ § 52.2063 citation
Carnegie Natural Gas Company—Fisher Station	(OP)03–000–182	Armstrong	12/2/98	10/15/01, 66 FR 52333	(c)(176)(i)(B)(*3*).
Apollo Gas Company—Shoemaker Station	(OP)03–000–183	Armstrong	9/12/96	10/15/01, 66 FR 52333	(c)(176)(i)(B)(*4*).
Texas Eastern Transmission Corp.—Delmont Station	(OP)65–000–839	Westmoreland	1/9/97	10/15/01, 66 FR 52333	(c)(176)(i)(B)(*5*).
The Peoples Natural Gas Co.—Valley Station	(OP)03–000–125	Armstrong	10/31/94	10/15/01, 66 FR 52333	(c)(176)(i)(B)(*6*).
The Peoples Natural Gas Co.—Girty Compressor Station	(PA)03–000–076	Armstrong	10/27/95	10/15/01, 66 FR 52333	(c)(176)(i)(B)(*7*).
AES Beaver Valley Partners—Monaca Plant	(OP)04–000–446	Beaver	3/23/01	10/15/01, 66 FR 52333	(c)(176)(i)(B)(*8*).
Penreco—Karns City	OP–10–0027	Butler	5/31/95	10/12/01, 66 FR 52044	(c)(177)(i)(B)(*1*).
Ashland Petroleum Company	CO–256	Allegheny	12/19/96	10/12/01, 66 FR 52044	(c)(177)(i)(B)(*2*).
Bellefield Boiler Plant—Pittsburgh	EO–248	Allegheny	12/19/96	10/12/01, 66 FR 52044	(c)(177)(i)(B)(*3*).
Gulf Oil, L.P	CO–250	Allegheny	12/19/96	10/12/01, 66 FR 52044	(c)(177)(i)(B)(*4*).
PA Dept. of Corrections	EO–244	Allegheny	1/23/97	10/12/01, 66 FR 52044	(c)(177)(i)(B)(*5*).
Pittsburgh Thermal Limited Partnership	CO–220	Allegheny	3/4/96	10/12/01, 66 FR 52044	(c)(177)(i)(B)(*6*).
BP Exploration & Oil, Inc.—Greensburg Terminal	(OP)65–000–378	Westmoreland	3/23/01	10/12/01, 66 FR 52044	(c)(177)(i)(B)(*7*).
Pittsburgh Allegheny County Thermal, Ltd	CO–265	Allegheny	11/9/98	10/12/01, 66 FR 52044	(c)(177)(i)(B)(*8*).
Aristech Chemical Corporation	CO–232	Allegheny	12/30/96	10/17/01, 66 FR 52700	(c)(178)(i)(B)(*1*).
Heinz U.S.A.—Pittsburgh	EO–211	Allegheny	3/8/96	10/17/01, 66 FR 52700	(c)(178)(i)(B)(*2*).
Heinz U.S.A.—Pittsburgh	CO–247	Allegheny	10/24/96	10/17/01, 66 FR 52700	(c)(178)(i)(B)(*2*).
Koppers Industries, Inc. (Aristech Chem. Corp)	CO–223	Allegheny	8/27/96	10/17/01, 66 FR 52700	(c)(178)(i)(B)(*3*).
Nabisco Biscuit Co	CO–246	Allegheny	12/19/96	10/17/01, 66 FR 52700	(c)(178)(i)(B)(*4*).
Pressure Chemical Co	CO–261	Allegheny	6/11/97	10/17/01, 66 FR 52700	(c)(178)(i)(B)(*5*).
General Carbide Corp	(OP)65–000–622	Westmoreland	12/29/95	10/17/01, 66 FR 52700	(c)(178)(i)(B)(*6*).
Fansteel Hydro Carbide	(OP)65–000–860	Westmoreland	12/12/97	10/17/01, 66 FR 52700	(c)(178)(i)(B)(*7*).
Carbidie Corporation	(OP)65–000–720	Westmoreland	7/31/98	10/17/01, 66 FR 52700	(c)(178)(i)(B)(*8*).
Dyno Nobel Inc—Donora	(OP)63–000–070	Washington	3/31/99	10/17/01, 66 FR 52700	(c)(178)(i)(B)(*9*).
Newcomer Products, Inc	(OP)65–000–851	Westmoreland	8/7/97	10/17/01, 66 FR 52700	(c)(178)(i)(B)(*10*).
PECO Energy Company—Cromby Generating Station	OP–15–0019	Chester	4/28/95	10/30/01, 66 FR 54699	(c)(179)(i)(B)(*1*).
Waste Resource Energy, Inc. (Operator); Shawmut Bank, Conn. National Assoc. (Owner); Delaware County Resource Recovery Facility	OP–23–0004	Delaware	11/16/95	10/30/01, 66 FR 54699	(c)(179)(i)(B)(*2*).

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Name of source	Permit No.	County	State effective date	EPA approval date	Additional explanation/ § 52.2063 citation
G-Seven, Ltd	OP–46–0078	Montgomery	4/20/99	10/30/01, 66 FR 54699	(c)(179)(i)(B)(*3*).
Leonard Kunkin Associates	OP–09–0073	Bucks	6/25/01	10/30/01, 66 FR 54699	(c)(179)(i)(B)(*4*).
Kimberly-Clark Corporation	OP–23–0014A	Delaware	6/24/98 8/1/01	10/30/01, 66 FR 54699	(c)(179)(i)(B)(*5*).
Sunoco, Inc. (R&M); Marcus Hook Plant	CP–23–0001	Delaware	6/8/95 8/2/01	10/30/01, 66 FR 54699	(c)(179)(i)(B)(*6*).
Waste Management Disposal Services of Pennsylvania, Inc. (GROWS Landfill)	OP–09–0007	Bucks	12/19/97 7/17/01	10/30/01, 66 FR 54699	(c)(179)(i)(B)(*7*).
Koppel Steel Corporation—Ambridge Plant	OP–04–000–227	Beaver	10/12/00	10/15/01, 66 FR 52317	(c)(180)(i)(B).
General Motors Corporation	CO–243	Allegheny	8/27/96	10/15/01, 66 FR 52327	(c)(181)(i)(B)(*1*).
Oakmont Steel, Inc	CO–226	Allegheny	5/14/96	10/15/01, 66 FR 52327	(c)(181)(i)(B)(*2*).
The Peoples Natural Gas Co	CO–240	Allegheny	8/27/96	10/15/01, 66 FR 52327	(c)(181)(i)(B)(*3*).
U.S. Bureau of Mines	EO–215	Allegheny	3/8/96	10/15/01, 66 FR 52327	(c)(181)(i)(B)(*4*).
Waste Management Disposal Services of Pennsylvania (Pottstown Landfill)	OP–46–0033	Montgomery	4/20/99	10/30/01, 66 FR 54704	(c)(182)(i)(B)(*1*).
FPL Energy MH50, LP (Sunoco, Inc. (R&M))	PA–23–0084	Delaware	7/26/99	10/30/01, 66 FR 54704	(c)(182)(i)(B)(*2*).
Exelon Generation Company—(PECO)—Richmond Generating Station	PA–51–4903	Philadelphia	7/11/01	10/30/01, 66 FR 54704	(c)(182)(i)(B)(*3*).
Jefferson Smurfit Corp./Container Corp. of America	PLID (PA–51–) 1566	Philadelphia	4/10/95	10/31/01, 66 FR 54947	(c)(184)(i)(B)(*1*).
Maritank Philadelphia, Inc	PLID (PA–51–) 5013	Philadelphia	12/28/95	10/31/01, 66 FR 54947	(c)(184)(i)(B)(*2*).
Moyer Packing Company	OP–46–0001	Montgomery	3/15/96	10/31/01, 66 FR 54947	(c)(184)(i)(B)(*3*).
Tullytown Resource Recovery Facility (Waste Management of Pa., Inc.)	OP–09–0024	Bucks	7/14/97	10/31/01, 66 FR 54947	(c)(184)(i)(B)(*4*).
SPS Technologies, Inc	OP–46–0032	Montgomery	10/30/97	10/31/01, 66 FR 54947	(c)(184)(i)(B)(*5*).
PECO Energy Company	OP–09–0077	Bucks	12/19/97	10/31/01, 66 FR 54947	(c)(184)(i)(B)(*6*).
Philadelphia Gas Works—Richmond Plant	PA–51–4922	Philadelphia	7/27/99	10/31/01, 66 FR 54947	(c)(184)(i)(B)(*7*).
Exelon Generation Company—Delaware Generating Station	PA–51–4901	Philadelphia	7/11/01	10/31/01, 66 FR 54947	(c)(184)(i)(B)(*8*).
Exelon Generation Company—Schuylkill Generating Station	PA–51–4904	Philadelphia	7/11/01	10/31/01, 66 FR 54947	(c)(184)(i)(B)(*9*).
International Business Systems, Inc	OP–46–0049	Montgomery	10/29/98	10/30/01, 66 FR 54691	(c)(185)(i)(B)(*1*).
Bethlehem Lukens Plate	OP–46–0011	Montgomery	12/11/98	10/30/01, 66 FR 54691	(c)(185)(i)(B)(*2*).
Montenay Montgomery Limited Partnership	OP–46–0010A	Montgomery	4/20/99 6/20/00	10/30/01, 66 FR 54691	(c)(185)(i)(B)(*3*).
Northeast Foods, Inc. (Bake Rite Rolls)	OP–09–0014	Bucks	4/9/99	10/30/01, 66 FR 54691	(c)(185)(i)(B)(*4*).

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Name of source	Permit No.	County	State effective date	EPA approval date	Additional explanation/ § 52.2063 citation
Aldan Rubber Company	PA–(51–)1561	Philadelphia	7/21/00	10/30/01, 66 FR 54691	(c)(185)(i)(B)(*5*).
Braceland Brothers, Inc	PA–(51–)3679	Philadelphia	7/14/00	10/30/01, 66 FR 54691	(c)(185)(i)(B)(*6*).
Graphic Arts, Incorporated	PA–(51–)2260	Philadelphia	7/14/00	10/30/01, 66 FR 54691	(c)(185)(i)(B)(*7*).
O'Brien (Philadelphia) Cogeneration, Inc.—Northeast Water Pollution Control Plant	PA–(51–)1533	Philadelphia	7/21/00	10/30/01, 66 FR 54691	(c)(185)(i)(B)(*8*).
O'Brien (Philadelphia) Cogeneration, Inc.—Southwest Water Pollution Control Plant	PA–(51–)1534	Philadelphia	7/21/00	10/30/01, 66 FR 54691	(c)(185)(i)(B)(*9*).
Pearl Pressman Liberty	PA–(51–)7721	Philadelphia	7/24/00	10/30/01, 66 FR 54691	(c)(185)(i)(B)(*10*).
Arbill Industries, Inc	PA–51–3811	Philadelphia	7/27/99	10/30/01, 66 FR 54691	(c)(185)(i)(B)(*11*).
McWhorter Technologies, Inc	PA–51–3542	Philadelphia	7/27/99	10/30/01, 66 FR 54691	(c)(185)(i)(B)(*12*).
NortheastWater Pollution Control Plant	PA–51–9513	Philadelphia	7/27/99	10/30/01, 66 FR54691	(c)(185)(i)(B)(*13*).
Newman and Company	PLID (51–) 3489	Philadelphia	6/11/97	10/30/01, 66 FR 54691	(c)(185)(i)(B)(*14*).
Allegheny Ludlum Steel Corporation	(OP–)65–000–137	Westmoreland	5/17/99	10/19/01, 66 FR 53090	(c)(186)(i)(B)(*1*).
INDSPEC Chemical Corporation	PA10–021	Butler	10/19/98	10/19/01, 66 FR 53090	(c)(186)(i)(B)(*2*).
Stoney Creek Technologies, L.L.C	PA–23–0002	Delaware	2/24/99	11/5/01, 66 FR 55880	(c)(187)(i)(B)(*1*).
Superpac, Inc	OP–09–0003	Bucks	3/25/99	11/5/01, 66 FR 55880	(c)(187)(i)(B)(*2*).
Transit America, Inc	PLID (51–) 1563	Philadelphia	6/11/97	11/5/01, 66 FR 55880	(c)(187)(i)(B)(*3*).
American Bank Note Company	OP–46–0075	Montgomery	5/19/97 8/10/98	11/5/01, 66 FR 55880	(c)(187)(i)(B)(*4*).
Atlas Roofing Corporation—Quakertown	OP–09–0039	Bucks	3/10/99	11/5/01, 66 FR 55880	(c)(187)(i)(B)(*5*).
Beckett Corporation	OP–15–0040	Chester	7/8/97	11/5/01, 66 FR 55880	(c)(187)(i)(B)(*6*).
Klearfold, Inc	OP–09–0012	Bucks	4/15/99	11/5/01, 66 FR 55880	(c)(187)(i)(B)(*7*).
National Label Company	OP–46–0040	Montgomery	7/28/97	11/5/01, 66 FR 55880	(c)(187)(i)(B)(*8*).
Bethlehem Steel Corporation	OP–22–02012	Dauphin	4/9/99	5/23/02, 67 FR 36108	(c)(191).
Hershey Chocolate USA	OP–22–2004A	Dauphin	1/24/00	6/26/02, 67 FR 43002	(c)(194)(i)(B)(*1*).
Pennsylvania Power Company New Castle Plant	OP–37–0023	Lawrence	4/8/99	6/26/02, 67 FR 43002	(c)(194)(i)(B)(*2*).
Lafarge Corporation	OP–39–0011B	Lehigh	5/19/97	4/1/03, 68 FR 15661	(c)(196)(i)(B)(*1*).
The Peoples Natural Gas Company	(OP–)11–000–356	Cambria	11/23/94	4/1/03, 68 FR 15661	(c)(196)(i)(B)(*2*).
Horsehead Resource Development Company, Inc	OP–13–0001	Carbon	5/16/95	4/1/03, 68 FR 15661	(c)(196)(i)(B)(*3*).
Williams Generation Company—Hazelton	OP–40–0031A	Luzerne	3/10/00	4/1/03, 68 FR 15661	(c)(196)(i)(B)(*4*).
Pennsylvania Power and Light Company, Holtwood Steam Electric Station	PA–36–2016	Lancaster	5/25/95	4/1/03, 68 FR 15661	(c)(196)(i)(B)(*5*).

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Name of source	Permit No.	County	State effective date	EPA approval date	Additional explanation/ § 52.2063 citation
General Electric Transportation Systems	OP–25–025A	Erie	8/26/02	4/7/03, 68 FR 16724	(c)(198)(i)(B).
Bethlehem Structural Products Corporation	OP–48–0013	Northampton	10/24/96	5/2/03, 68 FR 23404	(c)(200)(i)(B)(*1*).
International Paper Company, Erie Mill	PA–25–028	Erie	12/21/94	5/2/03, 68 FR 23404	(c)(200)(i)(B)(*2*).
National Fuel Gas Supply—Heath Compressor Station	PA–33–144A	Jefferson	10/5/98	5/2/03, 68 FR 23404	(c)(200)(i)(B)(*3*).
PPG Industries, Inc	OP–20–145	Crawford	5/31/95	3/24/03, 68 FR14154	(c)(201)(i)(B).
Dominion Trans., Inc.—Finnefrock Station	Title V–18–00005	Clinton	2/16/00	5/7/03, 68 FR 24365	(c)(202)(i)(B)(*1*).
Textron Lycoming—Oliver Street Plant	Title V–41–00005	Lycoming	1/12/01	5/7/03, 68 FR 24365	(c)(202)(i)(B)(*2*).
Lafayette College, Easton Campus	OP–48–0034	Northampton	8/18/97	5/20/03, 68 FR 27471	(c)(205)(i)(B).
Keystone Carbon Company	OP–24–016	Elk	5/15/95	10/17/03, 68 FR 59741	(c)(207)(i)(B)(*1*).
Mack Trucks, Inc	OP–39–0004	Northampton	5/31/95	10/17/03, 68 FR 59741	(c)(207)(i)(B)(*1*).
Owens-Brockway Glass Container, Inc	OP–33–033	Jefferson	3/27/95	10/17/03, 68 FR 59741	(c)(207)(i)(B)(*1*).
Resilite Sport Products, Inc	OP–49–0003	Northumberland	12/3/96	10/17/03, 68 FR 59741	(c)(207)(i)(B)(*1*).
Westfield Tanning Company	OP–59–0008	Tioga	11/27/96	10/17/03, 68 FR 59741	(c)(207)(i)(B)(*1*).
Tarkett, Incorporated	OP–39–0002	Lehigh	5/31/95	8/6/03, 68 FR 46484	(c)(208)(i)(B)(*1*).
Hacros Pigments, Inc.	OP–48–0018	Northampton	7/31/96	8/6/03, 68 FR 46484	(c)(208)(i)(B)(*2*).
GPU Generation Corp., Homer City Station	(OP–)32–000–055	Indiana	10/29/98	10/15/03, 68 FR 59321	(c)(212)(i)(B)(*1*).
GPU Generation Corp., Seward Station	(OP–)32–000–040	Indiana	4/30/98	10/15/03, 68 FR 59321	(c)(212)(i)(B)(*2*).
Ebensburg Power Company, Ebensburg Cogeneration Plant	(OP–)11–000–318	Cambria	3/28/01	10/15/03, 68 FR 59321	(c)(212)(i)(B)(*3*).
Sithe Pennsylvania Holdings, LLC, Warren Station	OP–62–012B	Warren	1/20/00	10/15/03, 68 FR 59321	(c)(212)(i)(B)(*4*).
Pennsylvania Power & Light Company, Sunbury SES	OP–55–0001A	Snyder	7/7/97	10/15/03, 68 FR 59321	(c)(212)(i)(B)(*5*).
Lakeview Landfill	OP–25–920	Erie	5/29/97	10/15/03, 68 FR 59321	(c)(212)(i)(B)(*6*).
National Fuel Gas Supply Corp.—Roystone Compressor Station	OP–62–141F	Warren	4/1/03	10/27/04, 69 FR 62583	(c)(213)(i)(B)(*1*).
Crompton Corporation, Fairview Township	OP–10–037	Butler	6/4/03	5/25/04, 69 FR 29444	(c)(213)(i)(B)(*2*).
Andritz, Inc	41–00010C	Lycoming	4/30/03	10/15/03, 68 FR 59318	(c)(214)(i)(B)(*1*).
Brodart Company	18–0007A	Clinton	4/8/03	10/15/03, 68 FR 59318	(c)(214)(i)(B)(*2*).
Erie Sewer Authority	OP–25–179	Erie	6/5/03	10/15/03, 68 FR 59318	(c)(214)(i)(B)(*3*).
Hercules Cement Company	OP–48–0005A	Northampton	4/16/99	11/24/03, 68 FR 65846	(c)(217)(i)(B).

(1) EPA-APPROVED SOURCE-SPECIFIC REASONABLY AVAILABLE CONTROL TECHNOLOGY (RACT) REQUIREMENTS FOR VOLATILE ORGANIC COMPOUNDS (VOC) AND OXIDES OF NITROGEN (NO_x)—Continued

Name of source	Permit No.	County	State effective date	EPA approval date	Additional explanation/ § 52.2063 citation
Tennessee Gas Pipeline Company, Station 321	OP–58–00001A	Susquehanna	4/16/98	10/27/04, 69 FR 62585	(c)(218)(i)(B)(*1*).
Tennessee Gas Pipeline Company, Station 219	OP–43–0272	Mercer	4/7/99	10/27/04, 69 FR 62585	(c)(218)(i)(B)(*2*).
Information Display Technology, Inc	32–000–085	Indiana	1/11/96	03/29/05, 70 FR 15774	52.2020(d)(1)(h).
Bedford Materials Co., Inc	05–02005	Bedford	4/15/99	03/29/05, 70 FR 15774	52.2020(d)(1)(h).
Bollman Hat Company	36–2031	Lancaster	7/3/95	03/29/05, 70 FR 15774	52.2020(d)(1)(h).
Armco Inc	OP–43–040	Mercer	9/30/99	03/29/05, 70 FR 15774	52.2020(d)(1)(h).
Specialty Tires of America, Inc	32–000–065	Indiana	1/6/00	03/29/05, 70 FR 15774	52.2020(d)(1)(h).
Truck Accessories Group East	OP–49–0005	Northumberland	3/26/99	03/29/05, 70 FR 15774	52.2020(d)(1)(h).
Jeraco Enterprises, Inc	OP–49–0014	Northumberland	4/6/97	03/29/05, 70 FR 15774	52.2020(d)(1)(h).
Insulation Corporation of America	39–0012	Lehigh	10/17/95	03/29/05, 70 FR 15774	52.2020(d)(1)(h).
Pope & Talbot, Inc	40–0019	Luzerne	5/31/96	03/29/05, 70 FR 15774	52.2020(d)(1)(h).
Universal Rundle Corporation	OP–37–059	Lawrence	5/31/95	03/29/05, 70 FR 15774	52.2020(d)(1)(h).
Clark Filter	36–02040	Lancaster	2/4/00	03/29/05, 70 FR 15774	52.2020(d)(1)(h).
The Pennsylvania State University—University Park	OP–14–0006	Centre	12/30/98	3/30/05, 70 FR 16118	52.2020(d)(1)(c).
Tennessee Gas Pipeline Company—Charleston Township	OP–59–0001	Tioga	5/31/95	3/30/05, 70 FR 16118	52.2020(d)(1)(c).
Tennessee Gas Pipeline Company—Wyalusing Township	OP–08–0002	Bradford	5/31/95	3/30/05, 70 FR 16118	52.2020(d)(1)(c).
Masland Industries	21–2001	Cumberland	5/31/95	3/30/05, 70 FR 16118	52.2020(d)(1)(c).
ESSROC Cement Corp	OP–37–003	Lawrence	7/27/95 3/31/99	3/30/05, 70 FR 16118	52.2020(d)(1)(c).
The Magee Carpet Company	OP–19–0001	Columbia	1/22/97	3/30/05, 70 FR 16118	52.2020(d)(1)(c).
Tennessee Gas Pipeline Company—Howe Township	OP–27–015	Forest	7/27/00	3/30/05, 70 FR 16118	52.2020(d)(1)(c).
Transcontinental Gas Pipeline Corporation—Buck Township	40–0002 40–0002A	Luzerne	5/31/95	3/30/05, 70 FR 16118	52.2020(d)(1)(c).
Transcontinental Gas Pipe Line Corporation—Peach Bottom Township	67–2012	York	5/5/95	3/30/05, 70 FR 16118	52.2020(d)(1)(c).
Standard Steel Division of Freedom Forge Corp	44–2001	Mifflin	5/31/95	3/30/05, 70 FR 16118	52.2020(d)(1)(c).
Pope and Talbot, Inc	35–0004	Lackawanna	5/31/96	3/30/05, 70 FR 16124	52.2020 (d)(1)(d).
Pennsylvania Power and Light Company	22–2011	Dauphin	6/7/95	3/30/05, 70 FR 16124	52.2020 (d)(1)(d).
Ellwood Group Inc	OP–37–313	Lawrence	1/31/01	3/30/05, 70 FR 16124	52.2020 (d)(1)(d).
National Fuel Gas Supply Corporation	53–0009A 53–0009	Potter	8/5/96	3/30/05, 70 FR 16124	52.2020 (d)(1)(d).
Department of the Army	28–02002	Franklin	2/3/00	3/31/05, 70 FR 16416	52.2020(d)(1)(g).
Harley-Davidson Motor Company	67–2032	York	4/9/97	3/31/05, 70 FR 16416	52.2020(d)(1)(g).

(1) EPA-APPROVED SOURCE-SPECIFIC REASONABLY AVAILABLE CONTROL TECHNOLOGY (RACT) REQUIREMENTS FOR VOLATILE ORGANIC COMPOUNDS (VOC) AND OXIDES OF NITROGEN (NO_x)—Continued

Name of source	Permit No.	County	State effective date	EPA approval date	Additional explanation/ § 52.2063 citation
GE Transportation Systems	OP–43–196	Mercer	5/16/01	3/31/05, 70 FR 16416	52.2020(d)(1)(g).
Stone Container Corporation	67–2002	York	9/3/96	3/31/05, 70 FR 16416	52.2020(d)(1)(g).
Stanley Storage Systems, Inc	39–0031	Lehigh	6/12/98	3/31/05, 70 FR 16416	52.2020(d)(1)(g).
York Group, Inc	67–2014	York	7/3/95	3/31/05, 70 FR 16416	52.2020(d)(1)(g).
Strick Corporation	OP–19–0002	Columbia	6/6/97	3/31/05, 70 FR 16416	52.2020(d)(1)(g).
Grumman Olson, Division of Grumman Allied Industries	OP–41–0002	Lycoming	9/25/97	3/31/05, 70 FR 16416	52.2020(d)(1)(g).
Prior Coated Metals, Inc	39–0005	Lehigh	5/26/95	3/31/05, 70 FR 16416	52.2020(d)(1)(g).
Schindler Elevator Corporation	01–2007	Adams	5/24/95	3/31/05, 70 FR 16416	52.2020(d)(1)(g).
Hodge Foundry	OP–43–036	Mercer	3/31/99	3/31/05, 70 FR 16420	52.2020(d)(1)(a).
Resolite, A United Dominion Co	OP–10–266	Butler	10/15/99 2/18/00	3/31/05, 70 FR 16420	52.2020(d)(1)(a).
Consolidation Coal Co.—Coal Preparation Plant	30–000–063	Greene	5/17/99	3/31/05, 70 FR 16420	52.2020(d)(1)(a).
Urick Foundry	OP–25–053	Erie	10/24/96	3/31/05, 70 FR 16420	52.2020(d)(1)(a).
Keystone Sanitary Landfill, Inc	35–0014	Lackawanna	4/19/99	3/31/05, 70 FR 16420	52.2020(d)(1)(a).
Grinnell Corporation	36–2019	Lancaster	6/30/95	3/31/05, 70 FR 16420	52.2020(d)(1)(a).
Buck Company Inc	36–2035	Lancaster	8/1/95	3/31/05, 70 FR 16420	52.2020(d)(1)(a).
Owens-Brockway Glass Container, Inc	OP–16–010	Clarion	3/27/95 5/31/95	3/31/05, 70 FR 16423	52.2020(d)(1)(f).
Alcoa Extrusion, Inc	54–0022	Schuylkill	4/19/99	3/31/05, 70 FR 16423	52.2020(d)(1)(f).
Pennsylvania Electric Company	32–000–059	Indiana	12/29/94	3/31/05, 70 FR 16423	52.2020(d)(1)(f).
National Gypsum Company	OP–60–0003	Union	1/17/96	3/31/05, 70 FR 16423	52.2020(d)(1)(f).
Stoney Creek Technologies, LLC	OP–23–0002	Delaware	7/24/03	3/31/05, 70 FR 16423	52.2020(d)(1)(f).
Northeastern Power Company	54–0008	Schuylkill	5/26/95	3/31/05, 70 FR 16423	52.2020(d)(1)(f).
Texas Eastern Transmission Corporation	22–2010	Dauphin	1/31/97	3/31/05, 70 FR 16423	52.2020(d)(1)(f).
The Miller Group	54–0024	Schuykill	2/1/99	3/31/05, 70 FR 16423	52.2020(d)(1)(f).
CNG Transmission Corporation	32–000–129	Indiana	6/22/95	3/31/05, 70 FR 16423	52.2020(d)(1)(f).
I.H.F.P., Inc	OP–49–0010A	Northumberland	1/7/98	3/31/05, 70 FR 16423	52.2020(d)(1)(f).
National Forge Company	OP–62–032	Warren	5/31/95	3/31/05, 70 FR 16423	52.2020(d)(1)(f).
United Refining Company	OP–62–017	Warren	5/31/95 11/14/96	3/31/05, 70 FR 16423	52.2020(d)(1)(f).
Petrowax Refining	OP–42–110	McKean	3/4/96 5/31/96	3/31/05, 70 FR 16423	52.2020(d)(1)(f).
Westvaco Corporation	07–2008	Blair	9/29/95	3/31/05, 70 FR 16423	52.2020(d)(1)(f).
Naval Surface Warfare Center, Caderock Division Ship Systems Engineering Station	PA–04108	Philadelphia	10/18/04	4/29/05, 70 FR 22257	52.2020(d)(1)(j).
R.H. Sheppard Co., Inc	67–2016	York	8/4/95	8/24/05, 70 FR 49496	52.2020(d)(1)(i).

(1) EPA-APPROVED SOURCE-SPECIFIC REASONABLY AVAILABLE CONTROL TECHNOLOGY (RACT) REQUIREMENTS FOR VOLATILE ORGANIC COMPOUNDS (VOC) AND OXIDES OF NITROGEN (NO_x)—Continued

Name of source	Permit No.	County	State effective date	EPA approval date	Additional explanation/ § 52.2063 citation
Wheatland Tube Company	OP–43–182	Mercer	7/26/95	8/24/05, 70 FR 49496	52.2020(d)(1)(i).
Transcontinental Gas Pipeline Corporation	OP–53–0006	Potter	10/13/95	8/24/05, 70 FR 49496	52.2020(d)(1)(i).
Transcontinental Gas Pipeline Corporation	OP–19–0004	Columbia	5/30/95	8/24/05, 70 FR 49496	52.2020(d)(1)(i).
Transcontinental Gas Pipeline Corporation	PA–41–0005A	Lycoming	8/9/95	8/24/05, 70 FR 49496	52.2020(d)(1)(i).
Molded Fiber Glass	OP–25–035	Erie	7/30/99	11/1/05, 70 FR 65842	52.2020(d)(1)(k).
Erie Forge and Steel, Inc	OP–25–924	Erie	2/10/00	11/1/05, 70 FR 65842	52.2020(d)(1)(k).
OSRAM SYLVANIA Products, Inc	OP–59–0007	Tioga	1/22/98	11/1/05, 70 FR 65842	52.2020(d)(1)(k).
Owens-Brockway Glass Container	OP–33–002	Jefferson	11/23/98	11/1/05, 70 FR 65842	52.2020(d)(1)(k).
Texas Eastern Transmission Corporation	32–000–230	Indiana	9/25/95	11/1/05, 70 FR 65842	52.2020(d)(1)(k).
SKF, USA, Incorporated	67–02010A	York	7/19/00	11/1/05, 70 FR 65842	52.2020(d)(1)(k).
Johnstown America Corporation	11–000–288	Cambria	1/13/99	11/1/05, 70 FR 65842	52.2020(d)(1)(k).
SGL Carbon Corporation	OP–24–131	Elk	5/12/95 5/31/95	11/1/05, 70 FR 65845	52.2020(d)(1)(e).
Salem Tube, Inc	OP–43–142	Mercer	2/16/99	11/1/05, 70 FR 65845	52.2020(d)(1)(e).
Dominion Trans, Inc	18–00006	Clinton	6/15/99 9/29/03	11/1/05, 70 FR 65845	52.2020(d)(1)(e).
Waste Management Disposal Services of Pennsylvania (Pottstown Landfill)	OP–46–0033	Berks; Montgomery	4/20/99 1/27/04	11/2/05, 70 FR 66261	52.2020(d)(1)(b).
Waste Management Disposal Services of PA, Inc	67–02047	York	4/20/99	11/2/05, 70 FR 66261	52.2020(d)(1)(b).
Armstrong World Industries, Inc	36–2001	Lancaster	7/3/99	11/2/05, 70 FR 66261	52.2020(d)(1)(b).
Cogentrix of Pennsylvania Inc	OP–33–137, PA–33–302–014, OP–33–302–014, PA 33–399–004, OP 33–399–004	Jefferson	1/27/98 11/15/90 5/31/93 10/31/98 5/31/93	3/8/06, 71 FR 11514	52.2020(d)(1)(l).
Scrubgrass Generating Company, LP	OP–61–0181	Venango	4/30/98	3/8/06, 71 FR 11514	52.2020(d)(1)(l).
Wheelabrator Frackville Energy Co	OP–54–005	Schuylkill	9/18/98	3/8/06, 71 FR 11514	52.2020(d)(1)(l).
Indiana University of Pennsylvania—S.W. Jack Cogeneration Facility	OP–32–000–200	Indiana	9/24/98	3/8/06, 71 FR 11514	52.2020(d)(1)(l).
Fleetwood Motor Homes	OP–49–0011	Northumberland	10/30/98	3/8/06, 71 FR 11514	52.2020(d)(1)(l).
Piney Creek, LP	OP–16–0127	Clarion	12/18/98	3/8/06, 71 FR 11514	52.2020(d)(1)(l).
Statoil Energy Power Paxton, LP	OP–22–02015	Dauphin	6/30/99	3/8/06, 71 FR 11514	52.2020(d)(1)(l).
Harrisburg Steamworks	OP–22–02005	Dauphin	3/23/99	3/8/06, 71 FR 11514	52.2020(d)(1)(l).
Cove Shoe Company	OP–07–02028	Blair	4/7/99	3/8/06, 71 FR 11514	52.2020(d)(1)(l).
PP&L—Fichbach C.T. Facility	OP–54–0011	Schuylkill	6/1/99	3/8/06, 71 FR 11514	52.2020(d)(1)(l).
PP&L—Allentown C.T. Facility	OP–39–0009	Lehigh	6/1/99	3/8/06, 71 FR 11514	52.2020(d)(1)(l).

(1) EPA-APPROVED SOURCE-SPECIFIC REASONABLY AVAILABLE CONTROL TECHNOLOGY (RACT) REQUIREMENTS FOR VOLATILE ORGANIC COMPOUNDS (VOC) AND OXIDES OF NITROGEN (NO_X)—Continued

Name of source	Permit No.	County	State effective date	EPA approval date	Additional explanation/ § 52.2063 citation
PP&L—Harwood C.T. Facility	OP–40–0016	Luzerne	6/1/99	3/8/06, 71 FR 11514	52.2020(d)(1)(l).
PP&L—Jenkins C.T. Facility	OP–40–0017	Luzerne	6/1/99	3/8/06, 71 FR 11514	52.2020(d)(1)(l).
The International Metals Reclamation Co	OP–37–243	Lawrence	8/9/00	3/31/06, 71 FR 16235	52.2020(d)(1)(m).
Petrowax, PA, Inc	PA 61–020	Venango	1/2/96	3/31/06, 71 FR 16235	52.2020(d)(1)(m).
Pennsylvania Electric Company	OP–32–000–059	Indiana	12/29/94	04/28/06, 71 FR 25070	52.2020(d)(1)(n).
The Harrisburg Authority	OP–22–2007	Dauphin	1/02/95	04/28/06, 71 FR 25070	52.2020(d)(1)(n).
Texas Eastern Transmission Corp	OP–50–02001	Perry	4/12/99	04/28/06, 71 FR 25070	52.2020(d)(1)(n).
Graybec Lime, Inc	OP14–0004	Centre	4/16/99	04/28/06, 71 FR 25070	52.2020(d)(1)(n).
Techneglas, Inc	OP–40–0009A	Luzerne	1/29/99	04/28/06, 71 FR 25070	52.2020(d)(1)(n).
DLM Foods (formerly Heinz USA)	CO 211	Allegheny	3/8/96	05/11/06, 71 FR 27394	52.2020(d)(1)(o).
NRG Energy Center (formerly Pittsburgh Thermal Limited Partnership)	CO220	Allegheny	3/4/96	05/11/06, 71 FR 27394	52.2020(d)(1)(o).
Tasty Baking Oxford, Inc	OP–15–0104	Chester	5/12/04	05/11/06, 71 FR 27394	52.2020(d)(1)(o).
Silberline Manufacturing Company	OP–13–0014	Carbon	4/19/99	05/11/06, 71 FR 27394	52.2020(d)(1)(o).
Adhesives Research, Inc	OP–67–2007	York	7/1/95	05/11/06, 71 FR 27394	52.2020(d)(1)(o).
Mohawk Flush Doors, Inc	OP–49–0001	Northumberland	1/20/99	05/11/06, 71 FR 27394	52.2020(d)(1)(o).
Bigbee Steel and Tank Company	36–2024	Lancaster	7/7/95	6/13/06, 71 FR 34011	52.2020(d)(1)(p).
Conoco Phillips Company	OP–23–0003	Delaware	4/29/04	6/13/06, 71 FR 34011	52.2020(d)(1)(p).
The Hershey Company	22–02004B	Dauphin	12/23/05	6/13/06, 71 FR 34011	52.2020(d)(1)(p).
LORD Corporation, Cambridge Springs	OP–20–123	Crawford	7/27/95	6/13/06, 71 FR 34011	52.2020(d)(1)(p).
Pittsburgh Corning Corporation	PA–42–009	McKean	5/31/95	6/13/06, 71 FR 34011	52.2020(d)(1)(p).
Small Tube Manufacturing, LLC	07–02010	Blair	2/27/06	6/13/06, 71 FR 34011	52.2020(d)(1)(p).
Texas Eastern Transmission Corporation, Holbrook Compressor Station	30–000–077	Greene	1/3/97	6/13/06, 71 FR 34011	52.2020(d)(1)(p).
Willamette Industries, Johnsonburgh Mill	OP–24–009	Elk	5/23/95	6/13/06, 71 FR 34011	52.2020(d)(1)(p).
American Refining Group, Inc	OP–42–004	McKean	11/23/98	6/14/06, 71 FR 34259	52.2020(d)(1)(q).
Bellefonte Lime Company	OP–14–0002	Centre	10/19/98	6/14/06, 71 FR 34259	52.2020(d)(1)(q).
Butter Krust Baking Company, Inc	OP–49–0006	Northumberland	11/5/96	6/14/06, 71 FR 34259	52.2020(d)(1)(q).
Carnegie Natural Gas Company	30–000–106	Greene	9/22/95	6/14/06, 71 FR 34259	52.2020(d)(1)(q).
Caterpillar, Inc	67–2017	York	8/1/95	6/14/06, 71 FR 34259	52.2020(d)(1)(q).
Gencorp, Inc	54–0009	Schuykill	5/31/96	6/14/06, 71 FR 34259	52.2020(d)(1)(q).
Harris Semiconductor	OP–40–0001A	Luzerne	4/16/99	6/14/06, 71 FR 34259	52.2020(d)(1)(q).
Merisol Antioxidants LLC	OP–61–00011	Venango	4/18/05	6/14/06, 71 FR 34259	52.2020(d)(1)(q).

(1) EPA-APPROVED SOURCE-SPECIFIC REASONABLY AVAILABLE CONTROL TECHNOLOGY (RACT) REQUIREMENTS FOR VOLATILE ORGANIC COMPOUNDS (VOC) AND OXIDES OF NITROGEN (NO_x)—Continued

Name of source	Permit No.	County	State effective date	EPA approval date	Additional explanation/ § 52.2063 citation
Norcon Power Partners, L.P	OP–25–923	Erie	9/21/95	6/14/06, 71 FR 34259	52.2020(d)(1)(q).
Triangle Pacific Corp	34–2001	Juniata	5/31/95	6/14/06, 71 FR 34259	52.2020(d)(1)(q).
Viking Energy of Northumberland Limited Partnership	OP–49–0004	Northumberland	5/30/95	6/14/06, 71 FR 34259	52.2020(d)(1)(q).
White Cap, Inc	40–0004	Luzerne	7/20/95	6/14/06, 71 FR 34259	52.2020(d)(1)(q).
Carlisle Tire & Rubber Company	21–2003	Cumberland	3/10/95	7/11/06, 71 FR 38993	52.2020(d)(1)(t).
The Carbide/Graphite Group, Inc	OP–24–012	Elk	5/12/95	7/11/06, 71 FR 38993	52.2020(d)(1)(t).
Celotex Corporation	OP–49–0013	Northumberland	6/18/99	7/11/06, 71 FR 38993	52.2020(d)(1)(t).
American Railcar Industries, Inc. Shippers Car Line Division	OP–49–0012	Northumberland	11/29/95	7/11/06, 71 FR 38993	52.2020(d)(1)(t).
ACF Industries, Inc	OP–49–0009	Northumberland	12/12/96	7/11/06, 71 FR 38993	52.2020(d)(1)(t).
New Holland North America, Inc	36–2028	Lancaster	10/17/95	7/11/06, 71 FR 38993	52.2020(d)(1)(t).
Allsteel, Inc	40–001–5	Luzerne	5/26/95	7/11/06, 71 FR 38993	52.2020(d)(1)(t).
Ball-Foster Glass Container Co	OP–42–028	McKean	7/7/95 3/31/99	7/11/06, 71 FR 38993	52.2020(d)(1)(t).
Pennsylvania Power & Light Company—West Shore	OP–21–2009	Cumberland	6/7/95	7/11/06, 71 FR 38995	52.2020(d)(1)(r).
Foster Wheeler Mt. Carmel, Inc	OP–49–0002	Northumberland	6/30/95	7/11/06, 71 FR 38995	52.2020(d)(1)(r).
Metropolitan Edison Company—Portland	OP–48–0006	Northampton	12/14/94	7/11/06, 71 FR 38995	52.2020(d)(1)(r).
Pennsylvania Power & Light Company	OP–41–0004	Lycoming	6/13/95	7/11/06, 71 FR 38995	52.2020(d)(1)(r).
Pennsylvania Power & Light Company	OP–18–0006	Clinton	6/13/95	7/11/06, 71 FR 38995	52.2020(d)(1)(r).
Texas Eastern Transmission Corporation	OP–34–2002	Juniata	1/31/97	7/11/06, 71 FR 38995	52.2020(d)(1)(r).
Pennsylvania Power & Light Company	OP–48–0011	Northampton	12/19/94	7/11/06, 71 FR 38995	52.2020(d)(1)(r).
Johnstown Corporation	OP–11–000–034	Cambria	6/23/95	7/11/06, 71 FR 38995	52.2020(d)(1)(r).
Koppers Industries, Inc	OP–41–0008	Lycoming	3/30/99	7/13/06, 71 FR 39572	52.2020(d)(1)(s).
Armstrong World Industries, Inc	OP–36–2002	Lancaster	10/31/96	6/8/07, 72 FR 31749	52.2020(d)(1)(u).
Peoples Natural Gas Company	OP–16–124	Clarion	8/11/99	6/8/07, 72 FR 31749	52.2020(d)(1)(u).
Dart Container Corporation	OP–36–2015	Lancaster	8/31/95	6/8/07, 72 FR 31749	52.2020(d)(1)(u).
AT&T Microelectronics	OP–39–0001	Lehigh	5/19/95	6/8/07, 72 FR 31749	52.2020(d)(1)(u).
West Penn Power Co	OP–30–000–099	Greene	5/17/99	6/8/07, 72 FR 31749	52.2020(d)(1)(u).
Merck and Co., Inc	OP–49–0007B	Northumberland	5/16/01	3/4/08, 73 FR 11553	52.2020(d)(1)(v).

(2) EPA-APPROVED VOLATILE ORGANIC COMPOUNDS (VOC) EMISSIONS TRADING PROGRAMS

Name of source	Permit No.	County	State effective date	EPA approval date	Additional explanation/§ 52.2063 citation
National Can Company Fres-co Systems, USA Inc. Paramount Packaging Corp.	85–524 85–525	Bucks	3/1/85	4/21/88, 53 FR 13121.	(c)(68); transfer of offsets from NCCo to Fresco and Paramount.

(3) EPA-APPROVED SOURCE SPECIFIC SULFUR DIOXIDE (SO_2) REQUIREMENTS

Name of source	Permit No.	County	State effective date	EPA approval date	Additional explanation/§ 52.2063 citation
USX Corporation, Clairton Coke Works.	200	Allegheny	11/17/94	8/18/95, 60 FR 43012.	(c)(99).
Reliant Energy Mid-Atlantic Power Holdings LLC, Warren Generating Station.	SO2–62–00012	Warren	11/21/01	1/17/03, 68 FR 2459	(c)(190)(i)(C)(1).
United Refining Company.	SO2–62–017E	Warren	6/11/01	1/17/03, 68 FR 2459	(c)(190)(i)(C)(2).
Trigen-Philadelphia Energy Corporation.	SO2–95–002	Philadelphia	7/27/00	9/9/02, 67 FR 57155	(c)(193)(i)(B)(*1*).
Grays Ferry Cogeneration Partnership.	SO2–95–002A	Philadelphia	7/27/00	9/9/02, 67 FR 57155	(c)(193)(i)(B)(*2*).
PECO Energy Company, Schuylkill Generating Station.	SO2–95–006	Philadelphia	7/27/00	9/9/02, 67 FR 57155	(c)(193)(i)(B)(*3*).
Sunoco, Inc. (R&M) Philadelphia Refinery.	SO2–95–039	Philadelphia	7/27/00	9/9/02, 67 FR 57155	(c)(193)(i)(B)(*4*).

(4) EPA-APPROVED SOURCE SPECIFIC LEADE (PB) REQUIREMENTS

Name of source	Permit No.	County	State effective date	EPA approval date	Additional explanation/§ 52.2063 citation
East Penn Manufacturing Corp.	[None]	Berks	5/29/84	7/27/84, 49 FR 30179.	(c)(62).
General Battery Corporation.	[None]	Berks	5/29/84	7/27/84, 49 FR 30179.	(c)(62)
Tonolli Corporation (Closed).	[None]	Carbon	5/29/84	7/27/84, 49 FR 30179.	(c)(62).
Franklin Smelting and Refining Corporation.	[None]	Philadelphia	9/21/94	12/20/96, 61 FR 67275.	(c)(112).
MDC Industries, Inc	[None]	Philadelphia	9/21/94	12/20/96, 61 FR 67275.	(c)(112).
Anzon, Inc	[None]	Philadelphia	9/21/94	12/20/96, 61 FR 67275.	(c)(112).

(e) *EPA-approved nonregulatory and quasi-regulatory material*

(1) EPA-APPROVED NONREGULATORY AND QUASI-REGULATORY MATERIAL

Name of non-regulatory SIP revision	Applicable geographic area	State submittal date	EPA approval date	Additional explanation
Sulfur Dioxide Attainment Demonstration.	Conewego, Pleasant, and Glade Townships; City of Warren (Warren Co.).	8/20/01	1/17/03, 68 FR 2454	52.2033(b).
Sulfur Dioxide Attainment Demonstration.	Allegheny County—sulfur dioxide area defined in 40 CFR 81.339.	8/15/03	7/21/04, 69 FR 43522	52.2033(c).

(1) EPA-APPROVED NONREGULATORY AND QUASI-REGULATORY MATERIAL—Continued

Name of non-regulatory SIP revision	Applicable geographic area	State submittal date	EPA approval date	Additional explanation
Photochemical Assessment Monitoring Stations (PAMS) Program.	Philadelphia-Wilmington-Trenton Ozone Nonattainment Area.	9/23/94	9/11/95, 60 FR 47081	52.2035.
1990 Base Year Emission Inventory—Carbon Monoxide.	Philadelphia County	9/8/95 10/30/95	1/30/96, 61 FR 2982	52.2036(a).
1990 Base Year Emission Inventory—VOC.	Pittsburgh-Beaver Valley Ozone Nonattainment Area.	3/22/96 2/18/97 7/22/98	4/3/01, 66 FR 17634	52.2036(d).
1990 Base Year Emission Inventory—VOC, CO, NO_X.	Reading Area (Berks County).	1/28/97	5/7/97, 62 FR 24846	52.2036(e).
1990 Base Year Emission Inventory—VOC.	Philadelphia-Wilmington-Trenton Ozone Nonattainment Area.	9/12/96	6/9/97, 62 FR 31343	52.2036(i).
1990 Base Year Emission Inventory—NO_X.	Philadelphia-Wilmington-Trenton Ozone Nonattainment Area.	7/31/98	6/17/99, 64 FR 32422	52.2036(l).
1990 Base Year Emission Inventory—NO_X.	Pittsburgh-Beaver Valley Ozone Nonattainment Area.	3/22/96 2/18/97	10/19/01, 66 FR 53094	52.2036(m).
1990 Base Year Emission Inventory—Carbon Monoxide.	City of Pittsburgh-CBD & Oakland.	11/12/92 8/17/01	11/12/02, 67 FR 68521	52.2036(n).
Post 1996 Rate of Progress Plan.	Philadelphia-Wilmington-Trenton Ozone Nonattainment Area.	7/31/98 2/25/00	10/26/01, 66 FR 54143	52.2037(i).
One-Hour Ozone Attainment Demonstration.	Philadelphia-Wilmington-Trenton Ozone Nonattainment Area.	4/30/98 8/21/98 2/25/00 7/19/01	10/26/01, 66 FR 54143	52.2037(j).
Mobile Budgets for Post-1996 and 2005 attainment plans.	Philadelphia-Wilmington-Trenton Ozone Nonattainment Area.	2/25/00	10/26/01, 66 FR 54143	52.2037(k).
		2/23/04	5/21/04, 69 FR 29238	52.2037(k).
15% Rate of Progress Plan	Pittsburgh-Beaver Valley Ozone Nonattainment Area.	3/22/96 2/18/97 7/22/98	4/3/01, 66 FR 17634	52.2038(a).
15% Rate of Progress Plan	Philadelphia-Wilmington-Trenton Ozone Nonattainment Area.	9/12/96 4/10/97 6/5/98	8/24/01, 66 FR 44547	52.2038(b).
Control of Asphalt Paving Material (Emission offset).	Defined 16-county area in Western PA and Southwestern PA.	5/20/77 7/15/77	10/6/77, 42 FR 54417	52.1120(c)(15), 52.2054.
Particulate matter SIP	Allegheny County—Clairton PM_{10} nonattainment area.	1/6/94	9/8/98, 63 FR 47434	52.2059.
Small Business Assistance Program.	Statewide	2/1/93	1/6/95, 60 FR 1738	52.2060.
Source Testing Manual	Allegheny County	9/10/79	10/21/81, 46 FR 51607	52.2063(c)(4).
Ozone Nonattainment Plan	Statewide	4/24/79	5/20/80, 46 FR 33607	52.2063(c)(22).
Non-regulatory measures	Southwest Pa. AQCR	9/17/79	5/20/80, 46 FR 33607	52.2063(c)(30).
Air Quality Monitoring Network.	Statewide (except Allegheny County).	1/25/80	8/5/81, 46 FR 39822	52.2063(c)(34).
Attainment plan for sulfur dioxide.	Armstrong County	4/9/81	8/18/81, 46 FR 43423	52.2063(c)(36).
Air Quality Monitoring Network.	Allegheny County	12/24/80	9/15/81, 46 FR 45762	52.2063(c)(38).
Expanded Ridesharing Program.	Metro. Philadelphia AQCR	12/9/81	10/7/82, 47 FR 44259	52.2063(c)(46).
Lead (Pb) SIP	Allegheny County	9/6/83	2/6/84, 49 FR 4379	52.2063(c)(59).
Lead (Pb) SIP	Philadelphia	8/29/83 5/15/84	8/1/84, 49 FR 30696	52.2063(c)(61).
Lead (Pb) SIP	Statewide (except Philadelphia and Allegheny Counties).	9/30/82 6/8/84	7/27/84, 49 FR 30179	52.2063(c)(62).
Ozone and Carbon Monoxide Plan.	Metro. Philadelphia AQCR	6/30/82 10/24/83	2/26/85, 45 FR 7772	52.2063(c)(63).
Ozone and Carbon Monoxide Plan.	Southwestern Pa AQCR	6/30/82 10/24/83	2/26/85, 45 FR 7772	52.2063(c)(63).
Ozone and Carbon Monoxide Plan.	Allentown-Bethlehem-Easton Air Basin.	6/30/82 10/24/83	2/26/85, 45 FR 7772	52.2063(c)(63).
Carbon Monoxide Maintenance Plan.	Philadelphia County	9/8/95, 10/30/95	1/30/96, 61 FR 2982	52.2063(c)(105).

(1) EPA-APPROVED NONREGULATORY AND QUASI-REGULATORY MATERIAL—Continued

Name of non-regulatory SIP revision	Applicable geographic area	State submittal date	EPA approval date	Additional explanation
		9/3/04	4/04/05, 70 FR 16958	Revised Carbon Monoxide Maintenance Plan Base Year Emissions Inventory using MOBILE6.
		3/19/07	10/5/07, 72 FR 56911	Conversion of the Carbon Monoxide Maintenance Plan to a Limited Maintenance Plan Option.
Source Testing Manual	Statewide	11/26/94	7/30/96, 61 FR 39597	52.2063(c)(110)(i)(D); cross-referenced in Section 139.5.
Continuous Source Testing Manual.	Statewide	11/26/94	7/30/96, 61 FR 39597	52.2063(c)(110) (i)(D); cross-referenced in Section 139.5.
Ozone Maintenance Plan	Reading Area (Berks County).	1/28/97	5/7/97, 62 FR 24846	52.2063(c)(123).
		12/09/03	2/26/04, 68 FR 8824	52.2063(c)(222).
Ozone Maintenance Plan	Pittsburgh-Beaver Valley Ozone Nonattainment Area.	5/21/01	10/19/01, 66 FR 53094	52.2063(c)(188).
		4/11/03	8/5/03, 68 FR 46099	52.2063(c)(210).
		4/22/04	12/10/04, 69 FR 71212	52.2063(c)(226).
Carbon Monoxide Maintenance Plan.	City of Pittsburgh—Central Business District & Oakland.	8/17/01	11/12/02 67 FR 68521	52.2063(c)(189).
		7/18/12; 11/26/13	3/27/14, 79 FR 17054	Limited maintenance plan covering the 10-year period through 2022.
PM_{10} Maintenance Plan	Allegheny County—Clairton PM_{10} nonattainment area.	9/14/02	9/11/03, 68 FR 53515	52.2063(c)(215).
Sulfur Dioxide Maintenance Plan.	Allegheny County—sulfur dioxide area defined in 40 CFR 81.339.	8/15/03	7/21/04, 69 FR 43522	52.2063(c)(216)(i)(B).
Sulfur Dioxide Maintenance Plan.	Conewego, Pleasant, and Glade Townships; City of Warren (Warren Co.).	5/7/04	7/1/04, 69 FR 39860	52.2063(c)(224).
8-Hour Ozone Maintenance Plan and 2002 Base Year Emissions Inventory.	Lancaster Area (Lancaster County).	9/20/06 11/08/06	7/6/07, 72 FR 36889.	
8-Hour Ozone Maintenance Plan and 2002 Base Year Emissions Inventory.	Tioga County	9/28/06, 11/14/06	7/6/07, 72 FR 36892.	
8-Hour Ozone Maintenance Plan and 2002 Base Year Emissions Inventory.	Franklin County Area (Franklin County).	9/20/06 11/08/06	7/25/07, 72 FR 40746.	
8-Hour Ozone Maintenance Plan and 2002 Base Year Emissions Inventory.	Harrisburg-Lebanon-Carlisle, PA: Cumberland County, Dauphin County, Lebanon County, Perry County.	3/27/07	7/25/07, 72 FR 40749.	
8-Hour Ozone Maintenance Plan and 2002 Base Year Emissions Inventory.	Johnstown (Cambria County).	3/27/07	8/1/07, 72 FR 41903	Correction Notice published 3/4/08, 73 FR 11560.
8-Hour Ozone Maintenance Plan and 2002 Base Year Emissions Inventory.	Blair County	2/8/07	8/1/07, 72 FR 41906.	
8-Hour Ozone Maintenance Plan and 2002 Base Year Emissions Inventory.	Reading Area (Berks County).	1/25/07	8/24/07 72 FR 41906	Correction Notice published 1/14/08, 73 FR 2162.
		7/22/13	3/31/14, 79 FR 17875	Revised 2009 and 2018 Motor Vehicle Emission Budgets. Revised 2009 and 2018 point and area source inventories. See sections 52.2043 and 52.2052.

(1) EPA-APPROVED NONREGULATORY AND QUASI-REGULATORY MATERIAL—Continued

Name of non-regulatory SIP revision	Applicable geographic area	State submittal date	EPA approval date	Additional explanation
8-Hour Ozone Maintenance Plan and 2002 Base Year Emissions Inventory.	Erie County	4/24/07	10/9/07, 72 FR 57207	Correction Notices published 1/14/08, 73 FR 2162; and 3/4/08, 73 FR 11560.
8-Hour Ozone Maintenance Plan and 2002 Base Year Emissions Inventory.	Mercer County	3/27/07	10/19/07, 72 FR 59213	Correction Notices published 1/14/08, 73 FR 2162; and 3/4/08, 73 FR 11560.
8-Hour Ozone Maintenance Plan and 2002 Base Year Emissions Inventory.	State College (Centre County).	6/12/07	11/14/07, 72 FR 63990.	
8-Hour Ozone Maintenance Plan and 2002 Base Year Emissions Inventory.	Scranton/Wilkes-Barre Area: Lackawanna, Luzerne, Monroe and Wyoming Counties.	6/12/07 4/21/08	11/14/07, 72 FR 64948. 8/11/09, 74 FR 40083..	
8-Hour Ozone Maintenance Plan for the York-Adams, PA Area.	York-Adams Counties Area	6/14/07 5/23/08	1/14/08, 73 FR 2163. 8/13/09, 74 FR 40747..	
8-Hour Ozone Maintenance Plan and 2002 Base Year Emissions Inventory.	Allentown-Bethlehem-Easton Area: Carbon, Lehigh and Northampton Counties.	6/26/07 8/9/07	3/4/08, 73 FR 11557	Technical correction dated 8/9/07 addresses omitted emissions inventory information from 6/26/07 submittals.
8-Hour Ozone Maintenance Plan and 2002 Base-Year Inventory.	Wayne County	12/17/07	6/6/08, 73 FR 32238..	
8-Hour Ozone Maintenance Plan and 2002 Base-Year Inventory.	Warren County	12/17/07	6/30/08, 73 FR 36802.	
8-Hour Ozone Maintenance Plan and 2002 Base-Year Inventory.	Columbia County	12/17/07	7/2/08, 73 FR 37840.	
8-Hour Ozone Maintenance Plan and 2002 Base-Year Inventory.	Susquehanna County	12/17/07	7/2/08, 73 FR 37841.	
8-Hour Ozone Maintenance Plan and 2002 Base-Year Inventory.	Crawford County	12/17/07	7/2/08, 73 FR 37843.	
8-Hour Ozone Maintenance Plan and 2002 Base-Year Inventory.	Somerset County	12/17/07	7/2/08, 73 FR 37844.	
8-Hour Ozone Maintenance Plan and 2002 Base-Year Inventory.	Snyder County	12/17/07	7/18/08, 73 FR 41271.	
8-Hour Ozone Maintenance Plan and 2002 Base-Year Inventory.	Juniata County	12/17/07	7/18/08, 73 FR 41272.	
8-Hour Ozone Maintenance Plan and 2002 Base-Year Inventory.	Lawrence County	12/17/07	7/18/08, 73 FR 41274.	
8-Hour Ozone Maintenance Plan and 2002 Base-Year Inventory.	Northumberland County	12/17/07	7/18/08, 73 FR 41275.	
8-Hour Ozone Maintenance Plan and 2002 Base-Year Inventory.	Pike County	12/17/07	7/21/08, 73 FR 42263.	
8-Hour Ozone Maintenance Plan and 2002 Base-Year Inventory.	Schuylkill County	12/17/07	8/8/08, 73 FR 46200.	
2002 Base-Year Inventory	Pittsburgh-Beaver Valley Nonattainment Area: Allegheny, Armstrong, Beaver, Butler, Fayette, Washington, and Westmoreland counties.	4/26/07	11/17/08, 73 FR 67776	The SIP effective date is 12/17/08.
8-Hour Ozone Maintenance Plan and 2002 Base Year Emissions Inventory.	Greene County	1/25/07, 5/23/08	3/19/09, 74 FR 11671..	

(1) EPA-APPROVED NONREGULATORY AND QUASI-REGULATORY MATERIAL—Continued

Name of non-regulatory SIP revision	Applicable geographic area	State submittal date	EPA approval date	Additional explanation
8-Hour Ozone Maintenance Plan and 2002 Base Year Emissions Inventory.	Clearfield/Indiana Area: Clearfield and Indiana Counties.	6/14/07, 5/23/08	3/19/09, 74 FR 11677..	
Transportation Conformity Requirements.	Entire State	5/29/08	4/29/09, 74 FR 19451	Memoranda of Understanding between EPA, FHWA, FTA, Pennsylvania, Virginia, and eighteen Metropolitan and Rural Planning Organizations.
Reasonable Further Progress Plan (RFP), Reasonably Available Control Measures, and RFP Contingency Measures.	Pennsylvania portion of the Philadelphia-Wilmington-Atlantic City, PA–DE–MD–NJ 1997 8-hour ozone moderate non-attainment area.	8/29/07, 12/10/09, 4/12/10)	2/7/11, 76 FR 6559.	
2002 Base Year Emissions Inventory for Volatile Organic Compounds (VOC), Nitrogen Oxides (NO_X), and Carbon Monoxide (CO).	Pennsylvania portion of the Philadelphia-Wilmington-Atlantic City, PA–DE–MD–NJ 1997 8-hour ozone moderate non-attainment area.	8/29/07, 12/10/09, 4/12/10	2/7/11, 76 FR 6559.	
2008 RFP Transportation Conformity Motor Vehicle Emission Budgets.	Pennsylvania portion of the Philadelphia-Wilmington-Atlantic City, PA–DE–MD–NJ 1997 8-hour ozone moderate non-attainment area.	8/29/07, 12/10/09, 4/12/10	2/7/11, 76 FR 6559.	
Revision of the Quality Assurance Protocol for the Safety Inspection Program in Non-I/M Counties.	Non-I/M Program Region, Counties of: Adams, Armstrong, Bedford, Bradford, Butler, Cameron, Carbon, Clarion, Clearfield, Clinton, Columbia, Crawford, Elk, Fayette, Forest, Franklin, Fulton, Greene, Huntingdon, Indiana, Jefferson, Juniata, Lawrence, McKean, Mifflin, Monroe, Montour, Northumberland, Perry, Pike, Potter, Schuylkill, Snyder, Somerset, Sullivan, Susquehanna, Tioga, Union, Venango, Warren, Wayne, and Wyoming.	5/22/09	6/6/11, 76 FR 32321	Applicable to SIP-approved safety inspection program regulation for non-I/M counties at Title 67, Part 1, Chapter 175.
Regional Haze Plan	Statewide	12/20/10	7/13/12, 77 FR 41279	§ 52.2042; Limited Approval.
		12/20/10	4/30/14, 79 FR 24340	Reissuing of Limited Approval.
1997 $PM_{2.5}$ NAAQS Attainment Demonstration, 2002 Base Year Emissions Inventory, Contingency Measures and Motor Vehicle Emission Budgets for 2009.	Pennsylvania portion of the Philadelphia–Wilmington, PA–NJ–DE $PM_{2.5}$ Non-attainment Area.	4/12/10, 8/3/12, 1/29/13	8/27/12, 77 FR 51930, 4/3/13, 78 FR 19991.	Revised 2009 Motor Vehicle Emission Budgets. The SIP effective date is April 3, 2013.
Section 110(a)(2) Infrastructure Requirements for the 1997 8-Hour Ozone NAAQS.	Statewide	12/7/07, 6/6/08	9/25/12, 77 FR 58955	This action addresses the following CAA elements or portions thereof: 110(a)(2)(A), (B), (C), (D), (E), (F), (G), (H), (J), (K), (L), and (M).

(1) EPA-APPROVED NONREGULATORY AND QUASI-REGULATORY MATERIAL—Continued

Name of non-regulatory SIP revision	Applicable geographic area	State submittal date	EPA approval date	Additional explanation
Section 110(a)(2) Infrastructure Requirements for the 1997 $PM_{2.5}$ NAAQS.	Statewide	12/7/07, 6/6/08, 4/26/10	9/25/12, 77 FR 58955	This action addresses the following CAA elements or portions thereof: 110(a)(2)(A), (B), (C), (D), (E), (F), (G), (H), (J), (K), (L), and (M).
Section 110(a)(2) Infrastructure Requirements for the 2006 $PM_{2.5}$ NAAQS.	Statewide	4/26/10, 5/24/11	9/25/12, 77 FR 58955	This action addresses the following CAA elements or portions thereof: 110(a)(2)(A), (B), (C), (D), E), (F), (G), (H), (J), (K), (L), and (M).
2002 Base Year Emissions Inventory for the 1997 fine particulate matter ($PM_{2.5}$) standard.	Pittsburgh-Beaver Valley, PA.	11/10/09	12/13/12, 77 FR 74115	52.2036(p)
Section 110(a)(2) Infrastructure Requirements for the 1997 8-Hour Ozone NAAQS.	Allegheny County	7/1/08	2/28/13, 78 FR 13493	This action addresses the PSD related elements of the following CAA requirements: 110(a)(2)(C), (D)(i)(II), and (J)
Section 110(a)(2) Infrastructure Requirements for the 1997 $PM_{2.5}$ NAAQS.	Allegheny County	7/1/08	2/28/13, 78 FR 13493	This action addresses the PSD related elements of the following CAA requirements: 110(a)(2)(C), (D)(i)(II), and (J)
Section 110(a)(2) Infrastructure Requirements for the 2006 $PM_{2.5}$ NAAQS.	Allegheny County	7/1/08	2/28/13, 78 FR 13493	This action addresses the PSD related elements of the following CAA requirements: 110(a)(2)(C), (D)(i)(II), and (J)
RACT under the 8-hour ozone NAAQS.	Allegheny County	5/5/09	6/10/13, 78 FR 34584.	
RACT under the 1997 8-hour ozone NAAQS.	Philadelphia County	9/29/06 6/22/10	12/13/13, 78 FR 75902	Conditional approval. See § 52.2023(l).
2002 Base Year Emissions Inventory for the 1997 Annual $PM_{2.5}$ NAAQS.	Liberty-Clairton $PM_{2.5}$ Nonattainment Area.	6/17/11	1/2/14, 79 FR 54	52.2036(q).
8-Hour Ozone Maintenance Plan and 2002 Base Year Emissions Inventory.	Lancaster Area (Lancaster County).	9/20/06; 11/8/06	7/6/07; 72 FR 36889.	
		11/29/12	12/26/13,78 FR 78263	Revised 2009 and 2018 Motor Vehicle Emission Budgets. Revised 2009 and 2018 point source inventory. See sections 52.2043 and 52.2052.
Section 110(a)(2) Infrastructure Requirements for the 2008 Pb NAAQS.	Statewide	5/24/12	4/7/2014, 79 FR 19009	This rulemaking action addresses the following CAA elements: 110(a)(2)(A), (B), (C), (D)(i)(I), (D)(i)(II), (D)(ii), (E)(i), (E)(iii), (F), (G), (H), (J), (K), (L), and (M).

(2) EPA-APPROVED SOURCE-SPECIFIC REASONABLY AVAILABLE CONTROL TECHNOLOGY (RACT) REQUIREMENTS FOR VOLATILE ORGANIC COMPOUNDS (VOC) AND OXIDES OF NITROGEN (NOX) NOT INCORPORATED BY REFERENCE

Name of source	Permit No.	County	State submittal date	EPA approval date	Additional explanation/ § 52.2063 citation
USX Corp./US Steel Group-Fairless Hills.	09–0006	Bucks	8/11/95, 11/15/95	4/9/96, 61 FR 15709.	52.2036(b); 52.2037(c); source shutdown date is 8/1/91.
General Glass—Jeannette	65–0675	Westmoreland	7/5/95	05/16/96 61 FR 24727	52.2036(c); 52.2037(d).
Sharon Steel Company	43–0017	Mercer	12/8/95	12/20/96 61 FR 67275	52.2036(f); 52.2037(e).
R. R. Donnelley and Sons Co.—Lancaster East Plant.	36–2027	Lancaster	9/20/95	07/21/97 62 FR 33891	52.2036(j).
Rockwell Heavy Vehicle, Inc.-New Castle Forge Plant.	37–065	Lawrence	4/8/98	4/16/99, 64 FR 18818.	52.2036(k); source shutdown date is 4/1/93.
Pennsylvania Electric Co.—(PENELEC)—Williamsburg Station.	07–2006	Blair	8/1/95	12/20/96 61 FR 67275	52.2037(f); 52.2063(c)(113)(i)(A) & (ii)(A).
Caparo Steel Company	43–0285	Mercer	12/8/95	12/20/96 61 FR 67275	52.2037(g).
Mercersburg Tanning Co.	28–2008	Franklin	4/26/95	3/12/97, 62 FR 11079.	52.2037(h); 52.2063(c)(114)(i)(A)(3) & (ii)(A).
Duquesne Light Co.—Brunot Island Station.	214	Allegheny	3/5/01	10/18/01 66 FR 52867	52.2063(c)(161)(ii)(A).
Duquesne Light Co.—Phillips Station.	212	Allegheny	4/15/99	10/18/01 66 FR 52867	52.2063(c)(161)(ii)(B).

[70 FR 9452, Feb. 25, 2005]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.2020, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at *www.fdsys.gov*.

EFFECTIVE DATE NOTES: 1. At 79 FR 28438, May 16, 2014, § 52.2020 (e)(1), in the table by revising the entry for ''8-Hour Ozone Maintenance Plan and 2002 Base Year Emissions Inventory for Allentown-Bethlehem-Easton Area: Carbon, Lehigh and Northampton Counties'', effective July 15, 2014. For the convenience of the user, the revised text is set forth as follows:

§ 52.2020 Identification of plan.

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(e) * * *
(1) * * *

Name of non-regulatory SIP revision	Applicable geographic area	State submittal date	EPA approval date	Additional explanation
*	*	*	*	*
8-Hour Ozone Maintenance Plan and 2002 Base Year Emissions Inventory.	Allentown-Bethlehem-Easton Area: Carbon, Lehigh and Northampton Counties.	6/26/07	3/4/08 73 FR 11557	Technical correction dated 8/9/07 addresses omitted emissions inventory information from 6/26/07 submittals.
		3/7/14	5/16/14 [*Insert page number where the document begins*].	Revised 2009 and 2018 Motor Vehicle Emission Budgets. Revised 2009 and 2018 point source inventories. See sections 52.2043 and 52.2052.
*	*	*	*	*

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2. At 79 FR 34435, June 17, 2014, § 52.2020(c)(1), in the table, was amended by removing the entries for Chapter 130–Standards for Products, Subchapter A–Portable Fuel Containers, Sections 130.101 through 130.108, effective Aug. 18, 2014.

§ 52.2021 Classification of regions.

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

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Ozone (hydrocarbons)
Metropolitan Philadelphia Interstate	I	I	III	I	I
Northeast Pennsylvania-Upper Delaware Valley Interstate	I	II	III	III	III
South Central Pennsylvania Intrastate	I	II	III	III	III
Central Pennsylvania Intrastate	I	III	III	III	III
Southwest Pennsylvania Intrastate	I	I	III	I	I
Northwest Pennsylvania-Youngstown Interstate	I	II	III	III	III

[37 FR 10889, May 31, 1972, as amended at 39 FR 16347, May 8, 1974; 45 FR 33627, May 20, 1980]

§ 52.2022 [Reserved]

§ 52.2023 Approval status.

(a) With the exceptions set forth in this subpart, the Administrator approves Pennsylvania's plan for attainment and maintenance of the national standards.

(b) With the exceptions set forth in this subpart, the Administrator approves Pennsylvania's plan for the attainment and maintenance of the national ambient air quality standards under section 110 of the Clean Air Act. Furthermore, the Administrator finds that the plan satisfies all requirements of part D, Title 1, of the Clean Air Act as amended in 1977.

(c) –(k) [Reserved]

(l) EPA conditionally approves Philadelphia County's reasonably available control technology (RACT) demonstration under the 1997 8-hour ozone NAAQS, as provided in SIP revisions submitted on September 29, 2006 and June 22, 2010. Pursuant to section 110(k)(4) of the CAA, this conditional approval is based upon an April 26, 2013 letter from Pennsylvania on behalf of Philadelphia County committing to submit to EPA, no later than twelve months from EPA's final conditional approval, additional SIP revisions to address the deficiencies in the current RACT demonstration for Philadelphia County. The SIP revisions, to be submitted by Pennsylvania on behalf of Philadelphia County, will address source-specific RACT determinations for ten (10) major sources in Philadelphia County and will include a certification that previously adopted source-specific RACT controls approved by EPA in Pennsylvania's SIP under the 1-hour ozone NAAQS for the remaining sources in Philadelphia County (as listed in 40 CFR 52.2020(d)(1)) continue to adequately represent RACT for the 1997 8-hour ozone NAAQS.

[38 FR 32893, Nov. 28, 1973, as amended at 45 FR 33627, May 20, 1980; 51 FR 18440, May 20, 1986; 53 FR 31330, Aug. 18, 1988; 59 FR 6220, Feb. 10, 1994; 59 FR 30304, June 13, 1994; 60 FR 47085, Sept. 11, 1995; 61 FR 16062, Apr. 11, 1996; 63 FR 13794, Mar. 23, 1998; 63 FR 23673, Apr. 30, 1998; 67 FR 68941, Nov. 14, 2002; 73 FR 62893, Oct. 22, 2008; 78 FR 33985, June 6, 2013; 78 FR 75904, Dec. 13, 2013]

§§ 52.2024—52.2025 [Reserved]

§ 52.2026 [Reserved]

§ 52.2027 Approval status of Pennsylvania's Generic NO_X and VOC RACT Rules.

(a) Effective November 15, 2001, EPA removes the limited nature of its approval of 25 PA Code of Regulations, Chapter 129.91 through 129.95 (see § 52.2020 (c)(129)) as those regulations apply to the Pittsburgh-Beaver Valley area. Chapter 129.91 through 129.95 of Pennsylvania's regulations are fully approved as they apply in Allegheny, Armstrong, Beaver, Butler, Fayette, Washington, and Westmoreland Counties, the seven counties that comprise the Pittsburgh-Beaver Valley area.

(b) Effective November 29, 2001, EPA removes the limited nature of its approval of 25 PA Code of Regulations, Chapter 129.91 through 129.95 [see § 52.2020 (c)(129)] as those regulations apply to the Philadelphia-Wilmington-

Trenton area. Chapter 129.91 through 129.95 of Pennsylvania's regulations are fully approved as they apply in Bucks, Chester, Delaware, Montgomery, and Philadelphia Counties, the five counties that comprise the Pennsylvania portion of the Philadelphia area.

(c) Effective November 21, 2008, EPA removes the limited nature of its approval of 25 PA Code of Regulations, Chapter 129.91 through 129.95 as those regulations apply to the following areas: Adams, Bedford, Berks, Blair, Bradford, Cambria, Cameron, Carbon, Centre, Clarion, Clearfield, Clinton, Columbia, Crawford, Cumberland, Dauphin, Elk, Erie, Forest, Franklin, Fulton, Greene, Huntington, Indiana, Jefferson, Juniata, Lackawanna, Lancaster, Lawrence, Lebanon, Lehigh, Luzerne, Lycoming, McKean, Mercer, Mifflin, Monroe, Montour, Northampton, Northumberland, Perry, Pike, Potter, Schuylkill, Snyder, Somerset, Sullivan, Susquehanna, Tioga, Union, Venango, Warren, Wayne, Wyoming, and York Counties.

[66 FR 52534, Oct. 16, 2001, as amended at 66 FR 54699, Oct. 30, 2001; 73 FR 62893, Oct. 22, 2008]

§§ 52.2028–52.2033 [Reserved]

§ 52.2033 Control strategy: Sulfur oxides.

(a) [Reserved]

(b) EPA approves the attainment demonstration State Implementation Plan for the Conewango Township, Pleasant Township, Glade Township, and City of Warren area submitted by the Pennsylvania Department of Environmental Protection on December 26, 2001.

(c) EPA approves the attainment demonstration State Implementation Plan for the Hazelwood and Monongahela River Valley areas of the Allegheny County Air Basin in Allegheny County, submitted by the Pennsylvania Department of Environmental Protection on August 15, 2003.

[38 FR 7459, Mar. 22, 1973, as amended at 68 FR 2459, Jan. 17, 2003; 69 FR 43524, July 21, 2004; 78 FR 33985, June 6, 2013]

§ 52.2034 [Reserved]

§ 52.2035 Photochemical Assessment Monitoring Stations (PAMS) Program.

On September 23, 1994 Pennsylvania's Department of Environmental Resources (now known as the Department of Environmental Protection) submitted a plan for the establishment and implementation of a Photochemical Assessment Monitoring Stations (PAMS) Program as a state implementation plan (SIP) revision, as required by section 182(c)(1) of the Clean Air Act. EPA approved the Photochemical Assessment Monitoring Stations (PAMS) Program on September 11, 1995 and made it part of Pennsylvania SIP. As with all components of the SIP, Pennsylvania must implement the program as submitted and approved by EPA.

[60 FR 47084, Sept. 11, 1995]

§ 52.2036 Base year emissions inventory.

(a) EPA approves as a revision to the Pennsylvania State Implementation Plan the 1990 base year carbon monoxide emission inventory for Philadelphia County, submitted by the Secretary, Pennsylvania Department of Environmental Protection, on September 8, 1995 and October 30, 1995. This submittal consists of the 1990 base year stationary, area, non-road mobile and on-road mobile emission inventories in Philadelphia County for the pollutant carbon monoxide (CO).

(b) The U.S. Steel—Fairless Hills 1990 VOC and NO_X emissions for six emission units (no. 3 blast furnace, no.1 open hearth furnace, no. 1 soaking pits and no. 2 soaking pits (units 1–8 and units 9–16), and 80 in. hot strip mill), submitted August 11, 1995, are approved. U.S. Steel—Fairless Hills is located in Montgomery County, Pennsylvania, which is part of the Philadelphia severe ozone nonattainment area. The VOC and NO_X 1990 emissions from the no. 3 blast furnace are zero for both pollutants. The VOC and NO_X 1990 emissions from the no. 1 open hearth furnace are 6.9 TPY and 455.5 TPY, respectively. The VOC and NO_X emissions from the no. 1 soaking pits are 6.6 TPY and 91.8 TPY, respectively. The VOC

and NO_X emissions from the no. 2 soaking pits (units 1–8) are 1.10 TPY and 21.0 TPY, respectively. The VOC and NO_X emissions from the no. 2 soaking pits (units 9–16) are 1.10 TPY and 21.0 TPY, respectively. The VOC and NO_X emissions from the 80 in. hot strip mill are 1.9 TPY and 688.6 TPY, respectively.

(c) The 1990 NO_X emissions for the no. 2 glass melting furnace at the General Glass—Jeannette plant, located in Westmoreland County, Pennsylvania is 508.2 tons per year. Westmoreland County is part of the Pittsburgh moderate ozone nonattainment area. The 1990 NO_X emissions for the four kilns (no. 1 through 4) is 11.8 tons per year. This facility does not contain any other NO_X emitting units.

(d) EPA grants full approval to the 1990 VOC emission inventory for the Pittsburgh ozone nonattainment area, which was provided by Pennsylvania as an element of a March 22, 1996 submittal of the 15 Percent Rate-of-Progress Plan for the Pittsburgh-Beaver Valley ozone nonattainment area. Supplemental 1990 VOC inventory information and estimates were submitted by the Secretary of the Department of Environmental Protection on February 19, 1997 and on July 22, 1998, as formal amendments to the Pittsburgh 15 Percent Plan for Pittsburgh. EPA grants full approval to the final 1990 VOC emissions inventory estimates contained in Pennsylvania's July 22, 1998 SIP revision (which serves to supplement the 1990 VOC inventory information contained in Pennsylvania's March 22, 1996 and February 19, 1997 Pittsburgh-Beaver Valley 15% plan SIP revisions). The approved plan contains 1990 base year point, area, highway, and non-road mobile VOC emissions estimates for the 7-county Pittsburgh-Beaver Valley ozone nonattainment area (Allegheny, Armstrong, Beaver, Butler, Fayette, Washington, and Westmoreland Counties).

(e) EPA approves as a revision to the Pennsylvania State Implementation Plan (SIP) the 1990 base year emission inventories for the Reading, Pennsylvania area (Berks County) submitted by the Secretary of the Environment, on January 28, 1997. This submittal consists of the 1990 base year point, area, non-road mobile, biogenic and on-road mobile source emission inventories in the area for the following pollutants: volatile organic compounds (VOC), carbon monoxide (CO), and oxides of nitrogen (NO_X).

(f) Sharon Steel Company 1990 VOC and NO_X emissions for three emission units (Blast Furnace Operations, Basic Oxygen Furnace Shop, Blast Furnace Casthouse), submitted June 10, 1996, are approved. Sharon Steel Company is located in Mercer County, Pennsylvania, which is in a marginal ozone nonattainment area. The 1990 VOC and NO_X emissions from the Blast Furnace Operations (flame suppression, heaters and torpedo cars, flare stack, tuyeres) are 0.4 TPY and 49.3 TPY, respectively. The 1990 VOC and NO_X emissions from the Basic Oxygen Furnace Shop (scrap preheating, ladle preheating and heaters) are 1.4 TPY and 39.6 TPY, respectively. The 1990 VOC and NO_X emissions from the Blast Furnace Casthouse are 205.4 TPY and 11.0 TPY, respectively.

(g)–(h) [Reserved]

(i) The 1990 VOC emission inventory for the Philadelphia ozone nonattainment area, submitted on September 12, 1996 by Pennsylvania Department of Environmental Protection, is approved, with the exception of the revisions to the emission inventory for those sources at United States Steel—Fairless that were approved in § 52.2036 (b) on April 9, 1996.

(j) EPA is approving Pennsylvania's request that the 1990 emissions inventory for VOCs from R.R. Donnelley & Sons—East Plant be corrected to accurately reflect the 1990 emissions. The 1990 baseyear VOC emissions inventory will be corrected to 864 tons. Justification for the change in VOC emissions is described as follows:

(1) For rotogravure operations, R.R. Donnelley & Sons Company (East Plant) initially assumed a 5% retention of solvent in the web, and then revised their assumption to 2% based on the amount of solvent actually being recovered by the six bed carbon adsorption system. Based on VOC emissions data submitted to PADEP for the year 1990, the actual VOC emissions from rotogravure operations was 794.51 tons. The figures were taken from data submitted to PADEP from the facility

dated May 6, 1996 (subsequently submitted to EPA from PADEP via letter dated December 13, 1996).

(2) For heatset web offset lithographic operations, boilers, and associated solvent cleaning equipment, R.R. Donnelley & Sons Company provided data calculating estimates for actual 1990 VOC emissions of 69.83 tons. The figures were taken from the facility's RACT proposal submitted to PADEP dated March 29, 1995.

(k) Rockwell Heavy Vehicle, Inc., New Castle Forge Plant, Lawrence County—On April 8, 1998 the Pennsylvania Department of Environmental Protection requested that EPA include the CO, VOC and NO_X emissions from this facility in the 1990 base year emission inventory. The CO, VOC and NO_X emissions from the natural gas units and the spray booth of this facility are hereby approved as part of the 1990 point source inventory. The 1990 CO, VOC and NO_X emissions from the natural gas units are 8.3 TPY, 1.2 TPY and 64.2 TPY, respectively. The 1990 VOC emissions from the spray booth is 12.1 TPY.

(l) EPA approves, as a revision to the Pennsylvania State Implementation Plan, the 1990 NOx emission inventory for the Philadelphia area, submitted on July 31, 1998 by the Pennsylvania Department of Environmental Protection. The submittal consists of 1990 base year point, area, highway, and non-road mobile NOx emissions inventories for the five-county Philadelphia area (Bucks, Chester, Delaware, Montgomery, and Philadelphia Counties).

(m) EPA approves the 1990 NO_X base year emission inventory for the Pittsburgh-Beaver Valley area, submitted by the Pennsylvania Department of Environmental Protection on March 22, 1996 and supplemented on February 18, 1997.

(n) EPA approves as a revision to the Pennsylvania SIP the 1990 base year CO emissions inventory for Southwestern Pennsylvania, including Allegheny, Armstrong, Beaver, Butler, Fayette, Washington and Westmoreland counties, submitted by the Secretary of the Pennsylvania Department of Environmental Protection on November 12, 1992, and as revised on August 17, 2001. This submittal consists of the 1990 base year inventory for point, area, off-road, and highway emissions for these counties, for the pollutant CO.

(o) EPA approves as a revision to the Pennsylvania State Implementation Plan the 2002 base year emissions inventories for the Pennsylvania portion of the Philadelphia-Wilmington-Atlantic City, PA-DE-MD-NJ 1997 8-hour ozone moderate nonattainment area submitted by the Secretary of the Pennsylvania Department of Environmental Protection on August 29, 2007 (as formally amended by Pennsylvania on December 10, 2009 and on April 12, 2010). This submittal consists of the 2002 base year point, area, non-road mobile, and on-road mobile source emission inventories for this area, for the following pollutants: Volatile organic compounds (VOC), carbon monoxide (CO) and nitrogen oxides (NO_X).

(p) EPA approves as a revision to the Pennsylvania State Implementation Plan the 2002 base year emissions inventory for the Pittsburgh-Beaver Valley 1997 fine particulate matter ($PM_{2.5}$) nonattainment area submitted by the Pennsylvania Department of Environmental Protection on November 10, 2009. The base year emissions inventory includes emissions estimates that cover the general source categories of point sources, area sources, on-road mobile sources, and non-road mobile sources. The pollutants that comprise the inventory are $PM_{2.5}$, coarse particles (PM_{10}), nitrogen oxides (NO_X), volatile organic compounds (VOCs), ammonia (NH_3), and sulfur dioxide (SO_2).

(q) EPA approves as a revision to the Pennsylvania State Implementation Plan the 2002 base year emissions inventory for the Liberty-Clairton 1997 annual fine particulate matter ($PM_{2.5}$) nonattainment area submitted by the Pennsylvania Department of Environmental Protection on June 17, 2011. The base year emissions inventory includes emissions estimates that cover the general source categories of point sources, area sources, on-road mobile sources, and non-road mobile sources. The pollutants that comprise the inventory are $PM_{2.5}$, nitrogen oxides (NO_X), volatile organic compounds

(VOCs), ammonia (NH_3), and sulfur dioxide (SO_2).

[61 FR 2931, Jan. 30, 1996, as amended at 61 FR 15713, Apr. 9, 1996; 61 FR 24709, May 16, 1996; 61 FR 67232, Dec. 20, 1996; 62 FR 24834, May 7, 1997; 62 FR 31349, June 9, 1997; 62 FR 38917, July 21, 1997; 64 FR 18821, Apr. 16, 1999; 64 FR 32425, June 17, 1999; 66 FR 17638, Apr. 3, 2001; 66 FR 53106, Oct. 19, 2001; 67 FR 68525, Nov. 12, 2002; 76 FR 6561, Feb. 7, 2010; 77 FR 74116, Dec. 13, 2012; 79 FR 57, Jan. 2, 2014]

§ 52.2037 Control strategy plans for attainment and rate-of-progress: Ozone.

(a) [Reserved]

(b)(1) [Reserved]

(2) Determination—EPA has determined that, as of July 19, 1995, the Reading ozone nonattainment area has attained the ozone standard and that the reasonable further progress and attainment demonstration requirements of section 182(b)(1) and related requirements of section 172(c)(9) of the Clean Air Act do not apply to this area for so long as the area does not monitor any violations of the ozone standard. If a violation of the ozone NAAQS is monitored in the Reading ozone nonattainment area, these determinations shall no longer apply.

(c) VOC and NO_X RACT determination for six emission units at U.S. Steel—Fairless: no. 3 blast furnace, no. 1 open hearth furnace, no. 1 soaking pits, no. 2 soaking pits (units 1–8), no. 2 soaking pits (units 9–16), 80 in. hot strip mill. The NO_X RACT determination for all the soaking pits and the 80 in. hot strip mill is low excess air (LEA), which is expected to result in a 13.5% emission reduction. NO_X RACT for the other sources is determined to be good operating practices to minimize NO_X emissions. VOC RACT for all the above sources is determined to be good operating practices to minimize VOC emissions.

(d) NO_X RACT determination for the no. 2 glass melting furnace and the four kilns at the General Glass—Jeannette plant, which manufactured flat glass, is the current operation, consisting of no additional controls.

(e) Sharon Steel Company—VOC and NO_X RACT determination for three emission units at Sharon Steel Company, not covered by plan approval PA 43–017: Blast Furnace Operations (flame suppression, heaters and torpedo cars, tuyeres), Basic Oxygen Furnace Shop (scrap preheating, ladle preheating and heaters), Blast Furnace Casthouse. NO_X RACT for the Blast Furnace Operations is determined to be good air pollution control practices such that NO_X emissions do not exceed: 100 pounds of NO_X per million cubic feet (lb NO_X/MMft^3) of natural gas and 10.69 tons of NO_X per year (TPY) for flame suppression, heaters, and torpedo cars; and 140 lb NO_X/MMft^3 of natural gas and 0.6 TPY for tuyeres. VOC RACT for the Blast Furnace Operations is determined to be good air pollution control practices such that VOC emissions do not exceed: 3.8 lb VOC/MMft^3 of natural gas and 0.41 TPY for flame suppression, heaters and torpedo cars; and 2.8 lb VOC/MMft^3 of natural gas and 0.01 TPY for tuyeres. NO_X RACT for the Basic Oxygen Furnace Shop is determined to be good air pollution control practices such that NO_X emissions do not exceed: 100 lb NO_X/MMft^3 of natural gas and 1.1 TPY for scrap preheating; and 140 lb NO_X/MMft^3 of natural gas and 10.8 TPY for ladle preheating and heaters. VOC RACT for the Basic Oxygen Furnace Shop is determined to be good air pollution control practices such that VOC emissions do not exceed: 3.8 lb VOC/MMft^3 of natural gas and 0.04 TPY for scrap preheating; and 2.8 lb VOC/MMft^3 of natural gas and 0.22 TPY for ladle preheating and heaters. NO_X RACT for the Blast Furnace Casthouse is determined to be good air pollution control practices such that NO_X emissions do not exceed 0.03 lb NO_X/ton of steel processed and 11.0 TPY.

(f) Pennsylvania Electric Company—Williamsburg Station—VOC and NO_X RACT determination for three emission units at Pennsylvania Electric Company (Penelec)—Williamsburg Station: unit #1 boiler, auxiliary boiler, fugitive VOC sources. NO_X and VOC RACT for the unit #11 boiler is determined to be good air pollution control practices such that emissions limits shall be 21.7 pounds of NO_X per ton of coal fired (lb/ton) and 0.1459 lb/MMBtu of No. 2 oil fired with annual fuel usage records, and no more than 867 tons per year (TPY) of NO_X and 3 TPY of VOC. NO_X and VOC RACT for the auxiliary

boiler is determined to be the requirements of 25 Pa Code 129.93 (c)(1), pertaining to units with individual rated gross heat inputs less than 20 million British thermal units per hour (MMBtu/hr) of operation maintenance and operation in accordance with manufacturer's specifications, and the units are operated using good air pollution control practices.

(g) Caparo Steel Company—VOC and NO_X RACT determination for four emission units at Caparo Steel Company, not covered by operating permit OP 43–285: Package boilers, BW boiler #1, BW boiler #2, and BW boiler #3. NO_X RACT for the package boilers is determined to be good air pollution control practices such that NO_X emissions do not exceed 550 pounds of NO_X per million cubic feet (lb NO_X/MMft^3) of natural gas and 529.82 tons of NO_X per year (TPY). VOC RACT for the package boilers is determined to be good air pollution control practices such that VOC emissions do not exceed 1.4 lb VOC/MMft^3 of natural gas and 1.35 TPY. NO_X RACT for each of the BW boilers is determined to be good air pollution control practices such that NO_X emissions do not exceed 23 lb NO_X/MMft^3 of BFG and 80.1 TPY.

(h) VOC RACT determination for four emission units at Mercersburg Tanning Company—Franklin County: Spray Lines 3 thru 7, Attic Line, Spray Lines A and B, Spray Line C. The VOC RACT determination is as follows: for Spray Lines 3 thru 7; all work transferred to Spray Lines A and B, for Attic Line; all work transferred to Spray Line C, for Spray Lines A and B; vented to a Regenerative Thermal Oxidizer (RTO) with required 100% capture efficiency and 97% destruction efficiency, for Spray Line C; coating restrictions of 3.5 lb VOC/gal (less water) on base coats and 2.8 lb VOC/gal (less water) on intermediate coats. VOC RACT for cleaning solvents associated with Lines A and B vented to RTO and water utilized as cleaning solvent for Line C.

(i)(1) EPA approves the Commonwealth of Pennsylvania's Post 1996 (ROP) plan SIP revision for milestone years 1999, 2002, and 2005 for the Pennsylvania portion of the Philadelphia-Wilmington-Trenton severe ozone nonattainment area. These revisions were submitted by the Pennsylvania Department of Environmental Protection on April 30, 1998, July 31, 1998 and supplemented on February 25, 2000.

(2) EPA approves revisions to the Pennsylvania State Implementation Plan, submitted by the Secretary of the Pennsylvania Department of the Environmental Protection on February 23, 2004. These revisions amend Pennsylvania's rate-of-progress (ROP) plan for year 2005 for its Pennsylvania portion of the Philadelphia-Wilmington-Trenton 1-hour ozone nonattainment area. These revisions update the 2005 ROP plan's 1990 and 2005 motor vehicle emissions inventories and motor vehicle emissions budgets to reflect the use of the MOBILE6 emissions model, and establish revised motor vehicle emissions budgets of 79.69 tons per day (tpd) of volatile organic compounds and 144.73 tpd of nitrogen oxides.

(j) EPA approves the one hour ozone attainment demonstration SIP for the Philadelphia-Wilmington-Trenton area submitted by the Pennsylvania Department of Environmental Protection on April 30, 1998, August 21, 1998, February 25, 2000 and July 19, 2001 including its RACM analysis and determination. EPA is approving the enforceable commitments made to the attainment plan for the Philadelphia-Wilmington-Trenton severe ozone nonattainment area submitted by the Pennsylvania Department of Environmental Protection on July 31, 1998, February 25, 2000 and July 19, 2001. The enforceable commitments are to:

(1) Submit measures by October 31, 2001 for additional emission reductions as required in the attainment demonstration test, and to revise the SIP and motor vehicle emissions budgets by October 31, 2001 if the additional measures affect the motor vehicle emissions inventory,

(2) [Reserved]

(3) Perform a mid-course review by December 31, 2003.

(k) EPA approves the following mobile budgets of the post-1996 rate of progress plans and the 2005 attainment plan:

TRANSPORTATION CONFORMITY BUDGETS FOR THE PHILADELPHIA AREA

Type of control strategy SIP	Year	VOC (tpd)	NO_X (tpd)	Date of adequacy determination or SIP approval date
Post-1996 ROP Plan	1999	88.6	109.6	June 23, 2000 (65 FR 36438, June 8, 2000).
Post-1996 ROP Plan	2002	69.52	93.13	June 23, 2000 (65 FR 36438, June 8, 2000).
Post-1996 ROP Plan	2005	79.69	144.73	June 21, 2004 (May 21, 2004, 69 FR 29240).
Attainment Demonstration	2005	79.69	144.73	June 12, 2003 (68 FR 31700, May 28, 2003).

(1)–(2) [Reserved]

(l) EPA approves the Commonwealth of Pennsylvania's revised 1990 and the 2005 VOC and NO_X highway mobile emissions inventories and the 2005 motor vehicle emissions budgets for the 1-hour ozone attainment SIP for the Philadelphia-Wilmington-Trenton severe ozone nonattainment area. These revisions were submitted by the Pennsylvania Department of Environmental Protection on January 17, 2003. Submission of these revised MOBILE6-based motor vehicle emissions inventories was a requirement of EPA's approval of the attainment demonstration under paragraph (j) of this section.

(m) Determination—EPA has determined that, as of July 27, 2007, the Franklin County ozone nonattainment area has attained the 1-hour ozone standard and that the following requirements of section 172(c)(2) of the Clean Air Act do not apply to this area for so long as the area does not monitor any violations of the 1-hour ozone standard of 40 CFR 50.9: the attainment demonstration and reasonably available control measure requirements of section 172(b)(1), the reasonable further progress requirement of section 172(b)(2), and the related contingency requirements of section 172(c)(9). If a violation of the 1-hour ozone NAAQS is monitored in the Franklin County 1-hour ozone nonattainment area, these determinations shall no longer apply.

(n) Based upon EPA's review of the air quality data for the 3-year period 2003 to 2005, EPA has determined that the Philadelphia-Wilmington-Trenton severe 1-hour ozone nonattainment area attained the 1-hour ozone NAAQS by the applicable attainment date of November 15, 2005. EPA also has determined that the Philadelphia-Wilmington-Trenton severe 1-hour ozone nonattainment area is not subject to the imposition of the section 185 penalty fees.

(o) EPA approves revisions to the Pennsylvania State Implementation Plan consisting of the 2008 reasonable further progress (RFP) plan, reasonably available control measure demonstration, and contingency measures for the Pennsylvania portion of the Philadelphia-Wilmington-Atlantic City, PA-DE-MD-NJ 1997 8-hour ozone moderate nonattainment area submitted by the Secretary of the Pennsylvania Department of Environmental Protection on August 29, 2007 (as formally amended by Pennsylvania on December 10, 2009 and April 12, 2010).

(p) EPA approves the following 2008 RFP motor vehicle emissions budgets (MVEBs) for the Pennsylvania portion of the Philadelphia-Wilmington-Atlantic City, PA-DE-MD-NJ 1997 8-hour ozone moderate nonattainment area submitted by the Secretary of the Pennsylvania Department of Environmental Protection on August 29, 2007 (as formally amended by Pennsylvania on December 10, 2009):

TRANSPORTATION CONFORMITY EMISSIONS BUDGETS FOR THE PENNSYLVANIA PORTION OF THE PHILADELPHIA-WILMINGTON-ATLANTIC CITY, PA-DE-MD-NJ AREA

Type of control strategy SIP	Year	VOC (TPD)	NO_X (TPD)	Effective date of adequacy determination or SIP approval
Rate of Progress Plan	2008	61.09	108.78	January 5, 2009 (73 FR 77682), published December 19, 2008.

(q) *Determination of attainment*—In accordance with 40 CFR 51.918, EPA has determined that Pittsburgh-Beaver Valley 8-hour ozone nonattainment area has attained the 1997 8-hour ozone standard and that certain requirements of section 172(c) of the Clean Air Act are suspended as long as the nonattainment area continues to meet the 1997 8-hour ozone NAAQS. This determination is based upon complete, quality assured, and certified ambient air monitoring data that show the area has monitored attainment of the 1997 8-hour ozone NAAQS for the 2007 to 2009 monitoring period. Complete, quality-assured air monitoring data for 2010 are consistent with continued attainment. This determination suspends the obligation of the Commonwealth of Pennsylvania to submit an attainment demonstration and associated reasonably available control measures (RACM), a reasonable further progress (RFP) plan, contingency measures, and other planning requirements related to attainment of the 1997 8-hour ozone NAAQS for the Pittsburgh Area for as long as the area continues to meet the 1997 8-hour ozone NAAQS. If a violation of the1997 8-hour ozone NAAQS is monitored in the Pittsburgh-Beaver Valley 8-hour ozone nonattainment area, this determination shall no longer apply.

(r) *Determination of attainment*. EPA has determined, as of March 26, 2012, that based on 2008 to 2010 ambient air quality data, Philadelphia-Wilmington-Atlantic City, PA–NJ–MD–DE 8-hour ozone moderate nonattainment area has attained the 1997 8-hour ozone NAAQS. This determination, in accordance with 40 CFR 51.918, 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 8-hour ozone NAAQS.

(s) *Determination of attainment*. EPA has determined, as of April 4, 2013, that based on 2009 to 2011 ambient air quality data, the Pittsburgh-Beaver Valley, PA moderate nonattainment area has attained the 1997 8-hour ozone National Ambient Air Quality Standard (NAAQS). This determination, in accordance with 40 CFR 51.918, 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 8-hour ozone NAAQS.

[46 FR 17553, Mar. 19, 1981]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.2037, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at *www.fdsys.gov*.

EFFECTIVE DATE NOTE: At 79 FR 34435, June 17, 2014, § 52.2037 was amended by adding paragraph (t), effective Aug. 18, 2014. For the convenience of the user, the added text is set forth as follows:

§ 52.2037 Control strategy plans for attainment and rate-of-progress: Ozone.

* * * * *

(t) On July 14, 2012, Pennsylvania repealed the provisions set forth in Sections 130.101 through 130.108 pertaining to Portable Fuel Containers. Pennsylvania's regulations in the Pennsylvania State Implementation Plan were removed because they are superseded by more stringent Federal requirements codified at 40 CFR 59.600 through 59.699, relating to control of evaporative emissions from new and in-use portable fuel containers.

§ 52.2038 Rate of Progress Plans: Ozone.

(a) EPA grants full approval to Pennsylvania's 15 Percent Rate of Progress Plan for the Pittsburgh-Beaver Valley ozone nonattainment area, submitted by the Secretary of the Pennsylvania Department of Environmental Protection on March 22, 1996, as formally revised on February 18, 1997 and on July 22, 1998.

(b) EPA grants full approval to the 15 Percent Rate of Progress Plan for Pennsylvania's portion of the Philadelphia-Wilmington-Trenton ozone nonattainment area. The area that is the subject of this action encompasses Bucks, Chester, Delaware, Philadelphia, and Montgomery Counties. The plan was formally submitted to EPA by

the Secretary of the Pennsylvania Department of Environmental Protection on September 12, 1996, and was formally revised on April 10, 1997 and June 5, 1998.

[66 FR 17638, Apr. 3, 2001, as amended at 66 FR 44548, Aug. 24, 2001]

§ 52.2039 Interstate transport.

The EPA has made a finding pursuant to section 126 of the Clean Air Act (the Act) that emissions of sulfur dioxide (SO_2) from the Portland Generating Station in Northampton County, Upper Mount Bethel Township, Pennsylvania (Portland) significantly contribute to nonattainment and interfere with maintenance of the 1-hour SO_2 national ambient air quality standard (NAAQS) in New Jersey. The owners and operators of Portland shall comply with the requirements in paragraphs (a) through (d) of this section.

(a) The owners and operators of Portland shall not, at any time later than one year after the effective date of the section 126 finding, emit SO_2 (as determined in accordance with part 75 of this chapter) in excess of 6,253 pounds per hour (lb/hr) for unit 1 (identified with source ID 031 in Title V Permit No. 48–0006) and unit 2 (identified with source ID 032 in Title V Permit No. 48–0006) combined;

(b) The owners and operators of Portland shall not, at any time later than three years after the effective date of the section 126 finding, emit SO_2 (as determined in accordance with part 75 of this chapter) in excess of the following limits:

(1) 1,105 lb/hr and 0.67 pounds per million British Thermal Unit (lb/mmBtu) for unit 1; and

(2) 1,691 lb/hr and 0.67 lb/mmBtu for unit 2.

(c) The owners and operators of Portland shall comply with the following requirements:

(1) Perform air modeling to demonstrate that, starting no later than three years after the effective date of the section 126 finding, emissions from Portland will not significantly contribute to nonattainment or interfere with maintenance of the 1-hour SO_2 NAAQS in New Jersey, in accordance with the following requirements:

(i) No later than six months after the effective date of the section 126 finding, submit to the EPA a modeling protocol that is consistent with the EPA's Guideline on Air Quality Models, as codified at 40 CFR Part 51, Appendix W, and that includes all units at the Portland Generating Station in the modeling.

(ii) Within 15 business days of receipt of a notice from the EPA of any deficiencies in the modeling protocol under paragraph (d)(1)(i) of this section, submit to the EPA a revised modeling protocol to correct any deficiencies identified in such notice.

(iii) No later than one year after the effective date of the section 126 finding, submit to the EPA a modeling analysis, performed in accordance with the modeling protocol under paragraphs (c)(1)(i) and (c)(1)(ii) of this section, for the compliance methods identified in the notice required by paragraph (c)(2) of this section.

(2) No later than one year after the effective date of the section 126 finding, submit to the EPA the compliance method selected by the owners and operators of Portland to achieve the emissions limits in paragraph (b) of this section.

(3) Starting six months after the effective date of the section 126 finding and continuing every six months until three years after the effective date of the section 126 finding, submit to the EPA progress reports on the implementation of the methods to achieve compliance with emissions limits in paragraphs (a) and (b) of this section, including status of design, technology selection, development of technical specifications, awarding of contracts, construction, shakedown, and compliance demonstrations as applicable. These reports shall include:

(i) An interim project report, no later than one year after the effective date of the section 126 finding, that demonstrates compliance with the emission limit in paragraph (a) of this section.

(ii) A final project report, submitted no later than 60 days after three years after the effective date of the section

126 finding, that demonstrates compliance with the emission limits in paragraph (b) of this section and that includes at least one month of SO_2 emission data from Portland's continuous SO_2 emission monitor, and that includes the date when full operation of controls was achieved at Portland after shakedown.

(4) The requirements in paragraphs (c)(1) and (c)(3) of this section shall not apply if the notice required by paragraph (c)(2) of this section indicates that the owners and operators of Portland have decided to completely and permanently cease operation of unit 1 and unit 2 as the method of compliance with paragraphs (a) and (b) and with section 126 of the Act.

(d) Compliance with the lb/mmBtu limitations in paragraph (b) of this section is determined on a 30 boiler operating day rolling average basis. Boiler operating day for the purposes of this paragraph means a 24-hour period between midnight and the following midnight during which any fuel is combusted in the units identified in paragraph (a) of this section.

[76 FR 69076, Nov. 7, 2011, as amended at 77 FR 26447, May 4, 2012]

§ 52.2040 Interstate pollutant transport provisions; What are the FIP requirements for decreases in emissions of nitrogen oxides?

(a)(1) The owner and operator of each source and each unit located in the State of Pennsylvania and for which requirements are set forth under the TR NO_X Annual Trading Program in subpart AAAAA of part 97 of this chapter must comply with such requirements. The obligation to comply with such requirements will be eliminated by the promulgation of an approval by the Administrator of a revision to Pennsylvania's State Implementation Plan (SIP) as correcting the SIP's deficiency that is the basis for the TR Federal Implementation Plan under § 52.38(a), except to the extent the Administrator's approval is partial or conditional.

(2) Notwithstanding the provisions of paragraph (a)(1) of this section, if, at the time of the approval of Pennsylvania's SIP revision described in paragraph (a)(1) of this section, the Administrator has already started recording any allocations of TR NO_X Annual allowances under subpart AAAAA of part 97 of this chapter to units in the State for a control period in any year, the provisions of subpart AAAAA of part 97 of this chapter authorizing the Administrator to complete the allocation and recordation of TR NO_X Annual allowances to units in the State for each such control period shall continue to apply, unless provided otherwise by such approval of the State's SIP revision.

(b)(1) The owner and operator of each source and each unit located in the State of Pennsylvania and for which requirements are set forth under the TR NO_X Ozone Season Trading Program in subpart BBBBB of part 97 of this chapter must comply with such requirements. The obligation to comply with such requirements will be eliminated by the promulgation of an approval by the Administrator of a revision to Pennsylvania's State Implementation Plan (SIP) as correcting the SIP's deficiency that is the basis for the TR Federal Implementation Plan under § 52.38(b), except to the extent the Administrator's approval is partial or conditional.

(2) Notwithstanding the provisions of paragraph (b)(1) of this section, if, at the time of the approval of Pennsylvania's SIP revision described in paragraph (b)(1) of this section, the Administrator has already started recording any allocations of TR NO_X Ozone Season allowances under subpart BBBBB of part 97 of this chapter to units in the State for a control period in any year, the provisions of subpart BBBBB of part 97 of this chapter authorizing the Administrator to complete the allocation and recordation of TR NO_X Ozone Season allowances to units in the State for each such control period shall continue to apply, unless provided otherwise by such approval of the State's SIP revision.

[76 FR 48373, Aug. 8, 2011]

§ 52.2041 Interstate pollutant transport provisions; What are the FIP requirements for decreases in emissions of sulfur dioxide?

(a) The owner and operator of each source and each unit located in the

State of Pennsylvania and for which requirements are set forth under the TR SO_2 Group 1 Trading Program in subpart CCCCC of part 97 of this chapter must comply with such requirements. The obligation to comply with such requirements will be eliminated by the promulgation of an approval by the Administrator of a revision to Pennsylvania's State Implementation Plan (SIP) as correcting the SIP's deficiency that is the basis for the TR Federal Implementation Plan under § 52.39, except to the extent the Administrator's approval is partial or conditional.

(b) Notwithstanding the provisions of paragraph (a) of this section, if, at the time of the approval of Pennsylvania's SIP revision described in paragraph (a) of this section, the Administrator has already started recording any allocations of TR SO_2 Group 1 allowances under subpart CCCCC of part 97 of this chapter to units in the State for a control period in any year, the provisions of subpart CCCCC of part 97 of this chapter authorizing the Administrator to complete the allocation and recordation of TR SO_2 Group 1 allowances to units in the State for each such control period shall continue to apply, unless provided otherwise by such approval of the State's SIP revision.

[76 FR 48374, Aug. 8, 2011]

§ 52.2042 Visibility protection.

(a) *Regional Haze*. The requirements of section 169A of the Clean Air Act are not met because the regional haze plan submitted by Pennsylvania on December 20, 2010, does not include fully approvable measures for meeting the requirements of 40 CFR 51.308(d)(3) and 51.308(e) with respect to emissions of NO_X and SO_2 from electric generating units. EPA has given limited approval and limited disapproval to the plan provisions addressing these requirements.

(b) *Measures Addressing Limited Disapproval Associated With NO_X*. The deficiencies associated with NO_X identified in EPA's limited disapproval of the regional haze plan submitted by Pennsylvania on December 20, 2010, are satisfied § 52.2040.

(c) *Measures Addressing Limited Disapproval Associated With SO_2*. The deficiencies associated with SO_2 identified in EPA's limited disapproval of the regional haze plan submitted by Pennsylvania on December 20, 2010, are satisfied by § 52.2041.

[77 FR 33658, June 7, 2012]

§ 52.2043 Control strategy for maintenance plans: ozone.

(a) As of December 26, 2013, EPA approves the following revised 2009 and 2018 point source inventory for nitrogen oxides (NO_X) and volatile organic compounds (VOCs) for the Lancaster 1997 8-Hour Ozone Maintenance Area submitted by the Secretary of the Pennsylvania Department of Environmental Protection:

Applicable geographic area	Year	Tons per day NO_X	Tons per day VOCs
Lancaster 1997 8-Hour Ozone Maintenance Area	2009	3.2	5.5
Lancaster 1997 8-Hour Ozone Maintenance Area	2018	3.6	7.7

(b)(1) As of March 31, 2014, EPA approves the following revised 2009 and 2018 point source inventory for nitrogen oxides (NO_X) for the Reading 1997 8-Hour Ozone Maintenance Area submitted by the Secretary of the Pennsylvania Department of Environmental Protection:

Applicable geographic area	Year	Tons per day NO_X
Reading 1997 8-Hour Ozone Maintenance Area	2009	11.5
Reading 1997 8-Hour Ozone Maintenance Area	2018	12.6

(2) As of March 31, 2014, EPA approves the following revised 2009 and 2018 area source inventory for nitrogen oxides (NO_X) for the Reading 1997 8-Hour Ozone Maintenance Area submitted by the Secretary of the Pennsylvania Department of Environmental Protection:

Applicable geographic area	Year	Tons per day NO_X
Reading 1997 8-Hour Ozone Maintenance Area	2009	2.3
Reading 1997 8-Hour Ozone Maintenance Area	2018	2.1

[78 FR 78265, Dec. 26, 2013, as amended at 79 FR 17877, Mar. 31, 2014]

EFFECTIVE DATE NOTE: At 79 FR 28438, May 16, 2014, §52.2043 was amended by adding paragraph (c), effective July 15, 2014. For the convenience of the user, the added text is set forth as follows:

§52.2043 Control strategy for maintenance plans: Ozone

* * * * *

(c) As of May 16, 2014, EPA approves the following revised 2009 and 2018 point source inventory for nitrogen oxides (NO_X) for the Allentown-Bethlehem-Easton 1997 8-Hour Ozone Maintenance Area submitted by the Secretary of the Pennsylvania Department of Environmental Protection:

Applicable geographic area	Year	Tons per day NO_X
Allentown-Bethlehem-Easton 1997 8-Hour Ozone Maintenance Area	2009	27.0
Allentown-Bethlehem-Easton 1997 8-Hour Ozone Maintenance Area	2018	26.1

§§ 52.2044–52.2051 [Reserved]

§ 52.2052 Motor vehicle emissions budgets for Pennsylvania ozone areas.

(a) As of December 26, 2013, EPA approves the following revised 2009 and 2018 Motor Vehicle Emissions Budgets (MVEBs) for nitrogen oxides (NO_X) and volatile organic compounds (VOCs) for the Lancaster 1997 8-Hour Ozone Maintenance Area submitted by the Secretary of the Pennsylvania Department of Environmental Protection:

Applicable geographic area	Year	Tons per day NO_X	Tons per day VOCs
Lancaster 1997 8-Hour Ozone Maintenance Area	2009	35.18	14.29
Lancaster 1997 8-Hour Ozone Maintenance Area	2018	20.57	10.14

(b) As of March 31, 2014, EPA approves the following revised 2009 and 2018 Motor Vehicle Emissions Budgets (MVEBs) for nitrogen oxides (NO_X) for the Reading 1997 8-Hour Ozone Maintenance Area submitted by the Secretary of the Pennsylvania Department of Environmental Protection:

Applicable geographic area	Year	Tons per day NO_X
Reading 1997 8-Hour Ozone Maintenance Area	2009	29.0
Reading 1997 8-Hour Ozone Maintenance Area	2018	14.9

[78 FR 78266, Dec. 26, 2013, as amended at 79 FR 17878, Mar. 31, 2014]

EFFECTIVE DATE NOTE: At 79 FR 28438, May 16, 2014, §52.2052 was amended by adding paragraph (c), effective July 15, 2014. For the convenience of the user, the added text is set forth as follows:

§52.2052 Motor vehicle emissions budgets for Pennsylvania ozone areas

* * * * *

(c) As of May 16, 2014, EPA approves the following revised 2009 and 2018 Motor Vehicle Emissions Budgets (MVEBs) for nitrogen oxides (NO_X) for the Allentown-Bethlehem-Easton 1997 8-Hour Ozone Maintenance Area submitted by the Secretary of the Pennsylvania Department of Environmental Protection:

Applicable geographic area	Year	Tons per day NO_X
Allentown-Bethlehem-Easton 1997 8-Hour Ozone Maintenance Area (Lehigh and Northampton Counties)	2009	39.18
Allentown-Bethlehem-Easton 1997 8-Hour Ozone Maintenance Area (Lehigh and Northampton Counties)	2018	20.41
Allentown-Bethlehem-Easton 1997 8-Hour Ozone Maintenance Area (Carbon County)	2009	6.90
Allentown-Bethlehem-Easton 1997 8-Hour Ozone Maintenance Area (Carbon County)	2018	3.54

§ 52.2053 The Motor Vehicle Emissions Budgets for the Pennsylvania Counties in the Philadelphia-Wilmington, PA–NJ–DE 1997 Fine Particulate Matter Nonattainment Area

As of April 3, 2013, EPA approves the following revised 2009 Motor Vehicle Emissions Budgets (MVEBs) for fine particulate matter ($PM_{2.5}$) and nitrogen oxides (NO_X) for the Pennsylvania Counties in the Philadelphia-Wilmington, PA–NJ–DE 1997 $PM_{2.5}$ Nonattainment Area submitted by the Secretary of the Pennsylvania Department of Environmental Protection:

Applicable geographic area	Year	Tons per year NO_X	Tons per year $PM_{2.5}$
Pennsylvania Counties in the Philadelphia-Wilmington, PA–NJ–DE 1997 Fine Particulate Matter Nonattainment Area	2009	57,218.3	1,907.5

[78 FR 19993, Apr. 3, 2013]

§ 52.2054 Control of asphalt paving material.

(a) Notwithstanding any provisions to the contrary in the Pennsylvania Implementation Plan, the Pennsylvania Department of Transportation shall restrict the annual usage of asphalts to the limits listed below in the following sixteen county area of Pennsylvania: Allegheny, Armstrong, Beaver, Butler, Cambria, Clarion, Fayette, Green, Indiana, Jefferson, Lawrence, Mercer, Somerset, Venango, Washington, and Westmoreland Counties:

(1) No more than twenty percent of the total amount of liquid bituminous asphalt paving material used shall be cutback asphalt; and

(2) No more than 2,615,000 gallons of cutback asphalts shall be used, of which no more than 1,400,000 gallons may be used for dust palliative work on roadways and shoulders; and

(3) No more than 2,500,000 gallons total of emulsion Class E–4 and Class E–5 shall be used unless an equivalent reduction in the use of cutbacks is made to balance the additional hydrocarbon emissions from emulsions.

(b) The Pennsylvania Department of Transportation is required to submit to the Pennsylvania Department of Environmental Resources, on a quarterly basis, reports which list for each of the affected counties the number of gallons of each class of asphalt used. The first quarterly reports will be submitted in October 1977 for the period between July 1, 1977, and September 30, 1977. Copies of all reports will also be forwarded to Region III, EPA.

[42 FR 54417, Oct. 6, 1977]

§ 52.2055 [Reserved]

§ 52.2056 Determinations of attainment.

(a) Based upon EPA's review of the air quality data for the 3-year period 2007 to 2009, EPA determined that the Harrisburg-Lebanon-Carlisle (Harrisburg) fine particle ($PM_{2.5}$) nonattainment area attained the 1997 annual $PM_{2.5}$ National Ambient Air Quality Standard (NAAQS) by the applicable attainment date of April 5, 2010. Therefore, EPA has met the requirement pursuant to CAA section 179(c) to determine, based on the area's air quality as of the attainment date, whether the area attained the standard. EPA also determined that the Harrisburg $PM_{2.5}$ nonattainment area is not subject to the consequences of failing to attain pursuant to section 179(d).

(b) Based upon EPA's review of the air quality data for the 3-year period 2007 to 2009, EPA determined that the Johnstown fine particle ($PM_{2.5}$) nonattainment area attained the 1997 annual $PM_{2.5}$ National Ambient Air Quality Standard (NAAQS) by the applicable attainment date of April 5, 2010. Therefore, EPA has met the requirement pursuant to CAA section 179(c) to determine, based on the area's air quality as of the attainment date, whether the area attained the standard. EPA also determined that the Johnstown $PM_{2.5}$ nonattainment area is not subject to the consequences of failing to attain pursuant to section 179(d).

(c) Based upon EPA's review of the air quality data for the 3-year period 2007 to 2009, EPA determined that the Lancaster fine particle ($PM_{2.5}$) nonattainment area attained the 1997 annual $PM_{2.5}$ National Ambient Air Quality Standard (NAAQS) by the applicable attainment date of April 5, 2010. Therefore, EPA has met the requirement pursuant to CAA section 179(c) to determine, based on the area's air quality as of the attainment date, whether the area attained the standard. EPA also determined that the Lancaster $PM_{2.5}$ nonattainment area is not subject to the consequences of failing to attain pursuant to section 179(d).

(d) Based upon EPA's review of the air quality data for the 3-year period 2007 to 2009, EPA determined that the York fine particle ($PM_{2.5}$) nonattainment area attained the 1997 annual $PM_{2.5}$ National Ambient Air Quality Standard (NAAQS) by the applicable attainment date of April 5, 2010. Therefore, EPA has met the requirement pursuant to CAA section 179(c) to determine, based on the area's air quality as of the attainment date, whether the area attained the standard. EPA also determined that the York $PM_{2.5}$ nonattainment area is not subject to the consequences of failing to attain pursuant to section 179(d).

(e) Based upon EPA's review of the air quality data for the 3-year period 2007 to 2009, EPA determined that the Reading fine particle ($PM_{2.5}$) nonattainment area attained the 1997 annual $PM_{2.5}$ National Ambient Air Quality Standard (NAAQS) by the applicable attainment date of April 5, 2010. Therefore, EPA has met the requirement pursuant to CAA section 179(c) to determine, based on the area's air quality as of the attainment date, whether the area attained the standard. EPA also determined that the Reading $PM_{2.5}$ nonattainment area is not subject to the consequences of failing to attain pursuant to section 179(d).

(f) Based upon EPA's review of the air quality data for the 3-year period 2008 to 2010, EPA determined that Philadelphia-Wilmington-Atlantic City, PA–NJ–MD–DE 8-hour ozone moderate nonattainment area (the Philadelphia Area) attained the 1997 8-hour ozone National Ambient Air Quality Standard (NAAQS) by the applicable attainment date of June 15, 2011. Therefore, EPA has met the requirement pursuant to CAA section 181(b)(2)(A) to determine, based on the area's air quality as of the attainment date, whether the area attained the standard. EPA also determined that the Philadelphia Area nonattainment area will not be reclassified for failure to attain by its applicable attainment date under section 181(b)(2)(A).

(g) Based upon EPA's review of the air quality data for the 3-year period 2007 to 2009, EPA determined that the Philadelphia-Wilmington, PA-NJ-DE fine particle ($PM_{2.5}$) nonattainment area attained the 1997 annual $PM_{2.5}$ National Ambient Air Quality Standard (NAAQS) by the applicable attainment date of April 5, 2010. Therefore, EPA has met the requirement pursuant to CAA section 179(c) to determine, based on the area's air quality as of the attainment date, whether the area attained the standard. EPA also determined that the Philadelphia-Wilmington, PA-NJ-DE $PM_{2.5}$ nonattainment area is not subject to the consequences of failing to attain pursuant to section 179(d).

(h) Based upon EPA's review of the air quality data for the 3-year period 2007 to 2009, EPA determined that the Pittsburgh-Beaver Valley fine particle ($PM_{2.5}$) nonattainment area attained the 1997 annual $PM_{2.5}$ National Ambient Air Quality Standard (NAAQS) by the applicable attainment date of April 5, 2010. Therefore, EPA has met the requirement pursuant to CAA section 179(c) to determine, based on the area's air quality as of the attainment date, whether the area attained the standard. EPA also determined that the Pittsburgh-Beaver Valley $PM_{2.5}$ nonattainment area is not subject to the consequences of failing to attain pursuant to section 179(d).

(i) Based upon EPA's review of the air quality data for the 3-year period 2007 to 2009, the Pittsburgh-Beaver Valley, PA moderate nonattainment area has attained the 1997 8-hour ozone NAAQS by the applicable attainment date of June 15, 2010. Therefore, EPA has met the requirement pursuant to CAA section 181(b)(2)(A) to determine, based on the area's air quality as of the

attainment date, whether the area attained the standard. EPA also determined that the Pittsburgh-Beaver Valley, PA moderate nonattainment area will not be reclassified for failure to attain by its applicable attainment date pursuant to section 181(b)(2)(A).

(j) EPA has determined, based on quality-assured air monitoring data for 2009–2011, that the Liberty-Clairton, PA fine particle ($PM_{2.5}$) nonattainment area attained the 1997 annual $PM_{2.5}$ national ambient air quality standards (NAAQS) by the applicable attainment date of December 31, 2011. Therefore, EPA has met the requirement of CAA section 188(b)(2) to determine, based on the area's air quality as of the attainment date, whether the area attained the 1997 annual $PM_{2.5}$ NAAQS.

[76 FR 45427, July 29, 2011, as amended at 77 FR 17344, Mar. 26, 2012; 77 FR 28785, May 15, 2012; 77 FR 62150, Oct. 12, 2012; 78 FR 20246, Apr. 4, 2013; 78 FR 63883, Oct. 25, 2013]

§ 52.2057 [Reserved]

§ 52.2058 Prevention of significant air quality deterioration.

(a) The requirements of sections 160 through 165 of the Clean Air Act are met by the regulations (25 PA Code § 127.81 through 127.83) adopted by the Pennsylvania Environmental Resources on October 28, 1983. All PSD permit applications and requests for modifications thereto should be submitted to: Pennsylvania Department of Environmental Resources, Bureau of Air Quality Control, P.O. Box 8468, 400 Market Street, Harrisburg, Pennsylvania 17105. ATTN: Abatement and Compliance Division.

(b) [Reserved]

[78 FR 33985, June 6, 2013]

§ 52.2059 Control strategy: Particulate matter.

(a) [Reserved]

(b) EPA approves the PM–10 attainment demonstration for the Liberty Borough Area of Allegheny County submitted by the Pennsylvania Department of Environmental Protection on January 6, 1994.

(c) *Determination of Attainment*. EPA has determined, as of August 25, 2008, the Harrisburg-Lebanon-Carlisle, Pennsylvania nonattainment area for the 1997 $PM_{2.5}$ NAAQS has attained the 1997 $PM_{2.5}$ NAAQS. This determination, in accordance with 40 CFR 52.1004(c), suspends the requirements for this area to submit an attainment demonstration and associated reasonably available measures, a reasonable further progress plan, contingency measures, and other planning SIPs related to attainment of the standard for as long as the area continues to attain the 1997 $PM_{2.5}$ NAAQS.

(d) Determination of Clean Data. EPA has determined, as of September 25, 2009, the Johnstown (Cambria and Indiana Counties), Lancaster (Lancaster County), Reading (Berks County) and York (York County), Pennsylvania nonattainment areas have clean data for the 1997 $PM_{2.5}$ NAAQS. This determination, in accordance with 40 CFR 52.1004(c), suspends the requirements for these areas to submit an attainment demonstration, associated reasonably available 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.

(e) *Determination of Clean Data*. EPA has determined, as of March 29, 2012, that based on 2008 to 2010 ambient air quality data, the Harrisburg-Lebanon-Carlisle-York, Allentown, Johnstown, and Lancaster nonattainment areas have attained the 24-hour 2006 $PM_{2.5}$ NAAQS. These determinations, in accordance with 40 CFR 51.1004(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 24-hour 2006 $PM_{2.5}$ NAAQS.

(f) *Determination of Attainment*. EPA has determined, as of May 16, 2012, that based on 2007 to 2009 and 2008 to 2010 ambient air quality data, the Philadelphia-Wilmington, PA-NJ-DE nonattainment area has attained the 1997 annual $PM_{2.5}$ NAAQS. This determination, in accordance with 40 CFR 51.1004(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.

(g) *Determination of Attainment.* EPA has determined, as of October 12, 2012, that based on 2008 to 2010 and 2009 to 2011 ambient air quality data, the Pittsburgh-Beaver Valley fine particle ($PM_{2.5}$) nonattainment area has attained the 1997 annual $PM_{2.5}$ national ambient air quality standards (NAAQS). This determination, in accordance with 40 CFR 52.1004(c), suspends the requirements for the Pittsburgh-Beaver Valley $PM_{2.5}$ nonattainment 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.

(h) *Determination of Attainment.* EPA has determined, as of January 7, 2013, that based on 2008 to 2010 and 2009 to 2011 ambient air quality data, the Philadelphia-Wilmington, PA-NJ-DE fine particulate matter ($PM_{2.5}$) nonattainment area has attained the 2006 24-hour $PM_{2.5}$ national ambient air quality standards (NAAQS). This determination suspends the requirements for the Commonwealth of Pennsylvania to submit, for the Philadelphia-Wilmington, PA-NJ-DE $PM_{2.5}$ area, 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 2006 24-hour $PM_{2.5}$ NAAQS.

(i) *Determination of Attainment.* EPA has determined, as of October 25, 2013, based on quality-assured ambient air quality data for 2009 to 2011 and 2010 to 2012 ambient air quality data, that the Liberty-Clairton, PA nonattainment area has attained the 1997 annual fine particle ($PM_{2.5}$) national ambient air quality standards (NAAQS). This determination 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. If EPA determines, after notice-and-comment rulemaking, that this area no longer meets the 1997 annual $PM_{2.5}$ NAAQS, the corresponding determination of attainment for that area shall be withdrawn.

(j) Determination of Clean Data. EPA has determined, as of May 2, 2014, that based on 2010–2012 ambient air quality data, the Pittsburgh-Beaver Valley, Pennsylvania fine particulate matter ($PM_{2.5}$) nonattainment area has attained the 2006 24-hour $PM_{2.5}$ national ambient air quality standards (NAAQS) and approves the motor vehicle emission budgets used for transportation conformity purposes. This determination suspends the requirements for the Pittsburgh-Beaver Valley, Pennsylvania $PM_{2.5}$ nonattainment 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 2006 24-hour $PM_{2.5}$ NAAQS. If EPA determines, after notice-and-comment rulemaking, that this area no longer meets the 2006 24-hour $PM_{2.5}$ NAAQS, the corresponding determination of attainment for that area shall be withdrawn.

PITTSBURGH-BEAVER VALLEY'S MOTOR VEHICLE EMISSION BUDGETS FOR THE 2006 $PM_{2.5}$ NAAQS

Geographic area	Year	$PM_{2.5}$ (tons/year)	NO_X (tons/year)
Pittsburgh Area	2011	961.71	28,973.05

[45 FR 33628, May 20, 1980, as amended at 63 FR 47436, Sept. 8, 1998; 73 FR 49950, Aug. 25, 2008; 74 FR 48864, Sept. 25, 2009; 77 FR 18923, Mar. 29, 2012; 77 FR 28785, May 15, 2012; 77 FR 62150, Oct. 12, 2012; 78 FR 885, Jan. 7, 2013; 78 FR 33985, June 6, 2013; 78 FR 63883, Oct. 25,2013; 79 FR 25018, May 2, 2014]

§ 52.2060 Small Business Assistance Program.

On February 1, 1993, the Secretary of the Pennsylvania Department of Environmental Resources submitted a plan for the establishment and implementation of the Small Business Assistance Program as a state implementation plan (SIP) revision, as required by Title V of the Clean Air Act Amendments. EPA approved the Small Business Assistance Program on March 6, 1995, and made it part of the Pennsylvania SIP. As with all components of the SIP, Pennsylvania must implement the program as submitted and approved by EPA.

[60 FR 1741, Jan. 5, 1995]

§ 52.2061 Operating permits.

(a) Emission limitations and related provisions which are established in Pennsylvania operating permits as federally enforceable conditions shall be enforceable by EPA. EPA reserves the right to deem permit conditions not federally enforceable. Such a determination will be made according to appropriate procedures, and be based upon the permit, permit approval procedures, or permit requirements which do not conform with the operating permit program requirements or the requirements of EPA's underlying regulations.

(b) Emission limitations and related provisions which are established in Pennsylvania general operating permits as federally enforceable conditions shall be enforceable by EPA. EPA reserves the right to deem general permit conditions not federally enforceable. Such a determination will be made according to appropriate procedures, and be based upon the general permit, general permit approval procedures, or general permit requirements which do not conform with the general operating permit program requirements or the requirements of EPA's underlying regulations.

[61 FR 39597, 39601, July 30, 1996]

§ 52.2062 Plan approvals.

(a) Emission limitations and related provisions which are established in Pennsylvania plan approvals as federally enforceable conditions shall be enforceable by EPA. EPA reserves the right to deem plan approval conditions not federally enforceable. Such a determination will be made according to appropriate procedures, and be based upon the plan approval, the relevant approval procedures, or plan requirements which do not conform with the plan approval program requirements or the requirements of EPA's underlying regulations.

(b) Emission limitations and related provisions which are established in Pennsylvania general plan approvals as federally enforceable conditions shall be enforceable by EPA. EPA reserves the right to deem general plan approval conditions not federally enforceable. Such a determination will be made according to appropriate procedures, and be based upon the general plan approval, the relevant approval procedures, or plan requirements which do not conform with the general plan approval program requirements or the requirements of EPA's underlying regulations.

[61 FR 39597, 39601, July 30, 1996]

§ 52.2063 Original identification of plan section.

(a) This section identifies the original ''Air Implementation Plan for the Commonwealth of Pennsylvania'' and all revisions submitted by Pennsylvania that were federally approved prior to February 10, 2005. The information in this section is available in the 40 CFR, part 52, Volume 2 of 2 (§§ 52.1019 to the end of part 52) editions revised as of July 1, 2005 through July 1, 2011, and the 40 CFR, part 52, Volume 3 of 3 (§§ 52.2020 to the end of part 52) edition revised as of July 1, 2012.

(b) [Reserved]

[78 FR 60225, Oct. 1, 2013]

Subpart OO—Rhode Island

§ 52.2070 Identification of plan.

(a) *Purpose and scope.* This section sets forth the applicable State implementation plan for Rhode Island 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 as incorporated by reference in paragraphs (c) and (d) of this section 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 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 October 15, 2008, will be incorporated by reference in the next update to the SIP compilation.

(2) EPA Region 1 certifies that the rules/regulations provided by EPA 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 October 15, 2008.

(3) Copies of the materials incorporated by reference may be inspected at the New England Regional Office of EPA at 5 Post Office Square—Suite 100, Boston, MA 02109–3912; the EPA, Air and Radiation Docket and Information Center, Room Number 3334, EPA West Building, 1301 Constitution Ave., NW., Washington, DC 20460, and the National Archives and Records Administration [NARA]. If you wish to obtain materials from a docket in the EPA Regional Office, please call telephone number (617) 918–1668; for material from a docket in EPA Headquarters Library, please call the Office of Air and Radiation (OAR) Docket/Telephone number (202) 566–1742. 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 RHODE ISLAND REGULATIONS

State citation	Title/subject	State effective date	EPA approval date	Explanations
Air Pollution Control General Definitions Regulation.	General Definitions	9/29/2010	3/13/2012, 77 FR 14691.	
Air Pollution Control Regulation 1.	Visible emissions	2/22/1977	5/7/1981, 46 FR 25446.	
Air Pollution Control Regulation 2.	Handling of soft coal.	2/22/1977	5/7/1981, 46 FR 25446.	
Air Pollution Control Regulation 3.	Particulate emissions from industrial processes.	2/22/1977	5/7/1981, 46 FR 25446.	
Air Pollution Control Regulation 4.	Open fires	2/22/1977	5/7/1981, 46 FR 25446.	
Air Pollution Control Regulation 5.	Fugitive dust	2/22/1977	5/7/1981, 46 FR 25446.	
Air Pollution Control Regulation 6.	Continuous emission monitors.	11/22/1989	9/30/1991, 56 FR 49414.	RI Air Pollution Control Regulation Number 6 is also referred to by the title ''Opacity Monitors''.
Air Pollution Control Regulation 7.	Emission of air contaminants detrimental to persons or property.	7/19/1977	5/7/1981, 46 FR 25446.	
Air Pollution Control Regulation 8.	Sulfur content of fuels.	5/2/1985	1/8/1986, 51 FR 755.	

EPA-APPROVED RHODE ISLAND REGULATIONS—Continued

State citation	Title/subject	State effective date	EPA approval date	Explanations
Air Pollution Control Regulation 9.	Air pollution control permits.	1/31/2011	10/24/2013, 78 FR 63383.	Definitions of ''Major modification''; ''Significant''; and ''Net emissions increase'' are amended in Section 9.1. Definitions of ''Regulated NSR pollutant''; ''Significant emissions increase''; ''Baseline actual emissions''; and ''Subject to Regulation'' are added to Section 9.1. Definition of ''Major stationary source'' is amended in Section 9.5.1(f). Definition of ''$PM_{2.5}$'' is added to Section 9.1.
Air Pollution Control Regulation 10.	Air pollution episodes.	2/22/1977	5/7/1981, 46 FR 25446.	
Air Pollution Control Regulation 11.	Petroleum liquids marketing and storage.	1/31/1993	12/17/1993, 58 FR 65930.	
Air Pollution Control Regulation 12.	Incinerators	4/22/1981	4/26/1982, 47 FR 17816.	
Air Pollution Control Revisions to Regulation 13.	Particulate emissions from fossil fuel fired steam or hot water generating units.	10/5/1982	3/29/1983, 48 FR 13026.	
Air Pollution Control Regulation 14.	Recordkeeping and reporting.	4/8/1996	12/2/1999, 64 FR 67495.	Definition of VOC revised.
Air Pollution Control Regulation 15.	Control of organic solvent emissions.	4/8/1996	12/2/1999, 64 FR 67495.	Limited approval. Applicability threshold decreased to 50 tpy. Definition of VOC revised. All of No. 15 is approved with the exception of 15.2.2 which Rhode Island did not submit as part of the SIP revision.
Air Pollution Control Regulation 16.	Operation of air pollution control system.	2/22/1977	5/7/1981, 46 FR 25446.	
Air Pollution Control Regulation 17.	Odors	2/22/1977	5/7/1981, 46 FR 25446.	
Air Pollution Control Regulation 18.	Control of Emissions from Organic Solvent Cleaning.	Withdrawn	12/2/1999, 64 FR 67495.	No. 18 is superseded by No. 36.
Air Pollution Control Regulation 19.	Control of Volatile Organic Compounds from Surface Coating Operations.	3/7/1996	12/2/1999, 64 FR 67495.	Definition of VOC revised. Wood products requirements deleted because state adopted new Regulation No. 35 which addresses wood products. Except 19.2.2.
Air Pollution Control Regulation 21.	Control of Volatile Organic Compounds from Printing Operations.	4/8/1996	12/2/1999, 64 FR 67495.	Applicability threshold decreased to 50 tpy. Definition of VOC revised. All of No. 21 is approved with the exception of Section 21.2.3 which the State did not submit as part of the SIP revision.
Air Pollution Control Regulation 25.	Control of VOC Emissions from Cutback and Emulsified Asphalt.	11/12/2009	3/13/2012, 77 FR 14691.	All of No. 25 is approved with the exception of Section 25.2.3 which the state did not submit as part of the SIP revision.
Air Pollution Control Regulation 26.	Control of Organic Solvent Emissions from Manufacture of Synthesized Pharmaceutical Products.	4/8/1996	12/2/1999, 64 FR 67495.	Definition of VOC revised. All of No. 26 is approved with the exception of 26.2.3 which the state did not submit as part of the SIP revision.
Air Pollution Control Regulation 27.	Control of nitrogen oxide emissions.	1/16/1996	9/2/1997, 62 FR 46202.	
Air Pollution Control Regulation 29.3.	Emissions Caps	4/28/1995	3/22/1996, 61 FR 11731.	This rule limits a source's potential to emit, therefore avoiding RACT, Title V Operating Permit.

EPA-APPROVED RHODE ISLAND REGULATIONS—Continued

State citation	Title/subject	State effective date	EPA approval date	Explanations
Air Pollution Control Regulation 30.	Control of VOCs from Automotive Refinishing Operations.	4/8/1996	12/2/1999, 64 FR 67495.	Definition of VOC revised. All of No. 30 is approved with the exception of Section 30.2.2 which the state did not submit as part of the SIP revision.
Air Pollution Control Regulation 31.	Control of VOCs from Commercial and Consumer Products.	6/4/2009	3/13/2012, 77 FR 14691.	All of No. 31 is approved with the exception of Sections 31.2.3 through 31.2.5 which deal with exemptions to the general provisions of the rule and were withdrawn by the state from consideration as part of the SIP revision.
Air Pollution Control Regulation 32.	Control of VOCs from Marine Vessel Loading Operations.	4/8/1996	12/2/1999, 64 FR 67495.	Definition of VOC revised. All of No. 32 is approved with the exception of Section 32.2.2 which the state did not submit as part of the SIP revision.
Air Pollution Control Regulation 33.	Control of VOCs from Architectural Coatings and Industrial Maintenance Coatings.	6/4/2009	3/13/2012, 77 FR 14691.	
Air Pollution Control Regulation 34.	Rhode Island Motor Vehicle Inspection/ Maintenance Program.	3/30/2000	2/9/2001, 66 FR 9661.	Department of Environmental Management regulation containing I/M standards.
Air Pollution Control Regulation 35.	Control of VOCs and Volatile Hazardous Air Pollutants from Wood Products Manufacturing Operations.	7/7/1996	12/2/1999, 64 FR 67495.	All of No. 35 is approved with the exception of Section 35.2.3 which the state did not submit as part of the SIP revision.
Air Pollution Control Regulation 36.	Control of Emissions from Organic Solvent Cleaning.	10/9/2008	3/13/2012, 77 FR 14691.	Revised to incorporate solvent vapor pressure limit of 1.0 mm Hg to meet 8-hour ozone RACT. All of No. 36 is approved with the exception of Section 36.2.2 which the state did not submit as part of the SIP revision.
Air Pollution Control Regulation 37.	Rhode Island's Low Emission Vehicle Program.	12/7/1999	3/9/2000, 65 FR 12476.	Includes National LEV as a compliance alternative.
Air Pollution Control Regulation 38.	Nitrogen Oxides Allowance Program.	6/10/1998	6/2/1999, 64 FR 29567.	
Air Pollution Control Regulation 41.	NO_X Budget Trading Program.	10/1/1999	12/27/2000, 65 FR 81743.	
Air Pollution Control Regulation 45.	Rhode Island Diesel Engine Anti-Idling Program.	7/19/2007	3/27/2008, 73 FR 16203.	Limits idling for diesel on-highway and non-road engines.
Rhode Island Motor Vehicle Safety and Emissions Control Regulation No. 1.	Rhode Island Motor Vehicle Inspection/ Maintenance Program.	1/31/2001	2/9/2001, 66 FR 9661.	Department of Administration regulations for the I/M program.

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

EPA-APPROVED RHODE ISLAND SOURCE SPECIFIC REQUIREMENTS

Name of source	Permit No.	State effective date	EPA approval date	Explanations
Narragansett Electric Company South Street Station in Providence.	A.H. File No. 83–12–AP.	8/29/1983	7/27/1984, 49 FR 30177.	Revisions to Air Pollution Control Regulation 8, ''Sulfur Content of Fuels,'' specifying maximum sulfur-in-coal limits (1.21 lbs/MMBtu on a 30-day rolling average and 2.31 lbs/MMBtu on a 24-hour average). These revisions approve Section 8.3.4, ''Large Fuel Burning Devices Using Coal,'' for South Street Station only.

EPA-APPROVED RHODE ISLAND SOURCE SPECIFIC REQUIREMENTS—Continued

Name of source	Permit No.	State effective date	EPA approval date	Explanations
Stanley Bostitch, Bostitch Division of Textron.	A.H. File No. 85–8–AP.	6/6/1985	12/11/1986, 51 FR 44604.	RIDEM and Bostitch administrative consent agreement effective 6/6/85. Requires Bostitch to reformulate certain solvent-based coatings to low/no solvent formulation by 12/31/86. Also addendum dated 9/20/85 defining emission limitations reformulated coatings must meet. (A) An administrative consent agreement between the RIDEM and Bostitch Division of Textron. (B) A letter to Bostitch Division of Textron from the RIDEM dated September 20, 1985 which serves as an addendum to the consent agreement. The addendum defines the emission limitations which Bostitch's Division of Textron reformulated coatings must meet.
Keene Corporation, East Providence, RI.	A.H. File No. 85–10–AP.	9/12/1985	8/31/1987, 52 FR 32793.	RIDEM and Keene Corporation administrative consent agreement effective 9/12/85. Granting final compliance date extension for the control of organic solvent emissions from six paper coating lines. (A) Letter from the RIDEM dated November 5, 1985 submitting revisions to the RI SIP. (B) An administrative consent agreement between the RIDEM and Keene Corporation.
Tech Industries	File No. 86–12–AP	11/24/1987	3/10/1989, 54 FR 10145.	RIDEM and Tech Industries original administrative consent agreement (86–12–AP) [except for provisions 7 and 8] effective 6/12/86, an addendum effective 11/24/87, defining and imposing reasonably available control technology to control volatile organic compounds. (A) An administrative consent agreement (86–12–AP), except for Provisions 7 and 8, between the RIDEM and Tech Industries effective June 12, 1986. (B) An addendum to the administrative consent agreement (86–12–AP) between the RIDEM and Tech Industries. The addendum was effective November 24, 1987. (C) Letters dated May 6, 1987; October 15, 1987; and January 4, 1988 submitted to the EPA by the RIDEM.
University of Rhode Island.	A.P. File No. 87–5–AP.	3/17/1987	9/19/1989, 54 FR 38517.	Revisions to the SIP submitted by the RIDEM on April 28, 1989, approving a renewal of a sulfur dioxide bubble for the University of Rhode Island.
University of Rhode Island.	File No. 95–50–AP	3/12/1996	9/2/1997, 62 FR 46202.	An administrative consent agreement between RIDEM and University of Rhode Island, Alternative NO_X RACT (RI Regulation 27.4.8)
Providence Metallizing in Pawtucket, Rhode Island.	File No. 87–2–AP	4/24/1990	9/6/1990, 55 FR 36635.	Define and impose RACT to control volatile organic compound emissions. (A) Letter from the RIDEM dated April 26, 1990, submitting a revision to the RI SIP. (B) An administrative consent agreement (87–2–AP) between the RIDEM and Providence Metallizing effective July 24, 1987.

EPA-APPROVED RHODE ISLAND SOURCE SPECIFIC REQUIREMENTS—Continued

Name of source	Permit No.	State effective date	EPA approval date	Explanations
				(C) An amendment to the administrative consent agreement (87–2–AP) between the RIDEM and Providence Metallizing effective May 4, 1989. (D) An addendum to the administrative consent agreement (87–2–AP) between the RIDEM and Providence Metallizing effective April 24, 1990.
Tillotson-Pearson in Warren, Rhode Island.	File No. 90–1–AP ..	6/5/1990	8/31/1990, 55 FR 35623.	Revisions to the SIP submitted by the RIDEM on May 24, 1990, to define and impose RACT to control volatile organic compound emissions. (A) Letter from the RIDEM dated May 24, 1990 submitting a revision to the RI SIP. (B) An Administrative consent agreement (90–1–AP) between the RIDEM and Tillotson-Pearson.
Rhode Island Hospital.	File No. 95–14–AP	11/27/1995	9/2/1997, 62 FR 46202.	Alternative NO_X RACT. An administrative consent agreement between the RIDEM and RI Hospital.
Osram Sylvania Incorporated.	File No. 96–06–AP	9/4/1996	9/2/1997, 62 FR 46202.	Alternative NO_X RACT. (A) An Administrative consent agreement between the RIDEM and Osram Sylvania Incorporated, file no. 96–06–AP, effective September 4, 1996.
	Air Pollution Permit Approval, No. 1350.	(B) An air pollution Permit approval, no. 1350 Osram Sylvania Incorporated issued by RIDEM effective May 14, 1996..		
Algonquin Gas Transmission Company.	File No. 95–52–AP	12/5/1995	9/2/1997, 62 FR 46202.	Alternative NO_X RACT. (A) Letter from the RIDEM dated September 17, 1996 submitting a revision to the RI SIP. (B) An administrative consent agreement between RIDEM and Algonquin Gas Transmission Company, effective on December 5, 1995.
Bradford Dyeing Association, Inc.	File No. 95–28–AP	11/17/1995	9/2/1997, 62 FR 46202.	Alternative NO_X RACT. An administrative consent agreement between RIDEM and Bradford Dyeing Association, Inc.
Hoechst Celanese Corporation.	File No. 95–62–AP	11/20/1995	9/2/1997, 62 FR 46202.	Alternative NO_X RACT. An administrative consent agreement between RIDEM and Hoechst Celanese Corporation.
Naval Education and Training Center in Newport.	File No. 96–07–AP	3/4/1996	9/2/1997, 62 FR 46202.	Alternative NO_X RACT. An administrative consent agreement between RIDEM and Naval Education and Training Center in Newport.
Rhode Island Economic Development.	File No. 96–04–AP	9/2/1997	6/2/1999, 64 FR 29567.	Alternative NO_X RACT. A consent agreement between RIDEM and Rhode Island Economic Development Corporation's Central Heating Plant in North Kingstown.
Cranston Print Works.	A.H. File No. 95–30–AP.	12/19/1995	12/2/1999, 64 FR 67495.	Non-CTG VOC RACT Determination.
CCL Custom Manufacturing.	A.H. File No. 97–02–AP.	4/10/1997; and 10/27/1999.	12/2/1999, 64 FR 67495.	Non-CTG VOC RACT Determination.
Victory Finishing Technologies.	A.H. File No. 96–05–AP.	5/24/1996	12/2/1999, 64 FR 67495.	Non-CTG VOC RACT Determination.
Quality Spray and Stenciling.	A.H. File No. 97–04–AP.	10/21/1997; and 7/13/1999.	12/2/1999, 64 FR 67495.	Non-CTG VOC RACT Determination.

EPA-APPROVED RHODE ISLAND SOURCE SPECIFIC REQUIREMENTS—Continued

Name of source	Permit No.	State effective date	EPA approval date	Explanations
Guild Music	A.H. File No. 95–65–AP.	11/9/1995	12/2/1999, 64 FR 67495.	Non-CTG VOC RACT Determination.

(e) *Nonregulatory.*

RHODE ISLAND NON REGULATORY

Name of non regulatory SIP provision	Applicable geographic or non-attainment area	State submittal date/effective date	EPA approved date	Explanations
Notice of public hearing.	Statewide	Submitted 2/9/1972	6/15/1972, 37 FR 11914.	Proposed Implementation Plan Regulations, RI Department of Health.
Miscellaneous non-regulatory additions to the plan correcting minor deficiencies.	Statewide	Submitted 2/29/1972.	7/27/1972, 37 FR 15080.	Approval and promulgation of Implementation Plan Miscellaneous Amendments, RI Department of Health.
Compliance schedules.	Statewide	Submitted 4/24/1973.	6/20/1973, 38 FR 16144.	Submitted by RI Department of Health.
AQMA identifications for the State of Rhode Island.	Statewide	Submitted 4/11/1974.	4/29/1975, 40 FR 18726.	Submitted by RI Department of Health.
Letter identifying Metropolitan Providence as an AQMA.	Metropolitan Providence.	Submitted 9/6/1974	4/29/1975, 40 FR 18726.	Submitted by the Governor.
A comprehensive air quality monitoring plan, intended to meet requirements of 40 CFR part 58.	Statewide	Submitted 1/8/1980	1/15/1981, 46 FR 3516.	Submitted by the RI Department of Environmental Management Director.
Attainment plans to meet the requirements of Part D of the Clean Air Act, as amended in 1977, Included are plans to attain the carbon monoxide and ozone standards and information allowing for the re-designation of Providence to non-attainment for the primary TSP standard based on new data.	Statewide	Submitted 5/14/1979; 6/11/1979; 8/13/1979; 1/8/1980; 1/24/1980; 3/10/1980; 3/31/1980; 4/21/1980; 6/6/1980; 6/13/1980; 8/20/1980; 11/14/1980; 3/4/1981; 3/5/1981; and 4/16/81.	5/7/1981, 46 FR 25446.	Attainment plans to meet the requirements of Part D of the Clean Air Act, as amended in 1977.
A program for the review of construction and operation of new and modified major stationary sources of pollution in non-attainment areas.				
Certain miscellaneous provisions unrelated to Part D are also included.				

RHODE ISLAND NON REGULATORY—Continued

Name of non regulatory SIP provision	Applicable geographic or nonattainment area	State submittal date/effective date	EPA approved date	Explanations
Section VI, Part II, ''Stationary Source Permitting and Enforcement'' of the narrative.	Statewide	Submitted 5/14/1982; and 7/1/1982.	6/28/1983, 48 FR 29690.	As submitted by RIDEM on May 14, 1982 and July 1, 1982 for review of new major sources and major modifications in nonattainment areas. Also included are revisions to add rules for banking emission reductions.
Revisions to the Rhode Island State Implementation Plan for attainment of the primary National Ambient Air Quality Standard for ozone.	Statewide	Submitted 5/14/1982; 7/1/1982; 7/7/1982; 10/4/1982; and 3/2/1983.	7/6/1983, 48 FR 31026.	Submitted by the Department of Environmental Management.
1982 Ozone Attainment Plan.				
Revisions to attain and maintain the lead NAAQS.	Statewide	Submitted 7/7/1983	9/15/1983, 48 FR 41405.	Submitted by the Department of Environmental Management.
Section VI, Part II of the associated narrative of the RI SIP.	Statewide	Submitted 2/6/1984; 1/27/1984; and 6/6/1984.	7/6/1984, 49 FR 27749.	To incorporate the requirements for the Prevention of Significant Deterioration of 40 CFR 51.24, permitting major stationary sources of lead and other miscellaneous changes.
Letter from RIDEM submitting an amendment to the RI State Implementation Plan.	Statewide	Submitted 1/14/1994; and 6/14/1994.	10/30/1996, 61 FR 55897.	A revision to the RI SIP regarding ozone monitoring. RI will modify its SLAMS and its NAMS monitoring systems to include a PAMS network design and establish monitoring sites. The State's SIP revision satisfies 40 CFR 58.20(f) PAMS requirements.
Section VII of the RI SIP Ambient Air Quality Monitoring.				
Letter from RIDEM submitting revisions.	Statewide	Submitted 3/15/1994.	10/30/1996, 61 FR 55897.	Revision to the RI SIP regarding the States' Contingency Plan.
Letter from RIDEM submitting revision—Rhode Island's 15 Percent Plan and Contingency Plan.	Statewide	Submitted 3/15/1994.	4/17/1997, 62 FR 18712.	The revisions consist of the State's 15 Percent Plan and Contingency Plan. EPA approved only the following portions of these submittals: 15 Percent Plan—the EPA approved the calculation of the required emission reductions, and the emission reduction credit claimed from surface coating, printing operations, marine vessel loading, plant closures (0.79 tons per day approved out of 0.84 claimed), cutback asphalt, auto refinishing, stage II, reformulated gas in on-road and off-road engines, and tier I motor vehicle controls. Contingency Plan—the EPA approved the calculation of the required emission reduction, and a portion of the emission reduction credits claimed from Consumer and Commercial products (1.1 tons per day approved out of 1.9 tons claimed), and architectural and industrial maintenance (AIM) coatings (1.9 tons per day approved out of 2.4 tons claimed). EPA concurrently disapproved portions of these SIP submissions, as discussed within Section 52.2084(a)(2).

RHODE ISLAND NON REGULATORY—Continued

Name of non regulatory SIP provision	Applicable geographic or nonattainment area	State submittal date/effective date	EPA approved date	Explanations
Letter from RIDEM submitting revision for Clean Fuel Fleet Substitution Plan.	Providence (all of Rhode Island) nonattainment area.	10/5/1994	3/9/2000, 65 FR 12474.	
Letter outlining commitment to National LEV.	Statewide	2/22/1999	3/9/2000, 65 FR 12476.	Includes details of the State's commitment to National LEV.
Negative Declaration for Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation and Reactor Processes Control Techniques Guidelines Categories.	Statewide	Submitted 4/5/1995	12/2/1999, 64 FR 67495.	
October 1, 1999, letter from Rhode Island Department of Environmental Management.	Statewide	Submitted 10/1/1999.	12/27/2000, 65 FR 81743.	Submitted Air Pollution Control Regulation No. 14, "NO_X Budget Trading Program," and the "NO_X State Implementation Plan (SIP) Call Narrative."
"NO_X State Implementation Plan (SIP) Call Narrative," September 22, 1999.	Statewide	Submitted 10/1/1999.	12/27/2000, 65 FR 81743.	
November 9, 1999, letter from Rhode Island Department of Environmental Management.	Statewide	Submitted 11/9/1999.	12/27/2000, 65 FR 81743.	Stating RI's intent to comply with applicable reporting requirements.
Negative Declaration for Aerospace Coating Operations Control Techniques Guideline Category.	Statewide	Submitted 3/28/2000.	7/10/2000, 65 FR 42290.	
September 20, 2001 letter from Rhode Island Department of Environment Management.	Statewide	Submitted 9/20/2001.	6/20/2003, 68 FR 36921.	Submitting the "NO_X State Implementation Plan (SIP) Call Narrative," revised September 2001.
NO_X State Implementation Plan (SIP) Call Narrative, revised September 2001.	Statewide	Submitted 9/20/2001.	6/20/2003, 68 FR 36921.	
Submittal to meet Clean Air Act Section 110(a)(2) Infrastructure Requirements for the 1997 8-Hour Ozone National Ambient Air Quality Standard.	State of Rhode Island.	December 14, 2007	July 8, 2011 76 FR 40248	This action addresses the following Clean Air Act requirements: 110(a)(2)(A), (B), (C), (D)(ii), (E), (F), (G), (H), (J), (K), (L), and (M).
RACT Demonstration included in Chapter 6 of the Rhode Island Attainment Plan for the 8-Hour Ozone National Ambient Air Quality Standard.	Statewide	Submitted 04/30/2008.	3/13/2012, 77 FR 14691.	

RHODE ISLAND NON REGULATORY—Continued

Name of non regulatory SIP provision	Applicable geographic or non-attainment area	State submittal date/effective date	EPA approved date	Explanations
Negative declarations included in the Rhode Island Attainment Plan for the 8-Hour Ozone National Ambient Air Quality Standard.	Statewide	Submitted 04/30/2008.	3/13/2012, 77 FR 14691.	Includes negative declarations for the following Control Techniques Guideline Categories: Refinery Vacuum Producing Systems, Wastewater Separators, and Process Unit Turnarounds (1977); Leaks from Petroleum Refinery Equipment (1978); Manufacture of Pneumatic Rubber Tires (1978); Large Petroleum Dry Cleaners (1982); Manufacture of High-Density Polyethylene, Polypropylene and Polystyrene Resins (1983); Synthetic Organic Chemical Mfg Equipment Fugitive Emissions (1984); Synthetic Organic Chemical Mfg Air Oxidation Processes (1984).
Rhode Island Regional Haze SIP.	Statewide	Submitted 8/7/2009	5/22/2012, 77 FR 30212..	

[64 FR 43085, Aug. 9, 1999, as amended at 64 FR 67500, Dec. 2, 1999; 65 FR 12476, 12480, Mar. 9, 2000; 65 FR 42292, July 10, 2000; 65 FR 81748, Dec. 27, 2000; 66 FR 9663, Feb. 9, 2001; 68 FR 34814, June 11, 2003; 68 FR 36925, June 20, 2003; 71 FR 40016, July 14, 2006; 73 FR 16205, Mar. 27, 2008; 73 FR 70874, Nov. 24, 2008; 76 FR 40257, July 8, 2011; 76 FR 49672, Aug. 11, 2011; 77 FR 14695, Mar. 13, 2012; 77 FR 30215, May 22, 2012; 78 FR 63387, Oct. 24, 2013]

§ 52.2071 Classification of regions.

The Rhode Island plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Ozone
Metropolitan Providence Interstate	I	I	III	I	I

[37 FR 10891, May 31, 1972, as amended at 38 FR 34325, Dec. 13, 1973; 39 FR 16347, May 8, 1974; 46 FR 25460, May 7, 1981]

§ 52.2072 Approval status.

(a) With the exceptions set forth in this subpart, the Administrator approves Rhode Island's plan, as identified in § 52.2070 of this subpart, for the attainment and maintenance of the national standards under section 110 of the Clean Air Act. Furthermore, the Administrator finds the plan satisfies all requirements of Part D, Title I, of the Clean Air Act, as amended in 1977, except as noted below. In addition, continued satisfaction of the requirements of Part D for the ozone portion of the SIP depends on the adoption and submittal of RACT requirements by January 1, 1981 for the sources covered by CTGs issued between January 1978 and January 1979 and adoption and submittal by each subsequent January as additional RACT requirements for sources covered by CTGs issued by the previous January.

(b) [Reserved]

[75 FR 82560, Dec. 30, 2010, as amended at 78 FR 63388, Oct. 24, 2013]

§ 52.2073 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) Information obtained from owner or operators of stationary sources pursuant to § 52.2075 will be correlated with applicable emission limitations

and other control regulations and will be made available for public inspection at the Rhode Island Department of Health, 204 Health Building, Providence, RI.

[37 FR 10891, May 31, 1972, as amended at 41 FR 2232, Jan. 15, 1976; 51 FR 40676, Nov. 7, 1986]

§ 52.2074 Legal authority.

(a) The requirements of § 51.230(e) of this chapter are not met. Authority to require recordkeeping is deficient to the extent that section 23–25–13 requires only those sources with an air pollution control program to keep records.

(b) The requirements of § 51.230(f) of this chapter are not met. Authority to release emission data to the public is deficient in that section 23–25–6 requires that only records concerning investigations be available to the public. Further, section 23–25–5(g) and section 23–25–13 may limit the State's authority to release emission data. Authority to require sources to install and maintain monitoring equipment is not provided and is therefore inadequate. Authority to require sources to periodically report is not provided and is therefore inadequate.

[37 FR 10891, May 31, 1972, as amended at 39 FR 7283, Feb. 25, 1974; 39 FR 12350, Apr. 5, 1974; 51 FR 40676, Nov. 7, 1986]

§ 52.2075 Source surveillance.

(a) The requirements of § 51.211 of this chapter are not met since the plan lacks adequate legal authority to require owners or operators of stationary sources to maintain records of, and periodically report information as may be necessary to enable the state to determine whether such sources are in compliance with applicable portions of the control strategy.

(b) Regulation for source recordkeeping and reporting.

(1) The owner or operator of all stationary sources which have the potential to emit a total of 100 tons or more per year of any one air contaminant for which there is a national standard shall maintain records of, and submit to the Director, data on operational processes, fuel usage, emission, stack parameters, boiler capacities, types of equipment generating air contaminants and air contaminant control devices that may be necessary to determine if the source is in compliance with applicable rules and regulations of the Department. Upon notification of the Administrator, or the Director of the Rhode Island Department of Health, sources with the potential to emit less than 100 tons per year of any air contaminant shall also be subject to the requirements of this paragraph. For the purposes of this paragraph, potential emissions shall be calculated at the design load assuming no control equipment is in use and fuel having a sulfur content of 2.2 percent by weight (dry basis) is being burned.

(2) The information recorded by the owner or operator of a stationary source shall be summarized and reported to the Director of the Department of Health on forms furnished by him. They shall be submitted within 30 days following the end of the reporting period. Reporting periods are January 1 to June 30 and July 1 to December 31.

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

[41 FR 2232, Jan. 15, 1976, as amended at 51 FR 40677, Nov. 7, 1986]

§ 52.2076 Attainment of dates for national standards.

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

Air quality control region	Pollutant					
	SO		PM_{10}	NO_2	CO	O_3
	Primary	Secondary				
Rhode Island portion of AQCR 120 (Entire State of Rhode Island)	(a)	(b)	(a)	(a)	(a)	(c)

[a] Air quality levels presently better than primary standards or area is unclassifiable.
[b] Air quality levels presently better than secondary standards or area is unclassifiable.
[c] November 15, 2007.

[50 FR 52461, Dec. 24, 1985, as amended at 68 FR 16724, Apr. 7, 2003]

§ 52.2078 Enforcement.

(a) Sections 23–25–5(h) and 23–25–8(a) of the General Laws of Rhode Island are disapproved insofar as they permit the Rhode Island Director of the Department of Health to issue abatement orders (1) that defer compliance with plan requirements beyond the dates required for attainment of the national standards, (2) without the approval of the Administrator, and (3) for reasons not permitted by the Clean Air Act.

(b) Regulation limiting administrative abatement orders. (1) No order deferring compliance with a requirement of the Rhode Island Implementation Plan shall be issued by the Director of the Department of Health which does not meet the following requirements:

(i) An order must require compliance with the plan requirement within the times and under the conditions specified in § 51.261 (a) and (b) of this chapter.

(ii) An order may not defer compliance beyond the last date permitted by section 110 of the Act for attainment of the national standard which the plan implements unless the procedures and conditions set forth in section 110(f) of the Act are met.

(iii) An order shall not be effective until it has been submitted to and approved by the Administrator in accordance with §§ 51.104, 51.105, 51.261 and 51.262(a).

(2) Notwithstanding the limitations of paragraph (b)(1)(ii) of this section, an order may be granted which provides for compliance beyond the statutory attainment date for a national standards where compliance is not possible because of breakdowns or malfunctions of equipment, acts of God, or other unavoidable occurrences. However, such order may not defer compliance for more than three (3) months unless the procedures and conditions set forth in section 110(f) of the Act are met.

[38 FR 18879, 18880, July 16, 1973, as amended at 38 FR 30878, Nov. 8, 1973; 51 FR 40675, 40676, 40677, Nov. 7, 1986]

§ 52.2079 Requirements for state implementation plan revisions relating to new motor vehicles.

Rhode Island must comply with the requirements of § 51.120.

[60 FR 4738, Jan. 24, 1995]

§ 52.2080 Revisions.

(a) The revision procedures of the Rhode Island plan are not adequate since the plan does not expressly provide for revisions at the times and under the conditions set forth in § 51.104 of this chapter.

(b) Regulation for plan revisions. (1) The Rhode Island implementation plan shall be revised:

(i) When necessary to take account of a revision of the national primary or secondary ambient air quality standard which it implements;

(ii) When improved or more expeditious methods of attaining a national standard which it implements become available;

(iii) When the Administrator finds that the plan is substantially inadequate to attain or maintain the national standard which it implements and issues notice of such finding pursuant to § 51.104 of this chapter.

(2) The Rhode Island implementation plan may be revised from time to time to the extent such revisions are consistent with the requirements applicable to implementation plans set forth in this chapter and the Act.

(3) No revisions shall be effective until the hearing requirements of § 51.102 of this chapter have been satisfied.

[38 FR 18879, 18880, July 16, 1973, as amended at 38 FR 30878, Nov. 8, 1973; 51 FR 40675, Nov. 7, 1986]

§ 52.2081 EPA-approved EPA Rhode Island State regulations.

The following table identifies the State regulations which have been approved by EPA and incorporated by reference into the Rhode Island State Implementation Plan. This table is for informational purposes only and does not have any independent regulatory requirements for a specific situation consult the plan identified in § 52.2070. To the extent that this table conflicts with § 52.2070, § 52.2070 governs.

TABLE 52.2081—EPA-APPROVED RULES AND REGULATIONS

State citation	Title/subject	Date adopted by State	Date approved by EPA	FR citation	52.2070	Comments/Unapproved sections
	Air pollution control regulation.					
No. 1	Visible emissions	8/02/67	5/31/72	37 FR 10842	(b)	
		2/28/72	5/31/72	37 FR 10842	(b)	
		2/22/77	5/07/81	46 FR 25446	(c)(12)	
No. 2	Handfiring of soft coal	8/02/67	5/31/72	37 FR 10842	(b)	
		2/28/72	5/31/72	37 FR 10842	(b)	
		2/22/77	5/07/81	46 FR 25446	(c)(12)	
No. 3	Particulate emissions from industrial processes.	8/02/67	5/31/72	37 FR 10842	(b)	
		2/28/72	5/31/72	37 FR 10842	(b)	
		2/22/77	5/07/81	46 FR 25446	(c)(12)	
No. 4	Open fires	8/02/67	5/31/72	37 FR 10842	(b)	
		10/01/71	5/31/72	37 FR 10842	(b)	
		2/22/77	5/07/81	46 FR 25446	(c)(12)	
No. 5	Fugitive dust	8/02/67	5/31/72	37 FR 10842	(b)	
		2/22/77	5/07/81	46 FR 25446	(c)(12)	
No. 6	Opacity monitors	8/02/67	5/31/72	37 FR 10842	(b)	
		2/22/77	5/07/81	46 FR 25446	(c)(12).	
		11/22/89	9/30/91	56 FR 49416	(c)(37) ..	Amended Regulation No. 6.
No. 7	Emission of air contaminants detrimental to persons or property.	8/02/67	5/31/72	37 FR 10842	(b)	
		7/19/77	5/07/81	46 FR 25446	(c)(12)	
No. 8	Sulfur content of fuels	10/01/71	5/31/72	37 FR 10842	(b)	
		5/28/74	11/03/75	40 FR 51044	(c)(8)	
		.....	1/21/81	46 FR 5980	(c)(13) ..	Narragansett Electric Bubble.
		2/22/77	5/07/81	46 FR 25446	(c)(12)	

TABLE 52.2081—EPA-APPROVED RULES AND REGULATIONS—Continued

State citation	Title/subject	Date adopted by State	Date approved by EPA	FR citation	52.2070	Comments/Unapproved sections
		.....	12/30/81	46 FR 63043	(c)(14) ..	Temporary Relaxation for Bradford Dye.
		.....	11/10/82	47 FR 50866	(c)(16) ..	Temporary Relaxation for Kenyon Piece Dye Works.
		10/05/82	3/29/83	48 FR 13027	(c)(17) ..	Conversion/Conservation Incentive/Bubble.
		5/15/84	49 FR 20493	(c)(21)	URI Bubble..	
		8/29/83	7/27/84	49 FR 30177	(c)(23) ..	Narragansett Electric (South Street).
		5/02/85	1/8/86	51 FR 756	(c)(24) ..	Requires sampling valve.
		12/16/85	8/1/86	51 FR 27538	(c)(25) ..	Temporary relaxation for Seville Dyeing Corporation in Woon-socket.
		3/17/87	9/19/89	54 FR 38518	(c)(34) ..	URI bubble renewal.
No. 9	Approval to construct, modify or operate.	10/03/71	5/31/72	37 FR 10842	(b)	
		2/22/77	5/07/81	46 FR 25446	(c)(12)	
		4/12/81	5/07/81	46 FR 25446	(c)(12) ..	No action on 9.2.3(b) and 9.12.
		4/05/82	6/28/83	48 FR 29690	(c)(18) ..	NSR fully approved, 9.12 Emission Banking approved.
		2/13/84	7/6/84	49 FR 27749	(c)(22) ..	PSD fully approved, 9.2.3(b) approved.
		5/02/85	1/8/86	51 FR 756	(c)(24) ..	Additional BACT requirements.
		5/20/91	10/7/91	56 FR 50516	(c)(38) ..	Addition of PSD NO_2 increments.
	Air Pollution Control Permits.	3/4/93	2/6/96	61 FR 4356	(c)(41) ..	Addition of NSR and other CAAA requirements under Amended Regulation No. 9 except for Chapters 9.13, 9.14, 9.15, and Appendix A.
	Air Pollution Control Permits.	7/30/96	6/2/99	64 FR 29566	(c)(54) ..	5
	Air Pollution Control Permits.	7/30/96	6/2/99	64 FR 29563	(c)(54) ..	Changes in 9.1.7, 9.1.18, and 9.5.1(c) to add Dual Source Definition. Changes in 9.1.24(b)(3), 9.5.2(b)(2)d(i), 9.5.1(d) and 9.5.1(f) to change Particulate Increment. Changes in 9.1.6 to revise BACT definition.
No. 10 ...	Air pollution episodes	2/28/72 10/11/75	5/31/72 11/03/75	37 FR 10842 ..... 40 FR 51043	(b) (c)(6)	
		2/22/77	5/07/81	46 FR 25446	(c)(12)	

TABLE 52.2081—EPA-APPROVED RULES AND REGULATIONS—Continued

State citation	Title/subject	Date adopted by State	Date approved by EPA	FR citation	52.2070	Comments/Unapproved sections
No. 11 ...	Petroleum liquids marketing and storage.	2/22/77	5/07/81	46 FR 25446	(c)(12)	
		7/05/79	5/07/81	46 FR 25446	(c)(12)	
		4/22/81	4/26/82	47 FR 17817	(c)(15)	
		1/20/87	9/1/87	52 FR 32920	(c)(30) ..	Amended Regulation No. 11, Subsection 11.4.5.
		11/07/88, 04/24/89	6/2/89	54 FR 23661	(c)(33) ..	Approves a limitation on volatility of gasoline from June 30 to Sept. 15, 1989, and May 1 to Sept. 15 in subsequent years at Subsections 11.7.1 and 11.7.2.
		12/10/89	9/30/91	56 FR 49416	(c)(37) ..	Amended Regulation No. 11.
		1/11/93	12/17/93	58 FR 65933	(c)(39) ..	Regulation revised to add new Stage II vapor recovery requirements.
No. 12 ...	Incinerators	2/28/72	6/22/73	38 FR 16351	(c)(3)	
		2/22/77	5/07/81	46 FR 25446	(c)(12)	
		4/22/81	4/26/82	47 FR 17817	(c)(15)	
No. 13 ...	Particulate emissions from fossil fuel fired steam or hot water generating units.	1/17/73	10/23/73	38 FR 29296	(c)(14)	
		2/22/77	5/07/81	46 FR 25446	(c)(12)	
		7/05/79	5/07/81	46 FR 25446	(c)(12)	
		.....	11/10/82	47 FR 50866	(c)(16) ..	Temporary Relaxation for Kenyon Piece Dye Works.
		10/05/82	3/29/83	48 FR 13027	(c)(17) ..	Conversion/Conservation Incentive.
No. 14 ...	Record keeping and reporting.	5/14/73	1/15/76	41 FR 2231	(c)(10)	
		2/22/77	5/07/81	46 FR 25446	(c)(12)	
		7/05/79	5/07/81	46 FR 25446	(c)(12)	
		1/11/93	1/10/95	60 FR 2526	(c)(42)	
No. 15 ...	Control of organic solvent emissions.	8/21/75	5/07/81	46 FR 25446	(c)(12)	
		3/14/83	7/06/83	48 FR 31026	(c)(19) ..	Includes 100 TPY RACT Reg/Generic Bubble Rule.
		6/6/85	12/11/86	51 FR 44605	(c)(27) ..	RACT for Stanley Bostitch under 15.5.
		11/24/87	3/10/89	54 FR 10147	(c)(32) ..	Consent Agreement imposing RACT on Tech Industries under 15.5 (Provisions 7 and 8 not approved).

TABLE 52.2081—EPA-APPROVED RULES AND REGULATIONS—Continued

State citation	Title/subject	Date adopted by State	Date approved by EPA	FR citation	52.2070	Comments/Unapproved sections
		6/5/90	8/31/90	55 FR 35625	(c)(36) ..	RACT determination for Tillotson-Pearson under 15.5.
		4/24/90	9/6/90	55 FR 36638	(c)(35) ..	RACT determination/Bubble for Providence Metallizing under 15.5.
		12/10/89	9/30/91	56 FR 49416	(c)(37) ..	Amended Regulation No. 15, except subsections 15.1.16 and 15.2.2.
No. 16 ...	Operation of air pollution control system.	2/22/77	5/07/81	46 FR 25446	(c)(12)	
No. 17 ...	Odors	2/22/77	5/07/81	46 FR 25446	(c)(12).	
No. 18 ...	Control of emissions from solvent metal cleaning.	7/5/79	5/07/81	46 FR 25446	(c)(12)	
		4/22/81	4/26/82	47 FR 17817	(c)(15)	
		12/10/89	9/30/91	56 FR 49416	(c)(37) ..	Amended Regulation No. 18, except subsections 18.1.8, 18.2.1, 18.3.2(d), 18.3.3(f), and 18.5.2.
No. 19 ...	Control of VOCs from surface coating operations.	11/13/79	5/07/81	46 FR 25446	(c)(12) ..	Conditional approval.
		4/05/82	7/06/83	48 FR 31026	(c)(19) ..	Removes Conditions/Generic Bubble Rule.
		9/12/85	8/31/87	52 FR 32794	(c)(28) ..	Compliance date extension for Keene Corporation under 19.3.
		1/20/87	9/1/87	52 FR 32920	(c)(30) ..	Amended Regulation No. 19, Subsection 19.7.1.
		5/29/85	9/28/87	52 FR 36250	(c)(26) ..	Compliance date extension for James River Corp. in Johnston.
		12/31/86	2/10/88	53 FR 3890	(c)(29) ..	Alternative RACT for Kenyon Industries under 19.3.3.
		12/10/89	9/30/91	56 FR 49416	(c)(37) ..	Amended Regulation No. 19, except subsections 19.1.11, 19.2.2, and 19.3.2(a).

TABLE 52.2081—EPA-APPROVED RULES AND REGULATIONS—Continued

State citation	Title/subject	Date adopted by State	Date approved by EPA	FR citation	52.2070	Comments/Unapproved sections
		10/30/92	10/18/94	59 FR 52429	(c)(40) ..	All of No. 19 is approved with the exception of 19.2.2, and the last sentence of 19.1.1, which Rhode Island did not submit as part of the SIP revision. No. 19 was amended to change applicability and to add emission limitations for metal coil coating, metal furniture coating, magnet wire coating, large appliance coating, miscellaneous metal parts coating, wood products coating, and flat wood paneling coating.
No. 21 ...	Control of VOCs from printing operations.	4/05/82	7/06/83	48 FR 31026	(c)(19) ..	Generic Bubble Rule.
		1/20/87	9/1/87	52 FR 32920	(c)(30) ..	Amended Regulation No. 21, subsection 21.6.1.
		12/10/89	9/30/91	56 FR 49416	(c)(37) ..	Amended Regulation No. 21, except subsections 21.1.15 and 21.2.2, and portion of 21.5.2(h) which states ''equivalent to'' in the parenthetical.
No. 25 ...	Control of Volatile Organic Compound Emissions from Cutback and Emulsified Asphalt.	10/30/92	10/18/94	59 FR 52429	(c)(40) ..	All of No. 25 is approved, with the exception of 25.2.2, which was not submitted by Rhode Island as part of the SIP revision.
No. 26 ...	Control of Organic Solvent Emissions from Manufacture of Synthesized Pharmaceutical Products.	10/30/92	10/18/94	59 FR 52429	(c)(40) ..	All of No. 26 is approved, with the exception of 26.2.3, which was not submitted by Rhode Island as part of the SIP revision.
No. 27 ...	Control of Nitrogen Oxides Emissions.	9/2/97	6/2/99	64 FR 29570	(c)(55) ..	Establishes alternative NOx RACT for Rhode Island Economic Development Corporation in North Kingstown, RI.
No. 29.3	EMISSIONS	4/28/95	3/22/96	61 FR 11735	(c)(45) ..	This rule limits a source's potential to emit, therefore avoiding RACT, title V operating permits.
No. 30 ...	Control of VOC from Automobile Refinishing Operations.	6/27/95	2/2/96	61 FR 3827	(c)(44) ..	Control of VOC From Automobile Refinishing Operations.
No. 31 ...	Consumer and Commercial Products.	3/11/94	10/30/96	61 FR 55903	(c)(47) ..	VOC control reg. submitted as part of State's Contingency Plan. Section 31.2.2 not approved.

TABLE 52.2081—EPA-APPROVED RULES AND REGULATIONS—Continued

State citation	Title/subject	Date adopted by State	Date approved by EPA	FR citation	52.2070	Comments/Unapproved sections
No. 32 ...	Marine Vessels	3/11/94	4/4/96	60 FR 14978	(c)(43) ..	All of No. 32 is approved with the exception of Section 32.2.2 which Rhode Island did not submit as part of the SIP revision.
No. 33 ...	Architectural and Industrial Maintenance Coatings.	3/11/94	10/30/96	61 FR 55903	(c)(47) ..	VOC control reg. submitted as part of State's Contingency Plan Section 33.2.2 not approved.
No. 38 ...	Nitrogen Oxides Allowance Program.	5/21/98	6/2/99	64 FR 29570	(c)(55) ..	Adds ozone season NOx emission limitations at certain stationary sources.

[50 FR 770, Jan. 7, 1985]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.2081, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at *www.fdsys.gov*.

§ 52.2082 [Reserved]

§ 52.2083 Significant deterioration of air quality.

(a) The Rhode Island plan, as submitted, is approved as meeting the requirements of Subpart 1, Part C, Title I, of the Clean Air Act.

[49 FR 27750, July 6, 1984]

§ 52.2084 Rules and regulations.

(a) Part D—Disapproval.

(1) On November 5, 1985, the Rhode Island Department of Environmental Management submitted a revision to the Rhode Island State Implementation Plan (SIP) for Arkwright Incorporated. This revision is an alternative reasonably available control technology determination for the control of volatile organic compounds (VOC) from three paper coating lines at Arkwright Incorporated's Fiskeville, Rhode Island facility. As a result of EPA's disapproval of this revision, the existing VOC rules applicable to Arkwright Incorporated and contained in the Rhode Island SIP remain in effect (Rhode Island Air Pollution Control Regulation No. 19 as approved by EPA in 40 CFR 52.2080(c)(19)).

(2) [Reserved]

(b) *Non-Part D—No Action*— EPA is neither approving nor disapproving the following elements of the revisions:

(i) [Reserved]

(ii) Consultation.

(iii) Permit fees.

(iv) Stack height requirements.

(v) Public notification.

[46 FR 25460, May 7, 1981, as amended at 48 FR 31027, July 6, 1983; 50 FR 52461, Dec. 24, 1985; 52 FR 38764, Oct. 19, 1987; 62 FR 18716, Apr. 17, 1997; 63 FR 67600, Dec. 8, 1998; 64 FR 926, Jan. 6, 1999]

§ 52.2085 Stack height review.

The State of Rhode Island has declared to the satisfaction of EPA that no existing emission limitations have been affected by stack height credits greater than good engineering practice or any other prohibited dispersion technique as defined in EPA's stack height regulations, as revised on July 8, 1985. Such declarations were submitted to EPA on March 27, 1986. The State has further declared, in letters from Thomas D. Getz, dated October 15, 1985 and March 27, 1986, that ''[R]hode Island will use the 8 July 1985 revised height regulations in administering section 9.18 of its new source review regulations.'' Thus, Rhode Island has satisfactorily demonstrated that its

regulations meet 40 CFR 51.118 and 51.164.

[52 FR 49407, Dec. 31, 1987]

§ 52.2086 Emission inventories.

(a) The Governor's designee for the State of Rhode Island submitted the 1990 base year emission inventory for the Providence ozone nonattainment area on January 12, 1993 as a revision to the State Implementation Plan (SIP). The 1990 base year emission inventory requirement of section 182(a)(1) of the Clean Air Act, as amended in 1990, has been satisfied for this area.

(b) The inventory is for the ozone precursors which are volatile organic compounds, nitrogen oxides, and carbon monoxide. The inventory covers point, area, non-road mobile, on-road mobile, and biogenic sources.

(c) The Providence nonattainment area is classified as serious and includes the entire state of Rhode Island.

(d) Minor revisions to the Rhode Island 1990 base year emission inventory were submitted to EPA on September 21, 1998. The revised emission estimates were prepared in accordance with EPA guidance, and are approved into the State's SIP.

(e) The state of Rhode Island submitted base year emission inventories representing emissions for calendar year 2002 from the Providence moderate ozone nonattainment area on April 30, 2008 as revisions to the State's SIP. The 2002 base year emission inventory requirement of section 182(a)(1) of the Clean Air Act, as amended in 1990, has been satisfied for this area. The inventory consists of emission estimates of volatile organic compounds and nitrogen oxides, and cover point, area, non-road mobile, on-road mobile and biogenic sources. The inventory was submitted as a revision to the SIP in partial fulfillment of obligations for nonattainment areas under EPA's 1997 8-hour ozone standard.

[61 FR 55902, Oct. 30, 1996, as amended at 63 FR 67600, Dec. 8, 1998; 77 FR 50601, Aug. 22, 2012]

§ 52.2087 Original identification of plan section.

(a) This section identifies the original ''Air Implementation Plan for the State of Rhode Island'' and all revisions submitted by Rhode Island that were federally approved prior to August 9, 1999.

(b) The plan was officially submitted on January 28, 1972.

(c) The plan revisions listed below were submitted on the dates specified.

(1) Notice of public hearing submitted on February 9, 1972, by the Rhode Island Department of Health.

(2) Miscellaneous non-regulatory additions to the plan correcting minor deficiencies submitted on February 29, 1972, by the Rhode Island Department of Health.

(3) Regulation 12 requiring prevention and control of air pollution from incinerators submitted on March 7, 1973, by the Rhode Island Department of Health.

(4) Regulation 13 requiring prevention and control of air pollution from fuel burning equipment submitted on March 19, 1973, by the Rhode Island Department of Health.

(5) Compliance schedules submitted on April 24, 1973, by the Rhode Island Department of Health.

(6) Revisions to Regulation 10, Air Pollution Episodes, submitted on January 25, 1974, by the Rhode Island Department of Health.

(7) AQMA identifications submitted on April 11, 1974, by the Rhode Island Department of Health.

(8) Revision to Regulation 8, Limitation of Sulfur in Fuels, submitted on May 22, 1974, by the Rhode Island Department of Health.

(9) Letter identifying Metropolitan Providence as an AQMA submitted on September 6, 1974, by the Governor.

(10) Revision to Regulation 14, Source Recordkeeping and Reporting, submitted on September 5, 1973, by the Rhode Island Department of Health.

(11) A comprehensive air quality monitoring plan, intended to meet requirements of 40 CFR part 58, was submitted by the Rhode Island Department of Environmental Management Director on January 8, 1980.

(12) Attainment plans to meet the requirements of Part D of the Clean Air Act, as amended in 1977, were submitted on May 14, 1979, June 11, 1979, August 13, 1979, January 8, January 24, March 10, March 31, April 21, June 6,

June 13, August 20, November 14, March 4, March 5, and April 16, 1981. Included are plans to attain the carbon monoxide and ozone standards and information allowing for the redesignation of Providence to non-attainment for the primary TSP standard based on new data. 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 unrelated to Part D are also included.

(13) A revision to Regulation 8, ''Sulfur Content in Fuels,'' for the Narragansett Electric Company, Providence, submitted on August 28, 1980 by the Director of the Department of Environmental Management.

(14) A revision to Regulation 8, ''Limitation of Sulfur in Fuels,'' submitted on January 30, 1981, by the Director of the Rhode Island Division of Air Resources allowing Bradford Dyeing Association, Westerly, to burn higher sulfur fuel oil, temporarily.

(15) Revisions for Group II CTGs: Storage of Petroleum Liquids—External Floating Roof Vessels (Regulation 11.6); and revisions to existing regulations: Stage I Vapor Controls (Regulation 11.5), Hazardous Waste Incinerators (Regulation 12.7.1), and Control of Solvent Metal Cleaning Emissions (Regulation 18) were submitted on January 9, July 23, and August 17, 1981.

(16) Variances from Regulations 8, ''Sulfur Content in Fuels'' and 13, ''Particulate Emissions from Fossil Fired Steam or Hot Water Generating Units'', for Kenyon Piece Dye Works, Richmond, submitted on July 1, 1982.

(17) Revisions to Regulations 8, ''Sulfur Content of Fuels'' and 13, ''Particulate Emissions from Fossil Fuel Fired Steam or Hot Water Generating Units'' were submitted on November 9, 1982 by the Division of Air and Hazardous Materials.

(18) Revisions to Air Pollution Control Regulation Number 9, Approval to Construct, Install, Modify, or Operate (except to subsection 9.1.1), and Section VI, Part II, ''Stationary Source Permitting and Enforcement'' of the narrative as submitted by the Department of Environmental Management on May 14, 1982 and July 1, 1982 for review of new major sources and major modifications in nonattainment areas. Also included are revisions to add rules for banking emission reductions.

(19) Revisions to the Rhode Island State Implementation Plan for attainment of the primary National Ambient Air Quality Standard for ozone as submitted on May 14, 1982; July 1, 1982; July 7, 1982; October 4, 1982 and March 2, 1983 by the Department of Environmental Management. Also included are generic bubble rules which provide for regulatory flexibility for VOC sources subject to RACT requirements under Regulations 15, 19 and 21 of the Rhode Island SIP

(20) Revisions to attain and maintain the lead NAAQS as submitted on July 7, 1983 by the Department of Environmental Management.

(21) The permit issued to the University of Rhode Island in Kingston approving a three-year bubble to control sulfur dioxide emissions. The Rhode Island Department of Environmental Management issued the permit in accordance with Regulation 8, § 8.3.2, ''Emissions Bubbling'' and submitted it to EPA as a SIP revision on January 16, 1984.

(22) Revisions to Regulation 9, ''Approval to Construct, Install, Modify or Operate'', and Section VI, Part II of the associated narrative of the Rhode Island SIP, to incorporate the requirements for the Prevention of Significant Deterioration of 40 CFR 51.24, permitting major stationary sources of lead and other miscellaneous changes as submitted on February 6, 1984 by the Rhode Island Department of Environmental Management. Clarifying letters dated January 27, 1984 and June 6, 1984.

(23) Revisions to Air Pollution Control Regulation 8, ''Sulfur Content of Fuels,'' submitted on July 19, 1983, specifying maximum sulfur-in-coal limits (1.21 lbs/MMBtu on a 30-day rolling average and 2.31 lbs/MMBtu on a 24-hour average) for the Narragansett Electric Company South Street Station in Providence. These revisions approve Section 8.3.4, ''Large Fuel Burning Devices Using Coal,'' for South Street Station only.

(24) Revisions to the State Implementation Plan were submitted by the

Rhode Island Department of Environmental Management on May 28, 1985 and October 15, 1985.

(i) Incorporation by reference.

(A) Amendments to Regulation 8, ''Sulfur Content of Fuels'' at 8.4.1(b) requiring owners/operators of fuel burning sources to have a sampling valve in the fuel line to the boiler to facilitate fuel sampling, amended on May 2, 1985.

(B) Amendments to Regulation 9, ''Approval to Construct, Install, Modify, or Operate'' requiring best available control technology (BACT) for each air pollutant emitted when permitting all new stationary sources and modifications not otherwise subject to lowest achievable emission rate (LAER) requirements under Rhode Island's approved new source review plan. The amended sections are 9.1.9, 9.1.14, 9.1.21, 9.1.22, 9.1.33, 9.1.36, 9.3.1, 9.3.3, 9.5.3, and 9.13.1. Regulation 9 was incorporated by reference in its present form on July 6, 1984 at paragraph (c)(22), above. The entire Regulation is being reincorporated by reference here to maintain consistency in the numbering and format, amended May 2, 1985.

(ii) October 15, 1985 letter from Rhode Island DEM to EPA which commits to implement the stack height related requirements of Regulation 9 in accordance with the Stack Height regulations at 40 CFR part 51, subpart B.

(25) A revision submitted on December 16, 1985 and January 23, 1986 allowing the burning of 2.2% sulfur content fuel oil at the Seville Dyeing Corporation facility in Woonsocket, Rhode Island for a period of up to 30 months, commencing on August 1, 1986, the savings from which will be used to pay for permanent energy conservation measures to reduce on-site consumption of petroleum products by at least 50,000 gallons per year (estimated 250,000 gallons per year).

(i) Incorporation by reference.

(A) Letter from Doug L. McVay, Principal Engineer, to Seville Dyeing Corporation, dated December 16, 1985 allowing the temporary use of less expensive 2.2% sulfur fuel oil until February 1, 1989. At the end of the temporary use period, Seville Dyeing Corporation will return to the use of 1.0% sulfur fuel oil. The particulate emission rate for the facility will not exceed 0.15 lbs per million Btu.

(B) Letter to Louis F. Gitto, Director of Air Management Division, EPA Region I from Thomas D. Getz, Director of Air & Hazardous Materials, RI DEM dated January 23, 1986; subject: Response to EPA questions regarding Seville Dyeing Corporation, and outline of the permanent energy conservation measures to be used.

(26) Revisions submitted on November 5, 1985, June 16, 1986 and November 3, 1986 by the Rhode Island Department of Environmental Management (DEM) consisting of an administrative consent agreement between the DEM's Division of Air and Hazardous Materials and Whitman Products Limited (now James River Corporation's Decorative Product Division) in Johnston, Rhode Island. When the consent agreement expires on December 31, 1986, James River Corporation will be subject to the emission limits in Rhode Island Regulation No. 19, subsection 19.3.1.

(i) Incorporation by reference.

(A) An administrative consent agreement between the Rhode Island and Providence Plantation Department of Environmental Management and Whitman Products Limited. The consent agreement became effective on May 29, 1985.

(B) Letters of June 16, 1986 and September 17, 1985 from the Department of Environmental Management to EPA.

(ii) Additional material.

(A) Letter submitted on November 3, 1986 affirming that a sufficient growth margin exists, below the level of emissions necessary to show attainment of the national ambient air quality standard for ozone in Rhode Island, to absorb the increased emissions resulting from this compliance date extension.

(27) Revision submitted on November 5, 1985 by the Rhode Island Department of Environmental Management consisting of an administrative consent agreement defining reasonably available control technology for Stanley Bostitch (formerly Bostitch Division

(i) Incorporation by reference.

(A) An administrative consent agreement between the Rhode Island Department of Environmental Management and Bostitch Division of Textron. The consent agreement became effective on

June 6, 1985 and requires Bostitch Division of Textron to reformulate certain solvent-based coatings to low/no solvent formulations by December 31, 1986.

(B) A letter to Bostitch Division of Textron from the Rhode Island Department of Environmental Management dated September 20, 1985 which serves as an addendum to the consent agreement. The addendum defines the emission limitations which Bostitch's Division of Textron reformulated coatings must meet.

(28) Revision submitted on November 5, 1985 by the Rhode Island Department of Environmental Management consisting of an administrative consent agreement granting a final compliance date extension for the control of organic solvent emissions from sixpaper coating lines at Keene Corporation in East Providence, Rhode Island.

(i) Incorporation by reference.

(A) Letter from the Rhode Island Department of Environmental Management dated November 5, 1985 submitting revisions to the Rhode Island State Implementation Plan.

(B) An administrative consent agreement between the Rhode Island Department of Environmental Management and Keene Corporation, effective on September 12, 1985.

(29) Revisions submitted on November 5, 1985, February 21, 1986, April 15, 1987 and May 14, 1987 by the Rhode Island Department of Environmental Management consisting of an administrative consent agreement defining alternative reasonably available control technology for Kenyon Industries in Kenyon, Rhode Island.

(i) Incorporation by reference.

(A) Letter from the State of Rhode Island and Providence Plantations dated April 15, 1987 submitting revisions for Kenyon Industries to the Rhode Island State Implementation Plan.

(B) An administrative consent agreement between the State of Rhode Island and Providence Plantations Department of Environmental Management and Kenyon Industries, Inc., signed on December 31, 1986.

(ii) Additional material.

(A) A letter dated May 14, 1987 from the Department of Environmental Management containing technical support demonstrating that the revised consent agreement is at least as stringent as the consent agreement between the Rhode Island Department of Environmental Management and Kenyon effective in Rhode Island May 13, 1985.

(B) Original consent agreement between the Rhode Island Department of Environmental Management and Kenyon effective on May 13, 1985 submitted to EPA on November 5, 1985.

(C) Letter dated February 21, 1986 from Rhode Island describing required recordkeeping for Kenyon.

(30) Revisions to the State Implementation Plan were submitted by Rhode Island Department of Environmental Management on February 27, 1987. These revisions were effective as of January 20, 1987 in the State of Rhode Island.

(i) Incorporation by reference.

(A) Letter from the Rhode Island Department of Environmental Management dated February 27, 1987 submitting revisions to the Rhode Island State Implementation Plan.

(B) Amendment to Air Pollution Control Regulation No. 11, at subsection 11.4.5 adopted on January 20, 1987 in Rhode Island.

(C) Amendment to Air Pollution Control Regulation No. 19, at subsection 19.7.1 adopted on January 20, 1987 in Rhode Island.

(D) Amendment to Air Pollution Control Regulation No. 21, at subsection 21.6.1 adopted on January 20, 1987 in Rhode Island.

(31) [Reserved]

(32) Revisions submitted on May 6, 1987, October 15, 1987, and January 4, 1988 by the Rhode Island Department of Environmental Management consisting of an administrative consent agreement which defines and imposes RACT to control volatile organic comp

(i) Incorporation by reference.

(A) An administrative consent agreement (86–12–AP), except for Provisions 7 and 8, between the Rhode Island Department of Environmental Management and Tech Industries effective June 12, 1986.

(B) An addendum to the administrative consent agreement (86–12–AP) between the Rhode Island Department of Environmental Management and Tech

Industries. The addendum was effective November 24, 1987.

(C) Letters dated May 6, 1987; October 15, 1987; and January 4, 1988 submitted to the Environmental Protection Agency by the Rhode Island Department of Environmental Management.

(33) Revisions to federally approved Air Pollution Control Regulation Number 11 submitted on November 7, 1988 and April 24, 1989 by the Rhode Island Department of Environmental Management, limiting the volatility of gasoline from May 1 through September 15, beginning 1989 and continuing every year thereafter, including any waivers to such limits Rhode Island may grant. In 1989, the control period will begin on June 30.

(i) Incorporation by reference.

(A) Amendments to Rhode Island Air Pollution Control Regulation No. 11, effective July 5, 1979, entitled, ''Petroleum Liquids Marketing and Storage,'' sections 11.7.1 filed with the Secretary of State of Rhode Island on August 11, 1988, and effective in the State of Rhode Island on August 31, 1988.

(B) Amendments to Rhode Island Air Pollution Control Regulation No. 11, effective July 5, 1979, entitled, ''Petroleum Liquids Marketing and Storage,'' amendmends to section 11.7.2 filed with the Secretary of State of Rhode Island on April 27, 1989, and effective in the State of Rhode Island on May 17, 1989.

(34) Revisions to the State Implementation Plan submitted by the Rhode Island Department of Environmental Management on April 28, 1989, approving a renewal of a sulfur dioxide bubble for the University of Rhode Island originally approved at paragraph (c)(21), of this section.

(i) Incorporation by reference.

(A) A renewal of an emissions bubble for the University of Rhode Island effective December 26, 1986.

(35) Revisions to the State Implementation Plan submitted by the Rhode Island Department of Environmental Management on April 26, 1990, which define and impose RACT to control volatile organic compound emissions from Providence Metallizing in Pawtucket, Rhode Island.

(i) Incorporation by reference.

(A) Letter from the Rhode Island Department of Environmental Management dated April 26, 1990, submitting a revision to the Rhode Island State Implementation Plan.

(B) An administrative consent agreement (87–2–AP) between the Rhode Island Department of Environmental Management and Providence Metallizing effective July 24, 1987.

(C) An amendment to the administrative consent agreement (87–2–AP) between the Rhode Island Department of Environmental Management and Providence Metallizing effective May 4, 1989.

(D) An addendum to the administrative consent agreement (87–2–AP) between the Rhode Island Department of Environmental Management and Providence Metallizing effective April 24, 1990.

(ii) Additional materials.

(A) Nonregulatory portions of the State submittal.

(36) Revisions to the State Implementation Plan submitted by the Rhode Island Department of Environmental Management on May 24, 1990, which define and impose RACT to control volatile organic compound emissions from Tillotson-Pearson in Warren, RhodeIsland.

(i) Incorporation by reference.

(A) Letter from the Rhode Island Department of Environmental Management dated May 24, 1990 submitting a revision to the Rhode Island State Implementation Plan.

(B) An Administrative consent agreement (90–1–AP) between the Rhode Island Department of Environmental Management and Tillotson-Pearson effective June 5, 1990.

(37) Revisions to the State Implementation Plan submitted by the Rhode Island Department of Environmental Management dated November 3, 1989, November 21, 1989, February 1, 1990 and September 19, 1990.

(i) Incorporation by reference.

(A) Letters from the Rhode Island Department of Environmental Management dated November 3, 1989, November 21, 1989, February 1, 1990 and September 19, 1990 submitting revisions to the Rhode Island State ImplementationPlan.

(B) Amendments to Rhode Island's Air Pollution Control Regulation Number 6, amended and effective November 22, 1989.

(C) Amendments to Rhode Island's Air Pollution Control Regulation Numbers 11; 15, excluding subsections 15.1.16 and 15.2.2; 18, excluding subsections 18.1.8, 18.2.1, 18.3.2(d), 18.3.3(f), and 18.5.2; 19, excluding subsections 19.1.11, 19.2.2, and 19.3.2(a); and 21, except subsections 21.1.15 and 21.2.2, and portion of subsection 21.5.2(h) which states ''equivalent to'' in the parenthetical, amended and effective December 10, 1989.

(38) Revisions to the State Implementation Plan submitted by the Rhode Island Department of Environmental Management on May 22, 1991.

(i) Incorporation by reference.

(A) Letter from the Rhode Island Department of Environmental Management dated May 22, 1991 submitting a revision to the Rhode Island State Implementation Plan.

(B) Section 9.1.36 ''baseline concentration,'' section 9.1.39 ''increment,'' section 9.1.40 ''major source baseline date,'' section 9.1.42 ''minor source baseline date,'' section 9.1.43 ''net emissions increase,'' and section 9.15.1(c)(5)—exclusion from NO_2 increments due to SIP-approved temporary increases of emissions, of the Rhode Island Air Pollution Control Regulation No. 9 entitled ''Approval to Construct, Install, Modify or Operate,'' effective in the State on May 20, 1991.

(ii) Additional materials.

(A) Nonregulatory portions of the state submittal.

(39) Revisions to the State Implementation Plan submitted by the Rhode Island Department of Environmental Management on January 12, 1993.

(i) Incorporation by reference.

(A) Letter from the Rhode Island Department of Environmental Management, dated January 12, 1993, submitting a revision to the Rhode Island State Implementation Plan.

(B) Rhode Island Department of Environmental Protection, Division of Air and Hazardous Materials, Air Pollution Control Regulation No. 11, entitled ''Petroleum Liquids Marketing Storage,'' submitted to the Secretary of State on January 11, 1993.

(C) Letter from the Rhode Island Department of Environmental Protection, dated February 10, 1993, stating that Regulation No. 11 became effective on January 31, 1993, 20 days after being filed with the Secretary of State.

(ii) Additional materials.

(A) Nonregulatory portions of the submittal.

(40) Revisions to the State Implementation Plan submitted by the Rhode Island Department of Environmental Management on November 13, 1992.

(i) Incorporation by reference.

(A) Letter from the Rhode Island Department of Environmental Management dated November 13, 1992 submitting a revision to the Rhode Island State Implementation Plan.

(B) Rhode Island Department of Environmental Protection, Division of Air and Hazardous Materials, Air Pollution Control Regulations No. 19, entitled ''Control of Volatile Organic Compounds from Surface Coating Operations,'' submitted to the Secretary of State on October 30, 1992 and effective on November 20, 1992.

(C) Rhode Island Department of Environmental Protection, Division of Air and Hazardous Materials, Air Pollution Control Regulations No. 25, entitled ''Control of Volatile Organic Compound Emissions from Cutback and Emulsified Asphalt,'' submitted to the Secretary of State on October 30, 1992 and effective on November 20, 1992.

(D) Rhode Island Department of Environmental Protection, Division of Air and Hazardous Materials, Air Pollution Control Regulations No. 26, entitled ''Control of Organic Solvent Emissions from Manufacture of Synthesized Pharmaceutical Products,'' submitted to the Secretary of State on October 30, 1992 and effective on November 20, 1992.

(ii) Additional materials.

(A) Letter from the Rhode Island Department of Environmental Protection, dated February 10, 1993, clarifying the November 13, 1992 revision to the SIP.

(B) Nonregulatory portions of the submittal.

(41) Revisions to the State Implementation Plan submitted by the Rhode Island Department of Environmental Management on March 11, 1993.

(i) Incorporation by reference.

(A) Letter from the Rhode Island Department of Environmental Management dated March 5, 1993 submitting a revision to the Rhode Island State Implementation Plan.

(B) Rhode Island's Air Pollution Control Regulation No. 9 entitled, ''Air Pollution Control Permits,'' except for Chapter 9.13, Application for an Air Toxics Operating Permit; Chapter 9.14, Administrative Action: Air Toxics Operating Permits; and Chapter 9.15, Transfer of an Air Toxics Operating Permit; and Appendix A, Toxic Air Pollutants, Minimum Quantities. This regulation was effective in the State of Rhode Island on March 24, 1993.

(ii) Additional materials.

(A) A fact sheet on the proposed amendments to Regulation No. 9 entitled, ''Approval to Construct, Install, Modify or Operate''.

(B) Nonregulatory portions of the State submittal.

(42) Revisions to the State Implementation Plan submitted by the Rhode Island Department of Environmental Management on January 12, 1993.

(i) Incorporation by reference.

(A) Letter from the Rhode Island Department of Environmental Management dated January 12, 1993 submitting a revision to the Rhode Island State Implementation Plan.

(B) Revisions to Air Pollution Control Regulation No. 14, ''Record Keeping and Reporting,'' filed with the Secretary of State on January 11, 1993 and effective in the State of Rhode Island on January 31, 1993.

(ii) Additional materials.

(A) Nonregulatory portions of the submittal.

(43) Revisions to the State Implementation Plan submitted by the Rhode Island Department of Environmental Management on March 15, 1994.

(i) Incorporation by reference.

(A) Letter from the Rhode Island Department of Environmental Management dated March 15, 1994 submitting a revision to the Rhode Island State Implementation Plan.

(B) Rhode Island Department of Environmental Management, Division of Air Resources, Air Pollution Control Regulation No. 32, ''Control of Volatile Organic Compounds from Marine Vessel Loading Operations'' effective in the State of Rhode Island on March 31, 1994, with the exception of Section 32.2.2 which Rhode Island did not submit as part of the SIP revision.

(ii) Additional materials.

(A) Nonregulatory portions of the submittal.

(44) Revisions to the State Implementation Plan submitted by the Rhode Island Department of Environmental Management on June 27, 1995.

(i) Incorporation by reference.

(A) Letter from the Rhode Island Department of Environmental Management dated June 27, 1995 submitting a revision to the Rhode Island State Implementation Plan.

(B) The following portions of the Rules Governing the Control of Air Pollution for the State of Rhode Island effective on July 17, 1995: Air Pollution Control Regulation No. 30, Control of Volatile Organic Compounds from Automotive Refinishing Operations.

(45) Revisions to the State Implementation Plan submitted by the Rhode Island Department of Environmental Management on May 15, 1995

(i) Incorporation by reference.

(A) Letter from the Rhode Island Department of Environmental Protection dated May 15, 1995 submitting a revision to the Rhode Island State Implementation Plan.

(B) Air Pollution Control Regulation 29.3 ''Emissions Caps''; effective in the State of Rhode Island on May 18, 1995.

(ii) Additional materials.

(A) Non-regulatory portions of the submittal.

(46) A revision to the Rhode Island SIP regarding ozone monitoring. The State of Rhode Island will modify its SLAMS and its NAMS monitoring systems to include a PAMS network design and establish monitoring sites. The State's SIP revision satisfies 40 CFR 58.20(f) PAMS requirements.

(i) Incorporation by reference.

(A) Letter from the Rhode Island Department of Environmental Management dated January 14, 1994 submitting an amendment to the Rhode Island State Implementation Plan.

(B) Letter from the Rhode Island Department of Environmental Management dated June 14, 1994 submitting an amendment to the Rhode Island State Implementation Plan.

(C) Section VII of the Rhode Island State Implementation Plan, Ambient Air Quality Monitoring.

(47) Revisions to the State Implementation Plan submitted by the Rhode Island Department of Environmental Management on March 15, 1994.

(i) Incorporation by reference.

(A) Letter from the Rhode Island Department of Environmental Management dated March 15, 1994 submitting revisions to the Rhode Island State Implementation Plan.

(B) The following portions of the Rules Governing the Control of Air Pollution for the State of Rhode Island, with the exception of Section 31.2.2, effective 90 days after the date that EPA notifies Rhode Island that the State has failed to achieve a 15% reduction of VOC emission from the 1990 emission levels, in accordance with the contingency measure provisions of the Rhode Island SIP, (except for Section 31.5.2, which requires records of amount of product sold, beginning July, 1994.): Air Pollution Control Regulation No. 31, Control of Volatile Organic Compounds from Commercial and Consumer Products.

(C) The following portions of the Rules Governing the Control of Air Pollution for the State of Rhode Island, with the exception of Section 33.2.2, effective 90 days after the date that EPA notifies Rhode Island the State has failed to achieve a 15% reduction of VOC emission from the 1990 emission levels, in accordance with the contingency measure provisions of the Rhode Island SIP, (except for Section 33.5.2, which requires records of amount of product sold, beginning July, 1994.): Air Pollution Control Regulation No. 33, Control of Volatile Organic Compounds from Architectural and Industrial Maintenance Coatings.

(48) Revisions to the State Implementation Plan submitted by the Rhode Island Department of Environmental Management on September 17, 1996, which define and impose reasonably available control technology (RACT) to control nitrogen oxides emissions at major stationary sources in Rhode Island.

(i) Incorporation by reference.

(A) Letter from the Rhode Island Department of Environmental Management, dated September 17, 1996, submitting revisions to the Rhode Island State Implementation Plan.

(B) Regulation number 27, ''Control of Nitrogen Oxide Emissions,'' as adopted on December 27, 1995, effective January 16, 1996.

(C) An administrative consent agreement between Rhode Island Department of Environmental Management and Rhode Island Hospital, file no. 95–14–AP, effective on November 27, 1995.

(D) An administrative consent agreement between Rhode Island Department of Environmental Management and Osram Sylvania Incorporated, file no. 96–06–AP, effective on September 4, 1996.

(E) An air pollution permit approval, no. 1350, for Osram Sylvania Incorporated issued by the Rhode Island Department of Environmental Management on May 14, 1996 and effective on that date.

(49) Revisions to the State Implementation Plan submitted by the Rhode Island Department of Environmental Management on September 17, 1996, which define and impose alternative reasonably available control technology (RACT) requirements to control nitrogen oxides emissions at certain major stationary sources in Rhode Island.

(i) Incorporation by reference.

(A) Letter from the Rhode Island Department of Environmental Management dated September 17, 1996, submitting revisions to the Rhode Island State Implementation Plan.

(B) An administrative consent agreement between Rhode Island Department of Environmental Management and Algonquin Gas Transmission Company, file no. 95–52–AP, effective on December 5, 1995.

(C) An administrative consent agreement between Rhode Island Department of Environmental Management and Bradford Dyeing Association, Inc., file no. 95–28–AP, effective on November 17, 1995.

(D) An administrative consent agreement between Rhode Island Department of Environmental Management and Hoechst Celanese Corporation, file no. 95–62–AP, effective on November 20, 1995.

(E) An administrative consent agreement between Rhode Island Department of Environmental Management and University of Rhode Island, file no. 95–50–AP, effective on March 12, 1996.

(F) An administrative consent agreement between Rhode Island Department of Environmental Management and the Naval Education and Training Center in Newport, file no. 96–07–AP, effective on March 4, 1996.

(50) Revisions to the State Implementation Plan submitted by the Rhode Island Department of Environmental Management on September 21, 1998. The revisions consist of the State's 15 Percent plan and Contingency plan. The EPA is approving the calculation of the required emission reductions, and the emission reduction credit claimed from surface coating operations, printing operations, plant closures, cutback asphalt, synthetic pharmaceutical manufacturing, automobile refinishing, consumer and commercial products, architectural and industrial maintenance coatings, stage II vapor recovery, reformulated gasoline in on-road and off-road engines, tier I motor vehicle controls, and low emitting vehicles. EPA is taking no action at this time on the emission reduction credit claim made for the Rhode Island automobile inspection and maintenance program.

(i) Incorporation by reference.

(A) Letter from the Rhode Island Department of Environmental Management dated September 21, 1998 submitting a revision to the Rhode Island State Implementation Plan.

(51)–(53) [Reserved]

(54) Revisions to the State Implementation Plan submitted by the Rhode Island Department of Environmental Management on.

(i) Incorporation by reference.

(A) Letter from the Rhode Island Department of Environmental Management dated 9 August 1996 submitting a revision to the Rhode Island State Implementation Plan.

(B) Changes to Air Pollution Control Regulation Number 9.

For the State of Rhode Island.

(55) Revisions to the State Implementation Plan submitted by the Rhode Island Department of Environmental Management on February 13, 1998 and January 20, 1999 which define alternative NO_X RACT requirements and impose seasonal limitations on the emissions of nitrogen oxides at certain major stationary sources in Rhode Island.

(i) Incorporation by reference.

(A) Letters from the Rhode Island Department of Environmental Management, dated February 13, 1998 and January 20, 1999 submitting revisions to the Rhode Island State Implementation Plan.

(B) Regulation number 38, ''Nitrogen Oxides Allowance Program,'' as adopted on May 21, 1998, submitted on effective on June 10, 1998.

(C) An administrative consent agreement between Rhode Island Department of Environmental Management and Rhode Island Economic Development Corporation, file no. 96–04–AP, adopted and effective on September 2, 1997.

[37 FR 10891, May 31, 1972. Redesignated and amended at 64 FR 43085, Aug. 9, 1999]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.2087, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at *www.fdsys.gov*.

§ 52.2088 Control strategy: Ozone.

(a) *Revisions to the State Implementation Plan submitted by the Rhode Island Department of Environmental Management on September 21, 1998.* These revisions are for the purpose of satisfying the rate of progress requirement of section 182(c)(2)(B), and the contingency measure requirements of section 182(c)(9) of the Clean Air Act, for the Providence serious ozone nonattainment area.

(b) Approval—Revisions to the state implementation plan submitted by the Rhode Island Department of Environmental Management on March 24, 2003. The revisions are for the purpose of satisfying the one-hour ozone attainment demonstration requirements of section 182(c)(2)(A) of the Clean Air Act, for the Rhode Island serious ozone nonattainment area. The revision establishes a one-hour attainment date of November 15, 2007 for the Rhode Island serious ozone nonattainment area, and approves the contingency measures

for purposes of attainment. This revision establishes motor vehicle emissions budgets for 2007 of 30.68 tons per day of volatile organic compounds and 33.97 tons per day of nitrogen oxides to be used in transportation conformity in the Rhode Island serious ozone nonattainment area. Rhode Island also commits to conduct a mid-course review to assess modeling and monitoring progress achieved towards the goal of attainment by 2007, and to submit the results to EPA by December 31, 2004.

(c) Determination of Attainment. Effective July 6, 2010, EPA is determining that the Providence (All of Rhode Island) 8-hour ozone nonattainment area has attained the 1997 8-hour ozone standard. Under the provisions of EPA's ozone implementation rule (*see* 40 CFR 51.918), this determination suspends the reasonable further progress and attainment demonstration requirements of section 182(b)(1) and related requirements of section 172(c)(9) of the Clean Air Act for as long as the area does not monitor any violations of the 1997 8-hour ozone standard. If a violation of the 1997 ozone NAAQS is monitored in the Providence (All of Rhode Island) 8-hour ozone nonattainment area, this determination shall no longer apply.

(d) *Determination of Attainment*. Effective November 22, 2010, EPA is determining that the Providence (All of Rhode Island) 8-hour ozone nonattainment area has attained the 1997 8-hour ozone standard based on 2007–2009 monitoring data. Under the provisions of EPA's ozone implementation rule (see 40 CFR 51.918), this determination suspends the reasonable further progress and attainment demonstration requirements of section 182(b)(1) and related requirements of section 172(c)(9) of the Clean Air Act for as long as the area does not monitor any violations of the 1997 8-hour ozone standard. If a violation of the 1997 ozone NAAQS is monitored in the Providence (All of Rhode Island) 8-hour ozone nonattainment area, this determination shall no longer apply. In addition, this area met its June 15, 2010 attainment deadline for the 1997 ozone standard.

(e) Revisions to the State Implementation Plan submitted by the Rhode Island Department of Environmental Management on April 30, 2008. The revision is for the purpose of satisfying the rate of progress requirement of section 182(b)(1) from 2002 through 2008, and the contingency measure requirement of sections 172(c)(9) and of the Clean Air Act, for the Providence moderate ozone nonattainment area. The revision establishes motor vehicle emission budgets for 2008 of 24.64 tons per day of volatile organic compounds and 28.26 tons per day of nitrogen oxides to be used in transportation conformity in the Providence moderate 8-hour ozone nonattainment area.

[66 FR 30815, June 8, 2001, as amended at 68 FR 16724, Apr. 7, 2003; 75 FR 31290, June 3, 2010; 75 FR 64951, Oct. 22, 2010; 77 FR 50601, Aug. 22, 2012]

§ 52.2089 Control strategy: carbon monoxide.

(a) Approval—On September 22, 2008, the Rhode Island Department of Environmental Management submitted a request to establish a limited maintenance plan for the Providence Rhode Island carbon monoxide attainment area for the remainder of the second ten-year maintenance plan. The State of Rhode Island has committed to year round carbon monoxide monitoring at the East Providence Photochemical Assessment Monitoring Station (PAMS) site; re-establishing downtown Providence CO monitoring if criteria specified in the Limited Maintenance Plan are triggered; and, ensuring that project-level carbon monoxide evaluations of transportation projects in the maintenance area are conducted. The limited maintenance plan satisfies all applicable requirements of section 175A of the Clean Air Act. Approval of a limited maintenance plan is conditioned on maintaining levels of ambient carbon monoxide levels below the required limited maintenance plan 8-hour carbon monoxide design value criterion of 7.65 parts per million. If the Limited Maintenance Plan criterion is no longer satisfied, Rhode Island must develop a full maintenance plan to meet Clean Air Act requirements.

(b) [Reserved]

[74 FR 12559, Mar. 25, 2009]

Subpart PP—South Carolina

§ 52.2120 Identification of plan.

(a) *Purpose and scope.* This section sets forth the applicable State implementation plan (SIP) for South Carolina 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 paragraphs (c) and (d) of this section with an EPA approval date prior to July 31, 2009, for South Carolina 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 July 31, 2009, for South Carolina will be incorporated by reference in the next update to the SIP compilation.

(2) EPA Region 4 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 the dates referenced in paragraph (b)(1).

(3) Copies of the materials incorporated by reference may be inspected at the Region 4 EPA Office at 61 Forsyth Street, SW., Atlanta, GA 30303 the Air and Radiation Docket and Information Center, EPA Headquarters Library, Infoterra Room (Room Number 3334), EPA West Building, 1301 Constitution Ave., NW., Washington, DC 20460, and the National Archives and Records Administration. If you wish to obtain materials from a docket in the EPA Headquarters Library, please call the Office of Air and Radiation (OAR) Docket/Telephone number: (202) 566–1742. For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal-register/cfr/ibr-locations.html.*

(c) *EPA approved regulations.*

AIR POLLUTION CONTROL REGULATIONS FOR SOUTH CAROLINA

State citation	Title/subject	State effective date	EPA approval date	FEDERAL REGISTER notice
Regulation No. 62.1	Definitions and General Requirements	6/26/1998	8/10/2004	69 FR 48395
Section I	Definitions	11/26/2010	4/3/13	78 FR 19997
Section II	Permit Requirements	6/24/2005	6/2/2008	73 FR 31368
Section III	Emissions Inventory	2/25/2005	12/7/2006	71 FR 70880
Section IV	Source Tests	6/27/2003	8/10/2004	69 FR 48395
Section V	Credible Evidence	7/27/2001	11/13/2002	67 FR 68767
Regulation No. 62.2	Prohibition of Open Burning	6/25/2004	8/26/2005	70 FR 50195
Regulation No. 62.3	Air Pollution Episodes			
Section I	Episode Criteria	10/26/2001	5/7/2002	67 FR 30594
Section II	Emission Reduction Requirements	4/22/1988	10/3/1989	54 FR 40659
Regulation No. 62.4	Hazardous Air Pollution Conditions	12/20/1978	1/29/1980	45 FR 6572
Regulation No. 62.5	Air Pollution Control Standards			
Standard No. 1	Emissions from Fuel Burning Operations			
Section I	Visible Emissions	10/26/2001	5/7/2002	67 FR 30594
Section II	Particulate Matter Emissions	4/22/1988	10/3/1989	54 FR 40659
Section III	Sulfur Dioxide Emissions	3/3/1983	10/29/1984	49 FR 43469
Section IV	Opacity Monitoring Requirements	4/22/1988	7/2/1990	55 FR 27226
Section V	Exemptions	5/24/1985	10/3/1989	54 FR 40659
Section VI	Periodic Testing	6/26/1998	8/10/2004	69 FR 48395
Section VII	[Reserved]			
Standard No. 2	Ambient Air Quality Standards	4/27/2012	4/3/13	78 FR 19997
Standard No. 4	Emissions From Process Industries			
Section I	General	2/28/1986	2/17/1987	52 FR 4772
Section II	Sulfuric Acid Manufacturing	2/28/1986	2/17/1987	52 FR 4772
Section III	Kraft Pulp and Paper Manufacturing Plants	4/22/1988	10/3/1989	54 FR 40659
Section IV	Portland Cement Manufacturing	2/28/1986	2/17/1987	52 FR 4772
Section V	Cotton Gins	10/26/2001	5/7/2002	67 FR 30594
Section VI	Hot Mix Asphalt Manufacturing	5/24/1985	10/3/1989	54 FR 40659
Section VII	Metal Refining	2/28/1986	2/17/1987	52 FR 4772
Section VIII	Other Manufacturing	10/26/2001	5/7/2002	67 FR 30594
Section IX	Visible Emissions	4/22/1988	7/2/1990	55 FR 27226
Section X	Non-Enclosed Operations	4/22/1988	7/2/1990	55 FR 27226
Section XI	Total Reduced Sulfur Emissions of Kraft Pulp Mills	10/26/2001	5/7/2002	67 FR 30594

AIR POLLUTION CONTROL REGULATIONS FOR SOUTH CAROLINA—Continued

State citation	Title/subject	State effective date	EPA approval date	FEDERAL REGISTER notice
Section XII	Periodic Testing	6/26/1998	8/10/2004	69 FR 48395
Section XIII	[Reserved]			
Standard No. 5	Volatile Organic Compounds.			
Section I	General Provisions	10/26/2001	5/7/2002	67 FR 30594
Part A	Definitions	10/26/2001	5/7/2002	67 FR 30594
Part B	General Applicability	10/26/2001	5/7/2002	67 FR 30594
Part C	Alternatives and Exceptions to Control Requirements	10/26/2001	5/7/2002	67 FR 30594
Part D	Compliance Schedules	10/26/2001	5/7/2002	67 FR 30594
Part E	Volatile Organic Compound Compliance Testing	6/26/1998	8/10/2004	69 FR 48395
Part F	Recordkeeping, Reporting, Monitoring	10/26/2001	5/7/2002	67 FR 30594
Part G	Equivalency Calculations	10/26/2001	5/7/2002	67 FR 30594
Section II	Provisions for Specific Sources.			
Part B	Surface Coating of Coils	8/24/1990	2/4/1992	57 FR 4158
Part C	Surface Coating of Paper, Vinyl, and Fabric	8/24/1990	2/4/1992	57 FR 4158
Part D	Surface Coating of Metal Furniture and Large Appliances	8/24/1990	2/4/1992	57 FR 4158
Part E	Surface Coating of Magnet Wire	10/26/2001	5/7/2002	67 FR 30594
Part F	Surface Coating of Miscellaneous Metal Parts and Products.	10/26/2001	5/7/2002	67 FR 30594
Part G	Surface Coating of Flat Wood Paneling	2/25/1983	10/31/1983	48 FR 50078
Part H	Graphic Arts—Rotogravure Flexography	2/25/1983	10/31/1983	48 FR 50078
Part I	[Reserved]			
Part J	[Reserved]			
Part K	[Reserved]			
Part L	[Reserved]			
Part M	[Reserved]			
Part N	Solvent Metal Cleaning	10/26/2001	5/7/2002	67 FR 30594
Part O	Petroleum Liquid Storage in Fixed Roof Tanks	2/25/1983	10/31/1983	48 FR 50078
Part P	Petroleum Liquid Storage in External Floating Roof Tanks	2/25/1983	10/31/1983	48 FR 50078
Part Q	Manufacture of Synthesized Pharmaceutical Products	10/24/2008	4/3/13	78 FR 19997
Part R	Manufacture of Pneumatic Rubber Tires	2/25/1983	10/31/1983	48 FR 50078
Part S	Cutback Asphalt	6/13/1979	12/16/1981	46 FR 61268
Part T	Bulk Gasoline Terminals and Vapor Collection Systems	2/25/1983	10/31/1983	48 FR 50078
Standard No. 5.2	Control of Oxides of Nitrogen (NO_X)	6/25/2004	8/26/2005	70 FR 50195
Standard No. 6	Alternative Emission Limitation Options (''Bubble'')	10/26/2001	5/7/2002	67 FR 30594
Section I	General			
Section II	Conditions for Approval			
Part A	Emissions of Total Suspended Particulate or Sulfur Dioxide.	10/26/2001	5/7/2002	67 FR 30594
Part B	Emissions of Volatile Organic Compounds	10/26/2001	5/7/2002	67 FR 30594
Part C	Emissions of Nitrogen Dioxide, Carbon Monoxide, or Lead	10/26/2001	5/7/2002	67 FR 30594
Part D	Designated Pollutants	10/26/2001	5/7/2002	67 FR 30594
Part E	De Minimis Cases	10/26/2001	5/7/2002	67 FR 30594
Section III	Enforceability			
Standard No. 7	Prevention of Significant Deterioration[1]	4/27/2012	4/3/13	78 FR 19997
Standard No. 7.1	Nonattainment New Source Review[1]	2/25/2011	6/23/2011	76 FR 36875.
Section I	Definitions	6/24/2005	6/2/2008	73 FR 31368
Section II	Ambient Air Limits	6/24/2005	6/2/2008	73 FR 31368
Section III	Review of Major Plants and Major Modifications—Applicability and Exemptions.	6/24/2005	6/2/2008	73 FR 31368
Section IV	Review Requirements—Supplement C	4/26/1996	8/20/1997	62 FR 44218
Regulation No. 62.6	Control of Fugitive Particulate Matter	5/24/1985	10/3/1989	54 FR 40659
Section I	Control of Fugitive Particulate Matter in Non-Attainment Areas.	5/24/1985	10/3/1989	54 FR 40659
Section II	Control of Fugitive Particulate Matter in Problem Areas	5/24/1985	10/3/1989	54 FR 40659
Section III	Control of Fugitive Particulate Matter Statewide	5/24/1985	10/3/1989	54 FR 40659
Section IV	Effective Date	5/24/1985	10/3/1989	54 FR 40659
Regulation No. 62.7	Good Engineering Practice Stack Height	5/23/1986	5/28/1987	52 FR 19858
Section I	General	5/23/1986	5/28/1987	52 FR 19858
Section II	Applicability	5/23/1986	5/28/1987	52 FR 19858
Section III	Definitions and Conditions	5/23/1986	5/28/1987	52 FR 19858
Section IV	Public Participation	5/23/1986	5/28/1987	52 FR 19858
Regulation No. 62.96	Nitrogen Oxides (NO_X) and Sulfur Dioxide (SO_2) Budget Trading Program General Provisions.	10/24/2008	10/16/2009	74 FR 53167
Regulation No. 62.99	Nitrogen Oxides (NO_X) Budget Program Requirements for Stationary Sources Not in the Trading Program.	5/24/2002	6/28/2002	67 FR 43546
S.C. Code Ann.	Ethics Reform Act			
Section 8–13–100(31).	Definitions	1/1/1992	8/1/2012	77 FR 45492
Section 8–13–700(A) and (B).	Use of official position or office for financial gain; disclosure of potential conflict of interest.	1/1/1992	8/1/2012	77 FR 45492

AIR POLLUTION CONTROL REGULATIONS FOR SOUTH CAROLINA—Continued

State citation	Title/subject	State effective date	EPA approval date	FEDERAL REGISTER notice
Section 8–13–730 ...	Membership on or employment by regulatory agency of person associated with regulated business.	1/1/1992	8/1/2012	77 FR 45492

[1] This regulation (submitted on April 14, 2009) includes the phrase ''except ethanol production facilities producing ethanol by natural fermentation under the North American Industry Classification System (NAICS) codes 325193 or 312140,'' (at *Regulation 61–62.5, Standard No. 7(b)(32)(i)(a) and (iii)(b)(t), (42)(i)1(viii)(t) and Regulation 61–62.5, Standard No. 7.1(c)7(C)(xx) and (e)(T))* as amended in the Ethanol Rule. *See* 72 FR 24060 (May 1, 2007). EPA has not yet taken action to approve this phrase in the South Carolina SIP.

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

EPA-APPROVED SOUTH CAROLINA SOURCE-SPECIFIC REQUIREMENTS

Name of source	Permit No.	State effective date	EPA approval date	Comments
Transcontinental Gas Pipeline Corporation Station 140.	2060–0179–CD	4/27/2004	4/23/2009, 74 FR 18471	This permit is incorporated in fulfillment of the NO_X SIP Call Phase II requirements for South Carolina.

(e) *EPA-approved South Carolina non-regulatory provisions.*

Provision	State effective date	EPA approval date	Explanation
Cherokee County Ozone Attainment Demonstration and Ten-year Maintenance Plan.	6/26/1998	12/18/1998, 63 FR 70019.	
Cherokee County Ozone Ten Year Maintenance Plan.	1/31/2002	4/26/2002, 67 FR 20647.	
Transportation Conformity	10/24/2003	1/29/2004, 69 FR 4245.	
Attainment Demonstration for the Appalachian, Catawba, Pee Dee, Waccamaw, Santee Lynches, Berkeley-Charleston-Dorchester, Low Country, Lower Savannah, Central Midlands, and Upper Savannah Early Action Compact Areas.	6/25/2004	8/26/2005, 70 FR 50195.	
South Carolina Transportation Conformity Air Quality Implementation Plan.	11/19/2008	7/28/2009, 74 FR 37168.	
Cherokee County 110(a)(1) Maintenance Plan for the 1997 8-Hour Ozone Standard.	12/13/2007	7/31/2009, 74 FR 26099.	
South Carolina 110(a)(1) and (2) Infrastructure Requirements for the 1997 8-Hour Ozone National Ambient Air Quality Standards.	12/13/2007	07/13/2011, 76 FR 41111	For the 1997 8-hour ozone NAAQS.
Applicability of Reasonably Available Control Technology for the Portion of York County, South Carolina.	8/31/2007	11/28/11 ..... 76 FR 72844	Demonstration for Bowater Coated Paper Division; for Cytec Carbon Fibers; and for Georgia-Pacific—Catawba Hardboard Plant.
Negative Declaration for Applicability of Groups I Control Techniques Guidelines for York County, South Carolina.	8/31/2007	11/28/11 ..... 76 FR 72844	Applicable to the 1997 8-hour Ozone boundary in York County only (Rock Hill-Fort Mill Area Transportation Study Metropolitan Planning Organization Area).
Negative Declaration for Applicability of Group II Control Techniques Guidelines for York County, South Carolina.	8/31/2007	11/28/11 ..... 76 FR 72844	Applicable to the 1997 8-hour Ozone boundary in York County only (Rock Hill-Fort Mill Area Transportation Study Metropolitan Planning Organization Area).
Negative Declaration for Applicability of Group III Control Techniques Guidelines for York County, South Carolina.	2/23/2009	11/28/11 ..... 76 FR 72844	Applicable to the 1997 8-hour Ozone boundary in York County only (Rock Hill-Fort Mill Area Transportation Study Metropolitan Planning Organization Area).

Provision	State effective date	EPA approval date	Explanation
Negative Declaration for Applicability of Group IV Control Techniques Guidelines for York County, South Carolina.	7/7/2009	11/28/11 ..... 76 FR 72844	Applicable to the 1997 8-hour Ozone boundary in York County only (Rock Hill-Fort Mill Area Transportation Study Metropolitan Planning Organization Area).
South Carolina portion of bi-state Charlotte; 1997 8-Hour Ozone 2002 Base Year Emissions Inventory.	04/29/2010	05/18/2012, 77 FR 29540	Applicable to the 1997 8-hour Ozone boundary in York County only (Rock Hill-Fort Mill Area Transportation Study Metropolitan Planning Organization Area).
Regional haze plan	12/17/2007	6/28/2012	77 FR 38509.
South Carolina portion of bi-state Charlotte; 1997 8-Hour Ozone Emissions Statement.	04/29/2010	6/25/2012, 77 FR 37815	Applicable to the 1997 8-hour Ozone boundary in York County only (Rock Hill-Fort Mill Area Transportation Study Metropolitan Planning Organization Area).
110(a)(1) and (2) Infrastructure Requirements for 1997 Fine Particulate Matter National Ambient Air Quality Standards.	4/14/2008	8/1/2012, 77 FR 45494.	
110(a)(1) and (2) Infrastructure Requirements for 2006 Fine Particulate Matter National Ambient Air Quality Standards.	9/18/2009	8/1/2012, 77 FR 45494.	
110(a)(1) and (2) Infrastructure Requirements for 1997 and 2006 Fine Particulate Matter National Ambient Air Quality Standards Elements 110(a)(1) and (2) (E)(ii) and (G).	4/3/2012	8/1/2012, 77 FR 45494.	
110(a)(2)(D)(i)(I) Infrastructure Requirements for the 2006 24-hour $PM_{2.5}$ NAAQS.	9/18/2009	10/11/2012, 77 FR 61727	EPA partially disapproved this SIP submission to the extent that it relied on the Clean Air Interstate Rule to meet the 110(a)(2)(D)(i)(I) requirements for the 2006 24-hour $PM_{2.5}$ NAAQS.
York County 1997 8-hour ozone reasonable further progress plan.	08/31/07	10/15/12, 77 FR 62454	Original submission.
Update for York County 1997 8-hour ozone reasonable further progress plan.	04/29/10	10/15/12, 77 FR 62454	Original submission updated to include required 2008 VOC MVEB.
1997 8-hour ozone Maintenance Plan for the South Carolina portion of the bi-state Charlotte Area.	June 1, 2011	12/26/12, 77 FR 75862	Applicable to the 1997 8-hour ozone boundary in York County only (Rock Hill-Fort Mill Area Transportation Study Metropolitan Planning Organization Area).
110(a)(1) and (2) Infrastructure Requirements for 1997 Fine Particulate Matter National Ambient Air Quality Standards.	4/14/2008	4/12/2013, 78 FR 21845	Addressing element 110(a)(2)(D)(i)(II) prong 3 only
110(a)(1) and (2) Infrastructure Requirements for 2006 Fine Particulate Matter National Ambient Air Quality Standards.	9/18/2009	4/12/2013, 78 FR 21845	Addressing element 110(a)(2)(D)(i)(II) prong 3 only
110(a)(1) and (2) Infrastructure Requirements for 1997 Fine Particulate Matter National Ambient Air Quality Standards.	4/14/2008	5/7/2014, 79 FR 26149	Addressing prong 4 of section 110(a)(2)(D)(i) only.
110(a)(1) and (2) Infrastructure Requirements for 2006 Fine Particulate Matter National Ambient Air Quality Standards.	9/18/2009	5/7/2014, 79 FR 26149	Addressing prong 4 of section 110(a)(2)(D)(i) only.

[62 FR 35444, July 1, 1997]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.2120, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at *www.fdsys.gov*.

§ 52.2121 Classification of regions.

The South Carolina plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
Augusta (Georgia)-Aiken (South Carolina) Interstate	I	I	III	III	III
Metropolitan Charlotte Interstate	I	II	III	III	I
Camden-Sumter Intrastate	II	III	III	III	III
Charleston Intrastate	I	I	III	III	III
Columbia Intrastate	II	III	III	III	III
Florence Intrastate	III	III	III	III	III
Georgetown Intrastate	II	III	III	III	III
Greenville-Spartanburg Intrastate	I	III	III	III	III
Greenwood Intrastate	III	III	III	III	III
Savannah (Georgia)-Beaufort (South Carolina) Interstate	I	I	III	III	III

§ 52.2122 Approval status.

(a) With the exceptions set forth in this subpart, the Administrator approves South Carolina's plan for the attainment and maintenance of the national standards under section 110 of the Clean Air Act. Furthermore, the Administrator finds that the plan satisfies all requirements of part D, title 1, of the Clean Air Act as amended in 1977.

(b) EPA disapproved South Carolina's generic bubble regulation submitted for approval into the State Implementation Plan (SIP) on June 5, 1985.

(c)(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 (c), 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 CO_2e 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 CO_2e or more; and,

(3) Beginning July 1, 2011, in addition to the provisions in paragraph (c)(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 CO_2e; or

(ii) At an existing stationary source that emits or has the potential to emit 100,000 tpy CO_2e, 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 CO_2e or more.

(4) For purposes of this paragraph (c)—

(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 CO_2 equivalent emissions (CO_2e) 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 (c)(4)(ii)(A) of this section for each gas to compute a tpy CO_2e.

(iii) The term emissions increase shall mean that both a significant emissions increase (as calculated using the procedures in South Carolina Air Pollution Control Regulations and Standards (South Carolina Regulations) 61–62.5, Standard No. 7, paragraph (a)(2)(iv)) and a significant net emissions increase (as defined in South Carolina Air Pollution Control Regulations and Standards (South Carolina Regulations) 61–62.5, Standard No. 7, paragraphs (b)(34) and (b)(49)(i)) occur. For the pollutant GHGs, an emissions increase shall be based on tpy CO_2e, and shall be calculated assuming the pollutant GHGs is a regulated NSR pollutant, and ''significant'' is defined as 75,000 tpy CO_2e instead of applying the value in South Carolina Air Pollution Control Regulations and Standards (South Carolina Regulations) 61–62.5, Standard No. 7, paragraph (b)(49)(ii).

(d) Regulation 61–62.5 Standard No. 7—This regulation (submitted on July 1, 2005) includes two portions of EPA's 2002 NSR Reform Rules that were vacated by the D.C. Circuit Court—Pollution Control Projects (PCPs) and clean units. As a result, EPA is disapproving all rules and/or rule sections in the South Carolina PSD rules referencing clean units or PCPs. Specifically, the following South Carolina rules are being disapproved: (a)(2)(iv)(e); (a)(2)(iv)(f) (second sentence only); (a)(2)(vi); (b)(12); (b)(30)(iii)(h); (b)(34)(iii)(b); (b)(34)(vi)(d); (b)(35); (r)(6)—only the reference to the term ''clean unit'' is being disapproved. The remainder of this regulatory provision is being approved); (r)(7)—only the reference to the term ''clean unit'' is being disapproved. The remainder of this regulatory provision is being approved); (x); (y) and (z).

(e) Regulation 61–62.5 Standard No. 7.1—EPA is disapproving two provisions of South Carolina's NNSR program (submitted on July 1, 2005) that relate to provisions that were vacated from the federal program by the United States Court of Appeals for the District of Columbia Circuit on June 24, 2005. The two provisions vacated from the federal rules pertain to Pollution Control Projects (PCPs) and clean units. The PCP and clean unit references are severable from the remainder of the NNSR program. Specifically, the following sections of South Carolina Regulation 61–62.5 Standard No. 7.1 are being disapproved: (b)(5); (b)(6)—Second sentence only; (b)(8); (c)(4); (c)(6)(C)(viii); (c)(8)(C)(iii); (c)(8)(E)(v); (c)(10); (d)(1)(C)(ix); (d)(1)(C)(x); (d)(3)—Only the reference to the term ''clean unit'' is being disapproved. The remainder of this regulatory provision is being approved; (d)(4)—Only the reference to the term ''clean unit'' is being disapproved. The remainder of this regulatory provision is being approved; (f); (g) and (h). These disapprovals were amended in 73 FR 31371, (June 2, 2008)

[45 FR 6575, Jan. 29, 1980, as amended at 60 FR 12702, Mar. 8, 1995; 75 FR 82560, Dec. 30, 2010; 76 FR 36879, June 23, 2011; 79 FR 30051, May 27, 2014]

§ 52.2124 Legal authority.

(a)–(c) [Reserved]

(d) The requirements of § 51.230(d) of this chapter are not met since statutory authority to prevent construction, modification, or operation of a facility, building, structure, or installation, or combination thereof, which indirectly results or may result in emissions of any air pollutant at any location which will prevent the maintenance of a national air quality standard is not adequate.

[37 FR 10892, May 31, 1972, as amended at 39 FR 7284, Feb. 25, 1974; 41 FR 10065, Mar. 9, 1976; 51 FR 40676, Nov. 7, 1986]

§ 52.2125 Control strategy: Ozone.

(a) *Determination of attaining data.* EPA has determined, as of November 15, 2011, the bi-state Charlotte-Gastonia-Rockhill, North Carolina-South Carolina nonattainment area has attaining data for the 1997 8-hour ozone NAAQS. This determination, in accordance with 40 CFR 51.918, 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 standards for as long as this area continues to meet the 1997 8-hour ozone NAAQS.

(b) Based upon EPA's review of the air quality data for the 3-year period

2008–2010, EPA determined that the Charlotte-Gastonia-Rock Hill, North Carolina-South Carolina, 1997 8-hour ozone nonattainment Area attained the 1997 8-hour ozone NAAQS by the applicable attainment date of June 15, 2011. Therefore, EPA has met the requirement pursuant to CAA section 181(b)(2) to determine, based on the Area's air quality as of the attainment date, whether the Area attained the standard. EPA also determined that the Charlotte-Gastonia-Rock Hill, North Carolina-South Carolina, 1997 8-hour ozone nonattainment Area is not subject to the consequences of failing to attain pursuant to section 181(b)(2).

[76 FR 70660, Nov. 15, 2011, as amended at 77 FR 13494, Mar. 7, 2012]

§ 52.2126 VOC rule deficiency correction.

Sections I and II of South Carolina's Regulations 62.1 and 62.5 is approved. The State submitted these regulations to EPA for approval on September 18, 1990. Sections I and II of Regulation 62.5 were intended to correct deficiencies cited in a letter calling for the State to revise its SIP for ozone from Mr. Greer C. Tidwell, the EPA Regional Administrator, to Governor Carroll A. Campbell on May 26, 1988, and clarified in a letter from Mr. Winston A. Smith, EPA Region IV, Air, Pesticides and Toxics Management Division, to Mr. Otto E. Pearson, former Director of the South Carolina Department of Health and Environmental Control:

(a) South Carolina's VOC regulations contain no method for determining capture efficiency. This deficiency must be corrected after EPA publishes guidance on the methods for determining capture efficiency before the SIP for ozone can be fully approved.

(b) [Reserved]

[57 FR 4161, Feb. 4, 1992, as amended at 59 FR 17937, Apr. 15, 1994]

§§ 52.2127–52.2129 [Reserved]

§ 52.2130 Control strategy: Sulfur oxides and particulate matter.

In letters dated May 7, and December 2, 1986, the South Carolina Department of Health and Environmental Control certified that no emission limits in the State's plan are based on dispersion techniques not permitted by EPA's stack height rules. This certification does not apply to Public Service Authority—Winyah, Bowater, and SCE & G—Williams.

[79 FR 30051, May 27, 2014]

§ 52.2131 Significant deterioration of air quality.

(a)–(b) [Reserved]

(c) All applications and other information required pursuant to § 52.21 from sources located in the State of South Carolina shall be submitted to the State agency, South Carolina Department of Health and Environmental Control, 2600 Bull Street, Columbia, South Carolina 29201, rather than to EPA's Region 4 office.

[42 FR 4124, Jan. 24, 1977, as amended at 47 FR 6018, Feb. 10, 1982; 74 FR 55143, Oct. 27, 2009]

§ 52.2132 Visibility protection.

(a) [Reserved]

(b) Regulation for visibility monitoring. The provisions of § 52.26 are hereby incorporated and made a part of the applicable plan for the State of South Carolina.

(c) *Long-term strategy*. The provisions of § 52.29 are hereby incorporated and made part of the applicable plan for the State of South Carolina.

(d) *Regional Haze*. The requirements of section 169A of the Clean Air Act are not met because the regional haze plan submitted by South Carolina on December 17, 2007, does not include fully approvable measures for meeting the requirements of 40 CFR 51.308(d)(3) and 51.308(e) with respect to emissions of NO_X and SO_2 from electric generating units. EPA has given limited disapproval to the plan provisions addressing these requirements.

(e) *Measures Addressing Limited Disapproval Associated with NO_X*. The deficiencies associated with NO_X identified in EPA's limited disapproval of the regional haze plan submitted by South Carolina on December 17, 2007, are satisfied by § 52.2140.

(f) *Measures Addressing Limited Disapproval Associated with SO_2*. The deficiencies associated with SO_2 identified in EPA's limited disapproval of the regional haze plan submitted by South

Carolina on December 17, 2007, are satisfied by § 52.2141.

[50 FR 28553, July 12, 1985, as amended at 52 FR 45137, Nov. 24, 1987; 77 FR 33658, June 7, 2012; 77 FR 38515, June 28, 2012]

§ 52.2133 General conformity.

The General Conformity regulations adopted into the South Carolina State Implementation Plan which were submitted on November 8, 1996. South Carolina incorporated by reference regulations 40 CFR part 51, subpart W—determining conformity of General Federal Actions to State or Federal Implementation Plans.

[62 FR 32538, June 16, 1997]

§ 52.2134 Original identification of plan section.

(a) This section identified the original ''Air Implementation Plan for the State of South Carolina'' and all revisions submitted by South Carolina that were federally approved prior to July 1, 1997. The information in this section is available in the 40 CFR, part 52 edition revised as of July 1, 1999, the 40 CFR, part 52, Volume 2 of 2 (§§ 52.1019 to End) editions revised as of July 1, 2000 through July 1, 2011, and the 40 CFR, part 52, Volume 3 of 3 (§§ 52.2020 to End) editions revised as of July 1, 2012.

(b)–(c) [Reserved]

[79 FR 30051, May 27, 2014]

§ 52.2140 Interstate pollutant transport provisions; What are the FIP requirements for decreases in emissions of nitrogen oxides?

(a)(1) The owner and operator of each source and each unit located in the State of South Carolina and Indian country within the borders of the State and for which requirements are set forth under the TR NO_X Annual Trading Program in subpart AAAAA of part 97 of this chapter must comply with such requirements. The obligation to comply with such requirements with regard to sources and units in the State will be eliminated by the promulgation of an approval by the Administrator of a revision to South Carolina's State Implementation Plan (SIP) as correcting in part the SIP's deficiency that is the basis for the TR Federal Implementation Plan under § 52.38(a), except to the extent the Administrator's approval is partial or conditional. The obligation to comply with such requirements with regard to sources and units located in Indian country within the borders of the State will not be eliminated by the promulgation of an approval by the Administrator of a revision to South Carolina's SIP.

(2) Notwithstanding the provisions of paragraph (a)(1) of this section, if, at the time of the approval of South Carolina's SIP revision described in paragraph (a)(1) of this section, the Administrator has already started recording any allocations of TR NO_X Annual allowances under subpart AAAAA of part 97 of this chapter to units in the State for a control period in any year, the provisions of subpart AAAAA of part 97 of this chapter authorizing the Administrator to complete the allocation and recordation of TR NO_X Annual allowances to units in the State for each such control period shall continue to apply, unless provided otherwise by such approval of the State's SIP revision.

(b)(1) The owner and operator of each source and each unit located in the State of South Carolina and Indian country within the borders of the State and for which requirements are set forth under the TR NO_X Ozone Season Trading Program in subpart BBBBB of part 97 of this chapter must comply with such requirements. The obligation to comply with such requirements with regard to sources and units in the State will be eliminated by the promulgation of an approval by the Administrator of a revision to South Carolina's State Implementation Plan (SIP) as correcting in part the SIP's deficiency that is the basis for the TR Federal Implementation Plan under § 52.38(b), except to the extent the Administrator's approval is partial or conditional. The obligation to comply with such requirements with regard to sources and units located in Indian country within the borders of the State will not be eliminated by the promulgation of an approval by the Administrator of a revision to South Carolina's SIP.

(2) Notwithstanding the provisions of paragraph (b)(1) of this section, if, at

the time of the approval of South Carolina's SIP revision described in paragraph (b)(1) of this section, the Administrator has already started recording any allocations of TR NO_X Ozone Season allowances under subpart BBBBB of part 97 of this chapter to units in the State for a control period in any year, the provisions of subpart BBBBB of part 97 of this chapter authorizing the Administrator to complete the allocation and recordation of TR NO_X Ozone Season allowances to units in the State for each such control period shall continue to apply, unless provided otherwise by such approval of the State's SIP revision.

[76 FR 48373, Aug. 8, 2011]

§52.2141 Interstate pollutant transport provisions; What are the FIP requirements for decreases in emissions of sulfur dioxide?

(a) The owner and operator of each source and each unit located in the State of South Carolina and Indian country within the borders of the State and for which requirements are set forth under the TR SO_2 Group 2 Trading Program in subpart DDDDD of part 97 of this chapter must comply with such requirements. The obligation to comply with such requirements with regard to sources and units in the State will be eliminated by the promulgation of an approval by the Administrator of a revision to South Carolina's State Implementation Plan (SIP) as correcting in part the SIP's deficiency that is the basis for the TR Federal Implementation Plan under §52.39, except to the extent the Administrator's approval is partial or conditional. The obligation to comply with such requirements with regard to sources and units located in Indian country within the borders of the State will not be eliminated by the promulgation of an approval by the Administrator of a revision to South Carolina's SIP.

(b) Notwithstanding the provisions of paragraph (a) of this section, if, at the time of the approval of South Carolina's SIP revision described in paragraph (a) of this section, the Administrator has already started recording any allocations of TR SO_2 Group 1 allowances under subpart CCCCC of part 97 of this chapter to units in the State for a control period in any year, the provisions of subpart CCCCC of part 97 of this chapter authorizing the Administrator to complete the allocation and recordation of TR SO_2 Group 1 allowances to units in the State for each such control period shall continue to apply, unless provided otherwise by such approval of the State's SIP revision.

[76 FR 48373, Aug. 8, 2011]

Subpart QQ—South Dakota

§52.2170 Identification of plan.

(a) *Purpose and scope.* This section sets forth the applicable State Implementation Plan for South Dakota under section 110 of the Clean Air Act, 42 U.S.C. 7410 and 40 CFR part 51 to meet national ambient air quality standards or other requirements under the Clean Air Act.

(b) *Incorporation by reference.* (1) Material listed in paragraphs (c) and (d) of this section with an EPA approval date prior to November 15, 2004 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 submitted by the state to EPA, and notice of any change in the material will be published in the FEDERAL REGISTER. Entries for paragraphs (c) and (d) of this section with EPA approval dates after November 15, 2004, will be incorporated by reference in the next update to the SIP compilation.

(2) EPA Region 8 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 November 15, 2004.

(3) Copies of the materials incorporated by reference may be inspected at the Environmental Protection Agency, Region 8, 999 18th Street, Suite 300, Denver, Colorado, 80202–2466; Air and Radiation Docket and Information Center, U.S. Environmental Protection Agency, Room B–108 (Mail Code 6102T),

1301 Constitution Ave., NW., Washington, DC 20460; and the National Archives and Records Administration (NARA). 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.*

(1) State of South Dakota Regulations

State citation	Title/subject	State effective date	EPA approval date and citation [1]	Explanations
	74:36:01 Definitions			
74:36:01:01	Definitions 74:36:01:01(8)(e), (29), (30), (77) ...	6/13/2006	72 FR 57864; 10/11/2007.	
74:36:01:05	Applicable Requirements of the Clean Air Act Defined.	6/13/2006	72 FR 57864; 10/11/2007.	
74:36:01:08	Major source defined	4/4/1999	79 FR 21852; 4/18/2014.	
74:36:01:15	Regulated air pollutant defined	1/5/1995	79 FR 21852; 4/18/2014.	
74:36:01:20	Physical change or change in the method of operation.	6/13/2006	72 FR 57864; 10/11/2007.	
	74:36:02 Ambient Air Quality			
74:36:02:02	Ambient air quality standards	6/13/2006	72 FR 57864; 10/11/2007.	
74:36:02:03	Methods of sampling and analysis	6/13/2006	72 FR 57864; 10/11/2007.	
74:36:02:04	Air quality monitoring network	6/13/2006	72 FR 57864; 10/11/2007.	
74:36:02:05	Ambient air monitoring requirements	6/13/2006	72 FR 57864; 10/11/2007.	
	74:36:03 Air Quality Episodes			
74:36:03:01	Air pollution emergency episode	6/13/2006	72 FR 57864; 10/11/2007.	
74:36:03:02	Episode emergency contingency plan	6/13/2006	72 FR 57864; 10/11/2007.	
	74:36:04 Operating Permits for Minor Sources			
74:36:04:04	Standard for issuance of operating permit	6/13/2006	72 FR 57864; 10/11/2007.	
	74:36:06 Regulated Air Pollutant Emissions			
74:36:06:04	Particulate emission restrictions for incinerators and waste wood burners.	1/2/05	8/14/06, 71 FR 46403.	
74:36:06:06	Stack performance test	1/2/05	8/14/06, 71 FR 46403.	
	74:36:07 New Source Performance Standards [2]			
74:36:07:08	Ash Disposal requirements	12/29/96	5/22/00, 65 FR 32033.	
74:36:07:11	Additional permit requirements for asphalt plants (repealed).	4/4/99	5/22/00, 65 FR 32033.	
74:36:07:29	Operating requirements for wire reclamation furnaces.	4/22/93	9/6/95, 60 FR 46222.	
74:36:07:30	Monitoring requirements for wire reclamation furnaces.	4/22/93	9/6/95, 60 FR 46222.	
	74:36:09 Prevention of Significant Deterioration			
74:36:09:01	Applicability	9/18/06	72 FR 72617.	
74:36:09:01.01	Prevention of significant deterioration permit required.	9/18/06	72 FR 72617.	
74:36:09:02	Prevention of significant deterioration	6/28/2010	4/18/2014, 79 FR 21852.	
74:36:09:03	Public participation	6/28/10	6/30/11, 7/22/11, 76 FR 43912.	
	74:36:10 New Source Review			
74:36:10:02	Definitions	1/2/05	8/14/06, 71 FR 46403.	
74:36:10:03.01	New source review preconstruction permit required.	1/2/05	8/14/06, 71 FR 46403.	
74:36:10:05	New source review preconstruction permit	1/2/05	8/14/06, 71 FR 46403.	
74:36:10:07	Determining credit for emission offsets	1/2/05	8/14/06, 71 FR 46403.	
74:36:10:08	Projected actual emissions	1/2/05	8/14/06, 71 FR 46403.	
74:36:10:09	Clean unit test for emission units subject to lowest achievable emission rate.	1/2/05	8/14/06, 71 FR 46403.	
74:36:10:10	Clean unit test for emission units comparable to lowest achievable emission rate.	1/2/05	8/14/06, 71 FR 46403.	

State citation	Title/subject	State effective date	EPA approval date and citation [1]	Explanations
74:36:11 Performance Testing				
74:36:11:01	Stack performance testing or other testing methods.	6/13/2006	72 FR 57864; 10/11/2007.	
74:36:12 Control of Visible Emissions				
74:36:12:01	Restrictions on visible emissions	6/13/2006	72 FR 57864; 10/11/2007.	
74:36:12:03	Exceptions granted to alfalfa pelletizers or dehydrators.	6/13/2006	72 FR 57864; 10/11/2007.	
74:36:13 Continuous Emission Monitoring Systems				
74:36:13:02	Minimum performance specifications for all continuous emission monitoring systems.	6/13/2006	72 FR 57864; 10/11/2007.	
74:36:13:03	Reporting requirements	6/13/2006	72 FR 57864; 10/11/2007.	
74:36:13:04	Notice to department of exceedance	6/13/2006	72 FR 57864; 10/11/2007.	
74:36:13:06	Compliance certification	6/13/2006	72 FR 57864; 10/11/2007.	
74:36:13:07	Credible evidence	6/13/2006	72 FR 57864; 10/11/2007.	
74:36:13:08	Compliance Assurance Monitoring	6/13/2006	72 FR 57864; 10/11/2007.	
74:36:13:07	Credible evidence	1/2/05	8/14/06, 71 FR 46403.	
74:36:17 Rapid City Street Sanding and Deicing				
74:36:17:01	Applicability	2/11/96	6/10/02, 67 FR 39619.	
74:36:17:02	Reasonable available control technology	2/11/96	6/10/02, 67 FR 39619.	
74:36:17:03	Street sanding specifications	2/11/96	6/10/02, 67 FR 39619.	
74:36:17:04	Street deicing and maintenance plan	2/11/96	6/10/02, 67 FR 39619.	
74:36:17:05	Street sanding and sweeping recordkeeping	2/11/96	6/10/02, 67 FR 39619.	
74:36:17:06	Inspection authority	2/11/96	6/10/02, 67 FR 39619.	
74:36:18 Regulations for State Facilities in the Rapid City Area				
74:36:18:01	Definitions	7/1/02	1/20/04, 69 FR 2671.	
74:36:18:02	Applicability	7/1/02	1/20/04, 69 FR 2671.	
74:36:18:03	Permit required	7/1/02	1/20/04, 69 FR 2671.	
74:36:18:04	Time period for permits and renewals	7/1/02	1/20/04, 69 FR 2671.	
74:36:18:05	Required contents of a complete application for a permit.	7/1/02	1/20/04, 69 FR 2671.	
74:36:18:06	Contents of permit	7/1/02	1/20/04, 69 FR 2671.	
74:36:18:07	Permit expiration	7/1/02	1/20/04, 69 FR 2671.	
74:36:18:08	Renewal of permit	7/1/02	1/20/04, 69 FR 2671.	
74:36:18:09	Reasonably available control technology required.	7/1/02	1/20/04, 69 FR 2671.	
74:36:18:10	Visible emission limit for construction and continuous operation activities.	7/1/02	1/20/04, 69 FR 2671.	
74:36:18:11	Exception to visible emission limit	7/1/02	1/20/04, 69 FR 2671.	
74:36:18:12	Notice of operating noncompliance—Contents	7/1/02	1/20/04, 69 FR 2671.	
74:36:21 Regional Haze Program				
74:36:21:01	Applicability	12/7/10	4/26/12, 77 FR 24845.	
74:36:21:02	Definitions	9/19/11	4/26/12, 77 FR 24845.	
74:36:21:03	Existing stationary facility defined	12/7/10	4/26/12, 77 FR 24845.	
74:36:21:04	Visibility impact analysis	12/7/10	4/26/12, 77 FR 24845.	
74:36:21:05	BART determination	12/7/10	4/26/12, 77 FR 24845.	
74:36:21:06	BART determination for a BART-eligible coal-fired power plant.	9/19/11	4/26/12, 77 FR 24845.	
74:36:21:07	Installation of controls based on visibility impact analysis or BART determination.	12/7/10	4/26/12, 77 FR 24845.	
74:36:21:08	Operation and maintenance of controls	12/7/10	4/26/12, 77 FR 24845.	
74:36:21:09	Monitoring, recordkeeping, and reporting	9/19/11	4/26/12, 77 FR 24845.	
74:36:21:10	Permit to construct	12/7/10	4/26/12, 77 FR 24845.	
74:36:21:11	Permit required for BART determination	12/7/10	4/26/12, 77 FR 24845.	
74:36:21:12	Federal land manager notification and review ..	12/7/10	4/26/12, 77 FR 24845.	

[1] In order to determine the EPA effective date for a specific provision listed in this table, consult the FEDERAL REGISTER notice cited in this column for the particular provision.
[2] The listed provisions are the only provisions of 74:36:07 included in the SIP.

(2) Pennington County Ordinance.

Ordinance citation	Title/subject	Adoption date	EPA approval date and citation [3]	Explanations
	Ordinance #12—Fugitive Dust Regulation—1.0 Control of Fugitive Dust			
1.1	Applicability	12/12/78	7/30/79, 44 FR 44494.	
1.2	Definitions	12/12/78	7/30/79, 44 FR 44494.	
1.3	Standard of Compliance	12/12/78	7/30/79, 44 FR 44494.	
1.4	Reasonably available control technology required	12/12/78	7/30/79, 44 FR 44494.	
1.5	Fugitive dust control permits required for construction activities, *i.e.*, temporary operations.	12/12/78	7/30/79, 44 FR 44494.	
1.6	Compliance plans and schedules required, *i.e.*, continuous operations.	12/12/78	7/30/79, 44 FR 44494.	
1.7	Enforcement procedures	12/12/78	7/30/79, 44 FR 44494.	
1.8	Establishment of administrative mechanisms	12/12/78	7/30/79, 44 FR 44494.	
1.9	Separability	12/12/78	7/30/79, 44 FR 44494.	

[3] In order to determine the EPA effective date for a specific provision that is listed in this table, consult the FEDERAL REGISTER cited in this column for that particular provision.

(d) EPA-approved source-specific requirements.

Name of source	Nature of requirement	State effective date	EPA approval date and citation [4]	Explanations
South Dakota State University steam generating Plant.	Variance No. AQ 79–02	3/18/82	7/7/83, 48 FR 31199.	Variance expired on 3/18/85.

[4] In order to determine the EPA effective date for a specific provision that is listed in this table, consult the FEDERAL REGISTER cited in this column for that particular provision.

(e) EPA-approved nonregulatory provisions.

Name of nonregulatory SIP provision	Applicable geographic or non-attainment area	State submittal date/adopted date	EPA approval date and citation [5]	Explanations
I. South Dakota's Air Pollution Control Implementation Plan. Contains the following sections: A. Introduction B. Legal Authority C. Control Strategy D. Compliance Schedule E. Prevention of Air Pollution Emergency Episodes F. Air Quality Surveillance G. Review of New Sources and Modifications H. Source Surveillance I. Resources J. Intergovernmental Cooperation	Statewide	Submitted: 1/27/72 and 5/2/72 Adopted: 1/17/72.	5/31/72, 37 FR 10842 with correction and clarification on 7/27/72, 37 FR 15080.	
II. Part D Plan for Total Suspended Particulate.	Rapid City	Submitted: 12/27/78 Adopted: 12/78.	7/30/79 44 FR 44494.	
III. SIP to meet Air Quality Monitoring 40 CFR part 58, subpart c, paragraph 58.20 and public notification required under section 127 of the Clean Air Act.	Statewide	Submitted: 1/21/80	9/4/80, 45 FR 58528.	
IV. Lead SIP	Statewide	Submitted: 5/4/84	9/26/84, 49 FR 37752.	
V. Stack Height Demonstration Analysis	Statewide	Submitted: 8/20/96 and 12/3/86.	6/7/89, 54 FR 24334.	
VI. Commitment to revise stack height rules in response to NRDC v. Thomas, 838 F.2d 1224 (DC Cir. 1988).	Statewide	Submitted: 5/11/88	9/2/88, 53 FR 34077.	

Name of nonregulatory SIP provision	Applicable geographic or non-attainment area	State submittal date/adopted date	EPA approval date and citation [5]	Explanations
VII. PM10 Committal SIP	Statewide	Submitted: 7/12/88	10/5/90, 55 FR 4083.1	
VIII. Small Business Assistance Program	Statewide	Submitted: 11/10/92 and 4/1/94.	10/25/94, 59 FR 53589.	
IX. Commitment regarding permit exceedences of the PM10 standard in Rapid City.	Rapid City	Submitted: 7/19/95	6/10/02, 67 FR 39619.	
X. Interstate Transport. South Dakota Interstate Transport Report satisfying the requirement of Section 110(a)(2)(D)(i) of the CAA for the 1997 8-hour ozone and $PM_{2.5}$ standards.	Statewide	Submitted: 5/15/07 Adopted: 4/19/07	5/8/08, 73 FR 26019.	
XI. Section 110(a)(2) Infrastructure Requirements for the 1997 8-hour Ozone NAAQS.	Statewide	2/1/08	6/30/11, 7/22/11, 76 FR 43912	
XII. South Dakota Regional Haze State Implementation Plan.	Statewide	Submitted: 1/21/11	4/26/12, 77 FR 24845	Excluding portions of the following: Sections 7.2, 7.3, 7.4, and 8.5 because these provisions were superseded by a later submittal.
XIII. South Dakota Regional Haze State Implementation Plan, Amendment.	Statewide	Submitted: 9/19/11	4/26/12, 77 FR 24845	Including only portions of the following: Sections 7.2, 7.3, 7.4, and 8.5; excluding all other portions of the submittal.

[5] In order to determine the EPA effective date for a specific provision that is listed in this table, consult the FEDERAL REGISTER cited in this column for that particular provision.

[70 FR 11128, Mar. 8, 2005, as amended at 71 FR 46407, Aug. 14, 2006; 72 FR 57868, Oct. 11, 2007; 72 FR 72621, Dec. 21, 2007; 73 FR 26024, May 8, 2008; 76 FR 43917, July 22, 2011; 77 FR 24856, Apr. 26, 2012; 79 FR 21854, Apr. 18, 2014]

EFFECTIVE DATE NOTE: At 79 FR 36425, June 27, 2014, § 52.2170 was amended in the table titled ''State of South Dakota Regulations'' in paragraph (c)(1): by revising the table entries for ''74:36:01:01'' and ''74:36:01:05'', by adding the table entry for ''74:36:01:10'' in numerical order, by revising the table entry for ''74:36:01:20'', by adding the table entry for ''74:36:01:21'' in numerical order, by revising the table entries for ''74:36:02:02'' through ''74:36:02:05'', ''74:36:03:01'', and ''74:36:03:02'', by adding the table entries for ''74:36:04:02'', ''74:36:04:02.01'', and ''74:36:04:03'' in numerical order, by revising the table entry for ''74:36:04:04'' by adding the table entries for ''74:36:04:06'', ''74:36:04:07'', ''74:36:04:09'', ''74:36:04:10'', ''74:36:04:12'', ''74:36:04:12.01'', ''74:36:04:13'', ''74:36:04:15'' through ''74:36:04:18'', ''74:36:04:20'', ''74:36:04:20.01'', ''74:36:04:20.04'', ''74:36:04:23'', ''74:36:04:27'', and ''74:36:04:32'' in numerical order, by revising the table entries for ''74:36:10:02'', ''74:36:10:03.01'', ''74:36:10:05'', ''74:36:10:07'', and ''74:36:10:08'', by removing the table entries for ''74:36:10:09'' and ''74:36:10:10'' and the second entry for ''74:36:13:07'', by revising the table entries for ''74:36:11:01'', ''74:36:12:01'', ''74:36:12:03'', ''74:36:13:02'', ''74:36:13:03'', ''74:36:13:04'', ''74:36:13:06'', the first entry for ''74:36:13:07'', and the entries for ''74:36:13:08'', and ''74:36:18:10''; and by adding a new centered heading for ''74:36:20 [Construction Permits For New Sources Or Modifications]'' and the table entries ''74:36:20:01 through 74:36:20:24'', in numerical order, effective July 28, 2014. For the convenience of the user, the added and revised text is set forth as follows:

§ 52.2170 Identification of plan.

* * * * *

(c) * * *

State citation	Title/subject	State effective date	EPA approval date and citation [1]	Explanations
74:36:01 Definitions				
74:36:01:01	Definitions	4/20/2011	6/27/2014, [Insert **Federal Register** citation].	
74:36:01:05	Applicable requirements of the Clean Air Act defined.	6/28/2010	6/27/2014, [Insert **Federal Register** citation].	
* *	*	*	*	* *
74:36:01:10	Modification defined	6/28/2010	6/27/2014, [Insert **Federal Register** citation].	
* *	*	*	*	* *
74:36:01:20	Physical change in or change in the method of operation defined.	6/28/2010	6/27/2014, [Insert **Federal Register** citation].	
74:36:01:21	Commence construction defined.	6/28/2010	6/27/2014, [Insert **Federal Register** citation].	
74:36:02 Ambient Air Quality				
74:36:02:02	Ambient air quality standards.	6/28/2010	6/27/2014, [Insert **Federal Register** citation].	
74:36:02:03	Methods of sampling and analysis.	6/28/2010	6/27/2014, [Insert **Federal Register** citation].	
74:36:02:04	Air quality monitoring network.	6/28/2010	6/27/2014, [Insert **Federal Register** citation].	
74:36:02:05	Ambient air monitoring requirements.	6/28/2010	6/27/2014, [Insert **Federal Register** citation].	
74:36:03 Air Quality Episodes				
74:36:03:01	Air pollution emergency episode.	6/28/2010	6/27/2014, [Insert **Federal Register** citation].	
74:36:03:02	Episode emergency contingency plan.	6/28/2010	6/27/2014, [Insert **Federal Register** citation].	
74:36:04 Operating Permits for Minor Sources				
74:36:04:02	Minor source operating permit required.	6/28/2010	6/27/2014, [Insert **Federal Register** citation].	
74:36:04:02.01	Minor source operating permit exemption.	6/28/2010	6/27/2014, [Insert **Federal Register** citation].	
74:36:04:03	Emission unit exemptions	6/28/2010	6/27/2014, [Insert **Federal Register** citation].	
74:36:04:04	Standard for issuance of a minor source operating permit.	6/28/2010	6/27/2014, [Insert **Federal Register** citation].	
74:36:04:06	Timely and complete application for operating permit required.	6/28/2010	6/27/2014, [Insert **Federal Register** citation].	
74:36:04:07	Required contents of complete application for operating permit.	6/28/2010	6/27/2014, [Insert **Federal Register** citation].	
74:36:04:09	Permit application—Completeness review.	6/28/2010	6/27/2014, [Insert **Federal Register** citation].	
74:36:04:10	Time period for department's recommendation.	6/28/2010	6/27/2014, [Insert **Federal Register** citation].	
74:36:04:12	Public participation in permitting process.	6/28/2010	6/27/2014, [Insert **Federal Register** citation].	
74:36:04:12.01	Public review of department's draft permit.	6/28/2010	6/27/2014, [Insert **Federal Register** citation].	
74:36:04:13	Final permit decision—Notice to interested persons.	6/28/2010	6/27/2014, [Insert **Federal Register** citation].	
74:36:04:15	Contents of operating permit.	6/28/2010	6/27/2014, [Insert **Federal Register** citation].	
74:36:04:16	Operating permit expiration.	6/28/2010	6/27/2014, [Insert **Federal Register** citation].	
74:36:04:17	Renewal of operating permit.	6/28/2010	6/27/2014, [Insert **Federal Register** citation].	
74:36:04:18	Operating permit revision	6/28/2010	6/27/2014, [Insert **Federal Register** citation].	

State citation	Title/subject	State effective date	EPA approval date and citation [1]	Explanations
74:36:04:20	Procedures for administrative permit amendments.	6/28/2010	6/27/2014, [Insert **Federal Register** citation].	
74:36:04:20.01	Minor permit amendment required.	6/28/2010	6/27/2014, [Insert **Federal Register** citation].	
74:36:04:20.04	Department deadline to approve minor permit amendment.	6/28/2010	6/27/2014, [Insert **Federal Register** citation].	
74:36:04:23	Reopening operating permit for cause.	6/28/2010	6/27/2014, [Insert **Federal Register** citation].	
74:36:04:27	Operating permit termination, revision, and revocation.	6/28/2010	6/27/2014, [Insert **Federal Register** citation].	
74:36:04:32	General permits	6/28/2010	6/27/2014, [Insert **Federal Register** citation].	
* *	*	*	*	* *
74:36:10 New Source Review				
74:36:10:02	Definitions	6/25/2013	6/27/2014, [Insert **Federal Register** citation].	
74:36:10:03.01	New source review preconstruction permit required.	6/25/2013	6/27/2014, [Insert **Federal Register** citation].	
74:36:10:05	New source review preconstruction permit.	6/25/2013	6/27/2014, [Insert **Federal Register** citation].	
74:36:10:07	Determining credit for emission offsets.	6/25/2013	6/27/2014, [Insert **Federal Register** citation].	
74:36:10:08	Projected actual emissions	6/25/2013	6/27/2014, [Insert **Federal Register** citation].	
74:36:11 Performance Testing				
74:36:11:01	Stack performance testing or other testing methods.	6/28/2010	6/27/2014, [Insert **Federal Register** citation].	
74:36:12 Control of Visible Emissions				
74:36:12:01	Restrictions on visible emissions.	6/28/2010	6/27/2014, [Insert **Federal Register** citation].	
74:36:12:03	Exceptions granted to alfalfa pelletizers or dehydrators.	6/28/2010	6/27/2014, [Insert **Federal Register** citation].	
74:36:13 Continuous Emissions Monitoring Systems				
74:36:13:02	Minimum performance specifications for all continuous emission monitoring systems.	6/28/2010	6/27/2014, [Insert **Federal Register** citation].	
74:36:13:03	Reporting requirements	6/28/2010	6/27/2014, [Insert **Federal Register** citation].	
74:36:13:04	Notice to department of exceedance.	6/28/2010	6/27/2014, [Insert **Federal Register** citation].	
74:36:13:06	Compliance certification	6/28/2010	6/27/2014, [Insert **Federal Register** citation].	
74:36:13:07	Credible evidence	6/28/2010	6/27/2014, [Insert **Federal Register** citation].	
74:36:13:08	Compliance assurance monitoring.	6/28/2010	6/27/2014, [Insert **Federal Register** citation].	
* *	*	*	*	* *
74:36:18 Regulations for State Facilities In the Rapid City Area				
* *	*	*	*	* *
74:36:18:10	Visible emission limit for construction and continuous operation activities.	6/28/2010	6/27/2014, [Insert **Federal Register** citation].	

State citation	Title/subject	State effective date	EPA approval date and citation [1]	Explanations
* *	*	*	*	* *
	74:36:20 Construction Permits For New Sources Or Modifications			
74:36:20:01	Applicability	6/28/2010	6/27/2014, [Insert **Federal Register** citation].	
74:36:20:02	Construction permit required.	4/20/2011	6/27/2014, [Insert **Federal Register** citation].	Except for ", unless it meets the requirements in section 74:36:20:02.01".
74:36:20:03	Construction permit exemption.	6/28/2010	6/27/2014, [Insert **Federal Register** citation].	
74:36:20:04	Emission unit exemptions	6/28/2010	6/27/2014, [Insert **Federal Register** citation].	
74:36:20:05	Standard for issuance of construction permit.	6/28/2010	6/27/2014, [Insert **Federal Register** citation].	
74:36:20:06	Timely and complete application for a construction permit required.	6/28/2010	6/27/2014, [Insert **Federal Register** citation].	
74:36:20:07	Required contents of complete application for a construction permit.	6/28/2010	6/27/2014, [Insert **Federal Register** citation].	
74:36:20:08	Applicant required to supplement or correct application.	6/28/2010	6/27/2014, [Insert **Federal Register** citation].	
74:36:20:09	Permit application—Completeness review.	6/28/2010	6/27/2014, [Insert **Federal Register** citation].	
74:36:20:10	Time period for department's recommendation.	6/28/2010	6/27/2014, [Insert **Federal Register** citation].	
74:36:20:11	Public participation in permitting process.	6/28/2010	6/27/2014, [Insert **Federal Register** citation].	
74:36:20:12	Public review of department's draft permit.	6/28/2010	6/27/2014, [Insert **Federal Register** citation].	
74:36:20:13	Final permit decision—Notice to interested persons.	6/28/2010	6/27/2014, [Insert **Federal Register** citation].	
74:36:20:14	Right to petition for contested case hearing.	6/28/2010	6/27/2014, [Insert **Federal Register** citation].	
74:36:20:15	Contents of construction permit.	6/28/2010	6/27/2014, [Insert **Federal Register** citation].	
74:36:20:16	Administrative permit amendment.	6/28/2010	6/27/2014, [Insert **Federal Register** citation].	
74:36:20:17	Procedures for administrative permit amendments.	6/28/2010	6/27/2014, [Insert **Federal Register** citation].	
74:36:20:18	Reopening construction permit for cause.	6/28/2010	6/27/2014, [Insert **Federal Register** citation].	
74:36:20:19	Procedures to reopen construction permit.	6/28/2010	6/27/2014, [Insert **Federal Register** citation].	
74:36:20:20	Construction permit does not exempt from other requirements.	6/28/2010	6/27/2014, [Insert **Federal Register** citation].	
74:36:20:21	Expiration of a construction permit.	6/28/2010	6/27/2014, [Insert **Federal Register** citation].	
74:36:20:22	Notice of constructing or operating noncompliance—Contents.	6/28/2010	6/27/2014, [Insert **Federal Register** citation].	
74:36:20:23	Petition for contested case on alleged violation.	6/28/2010	6/27/2014, [Insert **Federal Register** citation].	
74:36:20:24	Circumvention of emissions not allowed.	6/28/2010	6/27/2014, [Insert **Federal Register** citation].	
* *	*	*	*	* *

[1] In order to determine the EPA effective date for a specific provision that is listed in this table, consult the **Federal Register** cited in this column for that particular provision.

* * * * *

§ 52.2171 Classification of regions.

The South Dakota plan evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
Metropolitan Sioux City Interstate	III	III	III	III	III
Metropolitan Sioux Falls Interstate	II	III	III	III	III
Black Hills—Rapid City Intrastate	III	III	III	III	III
South Dakota Intrastate	III	III	III	III	III

[37 FR 10893, May 31, 1972]

§52.2172 Approval status.

(a) With the exceptions set forth in this subpart, the Administrator approves South Dakota's plan as meeting the requirements of section 110 of the Clean Air Act, as amended in 1977. Furthermore, the Administrator finds that the plan satisfies all requirements of Part D of the Clean Air Act, as amended in 1977.

(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 CO_2e 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 CO_2e 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 CO_2e; or

(ii) At an existing stationary source that emits or has the potential to emit 100,000 tpy CO_2e, 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 CO_2e 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 CO_2 equivalent emissions (CO_2e) 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 CO_2e.

(iii) The term emissions increase shall mean that both a significant emissions increase (as calculated using the procedures in 40 CFR 52.21(a)(2)(iv)) and a significant net emissions increase (as defined in paragraphs 40 CFR 52.21(b)(3) and (b)(23)(i)) occur. For the pollutant GHGs, an emissions increase shall be based on tpy CO_2e, and shall be calculated assuming the pollutant GHGs is a regulated NSR pollutant, and ''significant'' is defined as 75,000 tpy CO_2e instead of applying the value in 40 CFR 52.21(b)(23)(ii).

[75 FR 82561, Dec. 30, 2010]

§52.2173 Legal authority.

(a) The requirements of §51.230(f) of this chapter are not met since the

South Dakota Compiled Law 34–16A–21 provides that data which relates to processes or production unique to the owner or which tend to adversely affect a competitive position of the owner shall be held confidential.

(b) Delegation of authority: Pursuant to section 114 of the Act, South Dakota requested a delegation of authority to enable it to collect, correlate and release emission data to the public. The Administrator has determined that South Dakota is qualified to receive a delegation of the authority it requested. Accordingly, the Administrator delegates to South Dakota his authority under sections 114(a) (1) and (2) and section 114(c) of the Act, i.e., authority to collect, correlate, and release emission data to the public.

[37 FR 15089, July 27, 1972, as amended at 51 FR 40676, Nov. 7, 1986]

§§ 52.2174–52.2177 [Reserved]

§ 52.2178 Significant deterioration of air quality.

(a) The South Dakota plan, as submitted, is approved as meeting the requirements of part C, subpart 1 of the CAA, except that it does not apply to sources proposing to construct on Indian reservations;

(b) Regulations for preventing significant deterioration of air quality. The provisions of § 52.21 except paragraph (a)(1) are hereby incorporated and made a part of the South Dakota State implementation plan and are applicable to proposed major stationary sources or major modifications to be located on Indian reservations.

[43 FR 26410, June 19, 1978, as amended at 45 FR 52741, Aug. 7, 1980; 59 FR 47261, Sept. 15, 1994; 68 FR 11324, Mar. 10, 2003; 68 FR 74490, Dec. 24, 2003; 72 FR 72621, Dec. 21, 2007]

§ 52.2179 Visibility protection.

(a) The requirements of section 169A of the Clean Air Act are not met, because the plan does not include approvable procedures for protection of visibility in mandatory Class I Federal areas.

(b) Regulation for visibility monitoring and new source review. The provisions of §§ 52.26 and 52.28 are hereby incorporated and made a part of the applicable plan for the State of South Dakota.

(c) *Long-term strategy*. The provisions of § 52.29 are hereby incorporated and made part of the applicable plan for the State of South Dakota.

[50 FR 28553, July 12, 1985, as amended at 52 FR 45137, Nov. 24, 1987]

§ 52.2180 Stack height regulations.

The State of South Dakota has committed to revise its stack height regulations should EPA complete rulemaking to respond to the decision in *NRDC* v. *Thomas*, 838 F.2d 1224 (DC Cir. 1988). In a letter to Douglas M. Skie, EPA, dated May 11, 1988, Joel C. Smith, Administrator, Office of Air Quality and Solid Waste, stated:

> "* * * We are submitting this letter to allow EPA to continue to process our current SIP submittal with the understanding that if EPA's response to the NRDC remand modifies the July 8, 1985 regulations, EPA will notify the State of the rules that must be changed to comport with the EPA's modified requirements. The State of South Dakota agrees to make the appropriate changes."

[53 FR 34079, Sept. 2, 1988]

§ 52.2181 [Reserved]

§ 52.2182 PM_{10} Committal SIP.

On July 12 1988, the State submitted a Committal SIP for the Rapid City Group II PM_{10} area, as required by the PM_{10} implementation policy. The SIP commits the State to continue to monitor for PM_{10} and to submit a full SIP if a violation of the PM_{10} National Ambient Air Quality Standards is detected. It also commits the State to make several revisions related to PM_{10} to the existing SIP.

[55 FR 40834, Oct. 5, 1990]

§ 52.2183 Variance provision.

The revisions to the variance provisions in Chapter 74:26:01:31.01 of the South Dakota Air Pollution Control Program, which were submitted by the Governor's designee on September 25, 1991, are disapproved because they are inconsistent with section 110(i) of the Clean Air Act, which prohibits any state or EPA from granting a variance from any requirement of an applicable

implementation plan with respect to a stationary source.

[58 FR 37426, July 12, 1993]

§52.2184 Operating permits for minor sources.

Emission limitations and related provisions established in South Dakota minor source operating permits, which are issued in accordance with ARSD 74:36:04 and which are submitted to EPA in a timely manner in both proposed and final form, shall be enforceable by EPA. EPA reserves the right to deem permit conditions not federally enforceable. Such a determination will be made according to appropriate procedures and will be based upon the permit, permit approval procedures, or permit requirements which do not conform with the operating permit program requirements of EPA's underlying regulations.

[60 FR 46228, Sept. 6, 1995]

§52.2185 Change to approved plan.

South Dakota Air Pollution Control Program Chapter 74:36:07, New Source Performance Standards, is removed from the approved plan, except for sections 74:36:07:08, 74:36:07:11 and 74:36:07:29–30. On April 2, 2002, we issued a letter delegating responsibility for all sources located, or to be located, in the State of South Dakota subject to the specified NSPS in 40 CFR part 60. See the table in 40 CFR 60.4 for the delegation status of NSPS to the State of South Dakota.

[67 FR 57521, Sept. 11, 2002]

§52.2186 Original identification of plan section.

(a) This section identifies the original ''Air Implementation Plan for the State of South Dakota'' and all revisions submitted by South Dakota that were federally approved prior to November 15, 2004.

(b) The plan was officially submitted on January 27, 1972.

(c) The plan revisions listed below were submitted on the dates specified.

(1) Request for delegation of authority submitted January 27, 1972, by the Governor.

(2) Clarification of control regulations (section 1.8.4) submitted April 27, 1972, by the State Department of Health.

(3) Clarification of control regulations (section 1.8.4) submitted May 2, 1972, by the Governor.

(4) On December 4, 1975, the Governor of South Dakota submitted revisions and additions to the air pollution control regulations (Article 34:10 of the Administrative Rules of South Dakota). The submittal updated rules and regulations; review procedures for newand modified direct sources; variance and enforcement procedure revisions; episode procedure changes; and the addition of new source performance standards similar to those of EPA.

(5) Provisions to meet the requirements of Part D of the Clean Air Act, as amended in 1977 were submitted on January 3, 1979.

(6) A new control strategy for Brookings, South Dakota was submitted on April 16, 1979.

(7) On January 21, 1980, the Governor submitted a plan revision to meet the requirements of Air Quality Monitoring 40 CFR part 58, subpart C, §58.20, and Public Notification required under section 127 of the Clean Air Act.

(8) Provisions to meet the requirements of Part D of the Clean Air Act, as amended in 1977, were submitted on October 16, 1980.

(9) On September 13, 1982, the Governor submitted a plan revision for a new control strategy for Brookings, South Dakota and an amendment to the opacity regulation for alfalfa pelletizers.

(10) On May 4, 1984, the Governor submitted a plan revision for lead and repealed the hydrocarbon standard.

(11) On January 28, 1988, the Governor submitted a plan revision (1) updating citations to Federal regulations in the South Dakota air pollution control regulations (Administrative Rules of South Dakota 74:26), (2) adopting new ambient air quality standards for particulates (PM_{10}), (3) revising the State administrative procedures for handling permit hearings and contested cases, and (4) correcting deficiencies in the stack height regulations.

(i) Incorporation by reference.

(A) Revisions to the Administrative Rules of South Dakota (ARSD) 74:26:01:12, ARSD 74:26:01:35, ARSD

74:26:01:37, ARSD 74:26:01:64, ARSD 74:26:08 through ARSD 74:26:23, inclusive, and addition of a new section, ARSD 74:26:02:35, were revised through November 24, 1987.

(12) In a letter dated August 7, 1986, the Governor submitted revisions to the South Dakota SIP adopting federal stack height regulations (Administrative Rules of South Dakota 74:26). In a letter dated August 20, 1986, the Administrator, Office of Air Quality and Solid Waste of South Dakota, submitted the stack height demonstration analysis with supplemental information submitted on December 3, 1986.

(i) Incorporation by reference.

(A) Revisions to the Administrative Rules of South Dakota 74:26 effective on May 21, 1986. The changes consisted of incorporating definitions for good engineering practices and dispersion techniques into 74:26:01:12, standard for the issuance of construction permit.

(B) Stack height demonstration analysis submitted by the State with letters dated August 20, 1986 and December 3, 1986.

(13) On September 25, 1992 and February 24, 1992, the Governor of South Dakota submitted revisions to the plan for new source performance standards and asbestos.

(i) Incorporation by reference.

(A) Revisions to the Air Pollution Control Program, Sections 74:26:08–74:26:21 and 74:26:23–74:26:25, New Source Performance Standards, effective May 13, 1991, Section 74:26:26, Standards of Performance for Municipal Waste Combustors, effective November 24, 1991, and Section 74:26:22, Emission Standards for Asbestos Air Pollutants, effective December 2, 1991.

(14) On September 25, 1991, the designee of the Governor of South Dakota submitted revisions to the plan for new source review, operating permits, and the PM–10 Group II requirements.

(i) Incorporation by reference

(A) Revisions to the Air Pollution Control Program, Sections 74:26:01–74:26:08, effective May 13, 1991.

(ii) Additional material

(A) Letter dated April 14, 1992, from the South Dakota Department of Environment and Natural Resources to EPA.

(15) On November 10, 1992, the Governor of South Dakota's designee submitted a plan for the establishment and implementation of a Small Business Assistance Program to be incorporated into the South Dakota State Implementation Plan as required by section 507 of the Clean Air Act. An amendment to the plan was submitted by the Governor's designee on April 1, 1994.

(i) Incorporation by reference.

(A) November 10, 1992 letter from the Governor of South Dakota's designee submitting a Small Business Assistance Program plan to EPA.

(B) April 1, 1994 letter from the Governor of South Dakota's designee submitting an amendment to the South Dakota Small Business Assistance Program plan to EPA.

(C) The State of South Dakota amended plan for the establishment and implementation of a Small Business Assistance Program, adopted January 12, 1994 by the South Dakota Department of Environment and Natural Resources.

(D) South Dakota Codified Laws 34A–1–57, effective July 1, 1992 and 34A–1–58 through 60, effective July 1, 1993, which gives the State of South Dakota the authority to establish and fund the South Dakota Small Business Assistance Program.

(16) On November 12, 1993 and March 7, 1995, the designee of the Governor of South Dakota submitted revisions to the plan, which included revised regulations for definitions, minor source construction and federally enforceable state operating permit (FESOP) rules, source category emission limitations, sulfur dioxide rule corrections, new source performance standards (NSPS), new source review (NSR) requirements for new and modified major sources impacting nonattainment areas, and enhanced monitoring and compliance certification requirements. The State also requested that the existing State regulations approved in the South Dakota SIP be replaced with the following chapters of the recently recodified Administrative Rules of South Dakota (ARSD): 74:36:01–74:36:04, 74:36:06; 74:36:07, 74:36:10–74:36:13, and 74:36:15, as in effect on January 5, 1995.

(i) Incorporation by reference.

(A) Revisions to the Administrative Rules of South Dakota, Air Pollution Control Program, Chapters 74:36:01 (except 74:36:01:01(2) and (3)); 74:36:02–74:36:04, 74:36:06; 74:36:07, 74:36:10–74:36:13, and 74:36:15, effective April 22, 1993 and January 5, 1995.

(17) On May 2, 1997, the designee of the Governor of South Dakota submitted revisions to the plan. The revisions pertain to revised regulations for definitions, minor source operating permits, open burning, and performance testing. The State's SIP submittal requested that EPA replace the previous version of the ARSD approved into the SIP with the following chapters of the ARSD as in effect on December 29, 1996: 74:36:01 through 74:36:03, 74:36:04 (with the exception of section 74:36:04:03.01), 74:36:06, 74:36:07, 74:36:10–13, and 74:36:17. EPA is replacing all of the previously approved State regulations, except the NSPS rules in ARSD 74:36:07, with those regulations listed in paragraph (c)(17)(i)(A). ARSD 74:36:07, as in effect on January 5, 1995 and as approved by EPA at 40 CFR 52.2170(c)(16)(i)(A), will remain part of the SIP. [Note that EPA is not incorporating the revised ARSD 74:36:07, new ARSD 74:36:11:04, or new ARSD 74:36:17 in this action, as these chapters will be acted on separately by EPA.]

(i) Incorporation by reference.

(A) Revisions to the Administrative Rules of South Dakota, Air Pollution Control Program, Chapters 74:36:01–03; 74:36:04 (except section 74:36:04:03.1); 74:36:06; 74:36:10, 74:36:11 (with the exception of ARSD 74:36:11:04), 74:36:12, and 74:36:13, effective December 29, 1996.

(18) On May 2, 1997 and on May 6, 1999, the designee of the Governor of South Dakota submitted revisions to the new source performance standards in subchapter 74:36:07 of the Administrative Rules of South Dakota (ARSD).

(i) Incorporation by reference.

(A) Revisions to the Administrative Rules of South Dakota, Air Pollution Control Program, Chapter 74:36:07—New Source Performance Standards, subsections 74:36:07:01 through 74:36:07:10, 74:36:07:12 through 74:36:07:28, 74:36:07:31 through 74:36:07:33, and 74:36:07:43, effective December 29, 1996.

(B) Revisions to the Administrative Rules of South Dakota, Air Pollution Control Program, Chapter 74:36:07—New Source Performance Standards, subsections 74:36:07:06.02, 74:36:07:07.01, 74:36:07:11, and 74:36:07:43, effective April 4, 1999.

(19) On May 2, 1997 and on May 6, 1999, the designee of the Governor of South Dakota submitted provisions in Section 74:36:11:04 of the Administrative Rules of South Dakota. The provisions allow permitted sources to request permission to test a new fuel or raw material, to determine if it is compatible with existing equipment and to determine air emission rates, before requesting a permit amendment or modification if certain conditions are met.

(i) Incorporation by reference.

(A) Revisions to the Administrative Rules of South Dakota, Air Pollution Control Program, Chapter 74:36:11, Performance Testing, section 74:36:11:04, effective April 4, 1999.

(20) On January 22, 1996, the designee of the Governor of South Dakota submitted provisions in Section 74:36:17 of the Administrative rules of South Dakota. The provisions consist of street sanding requirements that apply within the city limits of Rapid City, South Dakota.

(i) Incorporation by reference.

(A) Administrative Rules of South Dakota, Air Pollution Control Program, Chapter 74:36:17.

(ii) Additional materials.

(A) Letter of March 25, 1994 from South Dakota Department of Environment and Natural Resources discussing whether EPA should designate Rapid City as nonattainment for the PM–10 standard.

(B) Letter of July 19, 1995 from EPA Region VIII discussing with the South Dakota Department of Environment and Natural Resources the exceedances of the PM–10 standard measured in the Rapid City.

(C) Letter of November 16, 1995 from the South Dakota Department of Environment and Natural Resources describing the commitment the State of South Dakota has toward permit exceedances of the PM–10 standard in the future.

(D) Letter of January 22, 1996 from the South Dakota Department of Environment and Natural Resources transmitting Rapid City street sanding requirements.

(21) On May 6, 1999 and June 30, 2000, South Dakota submitted revisions to its Air Pollution Control Program Rules. The sections of the rule being approved replace the same numbered sections that have previously been approved into the SIP. The provisions of section 74:36:07, except 74:36:07:29 and 74:36:07:30, which have previously been incorporated by reference in paragraphs (c)(16)(i)(A) and (c)(18)(i) of this section, are being removed from the South Dakota SIP.

(i) Incorporation by reference.

(A) Sections 74:36:01:01(1) through (79), effective 4/4/1999; 74:36:01:03, effective 4/4/1999; 74:36:01:05, effective 4/4/1999; 74:36:01:07, effective 4/4/1999; 74:36:01:08, effective 4/4/1999; 74:36:01:10, effective 4/4/1999; 74:36:01:17, effective 4/4/1999; 74:36:01:20, effective 4/4/1999; 74:36:02:02, effective 6/27/2000; 74:36:02:03, effective 6/27/2000; 74:36:02:04, effective 6/27/2000; 74:36:02:05, effective 6/27/2000; 74:36:04:03, effective 4/4/1999; 74:36:04:09, effective 4/4/1999; 74:36:04:11, effective 4/4/1999; 74:36:04:12, effective 4/4/1999; 74:36:04:12.01, effective 4/4/1999; 74:36:04:13, effective 4/4/1999; 74:36:01:14, effective 4/4/1999; 74:36:04:18, effective 4/4/1999; 74:36:04:19, effective 4/4/1999; 74:36:04:20, effective 4/4/1999; 74:36:04:20.01, effective 4/4/1999; 74:36:04:20.04, effective 4/4/1999; 74:36:04:22, effective 4/4/1999; 74:36:06:02, effective 4/4/1999; 74:36:06:03, effective 4/4/1999; 74:36:06:07, effective 4/4/1999; 74:36:11:01, effective 6/27/2000; 74:36:12:01, effective 6/27/2000; 74:36:13:02, effective 6/27/2000; 74:36:13:03, effective 6/27/2000; 74:36:13:04, effective 6/27/2000; and 74:36:13:07, effective 6/27/2000.

(22) On June 27, 2002, the designee of the Governor of South Dakota submitted revisions to the State Implementation Plan. The June 27, 2002 submittal consists of revisions to the Administrative Rules of South Dakota. These revisions add a new chapter 74:36:18, ''Regulations for State Facilities in the Rapid City Area''. Chapter 74:36:18 regulates fugitive emissions of particulate matter from state facilities and state contractors that conduct a construction activity or continuous operation activity within the Rapid City air quality control zone.

(i) Incorporation by reference.

(A) Chapter 74:36:18 of the Administrative Rules of South Dakota, effective July 1, 2002.

(23) On September 12, 2003, the designee of the Governor of South Dakota submitted revisions to the State Implementation Plan. The September 12, 2003 submittal revises the following chapters of the Administrative Rules of South Dakota: 74:36:01, 74:36:04, 74:36:10 and 74:36:11.

(i) Incorporation by reference.

(A) Administrative Rules of South Dakota, Chapter 74:36:01, sections 74:36:01:01(77), 74:36:01:01(80), and 74:36:01:01(81); Chapter 74:36:04, sections 74:36:04:06, 74:36:04:32 and 74:36:04:33; Chapter 74:36:10, except section 74:36:10:01; and Chapter 74:36:11, section 74:36:11:01, effective September 1, 2003.

[37 FR 15089, July 27, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.2186, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at *www.fdsys.gov*.

Subpart RR—Tennessee

§ 52.2219 [Reserved]

§ 52.2220 Identification of plan.

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

(b) *Incorporation by reference.* (1) Material listed in paragraph (c) of this section with an EPA approval date prior to January 1, 2006, for Tennessee (Table 1 of the Tennessee State Implementation Plan), January 1, 2003 for Memphis Shelby County (Table 2 of the Tennessee State Implementation Plan), March 1, 2005, for Knox County (Table 3 of the Tennessee State Implementation Plan), April 1, 2005 for Chattanooga (Table 4 of the Tennessee State Implementation Plan), April 1, 2005, for Nashville-Davidson County (Table 5 of the Tennessee State Implementation Plan) and paragraph (d)

with an EPA approval date prior to December 1, 1998, 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) of this section with EPA approval dates after January 1, 2006, for Tennessee (Table 1 of the Tennessee State Implementation Plan), January 1, 2003 for Memphis Shelby County (Table 2 of the Tennessee State Implementation Plan), March 1, 2005, for Knox County (Table 3 of the Tennessee State Implementation Plan), April 1, 2005 for Chattanooga (Table 4 of the Tennessee State Implementation Plan), April 1, 2005, for Nashville-Davidson County (Table 5 of the Tennessee State Implementation Plan) and paragraph (d) with an EPA approval date after December 1, 1998, will be incorporated by reference in the next update to the SIP compilation.

(2) EPA Region 4 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 the dates referenced in paragraph (b)(1).

(3) Copies of the materials incorporated by reference may be inspected at the Region 4 EPA Office at 61 Forsyth Street, SW., Atlanta, GA 30303; the EPA, Air and Radiation Docket and Information Center, Air Docket, 1301 Constitution Avenue, NW., Room B102, Washington, DC 20460; or at the National Archives and Records Administration (NARA). 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.*

TABLE 1—EPA APPROVED TENNESSEE REGULATIONS

State citation	Title/subject	State effective date	EPA approval date	Explanation
CHAPTER 0400–03–17 CONFLICT OF INTEREST				
Section 0400–30–17–.01	Purpose and Intent	9/23/2013	4/2/2014, 79 FR 18455.	
Section 0400–30–17–.02	Protecting the Public Interests	9/23/2013	4/2/2014, 79 FR 18455.	
Section 0400–30–17–.03	Conflict of Interest on the Part of the Board and Technical Secretary.	9/23/2013	4/2/2014, 79 FR 18455.	
Section 0400–30–17–.04	Conflict of Interest in the Permitting of Municipal Solid Waste Incineration Units.	9/23/2013	4/2/2014, 79 FR 18455.	
Section 0400–30–17–.05	Policy of Ethics and the Avoidance of Conflicts of Interest.	9/23/2013	4/2/2014, 79 FR 18455.	
CHAPTER 1200–3–1 GENERAL PROVISIONS				
Section 1200–3–1–.01	General Rules	02/09/77	03/29/85, 50 FR 12540.	
Section 1200–3–1–.02	Severability	10/12/79	06/24/82, 47 FR 27267.	
CHAPTER 1200–3–2 DEFINITIONS				
Section 1200–3–2–.01	General Definitions	06/26/93	09/16/02, 67 FR 46594.	
Section 1200–3–2–.02	Abbreviations	02/09/77	03/29/85, 50 FR 12540.	
CHAPTER 1200–3–3 AIR QUALITY STANDARDS				
Section 1200–3–3–.01	Primary Air Quality Standards	02/09/77	03/29/85, 50 FR 12539.	
Section 1200–3–3–.02	Secondary Air Quality Standards	02/09/77	03/29/85, 50 FR 12539.	
Section 1200–3–3–.03	Tennessee's Ambient Air Quality Standards.	12/05/84	03/29/85, 50 FR 12539.	
Section 1200–3–3–.04	Nondegradation	02/09/77	03/29/85, 50 FR 12540.	
Section 1200–3–3–.05	Achievement	08/02/83	04/07/93, 58 FR 18011.	
CHAPTER 1200–3–4 OPEN BURNING				
Section 1200–3–4–.01	Purpose	02/09/77	03/29/85, 50 FR 12540.	

TABLE 1—EPA APPROVED TENNESSEE REGULATIONS—Continued

State citation	Title/subject	State effective date	EPA approval date	Explanation
Section 1200–3–4–.02	Open Burning Prohibited	03/21/79	06/24/82, 47 FR 27268.	
Section 1200–3–4–.03	Exceptions to Prohibition	02/09/77	03/29/85, 50 FR 12540.	
Section 1200–3–4–.04	Permits for Open Burning	06/21/79	06/24/82, 47 FR 27268.	
CHAPTER 1200–3–5 VISIBLE EMISSION REGULATIONS				
Section 1200–3–5–.01	General Standards	06/07/92	08/15/97, 62 FR 43643.	
Section 1200–3–5–.02	Exceptions	06/07/92	08/15/97, 62 FR 43643.	
Section 1200–3–5–.03	Method of Evaluating and Recording.	06/07/92	08/15/97, 62 FR 43643.	
Section 1200–3–5–.04	Exemption	06/07/92	08/15/97, 62 FR 43643.	
Section 1200–3–5–.05	Standard for Certain Existing Sources.	06/07/92	08/15/97, 62 FR 43643.	
Section 1200–3–5–.06	Wood-Fired Fuel Burning Equipment.	06/07/92	08/15/97, 62 FR 43643.	
Section 1200–3–5–.07	Repealed	06/07/92	08/15/97, 62 FR 43643.	
Section 1200–3–5–.08	Titanium Dioxide (TiO_2) Manufacturing.	06/07/92	08/15/97, 62 FR 43643.	
Section 1200–3–5–.09	Kraft Mill and Soda Mill Recovery	04/06/98	09/16/02, 67 FR 46594.	
Section 1200–3–5–.10	Choice of Visible Emission Standard for Certain Fuel Burning Equipment.	06/07/92	08/15/97, 62 FR 43643.	
Section 1200–3–5–.11	Repealed	04/06/98	09/16/02, 62 FR 46594.	
Section 1200–3–5–.12	Coke Battery Underfire (combustion) Stacks.	06/07/92	08/15/97, 62 FR 43643.	
CHAPTER 1200–3–6 NON-PROCESS EMISSION STANDARDS				
Section 1200–3–6–.01	General Non-Process Emissions	06/21/79	06/24/82, 47 FR 27267.	
Section 1200–3–6–.02	Non-Process Particulate Emission Standards.	09/08/80	06/24/82, 47 FR 27267.	
Section 1200–3–6–.03	General Non-Process Gaseous Emissions.	06/21/79	06/24/82, 47 FR 27267.	
Section 1200–3–6–.04	(Deleted)	06/21/79	06/24/82, 47 FR 27267.	
Section 1200–3–6–.05	Wood-Fired Fuel Burning Equipment.	05/30/87	11/23/88, 53 FR 47530.	
CHAPTER 1200–3–7 PROCESS EMISSION STANDARDS				
Section 1200–3–7–.01	General Process Particulate Emission Standards.	03/02/79	06/24/82, 47 FR 27267.	
Section 1200–3–7–.02	Choice of Particulate Emission Standards—Existing Process.	04/12/78	06/07/79, 44 FR 32681.	
Section 1200–3–7–.03	New Processes	06/21/79	06/24/82, 47 FR 27267.	
Section 1200–3–7–.04	Limiting Allowable Emissions	03/21/79	06/07/79, 44 FR 32681.	
Section 1200–3–7–.05	Specific Process Emission Standards.	06/07/74	06/07/79, 44 FR 32681.	
Section 1200–3–7–.06	Standards of Performance for New Stationary Sources.	06/07/74	06/07/79, 44 FR 32681.	
Section 1200–3–7–.07	General Provisions and Applicability for Process Gaseous Emission Standards.	01/22/82	06/12/96, 61 FR 29666.	
Section 1200–3–7–.08	Specific Process Emission Standards.	09/22/80	01/31/96, 61 FR 3318.	
Section 1200–3–7–.09	Sulfuric Acid Mist	02/09/77	03/29/85, 50 FR 12540.	
Section 1200–3–7–.10	Grain Loading Limit for Certain Existing Sources.	03/21/79	06/24/82, 47 FR 27267.	
Section 1200–3–7–.11	Carbon Monoxide, Electric Arc Furnaces.	10/25/79	06/24/82, 47 FR 27267.	
Section 1200–3–7–.12	Carbon Monoxide, Catalytic Cracking Units.	01/22/82	06/21/82, 47 FR 26621.	
CHAPTER 1200–3–8 FUGITIVE DUST				
Section 1200–3–8–.01	Fugitive Dust	07/11/80	06/24/82, 47 FR 27267.	
Section 1200–3–8–.02	Special Nonattainment Area Fugitive Dust Requirements.	03/21/79	06/24/82, 47 FR 27267.	

TABLE 1—EPA APPROVED TENNESSEE REGULATIONS—Continued

State citation	Title/subject	State effective date	EPA approval date	Explanation
CHAPTER 1200–3–9 CONSTRUCTION AND OPERATING PERMITS				
Section 1200–3–9–.01	Definitions	4/24/2013	7/25/2013, 78 FR 44889	7/25/2013, 78 FR 44889—EPA is approving Tennessee's May 10, 2013, SIP revision to Chapter 1200–3–9-.01 with the exception of the $PM_{2.5}$ SILs (at 1200–3–9–.01(5)(b)1(xix)) and SMC (at 1200–3–9–.01(4)(d)6(i)(III)) as promulgated in the October 20, 2010, $PM_{2.5}$ Increments-SILs-SMC Rule. February 7, 2012 (77 FR 6016)—EPA is approving Tennessee's May 28, 2009, SIP revisions to Chapter 1200–3–9–.01 with the exception of the ''baseline actual emissions'' calculation revision found at 1200–3–9–.01(4)(b)45(i)(III), (4)(b)45(ii)(IV), (5)(b)1(xlvii)(I)(III) and (5)(b)1(xlvii)(II)(IV) of the submittal.
Section 1200–3–9–.02	Operating Permits	5/10/2009	2/7/2012, 77 FR 6016.	
Section 1200–3–9–.03	General Provisions	5/10/2009	2/7/2012, 77 FR 6016.	
Section 1200–3–9–.04	Exemptions	08/28/95	08/29/02, 67 FR 55320.	
Section 1200–3–9–.05	Reserved.			
Section 1200–3–9–.06	Appeal of Permit Application Denials and Permit Conditions.	11/16/79	06/24/82 47 FR 27269.	
CHAPTER 1200–3–10 REQUIRED SAMPLING, RECORDING, AND REPORTING				
Section 1200–3–10–.01	Sampling Required to Establish Contaminant Emission Levels.	12/14/81	03/19/96, 61 FR 11136.	
Section 1200–3–10–.02	Monitoring of Source Emissions, Recording, Reporting of the Same are Required.	02/14/96	01/07/00, 65 FR 1070.	
Section 1200–3–10–.04	Sampling, Recording, and Reporting Required for Major Stationary Sources.	09/12/94	01/19/00, 65 FR 2880.	
CHAPTER 1200–3–12 METHODS OF SAMPLING AND ANALYSIS				
Section 1200–3–12–.01	General	02/09/77	03/29/85, 50 FR 12540.	
Section 1200–3–12–.02	Procedures for Ambient Sampling and Analysis.	01/18/80	06/24/82, 47 FR 27270.	
Section 1200–3–12–.03	Source Sampling and Analysis	08/01/84	03/29/85, 50 FR 12539.	
Section 1200–3–12–.04	Monitoring Required for Determining Compliance of Certain Large Sources.	12/28/96	01/07/00, 65 FR 1070.	

TABLE 1—EPA APPROVED TENNESSEE REGULATIONS—Continued

State citation	Title/subject	State effective date	EPA approval date	Explanation
CHAPTER 1200–3–13 VIOLATIONS				
Section 1200–3–13–.01 ...	Violation Statement	06/07/74	06/07/79, 44 FR 32681.	
CHAPTER 1200–3–14 CONTROL OF SULFUR DIOXIDE EMISSIONS				
Section 1200–3–14–.01 ...	General Provisions	08/01/84	04/07/93, 58 FR 18011.	
Section 1200–3–14–.02 ...	Non-Process Emission Standards.	08/01/84	04/07/93, 58 FR 18011.	
Section 1200–3–14–.03 ...	Process Emission Standards	03/21/93	03/19/96, 61 FR 11136.	
Section 1200–3–14–.04 ...	CAIR SO_2 Annual Trading Program.	11/06/06	8/20/07, 72 FR 46393.	
CHAPTER 1200–3–15 EMERGENCY EPISODE REQUIREMENTS				
Section 1200–3–15–.01 ...	Purpose	02/09/77	03/29/85, 50 FR 12540.	
Section 1200–3–15–.02 ...	Episode Criteria	06/26/93	09/15/94, 59 FR 47256.	
Section 1200–3–15–.03 ...	Required Emissions Reductions	05/15/81	06/24/82, 47 FR 27267.	
CHAPTER 1200–3–18 VOLATILE ORGANIC COMPOUNDS				
Section 1200–3–18–.01 ...	Definitions	01/12/98	06/03/03, 68 FR 33008.	
Section 1200–3–18–.02 ...	General Provisions and Applicability.	02/23/96	07/18/96, 61 FR 37387.	
Section 1200–3–18–.03 ...	Compliance Certification, Recordkeeping, and Reporting Requirements for Coating and Printing Sources.	02/08/96	07/18/96, 61 FR 37387.	
Section 1200–3–18–.04 ...	Compliance Certification, Recordkeeping, and Reporting Requirements for Non-Coating and Non-Printing Sources.	02/08/96	07/18/96, 61 FR 37387.	
Section 1200–3–18–.05 ...	(Reserved)	05/18/93	02/27/95, 60 FR 10504.	
Section 1200–3–18–.06 ...	Handling, Storage, Use, and Disposal of Volatile Organic Compounds (VOC).	06/04/96	08/27/96, 61 FR 43972	
Section 1200–3–18–.07 ...	Source-Specific Compliance Schedules.	05/18/93	02/27/95, 60 FR 10504	
Section 1200–3–18–.08 ...	(Reserved)	05/18/93	02/27/95, 60 FR 10504	
Section 1200–3–18–.09 ...	(Reserved)	05/18/93	02/27/95, 60 FR 10504	
Section 1200–3–18–.10 ...	(Reserved)	05/18/93	02/27/95, 60 FR 10504	
Section 1200–3–18–.11 ...	Automobile and Light-Duty Truck Coating Operations.	05/18/93	02/27/95, 60 FR 10504	
Section 1200–3–18–.12 ...	Can Coating	05/18/93	02/27/95, 60 FR 10504	
Section 1200–3–18–.13 ...	Coil Coating	05/18/93	02/27/95, 60 FR 10504	
Section 1200–3–18–.14 ...	Paper and Related Coating	05/18/93	02/27/95, 60 FR 10504.	
Section 1200–3–18–.15 ...	Fabric Coating	05/18/93	02/27/95, 60 FR 10504	
Section 1200–3–18–.16 ...	Vinyl Coating	05/18/93	02/27/95, 60 FR 10504	
Section 1200–3–18–.17 ...	Coating of Metal Furniture	05/18/93	02/27/95, 60 FR 10504	
Section 1200–3–18–.18 ...	Coating of Large Appliances	05/18/93	02/27/95, 60 FR 10504	
Section 1200–3–18–.19 ...	Coating of Magnet Wire	05/18/93	02/27/95, 60 FR 10504	
Section 1200–3–18–.20 ...	Coating of Miscellaneous Metal Parts.	01/26/99	11/03/99, 64 FR 59628.	
Section 1200–3–18–.21 ...	Coating of Flat Wood Paneling ...	02/08/96	07/18/96, 61 FR 37387	
Section 1200–3–18–.22 ...	Bulk Gasoline Plants	12/29/04	08/26/05, 70 FR 50199	
Section 1200–3–18–.23 ...	Bulk Gasoline Terminals	05/18/93	02/27/95, 60 FR 10504	
Section 1200–3–18–.24 ...	Gasoline Dispensing Facility—Stage I and Stage II Vapor Recovery.	12/29/04	08/26/05, 70 FR 50199	
Section 1200–3–18–.25 ...	Leaks from Gasoline Tank Trucks.	05/18/93	02/27/95, 60 FR 10504	
Section 1200–3–18–.26 ...	Petroleum Refinery Sources	05/18/93	02/27/95, 60 FR 10504	
Section 1200–3–18–.27 ...	Leaks from Petroleum Refinery Equipment.	05/18/93	02/27/95, 60 FR 10504	
Section 1200–3–18–.28 ...	Petroleum Liquid Storage in External Floating Roof Tanks.	05/18/93	02/27/95, 60 FR 10504	
Section 1200–3–18–.29 ...	Petroleum Liquid Storage in Fixed Roof Tanks.	05/18/93	02/27/95, 60 FR 10504	
Section 1200–3–18–.30 ...	Leaks from Natural Gas/Gasoline Processing Equipment.	05/18/93	02/27/95, 60 FR 10504	
Section 1200–3–18–.31 ...	Solvent Metal Cleaning	05/18/93	02/27/95, 60 FR 10504	

TABLE 1—EPA APPROVED TENNESSEE REGULATIONS—Continued

State citation	Title/subject	State effective date	EPA approval date	Explanation
Section 1200–3–18–.32 ...	Cutback and Emulsified Asphalt	05/18/93	02/27/95, 60 FR 10504	
Section 1200–3–18–.33 ...	Manufacture of Synthesized Pharmaceutical Products.	02/21/95	07/18/96, 61 FR 37387	
Section 1200–3–18–.34 ...	Pneumatic Rubber Tire Manufacturing.	05/18/93	02/27/95, 60 FR 10504.	
Section 1200–3–18–.35 ...	Graphic Arts Systems	05/18/93	02/27/95, 60 FR 10504.	
Section 1200–3–18–.36 ...	Petroleum Solvent Dry Cleaners	02/08/96	07/18/96, 61 FR 37387.	
Section 1200–3–18–.37 ...	(Reserved)	05/18/93	02/27/95, 60 FR 10504.	
Section 1200–3–18–.38 ...	Leaks from Synthetic Organic Chemical, Polymer, and Resin Manufacturing Equipment.	02/08/96	07/18/96, 61 FR 37387.	
Section 1200–3–18–.39 ...	Manufacture of High Density Polyethylene, Polypropylene, and Polystyrene Resins.	05/08/97	07/29/97, 62 FR 40458.	
Section 1200–3–18–.40 ...	Air Oxidation Processes in the Synthetic Organic Chemical Manufacturing Industry.	05/18/93	02/27/95, 60 FR 10504.	
Section 1200–3–18–.41 ...	(Reserved)	05/18/93	02/27/95, 60 FR 10504.	
Section 1200–3–18–.42 ...	Wood Furniture Finishing and Cleaning Operations.	04/25/96	07/18/96, 61 FR 37387.	
Section 1200–3–18–.43 ...	Offset Lithographic Printing Operations.	04/22/96	07/18/96, 61 FR 37387.	
Section 1200–3–18–.44 ...	Surface Coating of Plastic Parts	06/03/96	08/27/96, 61 FR 43972.	
Section 1200–3–18–.45 ...	Standards of Performance for Commercial Motor Vehicle and Mobile Equipment Refinishing Operations.	06/03/96	08/27/96, 61 FR 43972.	
Section 1200–3–18–.48 ...	Volatile Organic Liquid Storage Tanks.	06/03/96	08/27/96, 61 FR 43972.	
Sections 1200–3–18–.49–.77.	(Reserved)	05/18/93	02/27/95, 60 FR 10504.	
Section 1200–3–18–.78 ...	Other Facilities That Emit Volatile Organic Compounds (VOC's) of Fifty Tons Per Year.	02/08/96	07/18/96, 61 FR 37387.	
Section 1200–3–18–.79 ...	Other Facilities That Emit Volatile Organic Compounds (VOC's) of One Hundred Tons Per Year.	02/08/96	07/18/96, 61 FR 37387.	
Section 1200–3–18–.80 ...	Test Methods and Compliance Procedures: General Provisions.	05/18/93	02/27/95, 60 FR 10504.	
Section 1200–3–18–.81 ...	Test Methods and Compliance Procedures: Determining the Volatile Organic Compound (VOC) Content of Coatings and Inks.	05/08/97	07/29/97, 62 FR 40458.	
Section 1200–3–18–.82 ...	Test Methods and Compliance Procedures: Alternative Compliance Methods for Surface Coating.	05/18/93	02/27/95, 60 FR 10504.	
Section 1200–3–18–.83 ...	Test Methods and Compliance Procedures: Emission Capture and Destruction or Removal Efficiency and Monitoring Requirements.	05/18/93	02/27/95, 60 FR 10504.	
Section 1200–3–18–.84 ...	Test Methods and Compliance Procedures: Determining the Destruction or Removal Efficiency of a Control Device.	05/18/93	02/27/95, 60 FR 10504.	
Section 1200–3–18–.85 ...	Test Methods and Compliance Procedures: Leak Detection Methods for Volatile Organic Compounds (VOC's).	05/18/93	02/27/95, 60 FR 10504.	
Section 1200–3–18–.86 ...	Performance Specifications for Continuous Emission Monitoring of Total Hydrocarbons.	06/03/96	04/14/97, 62 FR 18046.	
Section 1200–3–18–.87 ...	Quality Control Procedures for Continuous Emission Monitoring Systems (CEMS).	05/18/93	02/27/95, 60 FR 10504.	

TABLE 1—EPA APPROVED TENNESSEE REGULATIONS—Continued

State citation	Title/subject	State effective date	EPA approval date	Explanation
Section 1200–3–18–.88–.99.	(Reserved)	05/18/93	02/27/95, 60 FR 10504.	
CHAPTER 1200–3–19 EMISSION STANDARDS AND MONITORING REQUIREMENTS FOR PARTICULATE AND SULFUR DIOXIDE NONATTAINMENT AREAS				
Section 1200–3–19–.01	Purpose	04/30/96	07/30/97, 62 FR 40734.	
Section 1200–3–19–.02	General Requirements	04/30/96	07/30/97, 62 FR 40734.	
Section 1200–3–19–.03	Particulate and Sulfur Dioxide Nonattainment Areas within Tennessee.	04/30/96	07/30/97, 62 FR 40734.	
Section 1200–3–19–.04	(Reserved)	04/30/96	07/30/97, 62 FR 40734.	
Section 1200–3–19–.05	Operating Permits and Emission Limiting Conditions.	04/30/96	07/30/97, 62 FR 40734.	
Section 1200–3–19–.06	Logs for Operating Hours	04/30/96	07/30/97, 62 FR 40734.	
Section 1200–3–19–.07–.10.	(Reserved)	04/30/96	07/30/97, 62 FR 40734.	
Section 1200–3–19–.11	Particulate Matter Emission Regulations for the Bristol Nonattainment Area.	04/30/96	07/30/97, 62 FR 40734.	
Section 1200–3–19–.12	Particulate Matter Emission Regulations for Air Contaminant Sources in or Significantly Impacting the Particulate Nonattainment Areas in Campbell County.	04/30/96	07/30/97, 62 FR 40734.	
Section 1200–3–19–.13	Particulate Emission Regulations for the Bull Run Nonattainment Area and Odoms Bend Nonattainment Area.	04/30/96	07/30/97, 62 FR 40734.	
Section 1200–3–19–.14	Sulfur Dioxide Emission Regulations for the New Johnsonville Nonattainment Area.	04/16/97	09/13/99, 64 FR 49397.	
Section 1200–3–19–.15	Particulate Matter Monitoring Requirements for Steam Electric Generating Units in the Bull Run and Odoms Bend Nonattainment Areas.	04/30/96	07/30/97, 62 FR 40734.	
Section 1200–3–19–.16–.18.	(Reserved)	04/30/96	07/30/97, 62 FR 40734.	
Section 1200–3–19–.19	Sulfur Dioxide Regulations for the Copper Basin Nonattainment Area.	11/30/96	09/13/99, 64 FR 49398.	
CHAPTER 1200–3–20 LIMITS ON EMISSIONS DUE TO MALFUNCTIONS, START-UPS, AND SHUTDOWNS				
Section 1200–3–20–.01	Purpose	02/13/79	02/06/80, 45 FR 8004.	
Section 1200–3–20–.02	Reasonable Measures Required	02/13/79	02/06/80, 45 FR 8004.	
Section 1200–3–20–.03	Notice Required When Malfunction Occurs.	12/09/81	06/24/82, 47 FR 27272.	
Section 1200–3–20–.04	Logs and Reports	02/13/79	02/06/80, 45 FR 8004.	
Section 1200–3–20–.05	Copies of Log Required	02/13/79	02/06/80, 45 FR 8004.	
Section 1200–3–20–.06	Scheduled Maintenance	02/13/79	02/06/80, 45 FR 8004.	
Section 1200–3–20–.07	Report Required Upon The Issuance of Notice of Violation.	02/13/79	02/06/80, 45 FR 8004.	
Section 1200–3–20–.08	Special Reports Required	02/13/79	02/06/80, 45 FR 8004.	
Section 1200–3–20–.09	Rights Reserved	02/13/79	02/06/80, 45 FR 8004	
Section 1200–3–20–.10	Additional Sources Covered	11/23/79	06/24/82, 47 FR 27272.	
CHAPTER 1200–3–21 GENERAL ALTERNATE EMISSION STANDARD				
Section 1200–3–21–.01	General Alternate Emission Standard.	01/22/82	06/24/82, 47 FR 27272	
Section 1200–3–21–.02	Applicability	03/22/93	04/18/94, 59 FR 18310.	
CHAPTER 1200–3–22 LEAD EMISSION STANDARDS				
Section 1200–3–22–.01	Definitions	03/18/85	08/12/85, 50 FR 32412	
Section 1200–3–22–.02	General Lead Emission Standards.	12/05/84	08/12/85, 50 FR 32412	

TABLE 1—EPA APPROVED TENNESSEE REGULATIONS—Continued

State citation	Title/subject	State effective date	EPA approval date	Explanation
Section 1200–3–22–.03 ...	Specific Emission Standards for Existing Sources of Lead.	01/26/00	10/29/01, 66 FR 44632	
Section 1200–3–22–.04 ...	Standards for New and Modified Sources of Lead.	12/05/84	08/12/85, 50 FR 32412	
Section 1200–3–22–.05 ...	Source Sampling and Analysis ...	12/05/84	08/12/85, 50 FR 32412	
Section 1200–3–22–.06 ...	Lead Ambient Monitoring Requirements.	12/05/84	08/12/85, 50 FR 32412.	
CHAPTER 1200–3–23 VISIBILITY PROTECTION				
Section 1200–3–23–.01 ...	Purpose	12/19/94	07/02/97, 62 FR 35681	
Section 1200–3–23–.02 ...	Definitions	12/19/94	07/02/97, 62 FR 35681	
Section 1200–3–23–.03 ...	General Visibility Protection Standards.	12/19/94	07/02/97, 62 FR 35681	
Section 1200–3–23–.04 ...	Specific Emission Standards for Existing Stationary Facilities.	12/19/94	07/02/97, 62 FR 35681	
Section 1200–3–23–.05 ...	Specific Emission Standards for Existing Sources.	12/19/94	07/02/97, 62 FR 35681	
Section 1200–3–23–.06 ...	Visibility Standards for New and Modified Sources.	12/19/94	07/02/97, 62 FR 35681	
Section 1200–3–23–.07 ...	Visibility Monitoring Requirements.	12/19/94	07/02/97, 62 FR 35681	
Section 1200–3–23–.08 ...	Exemptions from BART Requirements.	12/19/94	07/02/97, 62 FR 35681	
CHAPTER 1200–3–24 GOOD ENGINEERING PRACTICE STACK HEIGHT REGULATIONS				
Section 1200–3–24–.01 ...	General Provisions	08/18/86	10/19/88, 53 FR 40881	
Section 1200–3–24–.02 ...	Definitions	08/18/86	10/19/88, 53 FR 40881	
Section 1200–3–24–.03 ...	Good Engineering Practice Stack Height Regulations Standards.	08/18/86	10/19/88, 53 FR 40881	
Section 1200–3–24–.04 ...	Specific Emission Standards	08/18/86	10/19/88, 53 FR 40881	
CHAPTER 1200–3–27 NITROGEN OXIDES				
Section 1200–3–27–.01 ...	Definitions	06/14/93	07/29/96, 61 FR 39326	
Section 1200–3–27–.02 ...	General Provisions and Applicability.	11/23/96	10/28/02, 67 FR 55320	
Section 1200–3–27–.03 ...	Standards and Requirements	04/29/96	07/29/96, 61 FR 39326	
Section 1200–3–27–.04 ...	Standards for Cement Kilns	07/23/03	01/22/04, 69 FR 3015.	
Section 1200–3–27–.06 ...	NO_X Trading Budget for State Implementation Plans.	07/23/03	01/22/04, 69 FR 3015.	
Section 1200–3–27–.09 ...	Compliance Plans for NO_X Emissions From Stationary Internal Combustion Engines.	11/14/05	12/27/05, 70 FR 76401.	
Section 1200–3–27.10	CAIR NO_X Annual Trading Program.	11/06/06	8/20/07, 72 FR 46393.	
Section 1200–3–27.11	CAIR NO_X Ozone Season Trading Program.	10/4/09	11/25/09, 74 FR 61535.	
CHAPTER 1200–3–29 LIGHT-DUTY MOTOR VEHICLE INSPECTION AND MAINTENANCE				
Section 1200–3–29–.01 ...	Purpose	07/08/94	07/28/95, 60 FR 38694.	
Section 1200–3–29–.02 ...	Definitions	12/29/94	08/26/05, 70 FR 50199.	
Section 1200–3–29–.03 ...	Motor Vehicle Inspection Requirements.	12/29/94	08/26/05, 70 FR 50199.	
Section 1200–3–29–.04 ...	Exemption From Motor Vehicle Inspection Requirements.	12/29/94	08/26/05, 70 FR 50199.	
Section 1200–3–29–.05 ...	Motor Vehicle Emission Performance Test Criteria.	12/29/94	08/26/05, 70 FR 50199.	
Section 1200–3–29–.06 ...	Motor Vehicle Anti-Tampering Test Criteria.	12/29/94	08/26/05, 70 FR 50199.	
Section 1200–3–29–.07 ...	Motor Vehicle Emissions Performance Test Methods.	12/29/94	08/26/05, 70 FR 50199.	
Section 1200–3–29–.08 ...	Motor Vehicle Anti-Tampering Test Methods.	12/29/94	08/26/05, 70 FR 50199.	
Section 1200–3–29–.09 ...	Motor Vehicle Inspection Program.	12/29/94	08/26/05, 70 FR 50199.	
Section 1200–3–29–.10 ...	Motor Vehicle Inspection Fee	12/29/94	08/26/05, 70 FR 50199.	
Section 1200–3–29–.12 ...	Area of Applicability	12/29/94	08/26/05, 70 FR 50199.	

TABLE 1—EPA APPROVED TENNESSEE REGULATIONS—Continued

State citation	Title/subject	State effective date	EPA approval date	Explanation
CHAPTER 1200–3–34 CONFORMITY				
Section 1200–3–34–.01 ...	Transportation Conformity Interagency Consultation and General Provisions.	4/17/2012	5/17/2013, 78 FR 29031.	
CHAPTER 1200–3–36 MOTOR VEHICLE TAMPERING				
Section 1200–3–36–.01 ...	Purpose	12/29/04	08/26/05, 70 FR 50199.	
Section 1200–3–36–.02 ...	Definitions	12/29/04	08/26/05, 70 FR 50199.	
Section 1200–3–36–.03 ...	Motor Vehicle Tampering Prohibited.	12/29/04	08/26/05, 70 FR 50199.	
Section 1200–3–36–.04 ...	Recordkeeping Requirements	12/29/04	08/26/05, 70 FR 50199.	
Section 1200–3–36–.05 ...	Exemptions	12/29/04	08/26/05, 70 FR 50199.	

TABLE 2—EPA APPROVED MEMPHIS-SHELBY COUNTY REGULATIONS

State citation	Title/subject	State effective date	EPA approval date	Explanation
Division I Generally				
Section 16–46	Definitions	8/14/89	6/15/89, 54 FR 25456	
Section 16–47	Abbreviations, Acronyms & Symbols	8/14/89	6/15/89, 54 FR 25456	
Section 16–48	Words, Phrases Substituted in State Regulations Adopted by Reference.	8/14/89	6/15/89, 54 FR 25456	
Section 16–49	Ambient Air Quality Standards	8/14/89	6/15/89, 54 FR 25456	
Section 16–50	Open Burning	8/14/89	6/15/89, 54 FR 25456	
Section 16–51	Severability of Parts of Articles	8/14/89	6/15/89, 54 FR 25456	
Division II Enforcement				
Section 16–56	Violations of Chapter—Notice; Citation; Injunctive Relief.	8/14/89	6/15/89, 54 FR 25456	
Section 16–57	Penalties, Misdemeanor, Civil, Noncompliance.	8/14/89	6/15/89, 54 FR 25456	
Section 16–58	Variances	8/14/89	6/15/89, 54 FR 25456	
Section 16–59	Emergency Powers of Health Officer	8/14/89	6/15/89, 54 FR 25456	
Division III Air Pollution Control Board				
Section 16–71	Created; Membership; Term of Office; Jurisdiction; Hearings; Appeals.	8/14/89	6/15/89, 54 FR 25456	
Division IV Source Emissions Standards				
Section 16–77	Construction and Operating Permits	8/14/89	6/15/89, 54 FR 25456	
Section 16–78	Process Emissions Standards	8/14/89	6/15/89, 54 FR 25456	
Section 16–79	Nonprocess Emission Standards	8/14/89	6/15/89, 54 FR 25456	
Section 16–80	Volatile Organic Compounds	8/14/89	6/15/89, 54 FR 25456	
Section 16–82	Control of Sulfur Dioxide Emissions	8/14/89	6/15/89, 54 FR 25456	
Section 16–83	Visible Emissions	8/14/89	6/15/89, 54 FR 25456	
Section 16–84	Particulate Matter from Incinerators	8/14/89	6/15/89, 54 FR 25456	
Section 16–85	Required Sampling, Recording, and Reporting.	5/20/96	3/19/96, 61 FR 11136	

TABLE 2—EPA APPROVED MEMPHIS-SHELBY COUNTY REGULATIONS—Continued

State citation	Title/subject	State effective date	EPA approval date	Explanation
Section 16–86	Methods of Sampling and Analysis	8/14/89	6/15/89, 54 FR 25456	
Section 16–87	Limits on Emissions due to Malfunctions, Startups & Shutdowns.	8/14/89	6/15/89, 54 FR 25456	
Section 16–88	Nuisance Abatement	8/14/89	6/15/89, 54 FR 25456	
Section 16–89	Fugitive Dust	8/14/89	6/15/89, 54 FR 25456	
Section 16–90	General Alternate Emission Standard	8/14/89	6/15/89, 54 FR 25456	
Section 16–91	Lead Emission Standards	8/14/89	6/15/89, 54 FR 25456	

TABLE 3—EPA APPROVED KNOX COUNTY, REGULATIONS

State section	Title/subject	State effective date	EPA approval date	Explanation
12.0	Introduction	6/18/86	8/03/89, 54 FR 31953	
13.0	Definitions	10/17/2012	11/29/2013, 78 FR 71502	
14.0	Ambient Air Quality Standards	7/19/89	2/21/90, 55 FR 5985	
15.0	Prohibitions of Air Pollution	6/18/86	8/03/89, 54 FR 31953	
16.0	Open Burning	12/14/05	1/3/07, 72 FR 20	
17.0	Regulation of Visible Emissions	10/13/93	11/01/94, 59 FR 54523	
18.0	Regulation of Non-Process Emissions	10/13/93	11/01/94, 59 FR 54523	
19.0	Regulation of Process Emissions	12/11/96	6/08/98, 63 FR 31121	
20.0	Regulation of Incinerators	6/18/86	8/03/89, 54 FR 31953	
22.0	Regulation of Fugitive Dust and Materials	1/10/01	1/3/07, 72 FR 23	
23.0	Regulation of Hydrocarbon Emissions	6/16/72	10/28/72, 37 FR 23085	
24.0	Regulation of Airborne and Windborne Materials	6/18/86	8/03/89, 54 FR 31953	
Section 25.0	Permits	10/10/2012	2/28/13, 78 FR 13499	
26.0	Monitoring, Recording, and Reporting	6/10/92	4/28/93, 58 FR 25777	
27.0	Sampling and Testing Methods	6/10/92	4/28/93, 58 FR 25777	
28.0	Variances	6/10/92	4/28/93, 58 FR 25777	
29.0	Appeals	5/25/94	12/26/95, 60 FR 66748	
30.0	Violations	1/10/96	3/26/97, 62 FR 14327	
31.0	Right of Entry	6/18/86	8/03/89, 54 FR 31953	
32.0	Use of Evidence	6/18/86	8/03/89, 54 FR 31953	
33.0	Confidentiality and Accessibility of Records	6/18/86	8/03/89, 54 FR 31953	
34.0	Malfunction of Equipment	6/18/86	8/03/89, 54 FR 31953	
36.0	Emergency Regulations	7/19/89	2/21/90, 55 FR 5985	
37.0	Separation of Emissions	6/18/86	8/03/89, 54 FR 31953	
38.0	Combination of Emissions	6/18/86	8/03/89, 54 FR 31953	
39.0	Severability	6/18/86	8/03/89, 54 FR 31953	
41.0	Regulation for the Review of New Sources	6/18/86	8/03/89, 54 FR 31953	

TABLE 3—EPA APPROVED KNOX COUNTY, REGULATIONS—Continued

State section	Title/subject	State effective date	EPA approval date	Explanation
45.0	Prevention of Significant Deterioration	6/10/92	4/28/93, 58 FR 25776	
Section 46.0	Regulation of Volatile Organic Compounds	8/12/2009	2/28/13, 78 FR 13499	
47.0	Good Engineering Practice Stack Height	10/13/93	11/01/94, 59 FR 54523	
51.0	Standards for Cement Kilns	7/11/01	4/12/2007, 72 FR 18391	

TABLE 4—EPA APPROVED CHATTANOOGA REGULATIONS

State section	Title/subject	Adoption date	EPA approval date	Explanation
Article I. In General				
Section 4–1	Declaration of Policy and Purposes: Title	7/20/89	5/08/90, 55 FR 19066.	
Section 4–2	Definitions	8/16/95	2/18/97, 62 FR 7163.	
Section 4–3	Regulations cumulative; compliance with one provision no defense to noncompliance with another; use of alternative methods.	8/16/95	2/18/97, 62 FR 7163.	
Section 4–4	Penalties for violation of chapter, permit or order.	8/16/95	2/18/97, 62 FR 7163.	
Section 4–5	Limitations of chapter	7/20/89	5/08/90, 55 FR 19066.	
Section 4–6	Air pollution control board; bureau of air pollution control; persons required to comply with chapter.	8/16/95	2/18/97, 62 FR 7163.	
Section 4–7	Powers and duties of the board; delegation	7/20/89	5/08/90, 55 FR 19066.	
Section 4–8	Installation permit, temporary operating permit, certification of operation and solid fuel permit.	8/16/95	2/18/97, 62 FR 7163.	
Section 4–9	Technical reports; charges	7/20/89	5/08/90, 55 FR 19066.	
Section 4–10	Records	7/20/89	5/08/90, 55 FR 19066.	
Section 4–11	General Requirements	7/20/89	5/08/90, 55 FR 19066.	
Section 4–12	Limits on emissions due to equipment malfunction, start-up or shutdown.	8/16/95	2/18/97, 62 FR 7163.	
Section 4–13	Certificate of alternate control	12/11/95	8/12/97, 62 FR 43109.	
Section 4–14	Court determination of invalidity of having two sets of limitations for process or fuel burning equipment; effect.	7/20/89	5/08/90, 55 FR 19066.	
Section 4–15	Right to file abatement suits	7/20/89	5/08/90, 55 FR 19066.	
Section 4–16	Right of entry of city employees; search warrants.	8/16/95	2/18/97, 62 FR 7163.	
Section 4–17	Enforcement of chapter; procedure for adjudicatory hearings.	8/16/95	2/18/97, 62 FR 7163.	
Section 4–18	Hearings and judicial review	8/16/95	2/18/97, 62 FR 7163.	
Section 4–19	Confidentiality of certain records	8/16/95	2/18/97, 62 FR 7163.	
Section 4–20	Emergencies	7/20/89	5/08/90, 55 FR 19066.	
Section 4–21	Variances	7/20/89	5/08/90, 55 FR 19066.	
Section 4–22	Reserved.			
Article II. Section 4–41 Rules, Regulations, Criteria, Standards				
Section 4–41 Rule 1	Rules adopted	7/20/89	5/08/90, 55 FR 19066.	
Section 4–41 Rule 2	Regulation of Nitrogen Oxides	8/15/95	8/12/97, 62 FR 43109.	
Section 4–41 Rule 3	Visible Emission Regulations	8/15/95	8/12/97, 62 FR 43109.	
Section 4–41 Rule 4	Regulation of the Importation, Sales, Transportation, Use or Consumption of Certain Fuels.	7/20/89	5/08/90, 55 FR 19066.	
Section 4–41 Rule 5	Prohibition of Hand-Fired Fuel Burning Equipment.	7/20/89	5/08/90, 55 FR 19066.	
Section 4–41 Rule 6	Prohibition of Open Burning	12/8/04	8/26/05, 70 FR 50199.	
Section 4–41 Rule 7	Incinerator Regulation	7/20/89	5/08/90, 55 FR 19066.	
Section 4–41 Rule 8	Fuel Burning Equipment Regulations	8/15/95	8/12/97, 62 FR 43109.	
Section 4–41 Rule 9	Regulation of Visible Emissions from Internal Combustion Engines.	8/15/95	8/12/97, 62 FR 43109.	
Section 4–41 Rule 10	Process Emission Regulations	7/20/89	5/08/90, 55 FR 19066.	
Section 4–41 Rule 11	Regulation of Transporting and Material Handling in Open Air.	7/20/89	5/08/90, 55 FR 19066.	
Section 4–41 Rule 12	Regulation of Odors in the Ambient Air	7/20/89	5/08/90, 55 FR 19066.	
Section 4–41 Rule 13	Regulation of Sulfur Oxides	8/15/95	8/12/97, 62 FR 43109.	

TABLE 4—EPA APPROVED CHATTANOOGA REGULATIONS—Continued

State section	Title/subject	Adoption date	EPA approval date	Explanation
Section 4–41 Rule 14 ..	Nuisances	7/20/89	5/08/90, 55 FR 19066.	
Section 4–41 Rule 16 ..	Emission Standards for Source Categories of Area Sources.	8/15/95	8/12/97, 62 FR 43109.	
Section 4–41 Rule 17 ..	General Provisions and Applicability for Process Gaseous Emissions Standards.	7/20/89	5/08/90, 55 FR 19066.	
Section 4–41 Rule 18 ..	Prevention of Significant Air Quality Deterioration.	8/15/95	8/12/97, 62 FR 43109.	
Section 4–41 Rule 20 ..	Proposed Infectious Waste Rule	8/15/95	8/12/97, 62 FR 43109.	
Section 4–41 Rule 21 ..	Ambient Air Quality Standards	8/15/95	8/12/97, 62 FR 43109.	
Section 4–41 Rule 22 ..	(Reserved).			
Section 4–41 Rule 23 ..	General Provisions and Applicability for Process Gaseous Emissions Standards.	7/20/89	5/08/90, 55 FR 19066.	
Section 4–41 Rule 24 ..	(Reserved).			
Section 4–41 Rule 25 ..	General Provisions and Applicability for Volatile Organic Compounds.	12/8/04	8/26/05, 70 FR 50199.	
Section 4–41 Rule 26 ..	Reasonably Available Control Technology (RACT).	8/15/95	8/12/97, 62 FR 43109.	
Section 4–41 Rule 27 ..	Particulate Matter Controls for New Sources and New Modifications after August 12, 1997.	8/15/95	8/12/97, 62 FR 43109.	

TABLE 5—EPA APPROVED NASHVILLE-DAVIDSON COUNTY, REGULATIONS

State citation	Title/subject	State effective date	EPA approval date	Explanation
Chapter 10.56. Air Pollution Control				
Section 10.56.010	Definitions	03/12/97	12/31/98, 63 FR 72195.	
Article I. Administration and Enforcement				
Section 10.56.020 +	Construction Permits	10/06/94	9/06/96, 61 FR 47057.	
Section 10.56.040	Operating Permit	12/14/95	05/30/97, 62 FR 29301.	
Section 10.56.050	Exemptions	12/14/95	5/30/97, 62 FR 29301.	
Section 10.56.060	Transferability of Permit	10/06/94	9/06/96, 61 FR 47057.	
Section 10.56.070	Suspension or Revocation of Permit	10/06/94	9/06/96, 61 FR 47057.	
Section 10.56.080	Permit and Annual Emission Fees	3/12/97	12/31/98, 63 FR 72195.	
Section 10.56.090	Board—Powers and Duties	10/06/94	9/06/96, 61 FR 47057.	
Section 10.56.100	Board—Consideration of Facts and Circumstances.	10/06/94	9/06/96, 61 FR 47057.	
Section 10.56.110	Rules and Regulations —Hearings Procedure	10/06/94	9/06/96, 61 FR 47057.	
Section 10.56.120	Complaint Notice—Hearings Procedure	10/06/94	9/06/96, 61 FR 47057.	
Section 10.56.130	Variances—Hearings Procedure	10/06/94	9/06/96, 61 FR 47057.	
Section 10.56.140	Emergency Measures—Hearings Procedure	10/06/94	9/06/96, 61 FR 47057.	
Article II. Standards for Operation				
Section 10.56.160	Ambient Air Quality Standards	3/12/97	12/31/98, 63 FR 72195.	
Section 10.56.170	Emission of Gases, Vapors or Objectionable Odors.	10/06/94	9/06/96, 61 FR 47057.	
Section 10.56.180	Laundry Operations—Dryer and Vent Pipe Requirements.	10/06/94	9/06/96, 61 FR 47057.	
Section 10.56.190	Controlling Wind-Borne Materials	10/06/94	9/06/96, 61 FR 47057.	
Section 10.56.200	Sale, Use or Consumption of Solid and Liquid Fuels.	10/06/94	9/06/96, 61 FR 47057.	

TABLE 5—EPA APPROVED NASHVILLE-DAVIDSON COUNTY, REGULATIONS—Continued

State citation	Title/subject	State effective date	EPA approval date	Explanation
Section 10.56.220	Fuel-Burning Equipment	10/06/94	9/06/96, 61 FR 47057.	
Section 10.56.230	Incinerators	10/06/94	9/06/96, 61 FR 47057.	
Section 10.56.240	Internal Combustion Engines	12/14/95	5/30/97, 62 FR 29301.	
Section 10.56.250	Open Burning	10/06/94	9/06/96, 61 FR 47057.	
Section 10.56.260	Process Emissions	10/06/94	9/06/96, 61 FR 47057.	
Section 10.56.270	Visible Emissions	10/06/94	9/06/96, 61 FR 47057.	
Section 10.56.280	Start-ups, Shutdowns and Malfunctions	3/12/97	12/31/98, 63 FR 72195.	
Section 10.56.290	Measurement and Reporting of Emissions	10/06/94	9/06/96, 61 FR 47057.	
Section 10.56.300	Testing Procedures	10/06/94	9/06/96, 61 FR 47057.	
Section 10.56.310	Severability	10/06/94	9/06/96, 61 FR 47057.	
Regulation No. 1	Prevention, Abatement and Control of Air Control Contaminants from Open Burning.	6/28/79	8/13/80, 45 FR 53810.	
Regulation No. 2	Prevention, Abatement and Control of Air Contaminants from Materials Subject to Becoming Windborne.	6/28/79	8/13/80, 45 FR 53810.	
Regulation No. 3 New Source Review.				
Section 3–1	Definitions	03/14/06	09/14/07, 72 FR 52474.	
Section 3–2	New Source Review	03/14/06	09/14/07, 72 FR 52474.	
Section 3–3	Prevention of Significant Deterioration (PSD) Review.	03/14/06	09/14/07, 72 FR 52474.	
Section 3–4	Plantwide Applicability Limits (PAL)	03/14/06	09/14/07, 72 FR 52474.	
Regulation No. 6	Emission Monitoring of Stationary Sources.			
Section 6.1	Definitions	5/22/77	3/22/78, 43 FR 11819.	
Section 6.2	Monitoring of Emissions	5/22/77	3/22/78, 43 FR 11819.	
Section 6.3	Equipment Specifications	5/22/77	3/22/78, 43 FR 11819.	
Section 6.4	Monitoring System Malfunction	5/22/77	3/22/78, 43 FR 11819.	
Section 6.5	Recording and Reporting	5/22/77	3/22/78, 43 FR 11819.	
Section 6.6	Data Reduction	5/22/77	3/22/78, 43 FR 11819.	
Regulation No. 7	Regulation for Control of Volatile Organic Compounds.			
Section 7–1	Definitions	11/13/96	6/17/97, 62 FR 32688.	
Section 7–2	General Provisions and Applicability	11/13/96	6/17/97, 62 FR 32688.	
Section 7–3	Petition for Alternative Controls	12/10/91	6/26/92, 57 FR 28625.	
Section 7–4	Compliance Certification, Recordkeeping and Reporting Requirements.	11/13/96	6/17/97, 62 FR 32688.	
Section 7–5	Emission Standards for Coil Coating	11/13/96	6/17/97, 62 FR 32688.	
Section 7–6	Emission Standards for Paper Coating	11/13/96	6/17/97, 62 FR 32688.	
Section 7–7	Emission Standards for Fabric and Vinyl Coating	11/13/96	6/17/97, 62 FR 32688.	
Section 7–8	Emission Standards for Metal Furniture Coating	11/13/96	6/17/97, 62 FR 32688.	
Section 7–9	Emission Standards for Surface Coating of Large Appliances.	11/13/96	6/17/97, 62 FR 32688.	
Section 7–10	Petroleum Liquid Storage	11/13/96	6/17/97, 62 FR 32688.	

TABLE 5—EPA APPROVED NASHVILLE-DAVIDSON COUNTY, REGULATIONS—Continued

State citation	Title/subject	State effective date	EPA approval date	Explanation
Section 7–11	Bulk Gasoline Plants	12/10/91	6/26/92, 57 FR 28265.	
Section 7–12	Bulk Gasoline Terminals	12/10/91	6/26/92, 57 FR 28265.	
Section 7–13	Gasoline Dispensing Facility, Stage 1	12/10/91	6/26/92, 57 FR 28265.	
Section 7–14	Solvent Metal Cleaning	12/10/91	6/26/92, 57 FR 28265.	
Section 7–15	Prohibition of Cutback Asphalt	12/10/91	6/26/92, 57 FR 28265.	
Section 7–16	Emission Standards for Surface Coating of Miscellaneous Metal Parts and Products.	7/09/97	10/08/98, 63 FR 54053.	
Section 7–17	Manufacture of Pneumatic Tires	11/13/96	6/17/97, 62 FR 32688.	
Section 7–18	Graphic Arts—Rotogravure and Flexography	12/10/91	6/26/92, 57 FR 28265.	
Section 7–20	Petroleum Solvent Dry Cleaners	11/13/96	6/17/97, 62 FR 32688.	
Section 7–21	Volatile Organic Liquid Storage In External Floating Roof Tanks.	11/13/96	6/17/97, 62 FR 32688.	
Section 7–22	Leaks from Synthetic Organic Chemical, Polymer, and Resin Manufacturing Equipment.	11/13/96	6/17/97, 62 FR 32688.	
Section 7–23	Air Oxidation Processes in the Synthetic Organic Chemical Manufacturer's Industry.	11/13/96	6/17/97, 62 FR 32688.	
Section 7–24	Test Methods and Procedures	11/13/96	6/17/97, 62 FR 32688.	
Section 7–26	Special Provisions for New Volatile Organic Compund Sources and Modifications.	11/13/96	6/17/97, 62 FR 32688.	
Section 7–27	Handling, Storage, Use, and Disposal of Volatile Organic Compounds (VOC).	11/13/96	6/17/97, 62 FR 32688.	
Section 7–28	Surface Coating of Plastic Parts	11/13/96	6/17/97, 62 FR 32688.	
Regulation No. 8	Regulation of Emissions from Light-Duty Motor Vehicles Through Mandatory Vehicle Inspection and Maintenance Program.	10/10/2007	8/18/08, 73 FR 48127.	
Regulation No. 10	Infectious Waste Incinerators.			
Section 10–1	Definitions	10/06/94	9/06/96, 61 FR 47057.	
Section 10–2	Prohibited Act	10/06/94	9/06/96, 61 FR 47057.	
Section 10–3	Emission Standards	10/06/94	9/06/96, 61 FR 47057.	
Section 10–4	Performance Specifications	10/06/94	9/06/96, 61 FR 47057.	
Section 10–5	Monitoring Requirements	10/06/94	9/06/96, 61 FR 47057.	
Section 10–6	Compliance Schedule for Existing Infectious Waste Incinerators.	10/06/94	9/06/96, 61 FR 47057.	
Section 10–7	Testing Requirement	10/06/94	9/06/96, 61 FR 47057.	
Section 10–8	Recordkeeping and Reporting Requirements	10/06/94	9/06/96, 61 FR 47057.	
Section 10–9	Severability	10/06/94	9/06/96, 61 FR 47057.	
Regulation No. 11	Emergency Episode Regulation.			
Section 11–1	Episode Criteria	11/13/96	6/17/97, 62 FR 32688.	
Section 11–2	Emission Reductions	11/13/96	6/17/97, 62 FR 32688.	
Regulation No. 14	Regulation for Control of Nitrogen Oxides.			
Section 14–1	Definitions	8/10/93	6/29/96, 61 FR 39326.	
Section 14–2	Emission Standards	8/10/93	6/29/96, 61 FR 39326.	
Section 14–3	Procedures for Determining RACT	8/10/93	6/29/96, 61 FR 39326.	
Section 14–4	Recordkeeping and Reporting Requirements	8/10/93	6/29/96, 61 FR 39326.	
Section 14–5	Compliance Schedule	8/10/93	6/29/96, 61 FR 39326.	

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

EPA-APPROVED TENNESSEE SOURCE-SPECIFIC REQUIREMENTS

Name of Source	Permit No.	State effective date	EPA approval date	Explanation
Revised Permits for the Kingsport Particulate Nonattainment Area.	n/a	09/15/99	11/5/99, 64 FR 60346.	Various permits.
Union Carbide, Tennessee Eastman Company.	n/a, 011397P	12/30/86	6/16/87, 52 FR 22778.	
Murray Ohio Manufacturing Company	n/a	12/30/86	12/10/87, 52 FR 46764.	
Tennessee Eastman Company	n/a	1/06/88	10/12/88, 53 FR 39742.	
Variance for Averaging Times for VOC Emission.	n/a	1/06/88	6/23/88, 53 FR 23624.	5 sources.
Avco Aerostructures	n/a	2/25/88	1/23/89, 54 FR 3031.	
Miscellaneous Metal Parts	n/a	4/05/99	11/5/99, 64 FR 60346.	13 sources.
Nissan Manufacturing Corporation	n/a	4/29/91	9/09/91, 56 FR 45896.	
Tenneco Energy	045022F, 045025F.	5/31/96	7/24/96, 61 FR 38391.	
Brunswick Marine Corporation	044881P, 045012P, 045013P.	5/31/96	7/21/97, 62 FR 38909.	
Metalico College Grove, Inc	n/a	5/12/99	7/12/99, 64 FR 37411.	
Refined Metals, Inc.	n/a		9/20/00, 65 FR 56796.	
Eastman Chemical Company	BART Permit 066116H.	May 9, 2012	November 27, 2012 77 FR 70692	BART determination.
Eastman Chemical Company—Amendment #1.	BART Permit 066116H, Amendment #1.	May 22, 2012	November 27, 2012 77 FR 70692	Clarifying amendment to BART Determination.

(e) EPA-Approved Tennessee Non-Regulatory Provisions

EPA-APPROVED TENNESSEE NON-REGULATORY PROVISIONS

Name of non-regulatory SIP provision	Applicable geographic or nonattainment area	State effective date	EPA approval date	Explanation
Revision to Maintenance Plan Update for Knox County, Tennessee.	Knox County, TN	July 16, 2003	2/4/04, 69 FR 4856.	
Attainment Demonstrations for Early Action Compact Areas.	Chattanooga, Nashville, and Tri-Cities Early Action Compact Areas	12/31/04	8/26/05, 70 FR 50199.	
8-Hour Ozone Maintenance plan for the Montgomery County, Tennessee area.	Montgomery County	08/10/05	09/22/05, 70 FR 55559.	
Nashville 1–Hour Ozone Maintenance Plan.	Nashville 1–Hour Ozone Maintenance Area.	06/11/05	01/03/06, 71 FR 21.	
Carbon Monoxide Second 10-Year Maintenance Plan for the Memphis/Shelby County Area.	Memphis/Shelby	5/10/06	10/25/06, 71 FR 62384.	
8-Hour Ozone Maintenance plan for the Shelby County, Tennessee Area.	Memphis, Shelby County.	1/16/09	1/4/10, 74 FR 56	
Nashville 8-Hour Ozone 110(a)(1) Maintenance Plan.	Nashville 8-Hour Ozone Attainment Area.	October 13, 2010	1/28/11, 76 FR 5078	Maintenance plan for the 1997 8-hour ozone NAAQS.

EPA-APPROVED TENNESSEE NON-REGULATORY PROVISIONS—Continued

Name of non-regulatory SIP provision	Applicable geographic or nonattainment area	State effective date	EPA approval date	Explanation
8-Hour Ozone Maintenance Plan for the Knoxville, Tennessee Area.	Anderson, Blount, Jefferson, Knox, Loudon, and Sevier Counties, and the portion of Cocke County that falls within the boundary of the Great Smoky Mountains National Park.	7/14/2010	3/8/2011, 76 FR 12587	For the 1997 8-hour ozone NAAQS.
Chattanooga; Fine Particulate Matter 2002 Base Year Emissions Inventory.	Hamilton County	10/15/09	2/8/12, 74 FR 6467.	
110(a)(1) and (2) Infrastructure Requirements for the 1997 8-Hour Ozone National Ambient Air Quality Standards—Elements 110(a)(1) and (2)(C) and (J).	Tennessee	12/14/2007	3/14/2012, 77 FR 14976.	
Regional Haze Plan (excluding Eastman Chemical Company BART determination).	Statewide	April 4, 2008	4/24/2012, 77 FR 24392.	BART emissions limits are listed in Section 7.5.3.
110(a)(1) and (2) Infrastructure Requirements for the 1997 8-Hour Ozone National Ambient Air Quality Standards.	Tennessee	12/14/2007	7/23/2012, 77 FR 43000.	
110(a)(1) and (2) Infrastructure Requirements for 1997 Fine Particulate Matter National Ambient Air Quality Standards.	Tennessee	12/14/2007	8/2/2012, 77 FR 45961.	
110(a)(1) and (2) Infrastructure Requirements for 2006 Fine Particulate Matter National Ambient Air Quality Standards.	Tennessee	10/19/2009	8/2/2012, 77 FR 45961.	
Knoxville; 1997 Annual Fine Particulate Matter 2002 Base Year Emissions Inventory.	Anderson, Blount, Knox, and Loudon Counties, and the portion of Roane County that falls within the census block that includes the Tennessee Valley Authority's Kingston Fossil Plant.	04/04/2008	08/21/2012, 77 FR 50381.	
Regional Haze Plan—Eastman Chemical Company BART determination.	Statewide	May 9, 2012	November 27, 2012 77 FR 70692	Applicable only to the Eastman Chemical BART determination.

EPA-APPROVED TENNESSEE NON-REGULATORY PROVISIONS—Continued

Name of non-regulatory SIP provision	Applicable geographic or nonattainment area	State effective date	EPA approval date	Explanation
110(a)(1) and (2) Infrastructure Requirements for the 2008 8-Hour Ozone National Ambient Air Quality Standards.	Tennessee	10/19/2009	3/6/2013 78 FR 14456	With the exception of section 110(a)(2)(D)(i)(I) concerning interstate transport; the portions of sections 110(a)(2)(C), prong 3 of 110(a)(2)(D)(i), and 110(a)(2)(J) related to PSD , which are being conditionally approved; and section 110(a)(2)(E)(ii) as it relates to section 128(a)(1), which is being conditionally approved.
MVEB Update for the 1-hour Ozone Maintenance Plan for Knox County, Tennessee.	Knox County, TN	12/13/2012	02/20/13, 78 FR 11757.	
110(a)(1) and (2) Infrastructure Requirements for the 2008 Lead National Ambient Air Quality Standards.	Tennessee	10/19/2009	06/18/2013, 78 FR 36443.	With the exception of section 110(a)(2)(D)(i)(I) concerning interstate transport; the portions of sections 110(a)(2)(C), prong 3 of 110(a)(2)(D)(i), and 110(a)(2)(J) related to PSD, which are being conditionally approved; and section 110(a)(2)(E)(ii) as it relates to section 128(a)(1), which is being conditionally approved.
110(a)(1) and (2) Infrastructure Requirements for the 2008 Lead National Ambient Air Quality Standards.	Tennessee	10/19/2009	8/12/2013, 78 FR 48806.	This approval is for sections 110(a)(2)(C), prong 3 of 110(a)(2)(D)(i), and 110(a)(2)(J) only.
Bristol, Tennessee Lead 2010 Base Year Emissions Inventory.	Bristol	4/11/2013	1/9/2014, 79 FR 1595.	
110(a)(1) and (2) Infrastructure Requirements for 1997 Fine Particulate Matter National Ambient Air Quality Standards.	Tennessee	12/14/2007	5/7/2014, 79 FR 26149	Addressing prong 4 of section 110(a)(2)(D)(i) only.
110(a)(1) and (2) Infrastructure Requirements for 2006 Fine Particulate Matter National Ambient Air Quality Standards.	Tennessee	10/19/2009	5/7/2014, 79 FR 26149	Addressing prong 4 of section 110(a)(2)(D)(i) only.

[64 FR 35012, June 30, 1999]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.2220, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at *www.fdsys.gov*.

EFFECTIVE DATE NOTE: At 79 FR 33100, June 10, 2014, § 52.2220(e) was amended by adding a new entry for ''Knoxville; 2006 24-hour Fine Particulate Matter 2008 Base Year Emissions Inventory'' at the end of the table, effective Aug. 11, 2014. For the convenience of the user, the added text is set forth to read as follows:

§ 52.2220 Identification of plan.

* * * * *

(e) * * *

EPA-APPROVED TENNESSEE NON-REGULATORY PROVISIONS

Name of non-regulatory SIP provision	Applicable geographic or nonattainment area	State effective date	EPA approval date	Explanation
* *	*	*	*	* *
Knoxville; 2006 24-hour Fine Particulate Matter 2008 Base Year Emissions Inventory.	Anderson, Blount, Knox, and Loudon Counties, and the portion of Roane County that falls within the census block that includes the Tennessee Valley Authority's Kingston Fossil Plant.	10/9/2013	6/10/2014 [Insert citation of publication].	

§ 52.2221 Classification of regions.

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

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
Eastern Tennessee-Southwestern Virginia Interstate	I	I	III	III	III
Tennessee River Valley-Cumberland Mountains Intrastate	I	I	III	III	III
Middle Tennessee Intrastate	I	II	III	III	I
Western Tennessee Intrastate	I	III	III	III	III
Chattanooga Interstate	I	II	III	III	III
Metropolitan Memphis Interstate	I	III	III	III	I

[37 FR 10894, May 31, 1972, as amended at 39 FR 16347, May 8, 1974]

§ 52.2222 Approval status.

(a) With the exceptions set forth in this subpart, the Administrator approves Tennessee's plan for the attainment and maintenance of the national standards under section 110 of the Clean Air Act. Furthermore, the Administrator finds that the plan satisfies all requirements of part D, title 1, of the Clean Air Act as amended in 1977.

(b) New source review permits issued pursuant to section 173 of the Clean Air Act will not be deemed valid by EPA unless the provisions of Section V of the emission offset interpretative rule (Appendix S of 40 CFR part 51) are met.

(c) [Reserved]

[45 FR 53817, Aug. 13, 1980, as amended at 54 FR 4021, Jan. 27, 1989; 55 FR 18726, May 4, 1990; 75 FR 82561, Dec. 30, 2010; 77 FR 11748, Feb. 28, 2012; 79 FR 30051, May 27, 2014]

§ 52.2223 Compliance schedules.

(a) The information in this section is available in the 40 CFR, part 52 edition revised as of July 1, 1999, the 40 CFR, part 52, Volume 1 of 2 (§§ 52.01 to 52.1018) editions revised as of July 1, 2000 through July 1, 2011, and the 40 CFR,

part 52, Volume 3 of 3 (§§ 52.2020 to End) editions revised as of July 1, 2012.

(b)–(f) [Reserved]

[79 FR 30052, May 27, 2014]

§ 52.2224 Legal authority.

(a) The requirements of § 51.230(c) of this chapter are not met since the plan does not provide the legal authority for controlling motor vehicles during air pollution emergency episodes.

(b) The requirements of § 51.230(d) of this chapter are not met since statutory authority to prevent construction, modification, or operation of a facility, building, structure, or installation, or combination thereof, which indirectly results or may result in emissions of any air pollutant at any location which will prevent the maintenance of a national air quality standard is not adequate.

(c)(1) The requirements of § 51.230(b) of this chapter are not met since the definition of *person* set forth in the Tennessee Air Quality Act and in the State implementation plan does not include facilities owned or operated by the State. Therefore, section 53–3409(f) of the Tennessee Code Annotated and section 30 of Chapter II of the Tennessee Air Pollution Control Regulations are disapproved.

(2) Definition of *person*. For the purposes of the plan, *person* shall mean any individual, partnership, copartnership, firm, company, corporation, association, joint stock company, trust, estate, State-owned or operated facility, State agency, political subdivision, or any other legal entity, or their legal representatives, agents, or assigns.

(d) The requirements of § 51.230(b) of this chapter are not met since the State lacks legal authority, as a result of the enactment of House Bill 1490 by the 1974 Tennessee legislature, to control emissions from the quarrying and processing of agricultural limestone. Therefore, section 53–3424 of the Tennessee Code Annotated is disapproved.

(e) The requirements of § 51.230(b) of this chapter are not met since the State lacks legal authority, as a result of the enactment of House Bill 1845 by the 1974 Tennessee legislature, to control emissions from air contaminant sources which use woodwaste only as fuel. Therefore, the last sentence of section 53–3422 of the Tennessee Code Annotated is disapproved.

[37 FR 10894, May 31, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.2224, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at *www.fdsys.gov*.

§ 52.2225 VOC rule deficiency correction.

(a) Revisions to sections 7–3, 7–13, and 7–24 of the Tennessee regulations are approved. These amendments are in response to the Clean Air Act section 182(a)(2)(A) requirement to submit RACT rules correcting deficiencies in the existing SIP in accordance with EPA's pre-amendment guidance. These deficiencies were first noted in a letter from Greer Tidwell, the EPA Region IV Administrator, to Governor McWherter on May 26, 1988, and clarified in a letter dated June 10, 1988, from Winston Smith, EPA Region IV Air Division Director, to Paul Bontrager, Director of the Air Pollution Control Division of the Metropolitan Health Department for Nashville/Davidson County, and were further identified in EPA guidance including the Blue Book and the proposed Post–87 policy. The following deficiency in the Tennessee Regulations, however, has not been corrected.

(1) Section 7–25, ''Recordkeeping and Reporting Requirements'' Nashville/Davidson County committed in a letter dated May 7, 1991, to include a separate provision that requires records to be maintained for at least two years. This additional provision, which is scheduled for a July 15, 1992, public hearing, will be submitted to EPA shortly after that date and will be acted upon separately.

(2) In Section 7–3, Petition for Alternative Controls, the words ''as applied'' should be added to the term ''VOC/gallon solids'' as a clarification.

(3) The term ''vapor-tight'' should be defined in section 7–13.

(4) ''Once-in/always-in'' is missing from the applicability section of the individual rules.

(5) Section 7–25, ''Recordkeeping and Reporting Requirements'' should be revised to include additional requirements that would contain: units of

compliance consistent with the performance requirements; applicable time periods for data entries; and a clear, separate provision that requires records to be kept.

(b)–(c) [Reserved]

[56 FR 10173, Mar. 11, 1991, as amended at 57 FR 28626, June 26, 1992; 59 FR 18317, Apr. 18, 1994; 60 FR 10508, Feb. 27, 1995; 61 FR 37390, July 18, 1996]

§ 52.2226 [Reserved]

§ 52.2227 Prevention of air pollution emergency episodes.

(a) The requirements of § 51.152(a) of this chapter are not met since the plan does not provide for the enforcement of emission control actions for mobile sources during air pollution emergency episodes.

[37 FR 10895, May 31, 1972, as amended at 51 FR 40677, Nov. 7, 1986]

§ 52.2228 Review of new sources and modifications.

(a) *Part D—Conditional approval.* The Nashville-Davidson County regulation for the review of new sources and modifications in nonattainment areas is approved on condition that the State by October 31, 1984, submit a revision limiting source shutdown credit for offsets to replacement units, and, in the interim, assure implementation of the regulation in conformity with Federal requirements.

(b) *Section 123—Conditional approval.* The plan's provision for implementation of the requirements of section 123 of the Clean Air Act in Nashville-Davidson County is approved on condition that the State by October 31, 1984, submit:

(1) Definitions in the local regulation of *nearby* and *excessive concentration* and

(2) Provision in the local regulation for public notification and opportunity for hearing in cases where stack heights in excess of normal good engineering practice are proposed on the basis of fluid modeling demonstrations, and, in the interim, assure implementation of the local regulation in conformity with Federal requirements.

(c) The State of Tennessee proposed to delete section 1200–3–18–.03 ''Standard for New Sources'' from the Tennessee State Implementation Plan (SIP) and the Memphis-Shelby County portion of the Tennessee SIP. EPA is disapproving the deletion of this rule for the Tennessee SIP because Tennessee does not have federally approved New Source Review (NSR) regulations which apply to some of the sources in this chapter. EPA is approving the deletion of this rule for the Memphis submittal because the federally approved TN NSR applies to the Memphis-Shelby County area.

(d) The State of Tennessee proposed to delete rule 1200–3–18-.03 ''Standard for New Sources'' from the Tennessee State Implementation Plan (SIP). In paragraph (e) of this section, EPA disapproved the deletion of this rule because Tennessee did not have federally approved New Source Review (NSR) regulations that applied to some of the sources in this chapter. EPA is hereby approving the deletion of section 1200–3–18-.03 of the Tennessee SIP, and is deleting EPA's earlier disapproval in paragraph (e) of this section.

[39 FR 7284, Feb. 25, 1974, as amended at 48 FR 50080, Oct. 31, 1983; 50 FR 32413, Aug. 12, 1985; 51 FR 40677, Nov. 7, 1986; 59 FR 18317, Apr. 18, 1994; 60 FR 7917, Feb. 10, 1995; 60 FR 33924, June 29, 1995]

§ 52.2229 Rules and regulations.

(a) The following portions of the revised Memphis and Shelby County regulations submitted on July 7, 1986, are disapproved because they are inconsistent with EPA policy and requirements:

16–77, Rules 1200–3–9–.01(3); 1200–3–9–.01(4)(o)(2)

(b) Knox County Regulation 25.2.B, submitted July 7, 1986, is disapproved because it is inconsistent with EPA policy and requirements.

[54 FR 25458, June 15, 1989, as amended at 54 FR 31954, Aug. 3, 1989]

§ 52.2230 [Reserved]

§ 52.2231 Control strategy: Sulfur oxides and particulate matter.

(a) *Part D conditional approval.* The Chattanooga primary TSP plan's provisions for review of new sources and modifications in the nonattainment area are approved on condition that

the State submit by December 31, 1987, a definition of the term *Federally enforceable* and provisions for making Federally enforceable all limitations, conditions, and offsets, including permit restrictions, relied upon under the plan, and in the interim, implement these provisions in a manner consistent with EPA requirements.

(b) In letters dated March 9 and April 15, 1988, the Tennessee Department of Health and Environment certified that no emission limits in the State's plan are based on dispersion techniques not permitted by EPA's stack height rules. This certification does not apply to: Dupont (43–07–02); Tennessee Valley Authority—Johnsonville (43–11–1 thru 10); Tennessee Chemical Company (70–04–21); Tennessee Eastman (82–03–15–19); A.E. Staley (53–81–18, 19, 34, 31); Cargill Inc., Memphis; and Grace Chemical Company, Millington.

(c) *Determination of Attaining Data.* EPA has determined, as of May 31, 2011, the Chattanooga, Tennessee, nonattainment area has attaining data for 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.

(d) *Determination of attaining data.* EPA has determined the Knoxville, Tennessee, nonattainment area has attaining data for the 1997 annual $PM_{2.5}$ NAAQS. This determination, in accordance with 40 CFR 51.1004(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.

(e) *Determination of attaining data.* EPA has determined Knoxville-Sevierville-La Follette, Tennessee, nonattainment area has attaining data for the 2006 24-hour $PM_{2.5}$ NAAQS. This determination, in accordance with 40 CFR 51.1004(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 2006 24-hour $PM_{2.5}$ NAAQS.

[52 FR 15498, Apr. 29, 1987, as amended at 54 FR 25454, June 15, 1989; 76 FR 31239, May 31, 2011; 77 FR 45956, Aug. 2, 2012]

§ 52.2232 Determination of attainment.

Based upon EPA's review of the air quality data for the 3-year period 2007–2009, EPA determined that the Chattanooga, Alabama-Georgia-Tennessee $PM_{2.5}$ nonattainment Area attained the 1997 annual $PM_{2.5}$ NAAQS by the applicable attainment date of April 5, 2010. Therefore, EPA has met the requirement pursuant to CAA section 179(c) to determine, based on the Area's air quality as of the attainment date, whether the Area attained the standard. EPA also determined that the Chattanooga, Alabama-Georgia-Tennessee $PM_{2.5}$ nonattainment Area is not subject to the consequences of failing to attain pursuant to section 179(d).

[76 FR 55775, Sept. 8, 2011]

§ 52.2233 Significant deterioration of air quality.

(a)(1) Paragraph 1200–3–9–.01(4)–(0)–2. of Tennessee's regulations is disapproved because it does not require that the consent of the Governor(s) of affected states be obtained when innovative technology waivers are granted. EPA retains permitting authority for sources requesting innovative technology waivers which would significantly impact air quality in adjacent states.

(2) Tennessee's definition of *stationary source* specifically excludes *the activities of any Vessel.* This exclusion is not currently approvable and EPA is deferring action on it pending final rulemaking on the issue. EPA retains authority for permits which involve vessel emissions where a source is not willing to include all vessel emissions in the definition of source.

(b) The requirements of § 52.21 except paragraph (a)(1) are hereby incorporated and made part of the applicable SIP for the State of Tennessee for the following purposes:

(1) Permitting of sources requesting innovative technology waivers which would significantly impact air quality in adjacent states.

(2) Permitting of sources involving vessel emissions where the source is unwilling to include all vessel emissions in the definition of source.

(c) All applications and other information required pursuant to § 52.21 of this part from sources located or to be located in the State of Tennessee shall be submitted to the State agency, Department of Environment and Conservation Division of Air Pollution Control, William R. Snodgrass Tennessee Tower, 312 Rosa L Parks Avenue, 15th Floor, Nashville, TN 37243, or local agencies, Knox County Air Quality Management-Department of Public Health, 140 Dameron Avenue, Knoxville, Tennessee 37917; Metro Public Health Department, Pollution Control Division, 311 23rd Avenue North, Nashville, Tennessee, 37203; Chattanooga-Hamilton County Air Pollution Control Bureau, 6125 Preservation Drive, Chattanooga, Tennessee 37416; Shelby County Health Department, Pollution Control Section, 814 Jefferson Avenue, Memphis, Tennessee 38105, rather than to the EPA's Region 4 office.

[42 FR 36456, July 15, 1977, and 43 FR 26410, June 19, 1978, as amended at 50 FR 7779, Feb. 26, 1985; 68 FR 11324, Mar. 10, 2003; 68 FR 74490, Dec. 24, 2003; 74 FR 55144, Oct. 27, 2009; 79 FR 30052, May 27, 2014]

§ 52.2234 Visibility protection.

(a) *Regional Haze*. The requirements of section 169A of the Clean Air Act are not met because the regional haze plan submitted by Tennessee on April 4, 2008, does not include fully approvable measures for meeting the requirements of 40 CFR 51.308(d)(3) and 51.308(e) with respect to emissions of NO_X and SO_2 from electric generating units. EPA has given limited approval and limited disapproval to the plan provisions addressing these requirements.

(b) [Reserved]

(c) *Measures Addressing Limited Disapproval Associated with NO_X*. The deficiencies associated with NO_X identified in EPA's limited disapproval of the regional haze plan submitted by Tennessee on April 4, 2008, are satisfied by § 52.2240.

(d) *Measures Addressing Limited Disapproval Associated with SO_2*. The deficiencies associated with SO_2 identified in EPA's limited disapproval of the regional haze plan submitted by Tennessee on April 4, 2008, are satisfied by § 52.2241.

[77 FR 24397, Apr. 24, 2012, as amended at 77 FR 33658, June 7, 2012; 77 FR 70693, Nov. 27, 2012]

§ 52.2235 Control strategy: Ozone.

(a) Determination—EPA is determining that, as of August 8, 1995, the Nashville ozone nonattainment area has attained the ozone standard and that the reasonable further progress and attainment demonstration requirements of section 182(b)(1) and related requirements of section 172(c)(9) of the Clean Air Act do not apply to the area for so long as the area does not monitor any violations of the ozone standard. If a violation of the ozone NAAQS is monitored in the Nashville ozone nonattainment area, these determinations shall no longer apply.

(b) Nonregulatory provisions for the implementation of a basic I/M program in Rutherford, Sumner, Williamson, and Wilson Counties, submitted on July 13, 1994, were approved by EPA on September 26, 1995.

(c) Determination of Attaining Data. EPA has determined, as of October 12, 2010 the Knoxville, Tennessee nonattainment area has attaining data for the 1997 8-hour ozone NAAQS. This determination, in accordance with 40 CFR 51.918, 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 standards for as long as this area continues to meet the 1997 8-hour ozone NAAQS.

[60 FR 40292, Aug. 8, 1995, as amended at 60 FR 47290, Sept. 12, 1995; 75 FR 62472, Oct. 12, 2010]

§ 52.2236 Control strategy; lead.

(a) The Tennessee Department of Environment and Conservation has submitted revisions to the Tennessee SIP on October 6, 1994. These revisions address the requirements necessary to change a lead nonattainment area to attainment. The maintenance plan for the Fayette County area near Rossville, Tennessee is comprised of a maintenance demonstration and NSR/PSD program. For areas where the only lead source has shut down, these components are sufficient for an approvable maintenance plan. The State's maintenance plan is complete and satisfies all of the requirements of section 175(A) of the CAA.

(b) *Determination of attaining data.* EPA has determined the Bristol, Tennessee, nonattainment area has attaining data for the 2008 lead (Pb) NAAQS. This clean data determination 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 2008 Pb NAAQS.

[60 FR 43020, Aug. 18, 1995, as amended at 77 FR 52233, Aug. 29, 2012]

§ 52.2237 NO_X RACT and NO_X conformity exemption.

Approval. EPA is approving the section 182(f) oxides of nitrogen (NO_X) reasonably available control technology (RACT) and NO_X conformity exemption request submitted by the Tennessee Department of Environment and Conservation on March 21, 1995, for the five county middle Tennessee (Nashville) ozone moderate nonattainment area. This approval exempts the area from implementing federal NO_X RACT on major sources of NO_X and exempts Tennessee from NO_X conformity. This approval does not exempt sources from any State required or State Implementation Plan (SIP) approved NO_X controls. If a violation of the ozone NAAQS occurs in the area, the exemption from the requirement of section 182(f) of the CAA in the applicable area shall not apply.

[61 FR 54946, Oct. 23, 1996]

§ 52.2239 Original Identification of plan section.

(a) This section identified the original ''Air Implementation Plan for the State of Tennessee'' and all revisions submitted by Tennessee that were federally approved prior to December 1, 1998. The information in this section is available in the 40 CFR, part 52 edition revised as of July 1, 1999, the 40 CFR, part 52, Volume 2 of 2 (§§ 52.1019 to End) editions revised as of July 1, 2000 through July 1, 2011, and the 40 CFR, part 52, Volume 3 of 3 (§§ 52.2020 to End) editions revised as of July 1, 2012. The Nashville-Davidson portion of the Tennessee's SIP previously identified in section 52.2222(c) is also available in the above editions.

(b)–(c) [Reserved]

[79 FR 30052, May 27, 2014]

§ 52.2240 Interstate pollutant transport provisions; What are the FIP requirements for decreases in emissions of nitrogen oxides?

(a)(1) The owner and operator of each source located within the State of Tennessee and for which requirements are set forth under the Federal CAIR NO_X Annual Trading Program in subparts AA through II of part 97 of this chapter must comply with such applicable requirements. The obligation to comply with these requirements in part 97 of this chapter will be eliminated by the promulgation of an approval by the Administrator of a revision to the Tennessee State Implementation Plan (SIP) as meeting the requirements of CAIR for $PM_{2.5}$ relating to NO_X under § 51.123 of this chapter, except to the extent the Administrator's approval is partial or conditional or unless such approval is under § 51.123(p) of this chapter.

(2) Notwithstanding any provisions of paragraph (a)(1) of this section, if, at the time of such approval of the State's SIP, the Administrator has already allocated CAIR NO_X allowances to sources in the State for any years, the

provisions of part 97 of this chapter authorizing the Administrator to complete the allocation of CAIR NO_X allowances for those years shall continue to apply, unless the Administrator approves a SIP provision that provides for the allocation of the remaining CAIR NO_X allowances for those years.

(b)(1) The owner and operator of each NO_X source located within the State of Tennessee and for which requirements are set forth under the Federal CAIR NO_X Ozone Season Trading Program in subparts AAAA through IIII of part 97 of this chapter must comply with such applicable requirements. The obligation to comply with these requirements in part 97 of this chapter will be eliminated by the promulgation of an approval by the Administrator of a revision to the Tennessee State Implementation Plan (SIP) as meeting the requirements of CAIR for ozone relating to NO_X under § 51.123 of this chapter, except to the extent the Administrator's approval is partial or conditional or unless such approval is under § 51.123(ee) of this chapter.

(2) Notwithstanding any provisions of paragraph (b)(1) of this section, if, at the time of such approval of the State's SIP, the Administrator has already allocated CAIR NO_X Ozone Season allowances to sources in the State for any years, the provisions of part 97 of this chapter authorizing the Administrator to complete the allocation of CAIR NO_X Ozone Season allowances for those years shall continue to apply, unless the Administrator approves a SIP provision that provides for the allocation of the remaining CAIR NO_X Ozone Season allowances for those years.

(c) Notwithstanding any provisions of paragraphs (a) and (b) of this section and subparts AA through II and AAAA through IIII of part 97 of this chapter to the contrary:

(1) With regard to any control period that begins after December 31, 2011,

(i) The provisions in paragraphs (a) and (b) of this section relating to NO_X annual or ozone season emissions shall not be applicable; and

(ii) The Administrator will not carry out any of the functions set forth for the Administrator in subparts AA through II and AAAA through IIII of part 97 of this chapter; and

(2) The Administrator will not deduct for excess emissions any CAIR NO_X allowances or CAIR NO_X Ozone Season allowances allocated for 2012 or any year thereafter;

(3) By November 7, 2011, the Administrator will remove from the CAIR NO_X Allowance Tracking System accounts all CAIR NO_X allowances allocated for a control period in 2012 and any subsequent year, and, thereafter, no holding or surrender of CAIR NO_X allowances will be required with regard to emissions or excess emissions for such control periods; and

(4) By November 7, 2011, the Administrator will remove from the CAIR NO_X Ozone Season Allowance Tracking System accounts all CAIR NO_X Ozone Season allowances allocated for a control period in 2012 and any subsequent year, and, thereafter, no holding or surrender of CAIR NO_X Ozone Season allowances will be required with regard to emissions or excess emissions for such control periods.

(d)(1) The owner and operator of each source and each unit located in the State of Tennessee and for which requirements are set forth under the TR NO_X Annual Trading Program in subpart AAAAA of part 97 of this chapter must comply with such requirements. The obligation to comply with such requirements will be eliminated by the promulgation of an approval by the Administrator of a revision to Tennessee's State Implementation Plan (SIP) as correcting the SIP's deficiency that is the basis for the TR Federal Implementation Plan under § 52.38(a), except to the extent the Administrator's approval is partial or conditional. The obligation to comply with such requirements with regard to sources and units located in Indian country within the borders of the State will not be eliminated by the promulgation of an approval by the Administrator of a revision to Tennessee's SIP.

(2) Notwithstanding the provisions of paragraph (d)(1) of this section, if, at the time of the approval of Tennessee's SIP revision described in paragraph (d)(1) of this section, the Administrator has already started recording any allocations of TR NO_X Annual allowances under subpart AAAAA of part 97 of this

chapter to units in the State for a control period in any year, the provisions of subpart AAAAA of part 97 of this chapter authorizing the Administrator to complete the allocation and recordation of TR NO_X Annual allowances to units in the State for each such control period shall continue to apply, unless provided otherwise by such approval of the State's SIP revision.

(e)(1) The owner and operator of each source and each unit located in the State of Tennessee and for which requirements are set forth under the TR NO_X Ozone Season Trading Program in subpart BBBBB of part 97 of this chapter must comply with such requirements. The obligation to comply with such requirements will be eliminated by the promulgation of an approval by the Administrator of a revision to Tennessee's State Implementation Plan (SIP) as correcting the SIP's deficiency that is the basis for the TR Federal Implementation Plan under § 52.38(b), except to the extent the Administrator's approval is partial or conditional. The obligation to comply with such requirements with regard to sources and units located in Indian country within the borders of the State will not be eliminated by the promulgation of an approval by the Administrator of a revision to Tennessee's SIP.

(2) Notwithstanding the provisions of paragraph (e)(1) of this section, if, at the time of the approval of Tennessee's SIP revision described in paragraph (e)(1) of this section, the Administrator has already started recording any allocations of TR NO_X Ozone Season allowances under subpart BBBBB of part 97 of this chapter to units in the State for a control period in any year, the provisions of subpart BBBBB of part 97 of this chapter authorizing the Administrator to complete the allocation and recordation of TR NO_X Ozone Season allowances to units in the State for each such control period shall continue to apply, unless provided otherwise by such approval of the State's SIP revision.

[72 FR 62354, Nov. 2, 2007, as amended at 76 FR 48374, Aug. 8, 2011]

§ 52.2241 Interstate pollutant transport provisions; What are the FIP requirements for decreases in emissions of sulfur dioxide?

(a) The owner and operator of each SO_2 source located within the State of Tennessee and for which requirements are set forth under the Federal CAIR SO_2 Trading Program in subparts AAA through III of part 97 of this chapter must comply with such applicable requirements. The obligation to comply with these requirements in part 97 of this chapter will be eliminated by the promulgation of an approval by the Administrator of a revision to the Tennessee State Implementation Plan as meeting the requirements of CAIR for $PM_{2.5}$ relating to SO_2 under § 51.124 of this chapter, except to the extent the Administrator's approval is partial or conditional or unless such approval is under § 51.124(r) of this chapter.

(b) Notwithstanding any provisions of paragraph (a) of this section and subparts AAA through III of part 97 of this chapter and any State's SIP to the contrary:

(1) With regard to any control period that begins after December 31, 2011,

(i) The provisions of paragraph (a) of this section relating to SO_2 emissions shall not be applicable; and

(ii) The Administrator will not carry out any of the functions set forth for the Administrator in subparts AAA through III of part 97 of this chapter; and

(2) The Administrator will not deduct for excess emissions any CAIR SO_2 allowances allocated for 2012 or any year thereafter.

(c)(1) The owner and operator of each source and each unit located in the State of Tennessee and for which requirements are set forth under the TR SO_2 Group 1 Trading Program in subpart CCCCC of part 97 of this chapter must comply with such requirements. The obligation to comply with such requirements will be eliminated by the promulgation of an approval by the Administrator of a revision to Tennessee's State Implementation Plan (SIP) as correcting the SIP's deficiency that is the basis for the TR Federal Implementation Plan under § 52.39, except

to the extent the Administrator's approval is partial or conditional. The obligation to comply with such requirements with regard to sources and units located in Indian country within the borders of the State will not be eliminated by the promulgation of an approval by the Administrator of a revision to Tennessee's SIP.

(2) Notwithstanding the provisions of paragraph (c)(1) of this section, if, at the time of the approval of Tennessee's SIP revision described in paragraph (c)(1) of this section, the Administrator has already started recording any allocations of TR SO_2 Group 1 allowances under subpart CCCCC of part 97 of this chapter to units in the State for a control period in any year, the provisions of subpart CCCCC of part 97 of this chapter authorizing the Administrator to complete the allocation and recordation of TR SO_2 Group 1 allowances to units in the State for each such control period shall continue to apply, unless provided otherwise by such approval of the State's SIP revision.

[72 FR 62355, Nov. 2, 2007, as amended at 76 FR 48374, Aug. 8, 2011]

Subpart SS—Texas

§ 52.2270 Identification of plan.

(a) *Purpose and scope.* This section sets forth the applicable State Implementation Plan (SIP) for Texas under section 110 of the Clean Air Act, 42 U.S.C. 7410, and 40 CFR part 51 to meet national ambient air quality standards.

(b) *Incorporation by reference.* (1) Material listed in paragraphs (c) and (d) of this section with an EPA approval date prior to December 31, 1998, were 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 December 31, 1998, will be incorporated by reference in the next update to the SIP compilation.

(2) EPA Region 6 certifies that the rules/regulations provided by EPA in the SIP compilation at the addresses in paragraph (b)(3) are an exact duplicate of the officially promulgated State rules/regulations which have been approved as part of the State Implementation Plan as of December 31, 1998.

(3) Copies of the materials incorporated by reference may be inspected at the Region 6 EPA Office at 1445 Ross Avenue, Suite 700, Dallas, Texas, 75202–2733; the EPA, Air and Radiation Docket and Information Center, Air Docket (6102), 1200 Pennsylvania Ave., NW., Washington, DC 20460; or at the National Archives and Records Administration (NARA). 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 REGULATIONS IN THE TEXAS SIP

State citation	Title/Subject	State approval/Submittal date	EPA approval date	Explanation
Chapter 19—Electronic Reporting				
Subchapter A—General Provisions				
Section 19.1	Definitions	2/7/2007	July 23, 2010, 75 FR 43062.	
Section 19.3	Applicability	2/7/2007	July 23, 2010, 75 FR 43062.	
Subchapter B—Electronic Reporting Requirements				
Section 19.10	Use of Electronic Document Receiving System.	2/7/2007	July 23, 2010, 75 FR 43062.	
Section 19.12	Authorized Electronic Signature.	2/7/2007	July 23, 2010, 75 FR 43062.	
Section 19.14	Enforcement	2/7/2007	July 23, 2010, 75 FR 43062.	

EPA APPROVED REGULATIONS IN THE TEXAS SIP—Continued

State citation	Title/Subject	State approval/Submittal date	EPA approval date	Explanation
Chapter 39—Public Notice				
Subchapter H—Applicability and General Provisions				
Section 39.402	Applicability to Air Quality Permits and Permit Amendments.	6/2/2010	1/6/2014, 79 FR 551	SIP includes 39.402(a)(1)–(3), and (a)(6).
Section 39.405	General Notice Provisions.	6/2/2010	1/6/2014, 79 FR 551	SIP includes 39.405(f)(3) and (g), (h)(1)(A), (h)(2)–(h)(4), (h)(6), (h)(8)–(h)(11), (i) and (j).
Section 39.407	Mailing Lists	9/2/1999	1/6/2014, 79 FR 551.	
Section 39.409	Deadline for Public Comment, and Requests for Reconsideration, Contested Case Hearing, or Notice and Comment Hearing.	6/2/2010	1/6/2014, 79 FR 551.	
Section 39.411	Text of Public Notice	6/2/2010	1/6/2014, 79 FR 551	SIP includes 39.411(a), 39.411(e)(1)–(4)(A)(i) and (iii), (4)(B), (e)(5)(A), (e)(5)(B), (e)(6)–(10), (e)(11)(A)(i), (e)(11)(A)(iii), (e)(11)(A)(iv), (e)(11)(B)–(F), (e)(13), (e)(15), (f)(1)–(8), (g), and (h).
Section 39.418	Notice of Receipt of Application and Intent to Obtain Permit.	6/2/2010	1/6/2014, 79 FR 551	SIP includes 39.418(a), (b)(2)(A), (b)(3) and (c).
Section 39.419	Notice of Application and Preliminary Determination.	6/2/2010	1/6/2014, 79 FR 551	SIP includes 39.419(e) (e)(1) and (e)(2).
Section 39.420	Transmittal of the Executive Director's Response to Comments and Decision.	6/2/2010	1/6/2014, 79 FR 551	SIP includes 39.420(c)(1)(A)–(D)(i)(I) and (D)(i)(II), (D)(ii), (c)(2), and (d)–(e).
Subchapter K– Public Notice of Air Quality Applications				
Section 39.601	Applicability	6/2/2010	1/6/2014, 79 FR 551.	
Section 39.602	Mailed Notice	6/2/2010	1/6/2014, 79 FR 551.	
Section 39.603	Newspaper Notice	6/2/2010	1/6/2014, 79 FR 551.	
Section 39.604	Sign-Posting	6/2/2010	1/6/2014, 79 FR 551.	
Section 39.605	Notice to Affected Agencies.	6/2/2010	1/6/2014, 79 FR 551.	
Chapter 55—Requests for Reconsideration and Contested Case Hearings; Public Comment				
Subchapter E—Public Comment and Public Meetings				
Section 55.150	Applicability	6/14/2006	1/6/2014, 79 FR 551.	
Section 55.152	Public Comment Period	6/2/2010	1/6/2014, 79 FR 551	SIP includes 55.152(a)(1), (a)(2), (a)(5), (a)(6), and (b).
Section 55.154	Public Meetings	6/2/2010	1/6/2014, 79 FR 551	SIP includes 55.154(a), (b), (c)(1)–(3) and (5), and (d)–(g).
Section 55.156	Public Comment Processing.	6/2/2010	1/6/2014, 79 FR 551	SIP includes 55.156(a), (b), (c)(1), (e) and (g).

EPA APPROVED REGULATIONS IN THE TEXAS SIP—Continued

State citation	Title/Subject	State approval/Submittal date	EPA approval date	Explanation
Chapter 101—General Air Quality Rules				
Subchapter A—General Rules				
Section 101.1	Definitions	04/20/2011	05/30/2014, 79 FR 31046.	
Section 101.2	Multiple air Contaminant Sources or Properties.	04/13/73	06/22/73, 38 FR 16568	Ref 52.2299(c)(7).
Section 101.3	Circumvention	04/13/73	06/22/73, 38 FR 16568	Ref 52.2299(c)(7).
Section 101.4	Nuisance	04/13/73	06/22/73, 38 FR 16568	Ref 52.2299(c)(7).
Section 101.5	Traffic Hazard	04/13/73	06/22/73, 38 FR 16568	Ref 52.2299(c)(7).
Section 101.8	Sampling	12/11/73	01/27/82, 47 FR 03767	Ref 52.2299(c)(33).
Section 101.9	Sampling Ports	04/13/73	06/22/73, 38 FR 16568	Ref 52.2299(c)(7).
Section 101.10	Emissions Inventory Requirements.	12/1/1999	July 23, 2010, 75 FR 43062..	
Section 101.13	Use and Effect of Rules	04/13/73	06/22/73, 38 FR 16568	Ref 52.2299(c)(7).
Section 101.14	Sampling Procedures and Terminology.	04/13/73	06/22/73, 38 FR 16568	Ref 52.2299(c)(7).
Section 101.18	Remedies Cumulative	04/13/73	06/22/73, 38 FR 16568	Ref 52.2299(c)(7).
Section 101.19	Severability	04/13/73	06/22/73, 38 FR 16568	Ref 52.2299(c)(7).
Section 101.20	Compliance with Environmental Protection Agency Standards.	05/09/75 07/26/85	06/01/77, 42 FR 27894 06/24/92, 57 FR 28093	Rule 23 Ref, 52.2299(c)(10) Section 101.20(3), Ref 52.2299(c)(73). (1) and (2) NOT IN SIP.
Section 101.21	The National Primary and Secondary Air Quality Standards.	05/09/75	06/01/77, 42 FR 27894	Ref 52.2299(c)(10).
Section 101.30	Conformity of General Federal Actions to State Implementation Plans.	12/1/1999	July 23, 2010, 75 FR 43062..	
Section 101. Rule 16	Invoking Jurisdiction	04/13/73	6/22/73, 38 FR 16568	Ref 52.2299(c)(7). Not in current Texas General Rules.
Section 101. Rule 19	Initiation of Review	04/13/73	06/22/73, 38 FR 16568	Ref 52.2299(c)(7). Not in current Texas General Rules.
Subchapter F—Emissions Events and Scheduled Maintenance, Startup, and Shutdown Activities				
Division 1—Emissions Events				
Section 101.201	Emissions Event Reporting and Recordkeeping Requirements.	01/23/06	11/10/10, 75 FR 68989	101.201(h) is not in the SIP.
Division 2—Maintenance, Startup, and Shutdown Activities				
Section 101.211	Scheduled Maintenance, Startup, and Shutdown Reporting and Recordkeeping Requirements.	01/23/06	11/10/10, 75 FR 68989	101.211(f) is not in the SIP.
Division 3—Operational Requirements, Demonstrations, and Actions to Reduce Excessive Emissions				
Section 101.221	Operational Requirements.	01/23/06	11/10/10, 75 FR 68989.	
Section 101.222	Demonstrations	01/23/06	11/10/10, 75 FR 68989	The SIP does not include 101.222(h), 101.222 (i), and 101.222 (j). See section 52.2273(e).
Section 101.223	Actions to Reduce Excessive Emissions.	01/23/06	11/10/10, 75 FR 68989.	

EPA APPROVED REGULATIONS IN THE TEXAS SIP—Continued

State citation	Title/Subject	State approval/Submittal date	EPA approval date	Explanation
Section 101.224	Temporary Exemptions During Drought Conditions.	08/21/02	03/30/05, 70 FR 16129.	
Division 4—Variances				
Section 101.231	Petition for Variance	08/21/02	03/30/05, 70 FR 16129.	
Section 101.232	Effect of Acceptance of Variance or Permit.	08/21/02	03/30/05, 70 FR 16129.	
Section 101.233	Variance Transfers	08/21/02	03/30/05, 70 FR 16129.	
Subchapter H—Emissions Banking and Trading				
Division 1—Emission Credit Banking and Trading				
Section 101.300	Definitions	11/10/04	9/6/06, 71 FR 52698.	
Section 101.301	Purpose	12/13/02	9/6/06, 71 FR 52698.	
Section 101.302	General Provisions	7/25/2007	5/18/10, 75 FR 27647.	
Section 101.303	Emission Reduction Credit General and Certification.	11/10/04	9/6/06, 71 FR 52698.	
Section 101.304	Mobile Emission Reduction Credit Generation and Certfication.	11/10/04	9/6/06, 71 FR 52698.	
Section 101.305	Emission Reductions Achieved Outside the United States.	10/4/2006	5/18/10, 75 FR 27647.	
Section 101.306	Emission Credit Use	7/25/2007	5/18/10, 75 FR 27647.	
Section 101.309	Emission Credit Banking and Trading.	12/13/02	9/6/06, 71 FR 52698.	
Section 101.311	Program Audits and Reports.	11/10/04	9/6/06, 71 FR 52698.	
Division 2—Emissions Banking and Trading of Allowances				
Section 101.330	Definitions	12/16/1999	1/3/2011, 76 FR 16.	
Section 101.331	Applicability	12/16/1999	1/3/2011, 76 FR 16.	
Section 101.332	General Provisions	12/16/1999	1/3/2011, 76 FR 16.	
Section 101.333	Allocation of Allowances.	08/09/2000	1/3/2011, 76 FR 16.	
Section 101.334	Allowance Deductions	12/16/1999	1/3/2011, 76 FR 16.	
Section 101.335	Allowance Banking and Trading.	12/16/1999	1/3/2011, 76 FR 16.	
Section 101.336	Emission Monitoring, Compliance Demonstration, and Reporting.	12/16/1999	1/3/2011, 76 FR 16.	
Section 101.338	Emission Reductions Achieved Outside the United States.	10/04/2006	1/3/2011, 76 FR 16.	
Section 101.339	Program Audits and Reports.	10/04/2006	1/3/2011, 76 FR 16.	
Division 3—Mass Emissions Cap and Trade Program				
Section 101.350	Definitions	4/6/2010	1/2/2014, 79 FR 57.	
Section 101.351	Applicability	4/6/2010	1/2/2014, 79 FR 57.	
Section 101.352	General Provisions	12/13/02	9/6/06, 71 FR 52664.	
Section 101.353	Allocation of Allowances.	4/6/2010	1/2/2014, 79 FR 57.	
Section 101.354	Allowance Deductions	7/25/2007	July 16, 2009, 74 FR 34503.	
Section 101.356	Allowance Banking and Trading.	11/10/04	9/6/06, 71 FR 52664.	
Section 101.358	Emission Monitoring and Compliance Demonstration.	12/06/00	11/14/01, 66 FR 57252.	
Section 101.359	Reporting	11/10/04	9/6/06, 71 FR 52664.	
Section 101.360	Level of Activity Certification.	7/25/2007	July 16, 2009, 74 FR 34503.	

EPA APPROVED REGULATIONS IN THE TEXAS SIP—Continued

State citation	Title/Subject	State approval/Submittal date	EPA approval date	Explanation
Section 101.363	Program Audits and Reports.	09/26/01	11/14/01, 66 FR 57252.	
Division 4—Discrete Emission Credit Banking and Trading				
Section 101.370	Definitions	11/10/04	09/06/06, 71 FR 52703.	
Section 101.371	Purpose	12/13/02	09/06/06, 71 FR 52703.	
Section 101.372	General Provisions	7/25/2007	5/18/2010, 75 FR 27644.	
Section 101.373	Discrete Emission Reduction Credit Generation and Certification.	10/4/2006	5/18/2010, 75 FR 27644.	
Section 101.374	Mobile Discrete Emission Reduction Credit Generation and Certification.	11/10/04	09/06/06, 71 FR 52703.	
Section 101.375	Emission Reductions Achieved Outside the United States.	10/4/2006	5/18/2010, 75 FR 27644.	
Section 101.376	Discrete Emission Credit Use.	7/25/2007	5/18/2010, 75 FR 27644.	
Section 101.378	Discrete Emission Credit Banking and Trading.	10/4/2006	5/18/2010, 75 FR 27644.	
Section 101.379	Program Audits and Reports.	12/13/02	09/06/06, 71 FR 52703.	
Division 6—Highly-Reactive Volatile Organic Compound Emissions Cap and Trade Program				
Section 101.390	Definitions	4/6/2010	1/2/2014, 79 FR 57.	
Section 101.391	Applicability	4/6/2010	1/2/2014, 79 FR 57.	
Section 101.392	Exemptions	4/6/2010	1/2/2014, 79 FR 57.	
Section 101.393	General Provisions	4/6/2010	1/2/2014, 79 FR 57.	
Section 101.394	Allocation of Allowances.	4/6/2010	1/2/2014, 79 FR 57.	
Section 101.396	Allowance deductions	4/6/2010	1/2/2014, 79 FR 57	At the request of TCEQ EPA took no action on the revision to 101.396(b) submitted on 4/6/2010. Section 101.396(b) is the rule language submitted 12/1/2004 and approved 9/6/2006 (71 FR 52659).
Section 101.399	Allowance Banking and Trading.	4/6/2010	1/2/2014, 79 FR 57.	
Section 101.400	Reporting	4/6/2010	1/2/2014, 79 FR 57.	
Section 101.401	Level of Activity Certification.	4/6/2010	1/2/2014, 79 FR 57.	
Section 101.399	Allowance Banking and Trading.	12/01/04	9/6/06, 71 FR 52659.	
Section 101.400	Reporting	12/01/04	9/6/06, 71 FR 52659.	
Section 101.401	Level of activity certification.	2/01/04	9/6/06, 71 FR 52659.	
Section 101.403	Program audits and reports.	12/01/04	9/6/06, 71 FR 52659.	
Division 7—Clean Air Interstate Rule				
Section 101.503	Clean Air Interstate Rule Oxides of Nitrogen Annual Trading Budget.	07/12/06	07/30/07, 72 FR 41453.	

EPA APPROVED REGULATIONS IN THE TEXAS SIP—Continued

State citation	Title/Subject	State approval/Submittal date	EPA approval date	Explanation
Section 101.504	Timing Requirements for Clean Air Interstate Rule Oxides of Nitrogen Allowance Allocations.	07/12/06	07/30/, 72 FR 41453	Subsections 101.504(a)(2), 101.504(a)(3), 101.504(a)(4), 101.504(c), and 101.504(d) NOT IN SIP.
Section 101.506	Clean Air Interstate Rule Oxides of Nitrogen Allowance Allocations.	07/12/06	07/30/, 72 FR 41453	Subsections 101.506(a)(2), 101.506(b)(2), 101.506(b)(3), and 101.506(g) NOT IN SIP.
Section 101.508	Compliance Supplement Pool.	07/12/06	07/30/07, 72 FR 41453.	
Chapter 106—Permits by Rule				
Subchapter A—General Requirements				
Section 106.1	Purpose	08/09/00	11/14/03, 68 FR 64548.	
Section 106.2	Applicability	08/09/00	11/14/03, 68 FR 64548.	
Section 106.4	Requirements for Permitting by Rule.	04/20/2011	05/30/2014, 79 FR 31046.	
Section 106.6	Registration of Emissions.	11/20/02	11/14/03, 68 FR 64548.	
Section 106.8	Recordkeeping	10/10/01	11/14/03, 68 FR 64548.	
Section 106.13	References to Standard Exemptions and Exemptions from Permitting.	08/09/00	11/14/03, 68 FR 64548.	
Subchapter B—Registration Fees for New Permits by Rule				
Section 106.50	Registration Fees for Permits by Rule.	9/25/2002	3/20/2009, 74 FR 11851..	
Chapter 111 (Reg 1)—Control of Air Pollution from Visible Emissions and Particulate Matter				
Subchapter A: Visible Emissions and Particulate Matter				
Division 1: Visible Emissions				
Section 111.111(a), (b)	Requirements for Specified Sources.	6/18/1993	5/8/1996, 61 FR 20732.	
Section 111.111(c)	Requirements for Specified Sources.	10/25/1991	1/18/1994, 59 FR 2532.	
Section 111.113	Alternative Opacity Limitations.	6/16/1989	5/8/1996, 61 FR 20732.	
Division 2: Incineration				
Section 111.121	Single-Chamber Incineration.	6/16/1989	4/28/2009, 74 FR 19144.	
Division 4: Materials Handling, Construction, Roads, Streets, Alleys, and Parking Lots				
Section 111.141	Geographic Areas of Application and Date of Compliance.	10/25/1991	1/18/1994, 59 FR 02532.	
Section 111.143	Materials Handling	6/16/1989	1/18/1994, 59 FR 02532.	
Section 111.145	Construction and Demolition.	10/25/1991	1/18/1994, 59 FR 02532.	
Section 111.147	Roads, Streets, and Alleys.	10/25/1991	1/18/1994, 59 FR 02532.	
Section 111.149	Parking Lots	6/16/1989	1/18/1994, 59 FR 02532.	

EPA APPROVED REGULATIONS IN THE TEXAS SIP—Continued

State citation	Title/Subject	State approval/Submittal date	EPA approval date	Explanation
Division 5: Emission Limits on Nonagricultural Processes				
Section 111.151	Allowable Emissions Limits.	6/16/1989	4/28/2009, 74 FR 19144.	
Section 111.153	Emission Limits for Steam Generators.	6/16/1989	4/28/2009, 74 FR 19144.	
Rule 105.2	Ground Level Concentrations.	1/26/1972	5/31/1972, 27 FR 10842.	
Division 6: Emission Limits on Agricultural Processes				
Section 111.171	Emission Limits Based on Process Weight Method.	6/16/1989	4/28/2009, 74 FR 19144.	
Section 111.173	Emissions Limits Based on Alternate Method.	6/16/1989	4/28/2009, 74 FR 19144.	
Section 111.175	Exemptions	6/16/1989	4/28/2009, 74 FR 19144.	
Division 7: Exemptions for Portable or Transient Operations				
Section 111.181	Exemption Policy	6/16/1989	4/28/2009, 74 FR 19144.	
Section 111.183	Requirements for Exemptions.	6/16/1989	4/28/2009, 74 FR 19144.	
Subchapter B: Outdoor Burning				
Section 111.201	General Prohibitions	8/21/1996	4/28/2009, 74 FR 19144.	
Section 111.203	Definitions	8/21/1996	4/28/2009, 74 FR 19144.	
Section 111.205	Exceptions for Fire Training.	8/21/1996	4/28/2009, 74 FR 19144.	
Section 111.207	Exceptions for Fires Used for Recreation, Ceremony, Cooking, and Warmth.	8/21/1996	4/28/2009, 74 FR 19144.	
Section 111.209	Exception for Disposal Fires.	8/21/1996	4/28/2009, 74 FR 19144.	
Section 111.211	Exception for Prescribed Burn.	8/21/1996	4/28/2009, 74 FR 19144.	
Section 111.213	Exception for Hydrocarbon Burning.	8/21/1996	4/28/2009, 74 FR 19144.	
Section 111.215	Executive Director Approval of Otherwise Prohibited Outdoor Burning.	8/21/1996	4/28/2009, 74 FR 19144.	
Section 111.219	General Requirements for Allowable Outdoor Burning.	8/21/1996	4/28/2009, 74 FR 19144.	
Section 111.221	Responsibility for Consequences of Outdoor Burning.	8/21/1996	4/28/2009, 74 FR 19144.	
Chapter 112 (Reg 2)—Control of Air Pollution From Sulfur Compounds				
Section 112.1	Definitions	09/18/92	08/30/93, 58 FR 45456	Ref 52.2299(c)(76).
Section 112.2	Compliance, Reporting, and Recordkeeping.	09/18/92	08/30/93, 58 FR 45456	Ref 52.2299(c)(76).
Section 112.3	Net Ground Level Concentrations.	09/18/92	08/30/93, 58 FR 45456	Ref 52.2299(c)(76).
Section 112.4	Net Ground Level Concentrations—Exemption Conditions.	09/18/92	08/30/93, 58 FR 45456	Ref 52.2299(c)(76).
Section 112.5	Allowable Emission Rates—Sulfuric Acid Plant Burning Elemental Sulfur.	09/18/92	08/30/93, 58 FR 45456	Ref 52.2299(c)(76).
Section 112.6	Allowable Emission Rates—Sulfuric Acid Plant.	09/18/92	08/30/93, 58 FR 45456	Ref 52.2299(c)(76).

EPA APPROVED REGULATIONS IN THE TEXAS SIP—Continued

State citation	Title/Subject	State approval/Submittal date	EPA approval date	Explanation
Section 112.7	Allowable Emission Rates—Sulfur Recovery Plant.	09/18/92	08/30/93, 58 FR 45456	Ref 52.2299(c)(76).
Section 112.8	Allowable Emissions Rates from Solid Fossil Fuel-Fired Steam Generators.	09/18/92	02/18/97, 62 FR 07163	Ref 52.2299(c)(101).
Section 112.9	Allowable Emission Rates—Combustion of Liquid Fuel.	09/18/92	08/30/93, 58 FR 45456	Ref 52.2299(c)(76).
Section 112.14	Allowable Emission Rates—Nonferrous Smelter Processes.	09/18/92	08/30/93, 58 FR 45456	Ref 52.2299(c)(76).
Section 112.15	Temporary Fuel Shortage Plan Filing Requirements.	09/18/92	08/30/93, 58 FR 45456	Ref 52.2299(c)(76).
Section 112.16	Temporary Fuel Shortage Plan Operating Requirements.	09/18/92	08/30/93, 58 FR 45456	Ref 52.2299(c)(76).
Section 112.17	Temporary Fuel Shortage Plan Notification Procedures.	09/18/92	08/30/93, 58 FR 45456	Ref 52.2299(c)(76)
Section 112.18	Temporary Fuel Shortage Plan Reporting Requirements.	09/18/92	08/30/93, 58 FR 45456	Ref 52.2299(c)(76)
Section 112.19	Application for Area Control Plan.	09/18/92	08/30/93, 58 FR 45456	Ref 52.2299(c)(76)
Section 112.20	Exemption Procedure	09/18/92	08/30/93, 58 FR 45456	Ref 52.2299(c)(76)
Section 112.21	Allowable Emission Rates Under Area Control Plan.	09/18/92	08/30/93, 58 FR 45456	Ref 52.2299(c)(76)
Section 112.41 to 112.47.	Control of Sulfuric Acid	05/12/89		NOT in SIP but is a part of the EPA approved Texas 111(d) Plan
Section 112.51 to 112.59.	Control of Total Reduced Sulfur (TRS).	05/12/89		NOT in SIP but is a part of the EPA approved Texas 111(d) Plan.
Chapter 113 (Reg 3)—Control of Air Pollution From Toxic Materials				
Subchapter B—Lead from Stationary Sources Nonferrous Smelters in El Paso County				
Section 113.31	Maintenance and Operation of Control Equipment.	08/21/97	10/23/98, 63 FR 56083	Ref 52.2299(c)(114).
Section 113.32	Areas Accessible to the General Public.	08/21/97	10/23/98, 63 FR 56083	Ref 52.2299(c)(114)
Section 113.33	Control of Fugitive Dust	08/21/97	10/23/98, 63 FR 56083	Ref 52.2299(c)(114).
Section 113.34	Materials Handling and Transfer.	08/21/97	10/23/98, 63 FR 56083	Ref 52.2299(c)(114).
Section 113.35	Smelting of Lead	08/21/97	10/23/98, 63 FR 56083	Ref 52.2299(c)(114).
Section 113.36	Smelting of Copper and Zinc.	08/21/97	10/23/98, 63 FR 56083	Ref 52.2299(c)(114).
Section 113.37	Lead Emissions Limits for Stacks.	08/21/97	10/23/98, 63 FR 56083	Ref 52.2299(c)(114).
Lead Smelters in Dallas County				
Section 113.41	Maintenance and Operation of Control Equipment.	08/21/97	10/23/98, 63 FR 56083	Ref 52.2299(c)(114).
Section 113.42	Storage of Lead-Containing Materials.	08/21/97	10/23/98, 63 FR 56083	Ref 52.2299(c)(114).
Section 113.43	Transport of Materials	08/21/97	10/23/98, 63 FR 56083	Ref 52.2299(c)(114).
Section 113.44	Fugitive Emissions from Lead Processes.	08/21/97	10/23/98, 63 FR 56083	Ref 52.2299(c)(114).
Section 113.45	Battery or Lead Reclaiming Operations.	08/21/97	10/23/98, 63 FR 56083	Ref 52.2299(c)(114).

EPA APPROVED REGULATIONS IN THE TEXAS SIP—Continued

State citation	Title/Subject	State approval/Submittal date	EPA approval date	Explanation
Section 113.46	Lead Emission Limits for Reverberatory Furnaces and Blast Furnaces.	08/21/97	10/23/98, 63 FR 56083	Ref 52.2299(c)(114).
Section 113.47	Control of Fugitive Dust	08/21/97	10/23/98, 63 FR 56083	Ref 52.2299(c)(114).
Section 113.48	Additional measures to Reduce lead Emissions.	08/21/97	10/23/98, 63 FR 56083	Ref 52.2299(c)(114).
Compliance and Control Plan Requirements				
Section 113.61	Compliance with Other Rules in El Paso County.	08/21/97	10/23/98, 63 FR 56083	Ref 52.2299(c)(114).
Section 113.62	Dates for Control Plan Submission and for Final Compliance in El Paso County.	08/21/97	10/23/98, 63 FR 56083	Ref 52.2299(c)(114).
Section 113.63	Control Plan Procedure in El Paso County.	08/21/97	10/23/98, 63 FR 56083	Ref 52.2299(c)(114).
Section 113.64	Reporting Procedure in El Paso County.	08/21/97	10/23/98, 63 FR 56083	Ref 52.2299(c)(114).
Section 113.65	Compliance with Other Rules in Dallas County.	08/21/97	10/23/98, 63 FR 56083	Ref 52.2299(c)(114).
Section 113.66	Dates for Control Plan Submission and for Final Compliance in Dallas County.	08/21/97	10/23/98, 63 FR 56083	Ref 52.2299(c)(114).
Section 113.67	Control Plan Procedure in Dallas County.	08/21/97	10/23/98, 63 FR 56083	Ref 52.2299(c)(114).
Section 113.68	Reporting Procedure in Dallas County.	08/21/97	10/23/98, 63 FR 56083	Ref 52.2299(c)(114).
Chapter 114 (Reg 4)—Control of Air Pollution from Motor Vehicles				
Subchapter A—Definitions				
Section 114.1	Definitions	6/27/2007	1/31/2014, 79 FR 5287.	
Section 114.2	Inspection and Maintenance Definitions.	09/05/04	09/06/06, 71 FR 52670.	
Section 114.5	Transportation Planning Definition.	05/03/00	12/5/02, 67 FR 72382.	
Section 114.6	Low Emission Fuel Definitions.	8/22/12	5/6/13, 78 FR 26255.	
Subchapter C—Vehicle Inspection and Maintenance; Low Income Vehicle Repair Assistance, Retrofit, and Accelerated Vehicle Retirement Program; and Early Action Compact Counties				
Division 1: Vehicle Inspection and Maintenance				
Section 114.50	Vehicle Emission Inspection Requirements.	09/05/04	09/06/06, 71 FR 52670	Subsection 114.50(b)(2) is NOT part of the approved SIP.
Section 114.51	Equipment Evaluation Procedures for Vehicle Exhaust Gas Analyzers.	12/06/00	11/14/01, 66 FR 57264.	
Section 114.52	Early Participation Incentive Program.	09/05/04	09/06/06, 71 FR 52670.	
Section 114.53	Inspection and Maintenance Fees.	09/05/04	09/06/06, 71 FR 52670.	
Division 3: Early Action Compact Counties				
Section 114.80	Applicability	11/17/04	8/8/05, 70 FR 45542	
Section 114.81	Vehicle Emissions Inspection Requirements.	11/17/04	8/8/05, 70 FR 45542	

EPA APPROVED REGULATIONS IN THE TEXAS SIP—Continued

State citation	Title/Subject	State approval/Submittal date	EPA approval date	Explanation
Section 114.82	Control Requirements	11/17/04	8/8/05, 70 FR 45542	Subsection 114.82(b) is NOT part of the approved SIP.
Section 114.83	Waivers and Extensions.	11/17/04	8/8/05, 70 FR 45542	
Section 114.84	Prohibitions	11/17/04	8/8/05, 70 FR 45542	
Section 114.85	Equipment Evaluation Procedures for Vehicle Exhaust Gas Analyzers.	11/17/04	8/8/05, 70 FR 45542	
Section 114.86	Low Income Repair Assistance Program (LIRAP) for Participating Early Action Compact Counties.	11/17/04	8/8/05, 70 FR 45542	
Section 114.87	Inspection and Maintenance Fees.	11/17/04	8/8/05, 70 FR 45542	
Subchapter G—Transportation Planning				
Section 114.260	Transportation Conformity.	4/27/05	7/6/05, 70 FR 38776.	
Section 114.270	Transportation Control Measures.	6/27/2007	1/31/2014, 79 FR 5287.	
Subchapter H—Low Emission Fuels				
Division 1: Gasoline Volatility				
Section 114.301	Control Requirements for Reid Vapor Pressure.	04/25/00	4/26/01, 66 FR 20931	Part (c) is not approved.
Section 114.304	Registration of Gasoline Producers and Importers.	04/25/00	4/26/01, 66 FR 20931.	
Section 114.305	Approved Test Methods	04/25/00	4/26/01, 66 FR 20931.	
Section 114.306	Recordkeeping, Reporting, and Certification Requirements.	04/25/00	4/26/01, 66 FR 20931.	
Section 114.307	Exemptions	10/04/01	11/27/06, 71 FR 68480.	
Section 114.309	Affected Counties	10/04/01	11/27/06, 71 FR 68480.	
Division 2: Low Emission Diesel				
Section 114.312	Low Emission Diesel Standards.	8/22/12	5/6/13, 78 FR 26255.	
Section 114.313	Designated Alternative Limits.	8/22/12	5/6/13, 78 FR 26255.	
Section 114.314	Registration of Diesel Producers and Importers.	8/22/12	5/6/13, 78 FR 26255.	
Section 114.315	Approved Test Methods	8/22/12	5/6/13, 78 FR 26255.	
Section 114.316	Monitoring, Recordkeeping, and Reporting Requirements.	8/22/12	5/6/13, 78 FR 26255.	
Section 114.317	Exemptions to Low Emission Diesel Requirements.	8/22/12	5/6/13, 78 FR 26255.	
Section 114.318	Alternative Emission Reduction Plan.	8/22/12	5/6/13, 78 FR 26255.	
Section 114.319	Affected Counties and Compliance Dates.	8/22/12	5/6/13, 78 FR 26255	
Subchapter I—Non-Road Engines				
Division 3—Non-Road Large Spark-Ignition Engines				
Section 114.420	Definitions	04/19/00	11/14/01, 66 FR 57222.	
Section 114.421	Emission Specifications	12/06/00	11/14/01, 66 FR 57222.	
Section 114.422	Control Requirements	04/19/00	11/14/01, 66 FR 57222.	
Section 114.427	Exemptions	04/19/00	11/14/01, 66 FR 57222.	

EPA APPROVED REGULATIONS IN THE TEXAS SIP—Continued

State citation	Title/Subject	State approval/Submittal date	EPA approval date	Explanation
Section 114.429	Affected Counties and Compliance Schedules.	12/06/00	11/14/01, 66 FR 57222.	
Subchapter J—Operational Controls for Motor Vehicles				
Division 2: Locally Enforced Motor Vehicle Idling Limitations				
Section 114.510	Definitions	11/17/04	4/11/05, 70 FR 18308.	
Section 114.511	Applicability	11/17/04	4/11/05, 70 FR 18308.	
Section 114.512	Control Requirements for Motor Vehicle Idling.	1/30/2008	4/9/2010, 75 FR 18061	Not in SIP: 114.512(b).
Section 114.517	Exemptions	1/30/2008	4/9/2010, 75 FR 18061	Not in SIP: 114.517(12).
Subchapter K—Mobile Source Incentive Programs				
Division 3: Diesel Emission Reduction Incentive Program for On-road and Non-road Vehicles				
Section 114.620	Definitions	9/20/2006	4/9/2010, 75 FR 18061.	
Section 114.621	Applicability	01/28/04	08/19/05, 70 FR 48647.	
Section 114.622	Incentive Program Requirements.	12/5/2007	4/9/2010, 75 FR 18061.	
Section 114.623	Small Business Incentives.	01/28/04	08/19/05, 70 FR 48647.	
Section 114.624	Rebate Grant Process	9/20/2006	4/9/2010, 75 FR 18061.	
Section 114.626	Monitoring, Recordkeeping, and Reporting Requirements.	08/22/01	08/19/05, 70 FR 48647.	
Section 114.629	Affected Counties and Implementation Schedule.	01/28/04	08/19/05, 70 FR 48647.	
Division 4: Texas Clean School Bus Program				
Section 114.640	Definitions	9/20/2006	4/9/2010, 75 FR 18061.	
Section 114.642	Applicability	9/20/2006	4/9/2010, 75 FR 18061.	
Section 114.644	Clean School Bus Program Requirements.	9/20/2006	4/9/2010, 75 FR 18061.	
Section 114.646	Monitoring, Recordkeeping, and Reporting Requirements.	9/20/2006	4/9/2010, 75 FR 18061.	
Section 114.648	Implementation Schedule.	9/20/2006	4/9/2010, 75 FR 18061.	
Division 5: Texas Clean Fleet Program				
Section 114.650	Definitions	3/28/2012	1/31/2014, 79 FR 5287.	
Section 114.651	Applicability	3/28/2012	1/31/2014, 79 FR 5287.	
Section 114.652	Qualifying Vehicles	3/28/2012	1/31/2014, 79 FR 5287.	
Section 114.653	Grant Eligibility	3/28/2012	1/31/2014, 79 FR 5287.	
Section 114.654	Usage and Disposition	3/28/2012	1/31/2014, 79 FR 5287.	
Section 114.655	Grant Restrictions	2/24/2010	1/31/2014, 79 FR 5287.	
Section 114.656	Eligible Grant Amounts	2/24/2010	1/31/2014, 79 FR 5287.	
Section 114.657	Reporting Requirements.	2/24/2010	1/31/2014, 79 FR 5287.	
Section 114.658	Implementation Schedule.	2/24/2010	1/31/2014, 79 FR 5287.	
Texas Department of Transportation Regulation—31 TAC Chapter 17—Vehicle Titles and Registration				
Section 17.80	Vehicle Emissions Verification System.	11/09/93	08/22/94, 59 FR 43046	Ref 52.2299 (c)(87)(i)(F).
Chapter 115 (Reg 5)—Control of Air Pollution From Volatile Organic Compounds				
Subchapter A—Definitions				
Section 115.10	Definitions	11/15/06	7/17/08, 73 FR 40972.	

EPA APPROVED REGULATIONS IN THE TEXAS SIP—Continued

State citation	Title/Subject	State approval/Submittal date	EPA approval date	Explanation
Subchapter B—General Volatile Organic Compound Sources				
Division 1: Storage of Volatile Organic Compounds				
Section 115.110	Definitions	5/23/2007	3/29/2010, 75 FR 15348.	
Section 115.112	Control Requirements	5/23/2007	3/29/2010, 75 FR 15348.	
Section 115.113	Alternate Control Requirements.	5/23/2007	3/29/2010, 75 FR 15348.	
Section 115.114	Inspection Requirements.	5/23/2007	3/29/2010, 75 FR 15348.	
Section 115.115	Approved Test Methods	5/23/2007	3/29/2010, 75 FR 15348.	
Section 115.116	Monitoring and Recordkeeping Requirements.	5/23/2007	3/29/2010, 75 FR 15348.	
Section 115.117	Exemptions	5/23/2007	3/29/2010, 75 FR 15348.	
Section 115.119	Counties and Compliance Schedules.	5/23/2007	3/29/2010, 75 FR 15348.	
Division 2: Vent Gas Control				
Section 115.120	Vent Gas Definitions	12/13/02	02/27/08, 73 FR 10383.	
Section 115.121	Emission Specifications	12/13/02	02/27/08, 73 FR 10383.	
Section 115.122	Control Requirements	12/13/02	02/27/08, 73 FR 10383.	
Section 115.123	Alternate Control Requirements.	12/13/02	02/27/08, 73 FR 10383.	
Section 115.125	Testing Requirements	12/6/00	7/16/01, 66 FR 36913.	
Section 115.126	Monitoring and Recordkeeping Requirements.	12/13/02	02/27/08, 73 FR 10383.	
Section 115.127	Exemptions	12/13/02	02/27/08, 73 FR 10383.	
Section 115.129	Counties and Compliance Schedules.	11/15/06	7/17/08, 73 FR 40972.	
Division 3: Water Separation				
Section 115.131	Emission Specifications	05/04/94	05/22/97, 62 FR 27964.	
Section 115.132	Control Requirements	04/26/02	02/27/08, 73 FR 10383.	
Section 115.133	Alternate Control Requirements.	04/26/02	02/27/08, 73 FR 10383.	
Section 115.135	Testing Requirements	05/04/94	05/22/97, 62 FR 27964.	
Section 115.136	Monitoring and Recordkeeping Requirements.	04/26/02	02/27/08, 73 FR 10383.	
Section 115.137	Exemptions	04/26/02	02/27/08, 73 FR 10383.	
Section 115.139	Counties and Compliance Schedules.	11/15/06	7/17/08, 73 FR 40972.	
Division 4: Industrial Wastewater				
Section 115.140	Industrial Wastewater Definitions.	04/26/02	02/27/08, 73 FR 10383.	
Section 115.142	Control Requirements	12/13/02	02/27/08, 73 FR 10383.	
Section 115.143	Alternate Control Requirements.	12/13/02	02/27/08, 73 FR 10383.	
Section 115.144	Inspection and Monitoring Requirements.	12/13/02	2/27/08, 73 FR 10383.	
Section 115.145	Approved Test Methods	4/26/02	02/27/08, 73 FR 10383.	
Section 115.146	Recordkeeping Requirements.	10/27/99	12/20/00, 65 FR 79745.	
Section 115.147	Exemptions	12/13/02	02/27/08, 73 FR 10383.	
Section 115.148	Training Requirements	10/27/99	12/20/00, 65 FR 79745.	
Section 115.149	Counties and Compliance Schedules.	11/15/06	7/17/08, 73 FR 40972.	
Division 5: Municipal Solid Waste Landfills				
Section 115.152	Control Requirements	5/04/94	5/22/97, 62 FR 27964.	

EPA APPROVED REGULATIONS IN THE TEXAS SIP—Continued

State citation	Title/Subject	State approval/Submittal date	EPA approval date	Explanation
Section 115.153	Alternate Control Requirements.	4/26/02	2/27/08, 73 FR 10383.	
Section 115.155	Approved Test Methods	05/04/94	05/22/97, 62 FR 27964.	
Section 115.156	Monitoring and Recordkeeping Requirements.	5/4/94	05/22/97, 62 FR 27964.	
Section 115.157	Exemptions	5/4/94	5/22/97, 62 FR 27964.	
Section 115.159	Counties and Compliance Schedules.	4/26/02	2/27/08, 73 FR 10383.	
Division 6: Batch Processes				
Section 115.160	Batch Process Definitions.	12/13/02	02/27/08, 73 FR 10383.	
Section 115.161	Applicability	12/13/02	02/27/08, 73 FR 10383.	
Section 115.162	Control Requirements	12/06/00	07/16/01, 66 FR 36913.	
Section 115.163	Alternate Control Requirements.	10/27/99	12/20/00, 65 FR 79745.	
Section 115.164	Determination of Emissions and Flow Rates.	12/06/00	07/16/01, 66 FR 36913.	
Section 115.165	Approved Test Methods and Testing Requirements.	12/06/00	07/16/01, 66 FR 36913.	
Section 115.166	Monitoring and Recordkeeping Requirements.	12/13/02	02/27/08, 73 FR 10383.	
Section 115.167	Exemptions	9/28/2005	7/10/2009, 74 FR 33146.	
Section 115.169	Counties and Compliance Schedules.	9/28/2005	7/10/2009, 74 FR 33146.	
Subchapter C—Volatile Organic Compound Transfer Operations				
Division 1: Loading and Unloading of Volatile Organic Compounds				
Section 115.211	Emission Specifications	12/13/02	01/19/06, 71 FR 3009.	
Section 115.212	Control Requirements	12/06/00	07/16/01, 66 FR 36913.	
Section 115.213	Alternate Control Requirements.	06/30/99	12/20/00, 65 FR 79745.	
Section 115.214	Inspection Requirements.	04/26/02	01/19/06, 71 FR 3009.	
Section 115.215	Approved Test Methods..	12/13/02	01/19/06, 71 FR 3009.	
Section 115.216	Monitoring and Recordkeeping Requirements.	10/22/03	01/19/06, 71 FR 3009.	
Section 115.217	Exemptions	10/22/03	01/19/06, 71 FR 3009.	
Section 115.219	Counties and Compliance.	11/15/2006	10/20/2010, 75 FR 64675.	
Section 115.220*	Filling of Gasoline Storage Vessels (Stage I) for Motor Vehicles Fuel Dispensing Facilities in Bexar County.	03/30/79	11/10/82, 47 FR 50866	Ref 52.2299(c)(48). The number 220* was created to avoid duplicate sections numbers in the SIP. There is no section 115.220 in the current SIP approved codification.
Division 2: Filling of Gasoline Storage Vessels (Stage I) for Motor Vehicle Fuel Dispensing Facilities				
Section 115.222	Control Requirements	03/23/05	01/19/06, 71 FR 3009.	
Section 115.223	Alternate Control Requirements.	03/23/05	01/19/06, 71 FR 3009.	
Section 115.224	Inspection Requirements.	06/30/99	12/20/00, 65 FR 79745.	
Section 115.225	Testing Requirements	6/30/99	12/20/00, 65 FR 79745.	
Section 115.226	Recordkeeping Requirements.	6/30/99	12/20/00, 65 FR 79745.	
Section 115.227	Exemptions	11/17/04	3/29/05, 70 FR 15769.	

EPA APPROVED REGULATIONS IN THE TEXAS SIP—Continued

State citation	Title/Subject	State approval/Submittal date	EPA approval date	Explanation
Section 115.229	Counties and Compliance Schedule D.	4/13/05	1/19/06, 71 FR 3009.	
Division 3: Control of Volatile Organic Leaks from Transport Vessels				
Section 115.234	Inspection Requirements.	6/30/99	12/20/00, 65 FR 79745.	
Section 115.235	Approved Test Methods	06/30/99	12/20/00, 65 FR 79745.	
Section 115.236	Recordkeeping Requirements.	6/30/99	12/20/00, 65 FR 79745.	
Section 115.237	Exemptions	06/30/99	12/20/00, 65 FR 79745.	
Section 115.239	Counties and Compliance Schedules.	11/15/06	7/17/08, 73 FR 40972.	
Division 4: Control of Vehicle Refueling Emissions (Stage II) at Motor Vehicle Fuel Dispensing Facilities				
Section 115.240	Stage II Vapor Recovery Definitions and List of California Air Resources Board Certified Stage II Equipment.	10/9/2013	3/17/14, 79 FR 14611.	
Section 115.241	Emission Specifications	10/9/2013	3/17/14, 79 FR 14611.	
Section 115.242	Control Requirements	10/9/2013	3/17/14, 79 FR 14611.	
Section 115.243	Alternate Control Requirements.	10/9/2013	3/17/14, 79 FR 14611.	
Section 115.244	Inspection Requirements.	10/9/2013	3/17/14, 79 FR 14611.	
Section 115.245	Testing Requirements	10/9/2013	3/17/14 , 79 FR 14611.	
Section 115.246	Recordkeeping Requirements.	10/9/2013	3/17/14 , 79 FR 14611.	
Section 115.247	Exemptions	10/9/2013	3/17/14, 79 FR 14611.	
Section 115.248	Training Requirements	3/23/05	1/19/06, 71 FR 3009.	
Section 115.249	Counties and Compliance Schedules.	10/9/2013	3/17/14, 79 FR 14611.	
Section 115.252 to 115.259.	Control of Reid Vapor Pressure of Gasoline.	5/4/94	05/22/97, 62 FR 27964	Ref 52.2299(c)(104).
Subchapter D—Petroleum Refining, Natural Gas Processing, and Petrochemical Processes				
Division 1: Process Unit Turnaround and Vacuum-Producing Systems in Petroleum Refineries				
Section 115.311	Emission Specifications	4/26/02	2/27/08, 73 FR 10383.	
Section 115.312	Control Requirements	12/13/02	2/27/08, 73 FR 10383.	
Section 115.313	Alternate Control Requirements.	04/26/02	02/27/08, 73 FR 10383.	
Section 115.315	Testing Requirements	5/8/92	3/7/95, 60 FR 12438.	
Section 115.316	Monitoring and Recordkeeping Requirements.	4/26/02	2/27/08, 73 FR 10383.	
Section 115.317	Exemptions	5/8/92	3/7/95, 60 FR 12438.	
Section 115.319	Counties and Compliance Schedules.	11/15/06	7/17/08, 73 FR 40972.	
Division 2: Fugitive Emission Control in Petroleum Refineries in Gregg, Nueces, and Victoria Counties				
Section 115.322	Control Requirements	4/26/02	2/27/08, 73 FR 10383.	
Section 115.323	Alternate Control Requirements.	8/8/01	2/27/08, 73 FR 10383.	
Section 115.324	Inspection Requirements.	5/8/02	3/7/95, 60 FR 12438.	
Section 115.325	Testing Requirements	4/26/02	2/27/08, 73 FR 10383.	
Section 115.326	Recordkeeping Requirements.	12/13/02	2/27/08, 73 FR 10383.	
Section 115.327	Exemptions	4/26/02	2/27/08, 73 FR 10383.	
Section 115.329	Counties and Compliance Schedules.	8/8/01	2/27/08, 73 FR 10383.	
Division 3: Fugitive Emission Control in Petroleum Refining, Natural Gas/Gasoline Processing, and Petrochemical Processes in Ozone Nonattainment Areas				
Section 115.352	Control Requirements	12/1/04	2/27/08, 73 FR 10383.	

EPA APPROVED REGULATIONS IN THE TEXAS SIP—Continued

State citation	Title/Subject	State approval/Submittal date	EPA approval date	Explanation
Section 115.353	Alternate Control Requirements.	4/26/02	2/27/08, 73 FR 10383.	
Section 115.354	Monitoring and Inspection Requirements.	12/1/04	2/27/08, 73 FR 10383.	
Section 115.355	Approved Test Methods	12/1/04	2/27/08, 73 FR 10383.	
Section 115.356	Recordkeeping Requirements.	12/1/04	2/27/08, 73 FR 10383.	
Section 115.357	Exemptions	12/1/04	2/27/08, 73 FR 10383.	
Section 115.359	Counties and Compliance Schedules.	11/15/06	7/17/08, 73 FR 40972.	
Subchapter E—Solvent-Using Processes				
Division 1: Degreasing Processes				
Section 115.412	Control Requirements	11/17/04	3/29/05, 70 FR 15769.	
Section 115.413	Alternate Control Requirements.	11/17/04	3/29/05, 70 FR 15769.	
Section 115.415	Testing Requirements	11/17/04	3/29/05, 70 FR 15769.	
Section 115.416	Recordkeeping Requirements.	11/17/04	3/29/05, 70 FR 15769.	
Section 115.417	Exemptions	11/17/04	3/29/05, 70 FR 15769.	
Section 115.419	Counties and Compliance Schedules.	11/15/06	7/17/08, 73 FR 40972.	
Division 2: Surface Coating Processes				
Section 115.420	Surface Coating Definitions.	12/13/02	01/19/06, 71 FR 3009.	
Section 115.421	Emission Specifications	12/13/02	01/19/06, 71 FR 3009.	
Section 115.422	Control Requirements	4/26/02	1/19/06, 71 FR 3009.	
Section 115.423	Alternate Control Requirements.	8/8/01	1/19/06, 71 FR 3009.	
Section 115.424	Inspection Requirements.	6/29/00	10/30/01, 66 FR 54688	
Section 115.425	Testing Requirements	6/29/00	10/30/01, 65 FR 54688	
Section 115.426	Monitoring and Recordkeeping Requirements.	8/8/01	1/19/06, 71 FR 3009.	
Section 115.427	Exemptions	9/28/2005	7/10/2009, 74 FR 33146.	
Section 115.429	Counties and Compliance Schedules.	9/28/2005	7/10/2009, 74 FR 33146.	
Division 3: Flexographic and Rotogravure Printing				
Section 115.430	Flexographic and Rotogravure Printing Definitions.	12/06/01	07/16/01, 66 FR 36913.	
Section 115.432	Control Requirements	08/08/01	01/19/06, 71 FR 3009.	
Section 115.433	Alternate Control Requirements.	08/08/01	01/19/06, 71 FR 3009.	
Section 115.435	Testing Requirements	08/08/01	01/19/06, 71 FR 3009.	
Section 115.436	Monitoring and Recordkeeping Requirements.	08/08/01	01/19/06, 71 FR 3009.	
Section 115.437	Exemptions	02/14/96	01/26/99, 64 FR 3841.	
Section 115.439	Counties and Compliance Schedules.	11/15/06	7/17/08, 73 FR 40972.	
Division 4: Offset Lithographic Printing				
Section 115.440	Offset Printing Definitions.	04/26/02	01/19/06, 71 FR 3009.	
Section 115.442	Control Requirements	04/26/02	01/19/06, 71 FR 3009.	
Section 115.443	Alternate Control Requirements.	02/24/99	04/06/00, 65 FR 18003.	
Section 115.445	Approved Test Methods	04/26/02	01/19/06, 71 FR 3009.	
Section 115.446	Monitoring and Recordkeeping Requirements.	04/26/02	01/19/06, 71 FR 3009.	

EPA APPROVED REGULATIONS IN THE TEXAS SIP—Continued

State citation	Title/Subject	State approval/Submittal date	EPA approval date	Explanation
Section 115.449	Counties and Compliance Schedules.	11/15/06	7/17/08, 73 FR 40972.	
Subchapter F—Miscellaneous Industrial Sources				
Division 1: Cutback Asphalt				
Section 115.510	Cutback Asphalt Definitions.	08/31/99	12/22/99, 64 FR 71670.	
Section 115.512	Control Requirements	11/17/04	3/29/05, 70 FR 15769.	
Section 115.513	Alternative Control Requirements.	08/31/99	12/22/99, 64 FR 71670.	
Section 115.515	Testing Requirements	08/31/99	12/22/99, 64 FR 71670.	
Section 115.516	Recordkeeping Requirements.	11/17/04	3/29/05, 70 FR 15769.	
Section 115.517	Exemptions	11/17/04	3/29/05, 70 FR 15769	Ref 52.2299(c)(88).
Section 115.519	Counties and Compliance Schedules.	11/15/06	7/17/08, 73 FR 40972.	
Division 2: Pharmaceutical Manufacturing Facilities				
Section 115.531	Emission Specifications	05/04/94	05/22/97, 62 FR 27964.	
Section 115.532	Control Requirements	04/26/02	02/27/08, 73 FR 10383.	
Section 115.533	Alternate Control Requirements.	04/26/02	02/27/08, 73 FR 10383.	
Section 115.534	Inspection Requirements.	05/04/94	05/22/97, 62 FR 27964.	
Section 115.535	Testing Requirements	04/26/02	02/27/08, 73 FR 10383.	
Section 115.536	Monitoring and Recordkeeping Requirements.	05/04/94	05/22/97, 62 FR 27964.	
Section 115.537	Exemptions	05/04/94	05/22/97, 62 FR 27964.	
Section 115.539	Counties and Compliance Schedules.	11/15/06	7/17/08, 73 FR 40972.	
Division 3: Degassing or Cleaning of Stationary, Marine, and Transport Vessels				
Section 115.541	Emission Specifications	5/23/2007	3/29/2010, 75 FR 15348.	
Section 115.542	Control Requirements	5/23/2007	3/29/2010, 75 FR 15348.	
Section 115.543	Alternate Control Requirements.	5/23/2007	3/29/2010, 75 FR 15348.	
Section 115.544	Inspection Requirements.	5/23/2007	3/29/2010, 75 FR 15348.	
Section 115.545	Approved Test Methods	5/23/2007	3/29/2010, 75 FR 15348.	
Section 115.546	Monitoring and Recordkeeping Requirements.	5/23/2007	3/29/2010, 75 FR 15348.	
Section 115.547	Exemptions	5/23/2007	3/29/2010, 75 FR 15348.	
Section 115.549	Counties and Compliance Schedules.	5/23/2007	3/29/2010, 75 FR 15348.	
Division 4: Petroleum Dry Cleaning Systems				
Section 115.552	Control Requirements	04/26/02	02/27/08, 73 FR 10383.	
Section 115.553	Alternate Control Requirements.	05/04/94	05/22/97, 62 FR 27964.	
Section 115.555	Testing Methods and Procedures.	05/04/94	05/22/97, 62 FR 27964.	
Section 115.556	Recordkeeping Requirements.	05/04/94	05/22/97, 62 FR 27964.	
Section 115.557	Exemptions	05/04/94	05/22/97, 62 FR 27964.	
Section 115.559	Counties and Compliance Schedules.	04/26/02	02/27/08, 73 FR 10383.	

EPA APPROVED REGULATIONS IN THE TEXAS SIP—Continued

State citation	Title/Subject	State approval/Submittal date	EPA approval date	Explanation
Subchapter G—Consumer-Related Sources				
Division 1: Automotive Windshield Washer Fluid				
Section 115.600	Consumer Products Definitions.	01/28/04	02/10/05, 70 FR 7041.	
Section 115.610	Applicability	01/28/04	02/10/05, 70 FR 7041.	
Section 115.612	Control Requirements	01/28/04	02/10/05, 70 FR 7041.	
Section 115.613	Alternate Control Requirements.	01/28/04	02/10/05, 70 FR 7041.	
Section 115.615	Testing Requirements	01/28/04	02/10/05, 70 FR 7041.	
Section 115.616	Recordkeeping and Reporting Requirements.	01/28/04	02/10/05, 70 FR 7041.	
Section 115.617	Exemptions	01/28/04	02/10/05, 70 FR 7041.	
Section 115.619	Counties and Compliance Schedules.	01/28/04	02/10/05, 70 FR 7041.	
Division 2: Portable Fuel Containers				
Subchapter H—Highly-Reactive Volatile Organic Compounds				
Division 1: Vent Gas Control				
Section 115.720	Applicability and Definitions.	12/01/04	9/06/06, 71 FR 52656.	
Section 115.722	Site-wide Cap and Control Requirements.	12/01/04	9/06/06, 71 FR 52656.	
Section 115.725	Monitoring and Testing Requirements.	12/01/04	9/06/06, 71 FR 52656.	
Section 115.726	Recordkeeping and Reporting Requirements.	12/01/04	9/06/06, 71 FR 52656.	
Section 115.727	Exemptions	12/01/04	9/06/06, 71 FR 52656.	
Section 115.729	Counties and Compliance Schedules.	12/01/04	9/06/06, 71 FR 52656.	
Division 2: Cooling Tower Heat Exchange Systems				
Section 115.760	Applicability and Cooling Tower Heat Exchange System Definitions.	12/01/04	9/06/06, 71 FR 52656.	
Section 115.761	Site-wide Cap	12/01/04	9/06/06, 71 FR 52656.	
Section 115.764	Monitoring and Testing Requirements.	12/01/04	9/06/06, 71 FR 52656.	
Section 115.766	Recordkeeping and Reporting Requirements.	12/01/04	9/06/06, 71 FR 52656.	
Section 115.767	Exemptions	12/01/04	9/06/06, 71 FR 52656.	
Section 115.769	Counties and Compliance Schedules.	12/01/04	9/06/06, 71 FR 52656.	
Division 3: Fugitive Emissions				
Section 115.780	Applicability	12/01/04	9/06/06, 71 FR 52656.	
Section 115.781	General Monitoring and Inspection Requirements.	12/01/04	9/06/06, 71 FR 52656.	
Section 115.782	Procedures and Schedule for Leak Repair and Follow-up.	12/01/04	9/06/06, 71 FR 52656.	
Section 115.783	Equipment Standards	12/01/04	9/06/06, 71 FR 52656.	
Section 115.786	Recordkeeping Requirements.	12/01/04	9/06/06, 71 FR 52656.	
Section 115.787	Exemptions	12/01/04	9/06/06, 71 FR 52656.	
Section 115.788	Audit Provisions	12/01/04	9/06/06, 71 FR 52656.	
Section 115.789	Counties and Compliance Schedules.	12/01/04	9/06/06, 71 FR 52656.	

EPA APPROVED REGULATIONS IN THE TEXAS SIP—Continued

State citation	Title/Subject	State approval/Submittal date	EPA approval date	Explanation
Subchapter J—Administrative Provisions				
Division 1: Alternate Means of Control				
Section 115.901	Insignificant Emissions	07/13/94	05/22/97, 62 FR 27964.	
Section 115.910	Availability of Alternate Means of Control.	04/26/02	02/27/08, 73 FR 10383.	
Section 115.911	Criteria for Approval of Alternate Means of Control Plans.	04/26/02	02/27/08, 73 FR 10383.	
Section 115.912	Calculations for Determining Alternate Means of Control Reductions.	04/26/02	02/27/08, 73 FR 10383.	
Section 115.913	Procedures for Alternate Means of Control Plan Submittal.	04/26/02	02/27/08, 73 FR 10383.	
Section 115.914	Procedures for an Alternate Means of Control Plan Approval.	04/26/02	02/27/08, 73 FR 10383.	
Section 115.915	Public Notice Format	04/26/02	02/27/08, 73 FR 10383.	
Section 115.916	Review of Approved Alternate Means of Control Plans and Termination of Alternate Means of Control Plans.	04/26/02	02/27/08, 73 FR 10383.	
Division 2: Early Reductions				
Section 115.920	Applicability	04/26/02	02/27/08, 73 FR 10383.	
Section 115.923	Documentation	04/26/02	02/27/08, 73 FR 10383.	
Division 3: Compliance and Control Plan Requirements				
Section 115.930	Compliance Dates	04/26/02	02/27/08, 73 FR 10383.	
Section 115.932	Congtrol Plan Procedure.	04/26/02	02/27/08, 73 FR 10383.	
Section 115.934	Control Plan Deviation	04/26/02	02/27/08, 73 FR 10383.	
Section 115.936	Reporting Procedure	11/10/93	05/22/97, 62 FR 27964.	
Section 115.940	Equivalency Determination.	04/26/02	02/27/08, 73 FR 10383.	
Section 115.950	Use of Emissions Credits for Compliance.	12/06/00	09/06/06, 71 FR 52698.	
Chapter 116 (Reg 6)—Control of Air Pollution by Permits for New Construction or Modification				
Subchapter A—Definitions				
Section 116.10	General Definitions	8/21/2002	11/17/2011, 76 FR 71260.	The SIP does not include paragraphs (1), (2), (3), (7)(F), (11)(A), (11)(B), (11)(E), (11)(F), (11)(G), and (16).
Section 116.11	Compliance History Definitions.	06/17/98	09/18/02, 67 FR 58709.	
Section 116.12	Nonattainment and Prevention of Significant Deterioration Review Definitions.	7/25/2012	10/25/2012, 77 FR 65119.	The SIP includes TCEQ's letter dated 5/3/2012, which explains and clarifies TCEQ's interpretation of the definition of ''plant-wide applicability limit'' in paragraph (22).
Section 116.14	Standard Permit Definitions.	06/17/98	11/14/03, 68 FR 64548.	

EPA APPROVED REGULATIONS IN THE TEXAS SIP—Continued

State citation	Title/Subject	State approval/Submittal date	EPA approval date	Explanation
Section 116.18	Electric Generating Facility Permits Definitions.	5/22/2002	1/11/2011, 76 FR 1525.	
Subchapter B—New Source Review Permits				
Division 1—Permit Application				
Section 116.110	Applicability	08/09/00	11/14/03, 68 FR 64548	The SIP does not include sections 116.110 (a)(3), (a)(5) and (c).
Section 116.111	General Application	8/21/2002	1/6/2014, 79 FR 551	The SIP does not include paragraphs (a)(2)(K).
Section 116.114	Application Review Schedule.	6/2/2010	1/6/2014, 79 FR 551.	
Section 116.115	General and Special Conditions.	2/9/2011	10/25/2012, 77 FR 65119.	
Section 116.116	Changes to Facilities	9/15/2010	1/6/2014, 79 FR 551	The SIP does not include 116.116(b)(3) and 116.116(e).
Section 116.120	Voiding of Permits	8/20/03	4/2/10, 75 FR 16671.	
Division 2—Compliance History				
Section 116.120	Applicability	06/17/98	09/18/02, 67 FR 58709.	
Section 116.121	Exemptions	06/17/98	09/18/02, 67 FR 58709.	
Section 116.122	Contents of Compliance History.	06/17/98	09/18/02, 67 FR 58709.	
Section 116.123	Effective Dates	06/17/98	09/18/02, 67 FR 58709.	
Section 116.125	Preservation of Existing Rights and Procedures.	06/17/98	09/18/02, 67 FR 58709.	
Section 116.126	Voidance of Permit Applications.	06/17/98	09/18/02, 67 FR 58709.	
Section 116.127	Actual to Projected Actual and Emission Exclusion Test for Emissions.	2/9/2011	10/25/2012, 77 FR 65119.	
Division 3—Public Notice				
Section 116.130	Applicability	06/17/98	09/18/02, 67 FR 58709	The SIP does not include Section 116.130(c).
Section 116.131	Public Notification Requirements.	06/17/98	09/18/02, 67 FR 58709.	
Section 116.132	Public Notice Format	06/17/98	03/10/06, 71 FR 12285.	
Section 116.133	Sign Posting Requirements.	06/17/98	03/10/06, 71 FR 12285.	
Section 116.134	Notification of Affected Agencies.	06/17/98	09/18/02, 67 FR 58709.	
Section 116.136	Public Comment Procedures.	08/16/93	09/18/02, 67 FR 58709.	
Section 116.137	Notification of Final Action by the Commission.	06/17/98	09/18/02, 67 FR 58709.	
Division 4—Permit Fees				
Section 116.140	Applicability	06/17/98	09/18/02, 67 FR 58709.	
Section 116.141	Determination of Fees	9/25/2002	3/20/2009, 74 FR 11851..	
Section 116.143	Payment of Fees	8/20/2003	3/20/2009, 74 FR 11851..	

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State citation	Title/Subject	State approval/Submittal date	EPA approval date	Explanation
Division 5—Nonattainment Review				
Section 116.150	New Major Source or Major Modification in Ozone Nonattainment Area.	7/25/2012	10/25/2012, 77 FR 65119.	
Section 116.151	New Major Source or Major Modification in Nonattainment Area Other than Ozone.	7/25/2012	10/25/2012, 77 FR 65119.	
Division 6—Prevention of Significant Deterioration Review				
Section 116.160	Prevention of Significant Deterioration Requirements.	6/2/2010	9/15/2010, 75 FR 55978.	
Section 116.161	Source Located in an Attainment Area with Greater than De Minimis Impact.	06/17/98	09/18/02, 67 FR 58709.	
Section 116.162	Evaluation of Air Quality Impacts.	10/10/01	7/22/04, 69 FR 43752.	
Section 116.163	Prevention of Significant Deterioration Permit Fees.	9/25/2002	3/20/2009, 74 FR 11851..	
Division 7—Emission Reductions: Offsets				
Section 116.170	Applicability of Emission Reductions as Offsets.	8/20/2003	3/20/2009, 74 FR 11851..	
Section 116.172	Emissions Offsets from Rocket Engine Firing and Cleaning.	8/20/2003	3/20/2009, 74 FR 11851..	
Section 116.174	Determination by Executive Director to Authorize Reductions.	6/17/1998	11/2/2011, 76 FR 67600.	
Section 116.175	Recordkeeping	8/16/1993	11/2/2011, 76 FR 67600.	
Section 116.176	Use of Mass Cap Allowances for Offsets.	3/07/01	9/6/06, 71 FR 52664..	
Subchapter C—Plant-wide Applicability Limits				
Division 1—Plant-wide Applicability Limits				
Section 116.180	Applicability	7/25/2012	10/25/2012, 77 FR 65119.	
Section 116.182	Plant-Wide Applicability Limit Permit Application.	2/9/2011	10/25/2012, 77 FR 65119.	
Section 116.184	Application Review Schedule.	1/11/2006	10/25/2012, 77 FR 65119.	
Section 116.186	General and Specific Conditions.	7/25/2012	10/25/2012, 77 FR 65119.	The SIP includes TCEQ's "Letter of explanation and interpretation of the Texas SIP for NSR Reform" dated 5/3/2012, which explains and clarifies TCEQ's interpretation of paragraphs (a), (b)(9) and (c)(2).
Section 116.188	Plant-Wide Applicability Limit.	2/9/2011	10/25/2012, 77 FR 65119.	
Section 116.190	Federal Nonattainment and Prevention of Significant Deterioration Review.	2/9/2011	10/25/2012, 77 FR 65119.	

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State citation	Title/Subject	State approval/Submittal date	EPA approval date	Explanation
Section 116.192	Amendments and Alterations.	2/9/2011	10/25/2012, 77 FR 65119.	
Section 116.194	Public Notification and Comment.	6/2/2010	1/6/2014, 79 FR 551.	
Section 116.196	Renewal of Plant-Wide Applicability Limit Permit.	1/11/2006	10/25/12, 77 FR 65119.	
Section 116.198	Expiration and Voidance.	1/11/2006	10/25/2012, 77 FR 65119.	
Subchapter D—Permit Renewals				
Section 116.310	Notification of Permit Holder.	6/17/1998	11/14/2011, 76 FR 70354.	
Section 116.311	Permit Renewal Application.	8/21/2002	11/14/2011, 76 FR 70354.	—Paragraph (a)(2) is in the SIP as adopted by the State on 4/6/1994, and approved by EPA on 3/10/2006, 71 FR 12285. —Paragraph 116.311(a)(6) is not in the SIP.
Section 116.312	Public Notification and Comment Procedures.	9/2/1999	1/6/2014, 79 FR 551.	
Section 116.313	Renewal Application Fees.	8/20/2003	3/20/2009, 74 FR 11851..	
Section 116.314	Review Schedule	6/17/1998	11/14/2011, 76 FR 70354.	
Section 116.315	Permit Renewal Submittal.	5/7/2008	3/11/10, 75 FR 11464.	
Subchapter F—Standard Permits				
Section 116.601	Types of Standard Permits.	2/9/2011	4/1/2014, 79 FR 18183.	
Section 116.602	Issuance of Standard Permits.	12/16/99	11/14/03, 68 FR 64548.	
Section 116.603	Public Participation in Issuance of Standard Permits.	9/20/06	9/17/08, 73 FR 53716.	
Section 116.604	Duration and Renewal of Registrations to Use Standard Permits.	12/16/99	11/14/03, 68 FR 64548.	
Section 116.605	Standard Permit Amendment and Revocation.	12/16/99	11/14/03, 68 FR 64548.	
Section 116.606	Delegation	12/16/99	11/14/03, 68 FR 64548.	
Section 116.610	Applicability	1/11/2006	2/14/2014, 79 FR 8861	The SIP does not include subsection 116.610(d).
Section 116.611	Registration to Use a Standard Permit.	11/20/02	11/14/03, 68 FR 64548.	
Section 116.614	Standard Permit Fees	9/25/2002	3/20/2009, 74 FR 11851..	
Section 116.615	General Conditions	02/21/07	8/28/07, 72 FR 41998.	
Section 116.617	State Pollution Control Project Standard Permit.	1/11/2006	4/1/2014, 79 FR 18183	
Section 116.620	Installation and/or Modification of Oil and Gas Facilities.	8/9/2000	2/14/2014, 79 FR 8861	The types of emission units that may be authorized by this section are the following: • Internal combustion engines (ICEs), • Natural gas turbines (NG turbines),

EPA APPROVED REGULATIONS IN THE TEXAS SIP—Continued

State citation	Title/Subject	State approval/Submittal date	EPA approval date	Explanation
				• Flares, • Other combustion units (design heat input >40 million BTU per hour), • Natural gas glycol dehydration units, • Storage tanks, • Separators, • Condensers, • Vapor recovery units, • Process vents, and • Process fugitives
Subchapter H—Permits for Grandfathered Facilities				
Division 1—General Applicability				
Section 116.770	Requirement to Apply	1/28/04	1/6/14 79 FR 577.	
Section 116.771	Implementation Schedule for Additional Controls.	5/22/02	1/6/14 79 FR 577.	
Section 116.772	Notice of Shutdown	1/28/04	1/6/14 79 FR 577.	
Division 2—Small Business Stationary Source Permits, Pipeline Facilities Permits, and Existing Facility Permits				
Section 116.774	Eligibility for Small Business Stationary Source Permits.	5/22/02	1/6/14 79 FR 577.	
Section 116.775	Eligibility for Pipeline Facilities Permits.	5/22/02	1/6/14 79 FR 577.	
Section 116.777	Eligibility for Existing Facility Permits.	5/22/02	1/6/14 79 FR 577.	
Section 116.778	Additional Requirements for Applications for Small Business Stationary Source Permits, Pipeline Facilities Permits, or Existing Facility Permits.	8/21/02	1/6/14 79 FR 577.	
Section 116.779	Applications for Small Business Stationary Source Permits, Pipeline Facilities Permits, or Existing Facility Permits.	5/22/02	1/6/14 79 FR 577	116.779(a)(10) is not in the SIP.
Section 116.780	Public Participation for Initial Issuance of Pipeline Facilities Permits and Existing Facility Permits.	5/22/02	1/6/14 79 FR 577.	
Section 116.781	Notice and Comment Hearings for Initial Issuance of Pipeline Facilities Permits and Existing Facility Permits.	5/22/02	1/6/14 79 FR 577.	
Section 116.783	Notice of Final Action on Pipeline Facilities Permit Applications and Existing Facility Permit Applications.	5/22/02	1/6/14 79 FR 577.	
Section 116.785	Permit Fee	5/22/02	1/6/14 79 FR 577.	

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Section 116.786	General and Special Conditions.	5/22/02	1/6/14 79 FR 577	116.786(c)(2)(B)(ii)(I) is not in the SIP.
Section 116.787	Amendments and Alterations of Permits Issued Under this Division.	5/22/02	1/6/14 79 FR 577.	
Section 116.788	Renewal of Permits Issued Under this Division.	5/22/02	1/6/14 79 FR 577.	
Section 116.790	Delegation	5/22/02	1/6/14 79 FR 577.	
Subchapter I—Electric Generating Facility Permits				
Section 116.910	Applicability	5/22/2002	1/11/2011, 76 FR 1525.	
Section 116.911	Electric Generating Facility Permit.	5/22/2002	4/1/2014, 79 FR 18183	Section 116.911(a)(2) is authorized for Minor NSR only.
Section 116.912	Electric Generating Facilities.	12/16/1999	1/11/2011, 76 FR 1525.	
Section 116.913	General and Special Conditions.	5/22/2002	1/11/2011, 76 FR 1525.	
Section 116.914	Emissions Monitoring and Reporting Requirements.	12/16/1999	1/11/2011, 76 FR 1525.	
Section 116.916	Permits for Grandfathered and Electing Generating Facilities in El Paso County.	12/16/1999	1/11/2011, 76 FR 1525.	
Section 116.917	Electric Generating Facility Permit Application for Certain Grandfathered Coal-Fired Electric Generating Facilities and Certain Facilities Located at Electric Generating Facility Sites.	5/22/2002	1/11/2011, 76 FR 1525.	
Section 116.918	Additional General Special Conditions for Grandfathered Coal-Fired Electric Generating Facilities and Certain Facilities Located at Electric Generating Facility Sites.	5/22/2002	1/11/2011, 76 FR 1525.	
Section 116.919	Additional Requirements for Grandfathered Electric Generating Facility Permit Applications.	8/21/02	1/6/14 79 FR 577.	
Section 116.920	Applicability	12/16/1999	1/11/2011, 76 FR 1525.	
Section 116.921	Notice and Comment Hearings for Initial Issuance.	5/22/2002	1/11/2011, 76 FR 1525.	
Section 116.922	Notice of Final Action	12/16/1999	1/11/2011, 76 FR 1525.	
Section 116.926	Permit Fee	5/22/2002	1/11/2011, 76 FR 1525.	
Section 116.928	Delegation	5/22/2002	1/11/2011, 76 FR 1525.	
Section 116.930	Amendments and Alterations Issued Under this Subchapter.	5/22/2002	1/11/2011, 76 FR 1525.	
Section 116.931	Renewal	12/16/1999	1/11/2011, 76 FR 1525.	

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State citation	Title/Subject	State approval/Submittal date	EPA approval date	Explanation
Chapter 117—Control of Air Pollution From Nitrogen Compounds				
Subchapter A—Definitions				
Section 117.10	Definitions	5/30/2007	12/3/2008, 73 FR 73562.	
Subchapter B—Combustion Control at Major Industrial, Commercial, and Institutional Sources in Ozone Nonattainment Areas				
Division 1—Beaumont-Port Arthur Ozone Nonattainment Area Major Sources				
Section 117.100	Applicability	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.103	Exemptions	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.105	Emission Specifications for Reasonably Available Control Technology (RACT).	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.110	Emission Specifications for Attainment Demonstration.	5/30/2007	12/3/2008, 73 FR 73562.	117.110(c) not in SIP.
Section 117.115	Alternative Plant-Wide Emission Specifications.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.123	Source Cap	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.130	Operating Requirements.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.135	Initial Demonstration of Compliance.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.140	Continuous Demonstration of Compliance.	2/11/2009	7/31/2009, 74 FR 38102.	
Section 117.145	Notification, Recordkeeping, and Reporting Requirements.	2/11/2009	7/31/2009, 74 FR 38102.	
Section 117.150	Initial Control Plan Procedures.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.152	Final Control Plan Procedures for Reasonably Available Control Technology.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.154	Final Control Plan Procedures for Attainment Demonstration Emission Specifications.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.156	Revision of Final Control Plan.	5/30/2007	12/3/2008, 73 FR 73562.	
Division 2—Dallas-Fort Worth Ozone Nonattainment Area Major Sources				
Section 117.200	Applicability	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.203	Exemptions	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.205	Emission Specifications for Reasonably Available Control Technology (RACT).	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.210	Emission Specifications for Attainment Demonstration.	5/30/2007	12/3/2008, 73 FR 73562.	117.210(c) not in SIP.
Section 117.215	Alternative Plant-Wide Emission Specifications.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.230	Operating Requirements.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.235	Initial Demonstration of Compliance.	5/30/2007	12/3/2008, 73 FR 73562.	

EPA APPROVED REGULATIONS IN THE TEXAS SIP—Continued

State citation	Title/Subject	State approval/Submittal date	EPA approval date	Explanation
Section 117.240	Continuous Demonstration of Compliance.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.245	Notification, Recordkeeping, and Reporting Requirements.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.252	Final Control Plan Procedures for Reasonably Available Control Technology.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.254	Final Control Plan Procedures for Attainment Demonstration Emission Specifications.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.256	Revision of Final Control Plan.	5/30/2007	12/3/2008, 73 FR 73562.	
Division 3—Houston-Galveston-Brazoria Ozone Nonattainment Area Major Sources				
Section 117.300	Applicability	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.303	Exemptions	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.305	Emission Specifications for Reasonably Available Control Technology (RACT).	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.310	Emission Specifications for Attainment Demonstration.	5/30/2007	12/3/2008, 73 FR 73562.	117.310(c) not in SIP.
Section 117.315	Alternative Plant-Wide Emission Specifications.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.320	System Cap	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.323	Source Cap	5/30/2007	1/14/2009, 74 FR 1927.	
Section 117.223	Source Cap	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.330	Operating Requirements.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.335	Initial Demonstration of Compliance.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.340	Continuous Demonstration of Compliance.	2/11/2009	7/31/2009, 74 FR 38102.	
Section 117.345	Notification, Recordkeeping, and Reporting Requirements.	2/11/2009	7/31/2009, 74 FR 38102.	
Section 117.350	Initial Control Plan Procedures.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.352	Final Control Plan Procedures for Reasonably Available Control Technology.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.354	Final Control Plan Procedures for Attainment Demonstration Emission Specifications.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.356	Revision of Final Control Plan.	5/30/2007	12/3/2008, 73 FR 73562.	
Division 4—Dallas-Fort Worth Eight-Hour Ozone Nonattainment Area Major Sources				
Section 117.400	Applicability	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.403	Exemptions	2/2/2010	5/6/2013, 78 FR 26251.	
Section 117.410	Emission Specifications for Eight-Hour Attainment Demonstration.	5/30/2007	12/3/2008, 73 FR 73562.	117.410(d) not in SIP.
Section 117.423	Source Cap	5/30/2007	12/3/2008, 73 FR 73562.	

EPA APPROVED REGULATIONS IN THE TEXAS SIP—Continued

State citation	Title/Subject	State approval/Submittal date	EPA approval date	Explanation
Section 117.430	Operating Requirements.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.435	Initial Demonstration of Compliance.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.440	Continuous Demonstration of Compliance.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.445	Notification, Recordkeeping, and Reporting Requirements.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.450	Initial Control Plan Procedures.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.454	Final Control Plan Procedures for Attainment Demonstration Emission Specifications.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.456	Revision of Final Control Plan.	5/30/2007	12/3/2008, 73 FR 73562.	
Subchapter C—Combustion Control at Major Utility Electric Generation Sources in Ozone Nonattainment Areas				
Division 1—Beaumont-Port Arthur Ozone Nonattainment Area Utility Electric Generation Sources				
Section 117.1000	Applicability	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.1003	Exemptions	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.1005	Emission Specifications for Reasonably Available Control Technology (RACT).	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.1010	Emission Specifications for Attainment Demonstration.	5/30/2007	12/3/2008, 73 FR 73562.	117.1010(b) not in SIP.
Section 117.1015	Alternative System-Wide Emission Specifications.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.1020	System Cap	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.1035	Initial Demonstration of Compliance.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.1040	Continuous Demonstration of Compliance.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.1045	Notification, Recordkeeping, and Reporting Requirements.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.1052	Final Control Plan Procedures for Reasonably Available Control Technology.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.1054	Final Control Plan Procedures for Attainment Demonstration Emission Specifications.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.1056	Revision of Final Control Plan.	5/30/2007	12/3/2008, 73 FR 73562.	
Division 2—Dallas-Fort Worth Ozone Nonattainment Area Utility Electric Generation Sources				
Section 117.1100	Applicability	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.1103	Exemptions	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.1105	Emission Specifications for Reasonably Available Control Technology (RACT).	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.1110	Emission Specifications for Attainment Demonstration.	5/30/2007	1/14/2009, 74 FR 1927	117.1110(b) not in SIP

EPA APPROVED REGULATIONS IN THE TEXAS SIP—Continued

State citation	Title/Subject	State approval/Submittal date	EPA approval date	Explanation
Section 117.1115	Alternative System-Wide Emission Specifications.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.1120	System Cap	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.1135	Initial Demonstration of Compliance.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.1140	Continuous Demonstration of Compliance.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.1145	Notification, Recordkeeping, and Reporting Requirements.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.1152	Final Control Plan Procedures for Reasonably Available Control Technology.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.1154	Final Control Plan Procedures for Attainment Demonstration Emission Specifications.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.1156	Revision of Final Control Plan.	5/30/2007	12/3/2008, 73 FR 73562.	
Division 3—Houston-Galveston-Brazoria Ozone Nonattainment Area Utility Electric Generation Sources				
Section 117.1200	Applicability	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.1203	Exemptions	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.1205	Emission Specifications for Reasonably Available Control Technology (RACT).	5/30/2007	1/14/2009, 74 FR 1927.	
Section 117.1210	Emission Specifications for Attainment Demonstration.	5/30/2007	1/14/2009, 74 FR 1927	117.1210(b) not in SIP.
Section 117.1215	Alternative System-Wide Emission Specifications.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.1220	System Cap	5/30/2007	12/3/2008 , 73 FR 73562.	
Section 117.1235	Initial Demonstration of Compliance.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.1240	Continuous Demonstration of Compliance.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.1245	Notification, Recordkeeping, and Reporting Requirements.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.1252	Final Control Plan Procedures for Reasonably Available Control Technology.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.1254	Final Control Plan Procedures for Attainment Demonstration Emission Specifications.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.1256	Revision of Final Control Plan.	5/30/2007	12/3/2008, 73 FR 73562.	
Division 4—Dallas-Fort Worth Eight-Hour Ozone Nonattainment Area Utility Electric Generation Sources				
Section 117.1300	Applicability	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.1303	Exemptions	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.1310	Emission Specifications for Eight-Hour Attainment Demonstration.	5/30/2007	12/3/2008, 73 FR 73562.	117.1310(b) not in SIP.

EPA APPROVED REGULATIONS IN THE TEXAS SIP—Continued

State citation	Title/Subject	State approval/Submittal date	EPA approval date	Explanation
Section 117.1335	Initial Demonstration of Compliance.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.1340	Continuous Demonstration of Compliance.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.1345	Notification, Recordkeeping, and Reporting Requirements.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.1350	Initial Control Plan Procedures.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.1354	Final Control Plan Procedures for Attainment Demonstration Emission Specifications.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.1356	Revision of Final Control Plan.	5/30/2007	12/3/2008, 73 FR 73562.	
Subchapter D—Combustion Control at Minor Sources in Ozone Nonattainment Areas				
Division 1—Houston-Galveston-Brazoria Ozone Nonattainment Area Minor Sources				
Section 117.2000	Applicability	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.2003	Exemptions	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.2010	Emission Specification	5/30/2007	12/3/2008, 73 FR 73562.	117.2010(i) not in SIP.
Section 117.2030	Operating Requirements.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.2035	Monitoring and Testing Requirements.	2/11/2009	7/31/2009, 74 FR 38102.	
Section 117.2045	Recordkeeping and Reporting Requirements.	2/11/2009	7/31/2009, 74 FR 38102.	
Division 2—Dallas-Fort Worth Eight-Hour Ozone Nonattainment Area Minor Sources				
Section 117.2100	Applicability	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.2103	Exemptions	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.2110	Emission Specifications for Eight-Hour Attainment Demonstration.	5/18/2011	5/6/2013, 78 FR 26251.	
Section 117.2130	Operating Requirements.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.2135	Monitoring, Notification, and Testing Requirements.	5/30/2007	1/14/2009, 74 FR 1927.	
Section 117.2145	Recordkeeping and Reporting Requirements.	5/30/2007	12/3/2008, 73 FR 73562.	
Subchapter E—Multi-Region Combustion Control				
Division 1—Utility Electric Generation in East and Central Texas				
Section 117.3000	Applicability	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.3003	Exemptions	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.3005	Gas-Fired Steam Generation.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.3010	Emission Specifications	5/30/2007	12/3/2008, 73 FR 73562.	117.3010(2) not in SIP.
Section 117.3020	System Cap	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.3035	Initial Demonstration of Compliance.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.3040	Continuous Demonstration of Compliance.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.3045	Notification, Recordkeeping, and Reporting Requirements.	5/30/2007	12/3/2008, 73 FR 73562.	

EPA APPROVED REGULATIONS IN THE TEXAS SIP—Continued

State citation	Title/Subject	State approval/Submittal date	EPA approval date	Explanation
Section 117.3054	Final Control Plan Procedures.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.3056	Revision of Final Control Plan.	5/30/2007	12/3/2008, 73 FR 73562.	
Division 2—Cement Kilns				
Section 117.3100	Applicability	5/30/2007	01/14/2009, 74 FR 1927.	
Section 117.3101	Cement Kilns Definitions.	5/30/2007	1/14/2009, 74 FR 1927.	
Section 117.3103	Exemptions	5/30/2007	1/14/2009 , 74 FR 1927.	
Section 117.3110	Emission Specifications	5/30/2007	1/14/2009, 74 FR 1927.	
Section 117.3120	Source Cap	5/30/2007	1/14/2009, 74 FR 1927.	
Section 117.3123	Dallas-Fort Worth Eight-Hour Ozone Attainment Demonstration Control Requirements.	5/30/2007	1/14/2009, 74 FR 1927	117.3123(f) not in SIP.
Section 117.3140	Continuous Demonstration of Compliance.	5/30/2007	1/14/2009, 74 FR 1927.	
Section 117.3142	Emission Testing and Monitoring for Eight-Hour Attainment Demonstration.	5/30/2007	1/14/2009, 74 FR 1927.	
Section 117.3145	Notification, Recordkeeping, and Reporting Requirements.	5/30/2007	1/14/2009, 74 FR 1927.	
Division 3—Water Heaters, Small Boilers, and Process Heaters				
Section 117.3200	Applicability	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.3201	Definitions	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.3203	Exemptions	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.3205	Emission Specifications	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.3210	Certification requirements.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.3215	Notification and Labeling Requirements.	5/30/2007	12/3/2008, 73 FR 73562.	
Division 4—East Texas Combustion				
Section 117.3300	Applicability	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.3303	Exemptions	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.3310	Emission Specifications for Eight-Hour Attainment Demonstration.	5/30/2007	12/3/2008, 73 FR 73562.	117.3310(e) not in SIP.
Section 117.3330	Operating Requirements.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.3335	Monitoring, Notification, and Testing Requirements.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.3345	Recordkeeping and Reporting Requirements.	5/30/2007	12/3/2008, 73 FR 73562.	
Subchapter F—Acid Manufacturing				
Division 1—Adipic Acid Manufacturing				
Section 117.4000	Applicability	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.4005	Emission Specifications	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.4025	Alternative Case Specific Specifications.	5/30/2007	12/3/2008, 73 FR 73562.	

EPA APPROVED REGULATIONS IN THE TEXAS SIP—Continued

State citation	Title/Subject	State approval/Submittal date	EPA approval date	Explanation
Section 117.4035	Initial Demonstration of Compliance.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.4040	Continuous Demonstration of Compliance.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.4045	Notification, Recordkeeping, and Reporting Requirements.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.4050	Control Plan Procedures.	5/30/2007	12/3/2008, 73 FR 73562.	
Division 2—Nitric Acid Manufacturing—Ozone Nonattainment Areas				
Section 117.4100	Applicability	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.4105	Emission Specifications	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.4125	Alternative Case Specific Specifications.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.4135	Initial Demonstration of Compliance.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.4140	Continuous Demonstration of Compliance.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.4145	Notification, Recordkeeping, and Reporting Requirements.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.4150	Control Plan Procedures.	5/30/2007	12/3/2008, 73 FR 73562.	
Division 2—Nitric Acid Manufacturing—Ozone Nonattainment Areas'' under Subchapter F to read ''Division 3—Nitric Acid Manufacturing—General				
Section 117.4200	Applicability	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.4205	Emission Specifications	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.4210	Applicability of Federal New Source Performance Standards.	5/30/2007	12/3/2008, 73 FR 73562.	
Subchapter G—General Monitoring and Testing Requirements				
Division 1—Compliance Stack Testing and Report Requirements				
Section 117.8000	Stack Testing Requirements.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.8010	Compliance Stack Test Reports.	5/30/2007	12/3/2008, 73 FR 73562.	
Division 2—Emission Monitoring				
Section 117.8100	Emission Monitoring System Requirements for Industrial, Commercial, and Institutional Sources.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.8110	Emission Monitoring System Requirements for Utility Electric Generation Sources.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.8120	Carbon Monoxide (CO) Monitoring.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.8130	Ammonia Monitoring	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.8140	Emission Monitoring for Engines.	5/30/2007	12/3/2008, 73 FR 73562.	

EPA APPROVED REGULATIONS IN THE TEXAS SIP—Continued

State citation	Title/Subject	State approval/Submittal date	EPA approval date	Explanation
Subchapter H—Administrative Provisions				
Division 1—Compliance Schedules				
Section 117.9000	Compliance Schedule for Beaumont-Port Arthur Ozone Nonattainment Area Major Sources.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.9010	Compliance Schedule for Dallas-Fort Worth Ozone Nonattainment Area Major Sources.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.9020	Compliance Schedule for Houston-Galveston-Brazoria Ozone Nonattainment Area Major Sources.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.9030	Compliance Schedule for Dallas-Fort Worth Eight-Hour Ozone Nonattainment Area Major Sources.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.9100	Compliance Schedule for Beaumont-Port Arthur Ozone Nonattainment Area Utility Electric Generation Sources.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.9110	Compliance Schedule for Dallas-Fort Worth Ozone Nonattainment Area Utility Electric Generation Sources.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.9120	Compliance Schedule for Houston-Galveston-Brazoria Ozone Nonattainment Area Utility Electric Generation Sources.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.9130	Compliance Schedule for Dallas-Fort Worth Eight-Hour Ozone Nonattainment Area Utility Electric Generation Sources.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.9200	Compliance Schedule for Houston-Galveston-Brazoria Ozone Nonattainment Area Minor Sources.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.9210	Compliance Schedule for Dallas-Fort Worth Eight-Hour Ozone Nonattainment Area Minor Sources.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.9300	Compliance Schedule for Utility Electric Generation in East and Central Texas.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.9320	Compliance Schedule for Cement Kilns.	5/30/2007	1/14/2009, 74 FR 1927.	
Section 117.9340	Compliance Schedule for East Texas Combustion.	5/30/2007	12/3/2008, 73 FR 73562.	

EPA APPROVED REGULATIONS IN THE TEXAS SIP—Continued

State citation	Title/Subject	State approval/Submittal date	EPA approval date	Explanation
Section 117.9500	Compliance Schedule for Nitric Acid and Adipic Acid Manufacturing Sources.	5/30/2007	12/3/2008, 73 FR 73562.	
Division 2—Compliance Flexibility				
Section 117.9800	Use of Emission Credits for Compliance.	5/30/2007	12/3/2008, 73 FR 73562.	
Chapter 118 (Reg 8)—Control Of Air Pollution Episodes				
Section 118.1	Generalized Air Pollution Episodes.	03/05/00	07/26/00	
Section 118.2	Provisions Governing Generalized Episode Control.	03/05/00	07/26/00	
Section 118.3	Localized Air Pollution Episodes.	03/05/00	07/26/00	
Section 118.4	Hearings.	03/05/00	07/26/00	
Section 118.5	Emission Reduction Plan.	03/05/00	07/26/00	
Section 118.6	Texas Air Pollution Episode Contingency Plan and Emergency Management Center.	03/05/00	07/26/00.	
Chapter 122—Federal Operating Permits Program				
Subchapter B—Permit Requirements				
Division 2—Applicability				
Section 122.122	Potential to Emit	11/20/02	11/14/03, 68 FR 64548.	

(d) EPA-Approved State Source-Specific Requirements.

EPA-APPROVED TEXAS SOURCE-SPECIFIC REQUIREMENTS

Name of Source	Permit or Order Number	State Effective Date	EPA Approval Date	Comments
Alcoa Inc., Rockdale, Milam County, Texas.	Agreed Order No. 2000–0032–SIP.	04/19/2000	10/26/00, 65 FR 64155	H/GA, D/FW, and B/PA, Texas 1-hour ozone standard attainment demonstrations.
Eastman Chemical Company, Texas Operations, Longview, Harrison County, Texas.	Agreed Order No. 2000–0033–SIP.	04/19/2000	10/26/00, 65 FR 64156	H/GA, D/FW, and B/PA, Texas 1-hour ozone standard attainment demonstrations.
Gould National Battery, Incorporated.	Order Nos. 92–09(k), 93–12, 99–0351–SIP.	9/3/92, 6/2/93, 7/8/99, respectively.	11/29/94, 11/29/94, October 13, 1999, respectively.	92–09(k) and 93–12 were incorporated by reference in our approval of the lead SIP on 11/29/94, (59 FR 60905).
Continental Airlines at George Bush Intercontinental Airport, Houston, Texas.	Agreed Order No. 2000–0826–SIP.	10/18/00	11/14/2001, 66 FR 57222.	HGA, Texas 1-hour ozone standard attainment demonstrations.
Southwest Airlines at William Hobby Airport, Houston, Texas.	Agreed Order No. 2000–0827–SIP.	12/06/00	11/14/2001, 66 FR 57222.	HGA, Texas 1-hour ozone standard attainment demonstrations.
American Airlines, American Eagle Airlines at D/FW International airport, Texas.	Agreed Order No. 2000–1149–SIP.	5/23/2001	4/22/2002, 67 FR 19516.	DFW, Texas 1–hour ozone standard attainment demonstrations.

EPA-APPROVED TEXAS SOURCE-SPECIFIC REQUIREMENTS—Continued

Name of Source	Permit or Order Number	State Effective Date	EPA Approval Date	Comments
Delta Airlines at D/FW International Airport, Texas.	Agreed Order No. 2001–0221–AIR.	5/23/2001	4/22/2002, 67 FR 19516.	DFW, Texas 1–hour ozone standard attainment demonstrations.
Southwest Airlines at Love Field, Texas.	Agreed Order No. 2001–0222–AIR.	5/23/2001	4/22/2002, 67 FR 19516.	DFW, Texas 1–hour ozone standard attainment demonstrations.
ExxonMobil Oil Corporation, Jefferson County, Texas.	Agreed Order No. 2004–0846–SIP.	12/15/2004	4/12/2005, 70 FR 18995.	
Huntsman Petrochemical Corporation, Port Neches Plant, Jefferson County, Texas.	Agreed Order No. 2004–0882–SIP.	12/15/2004	4/12/2005, 70 FR 18995.	
Huntsman Petrochemical Corporation, Port Arthur Plant, Jefferson County, Texas.	Agreed Order No. 2004–0845–SIP.	12/15/2004	4/12/2005, 70 FR 18995.	
ISP Elastomers, Jefferson County, Texas.	Agreed Order No. 2004–0842–SIP.	12/15/2004	4/12/2005, 70 FR 18995.	
Mobil Chemical Company, Division of ExxonMobil Oil Corporation, Jefferson County, Texas.	Agreed Order No. 2004–0841–SIP.	12/15/2004	4/12/2005, 70 FR 18995.	
Motiva Enterprises LLC, Jefferson County, Texas.	Agreed Order No. 2004–0843–SIP.	12/15/2004	4/12/2005, 70 FR 18995.	
Premcor Refining Group, Inc., Jefferson County, Texas.	Agreed Order No. 2004–0844–SIP.	12/15/2004	4/12/2005, 70 FR 18995.	
Mobil Chemical Company, Division of ExxonMobil Oil Corporation, Jefferson County, Texas.	Agreed Order No. 2004–1654–SIP.	12/15/2004	4/12/2005, 70 FR 18995.	
American Electric Power Knox Lee Plant (Gregg Co.), Pirkey Plant (Harrison Co.), Wilkes Plant (Cass Co.).	2001–0878–RUL	03/13/2002	8/19/2005, 70 FR 48642.	
Texas Utilities Martin Lake plant (Rusk Co.), Monticello plant (Titus Co.).	2001–0879–RUL	03/13/2002	8/19/2005, 70 FR 48642.	
Eastman Chemical Company Longview plant (Harrison Co.).	2001–0880–RUL	03/13/2002	8/19/2005, 70 FR 48642.	
Alcoa Inc, Rockdale, Milam County, Texas.	Permit Number 48437	4/27/05	8/15/2008, 73 FR 47835.	

(e) EPA approved nonregulatory provisions and quasi-regulatory measures.

EPA APPROVED STATUTES IN THE TEXAS SIP

Title/Subject	State approval/submittal date	EPA approval date	Comments
Texas Clean Air Act (Article 4477–5), Vernon's Texas Civil Statutes.	01/28/72	05/31/72, 37 FR 10895	As amended by S.B. 48 of 1969.
Article 698d Air Pollution, Penal Code of Texas, 1925.	01/28/72	05/31/72, 37 FR 10895	As amended by S.B. No. 5 of 1969.

EPA APPROVED STATUTES IN THE TEXAS SIP—Continued

Title/Subject	State approval/submittal date	EPA approval date	Comments
House Bill 322	01/28/72	05/31/72, 37 FR 10895	As passed by the 62nd Legislature of Texas, amending the Texas Clean Act regarding permits for construction or modification of facilities.
Texas Clean Air (Tex. Rev. Civ. Stat. Ann. Art. 4477–5) as amended June 13, 1979.	07/23/81	12/15/81, 46 FR 61125	Ref 52.2299(c)(29).
Air Pollution (Tex. Rev. Civ. Stat. Ann. Art. 4477–5b) as amended January 1, 1974.	07/23/81	12/15/81, 46 FR 61125	Ref 52.2299(c)(29).
Texas Administrative Procedure and Texas Register Act.	07/23/81	12/15/81, 46 FR 61125	Ref 52.2299(c)(29).
(Tex. Rev. Civ. Stat. Ann. Art. 6252–13a) effective January 1, 1976.	07/23/81	12/15/81, 46 FR 61125	Ref 52.2299(c)(29).
Texas Open Record Act (Tex. Rev. Civ. Stat. Ann. Art. 6252–17a) as amended May 27, 1975.	07/23/81	12/15/81, 46 FR 61125	Ref 52.2299(c)(29).
Standards of Conduct of State Officers and Employees (Tex. Rev. Civ. Stat. Ann. Art. 6252–9b) effective January 1, 1974.	07/23/81	12/15/81, 46 FR 61125	Ref 52.2299(c)(29).
Department of Public Safety and Texas Air Control Board Rules and Regulations, Texas Vehicle Inspection Act Article XV.	11/9/84	06/26/85, 50 FR 26362	Ref 52.2299(c)(61).
Documentation to Authorize and Support the Implementation and Enforcement of the Texas Vehicle parameter Inspection and Maintenance Program, Appendix X, containing the following documents:			
A. Senate Bill 1205	11/9/84	06/26/85, 50 FR 26362	Ref 52.2299(c)(61).
B. Letters of Commitment from Texas Department of Public Safety City of Houston Police Department and Harris County Sheriff.	11/9/84	06/26/85, 50 FR 26362	Ref 52.2299(c)(61).
C. Parameter Vehicle Emission Inspection and Maintenance Rules and Regulations for Official Vehicle Inspection Stations and Certified Inspectors, July 1, 1984.	11/9/84	06/26/85, 50 FR 26362	Ref 52.2299(c)(61).
Texas Motor Vehicle Laws, 1981–1982—Rules and Regulations for Official Vehicle Inspection Stations and Certified Inspectors, November 11, 1983, Sections A,B,C, pages C–1, C–16, C–17, C–18, C–26, C–27, and C–28, D, and E pages E–1, E–6, E–7, E–8, and E–9.	11/9/84	06/26/85, 50 FR 26362	Ref 52.2299(c)(61).
VIMTCM, Appendix AJ, Excerpted Senate Bill 725, section 35(d) and (g) effective September 1, 1985; and House Bill 1593 sections 21 and 22 effective June 18, 1987.	09/30/85 and 12/21/87	02/09/89, 54 FR 06287	Ref 52.2299(c)(66).

EPA APPROVED STATUTES IN THE TEXAS SIP—Continued

Title/Subject	State approval/submittal date	EPA approval date	Comments
Texas Clean Air Act (TCAA), Texas Health and Safety Code Ann. (Vernon 1992), Section 382.0365, ''Small Business Stationary Source Assistance Program'', enacted by the Texas 1991 legislative session and effective September 1, 1991.	11/13/92	08/19/94, 59 FR 42759	Ref 52.2299(c)(85).
Legal opinion letter dated October 15, 1992 from Kirk P. Watson, Chairman, TACB, to Mr. B.J. Wynne, III, Regional Administrator, EPA Region 6, regarding the composition of the Small Business Compliance Advisory Panel of Texas.	11/13/92	08/19/94, 59 FR 42759	Ref 52.2299(c)(85).
House Bill 1969, an act relating to motor vehicle registration, inspections, and providing penalties amending:			
(1) Sections 382.037 and 382.038 of the Texas Health and Safety Code;	11/12/93 and 03/09/94	08/22/94, 59 FR 43046	Ref 52.2299(c)(87).
(2) Section 2 Chapter 88, General Laws, Acts of the 41st legislature, 2nd called session, 1929 (Article 6675a-2, Vernon's Texas Civil Statutes);	11/12/93 and 03/09/94	08/22/94, 59 FR 43046	Ref 52.2299(c)(87).
(3) Title 116, Article 6675b–4, 6675b–4A, and 6675b–4B;	11/12/93 and 03/09/94	08/22/94, 59 FR 43046	Ref 52.2299(c)(87).
(4) Section 141(d), and section 142(h), Uniform Act Regulating Traffic on Highways (Article 6701d, Vernon's Civil Statutes);	11/12/93 and 03/09/94	08/22/94, 59 FR 43046	Ref 52.2299(c)(87).
(5) Section 4.202, County Road and Bridge Act (Article 6702–1, Vernon's Texas Civil Statutes). Signed by the Governor on 01/08/93, effective 08/30/93.	11/12/93 and 03/09/94	08/22/94, 59 FR 43046	Ref 52.2299(c)(87).
Texas Health and Safety Code (Vernon 1990), the Texas Clean Air Act, sections 382.017, 382.037, 382.038, effective September 1, 1991.	11/12/93 and 03/09/94	08/22/94, 59 FR 43046	Ref 52.2299(c)(87).
Order No. 93–23, as adopted November 10, 1993, and Order No. 94–02 as adopted February 16, 1994.	11/12/93 and 03/09/94	08/22/94, 59 FR 43046	Ref 52.2299(c)(87).
Texas Civil Statutes, Articles 6675a–1 to 6675b–2 and 6687–1. (Vernon 1993).	11/12/93 and 03/09/94	08/22/94, 59 FR 43046	Ref 52.2299(c)(87).
Texas Portable Fuel Container State Implementation Plan.	All Affected 1997 Eight-Hour Ozone Standard Nonattainment And Near Nonattainment Areas In The State Of Texas.	3/4/2010	2/24/2011, 76 FR 10249

EPA APPROVED NONREGULATORY PROVISIONS AND QUASI-REGULATORY MEASURES IN THE TEXAS SIP

Name of SIP provision	Applicable geographic or nonattainment area	State submittal/effective date	EPA approval date	Comments
Public Hearings	Statewide	02/08/72	05/31/72, 37 FR 10895	Ref 52.2299(c)(1).
HydroCarbon Emission Data.	Statewide	05/02/72	05/31/72, 37 FR 10895	Ref 52.2299(c)(2).
Source Surveillance	Statewide	05/03/72	05/31/72, 37 FR 10895	Ref 52.2299(c)(2).

EPA APPROVED NONREGULATORY PROVISIONS AND QUASI-REGULATORY MEASURES IN THE TEXAS SIP—Continued

Name of SIP provision	Applicable geographic or nonattainment area	State submittal/effective date	EPA approval date	Comments
Minor Revisions	Statewide	07/31/72	10/28/72, 37 FR 23092	Ref 52.2299(c)(4).
Attainment Date Corrections.	Statewide	11/10/72	02/08/73, 38 FR 03600	Ref 52.2299(c)(6).
Classification Revisions for PM, SOx, and CO.	Statewide	03/21/75	04/18/77, 42 FR 20131	Ref 52.2299(c)(9).
Administrative Revisions.	Statewide		04/20/77, 42 FR 20463	Ref 52.2299(c)(11).
Air Quality Surveillance Plan.	Statewide	08/02/76	04/18/77, 42 FR 20131	Ref 52.2299(c)(12).
Air Quality Surveillance Plan.	Statewide	08/12/77	03/07/78, 43 FR 09276	Ref 52.2299(c)(13).
Administrative Revisions to Section X.	Statewide		07/06/77, 42 FR 34518	Ref 52.2299(c)(14).
Administrative Revisions to Section IX.	Statewide	08/14/78	04/11/79, 44 FR 21644	Ref 52.2299(c)(16).
Board Order No. 78–6	Corpus Christi, TX	07/24/78	09/24/79, 44 FR 55005	Ref 52.2299(c)(17) (see 52.2275)
Draft inspection/maintenance legislation and study schedule.	Harris County	04/13/79	12/18/79, 44 FR 74831	Ref 52.2299(c)(18).
Adopted inspection/maintenance legislation and administrative revisions.	Harris County	08/09/79	12/19/79, 44 FR 74831	Ref 52.2299(c)(19).
Plan Revisions (Part D requirements).	Statewide	04/13/79	03/25/80, 45 FR 19244	Ref 52.2299(c)(20).
Administrative Revisions to Transportation Control.	Statewide	08/09/79	03/25/80, 45 FR 19244	Ref 52.2299(c)(21).
Transportation Control Measures for Harris County.	Harris County	12/28/79	08/06/80, 45 FR 52148	Ref 52.2299(c)(24).
Board Order No. 78–8	General Portland, Inc., New Braunfels, Comal County, TX.	09/13/78	08/28/81, 46 FR 43425	Ref 52.2299(c)(26). (See 52.2276).
Administrative Revision to Section I.	Statewide	07/23/81	11/13/81, 46 FR 55970	Ref 52.2299(c)(28).
Administrative Revision to Section V.	Statewide	07/23/81	12/15/81, 46 FR 61125	Ref 52.2299(c)(29).
Plan Revisions for Intergovernmental Consultation and Composition.	Statewide	04/13/79	03/29/82, 47 FR 13143	Ref 52.2299(c)(32).
Texas Lead SIP and Board Order No. 82–11.	Statewide excluding Dallas and El Paso areas.	06/12/80	10/04/83, 48 FR 45248	Ref 52.2299(c)(41).
Texas Air Pollution Emergency Episode Contingency Plan.	Statewide	05/18/82	10/07/82, 47 FR 44261	Ref 52.2299(c)(42).
Administrative Revision to Section XII.	Statewide	07/06/82	10/25/82, 47 FR 47247	Ref 52.2299(c)(47).
Administrative Revision to Section III.	N/A	08/17/82	03/31/83, 48 FR 13428	Ref 52.2299(c)(51).
Administrative Revision to Section IX.	Statewide	06/22/83	11/07/83, 48 FR 51153	Ref 52.2299(c)(52).
Lead Plan for Dallas County, TX.	Dallas County, TX	04/6/84	08/15/84, 49 FR 32580	Ref 52.2299(c)(54).
Revisions to Lead Plan for Dallas County, TX.	Dallas County, TX	07/16/84	08/15/84, 49 FR 32580	Ref 52.2299(c)(55).
Lead Plan for El Paso County.	El Paso County, TX	06/20/84	08/13/84, 49 FR 32190	Ref 52.2299(c)(56).
Alternative Emission Control Plan for Exxon Baytown Refinery.	Baytown, TX	03/18/83	07/10/85, 50 FR 26992	Ref 52.2299(c)(60) (Board Order No. 83–2).
Plan for Ozone Attainment in Harris County.	Harris County, TX	12/09/82, 01/03/84, 03/18/85.	06/26/85, 50 FR 26362	Ref 52.2299(c)(61).

EPA APPROVED NONREGULATORY PROVISIONS AND QUASI-REGULATORY MEASURES IN THE TEXAS SIP—Continued

Name of SIP provision	Applicable geographic or nonattainment area	State submittal/effective date	EPA approval date	Comments
Alternative Emission Reduction Plan for Continental Can Company, Longview, TX.	Gregg County, (Longview), TX.	07/25/85	05/05/89, 54 FR 19373	Ref 52.2299(c)(64).
Revision to Lead Plan for El Paso County and Board Order No. 87–14.	El Paso County, TX	10/26/87	05/06/88, 53 FR 16263	Ref 52.2299(c)(65).
Ozone Attainment Plan for Dallas and Tarrant Counties.	Dallas and Tarrant Counties, TX.	09/30/85 and 12/21/87	02/09/89, 54 FR 06287	Ref 52.2299(c)(66).
Vehicle Inspection and Maintenance and Transportation Control Measures (VIMTCM), Appendix AG.	Dallas and Tarrant Counties, TX.	08/28/85	02/09/89, 54 FR 06287	Ref 52.2299(c)(66).
VIMTCM, Appendix AK, Portions 1 through 6.	Dallas and Tarrant Counties, TX.	12/18/87	02/09/89, 54 FR 06287	Ref 52.2299(c)(66).
VIMTCM, Appendix AM, Sections 1, 2, and 3.	Dallas and Tarrant Counties, TX.	12/18/87	02/09/89, 54 FR 06287	Ref 52.2299(c)(66).
VIMTCM, Appendix AN	Dallas and Tarrant Counties, TX.	12/18/87	02/09/89, 54 FR 06287	Ref 52.2299(c)(66).
Part II of the Visibility Protection Plan and Board Order No. 87–15.	Big Bend and Guadalupe Mountain National Parks.	09/18/87	02/23/89, 54 FR 07770	Ref 52.2299(c)(67).
Alternative Emission Reduction Plan (Bubble) for E.I. DuPont de Nemours & Company's Sabine River Works, Orange, TX.	Orange County, TX	03/12/82	04/13/90	Ref 52.2299(c)(70).
Revisions to Texas Air Pollution Episode Contingency Plan.	Statewide	10/02/87	09/06/90, 55 FR 36634	Ref 52.2299(c)(71).
Revisions to Ozone Attainment Plan for Dallas and Tarrant Counties.	Dallas and Tarrant Counties, TX.	03/05/90	08/03/90, 55 FR 31587	Ref 52.2299(c)(72).
Revisions for Prevention of Significant Deterioration and Board Orders No. 85–07, 87–09, and 88–08.	Statewide	12/11/85, 10/26/87, 9/29/88	06/4/92, 57 FR 28098	Ref 52.2299(c)(73). For Board Order 87–09, the provisions at paragraphs 7(a) and 7(b) have been replaced by EPA's SIP-approval of 30 TAC 39.411(f)(8)(A) and 39.605(1)(D). See 1/6/14, 79 FR 551
Board Order No. 90–07	Tarrant County	06/22/90	10/12/90, 55 FR 41525	Ref 52.2299(c)(74).
Board Order No. 92–19	Statewide	09/18/92	08/30/93, 58 FR 45457	Ref 52.2299(c)(76).
Revision for Prevention of Significant Deterioration and Board Order No. 90–13.	Statewide	12/14/90	09/09/94, 59 FR 46557	Ref 52.2299(c)(78).
Revision addressing PM–10 nonattainment area requirements for El Paso and Board Orders 89–03 and 91–15.	El Paso, TX	11/05/91	01/18/94, 59 FR 02535	Ref 52.2299(c)(79).
City of El Paso, TX, Ordinance, Title 9.	El Paso, TX	12/11/90	01/18/94, 59 FR 02535	Ref 52.2299(c)(79).
Board Order No. 92–16	Ozone nonattainment areas.	10/16/92	04/15/94, 59 FR 17943	Ref 52.2299(c)(81).
Board Order No. 92–20	Ozone nonattainment areas.	08/20/92	08/26/94, 59 FR 44039	Ref 52.2299(c)(82).

EPA APPROVED NONREGULATORY PROVISIONS AND QUASI-REGULATORY MEASURES IN THE TEXAS SIP—Continued

Name of SIP provision	Applicable geographic or nonattainment area	State submittal/effective date	EPA approval date	Comments
Revision for the El Paso CO nonattainment area and Board Order No. 92–15.	El Paso County, TX	09/18/92	09/12/94, 59 FR 46766	Ref 52.2299(c)(84).
Small Business Stationary Source Technical and Environmental Compliance Assistance Program.	Statewide	11/13/92	08/19/94, 59 FR 42759	Ref 52.2299(c)(85).
Board Order No. 92–22	Statewide	11/06/92	08/19/94, 59 FR 42759	Ref 52.2299(c)(85).
Board Order No. 92–04	N/A	05/08/92	03/07/95, 60 FR 12438	Ref 52.2299(c)(88).
Board Order No. 92–16	N/A	10/16/92	03/07/95, 60 FR 12438	Ref 52.2299(c)(88).
Revision to Modify SLAMS and NAMS Monitoring Systems and Board Order No. 93–24.	Statewide	11/10/93	10/04/94, 59 FR 50504	Ref 52.2299(c)(90).
Employer Trip Reduction Program and Board Order No. 92–14.	Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller Counties.	11/13/92	03/07/95, 60 FR 12442	Ref 52.2299(c)(91).
Revision limiting SO2 by agreed orders 94–09 through 94–22.	Certain Nonpermitted facilities in Harris County.	08/03/94	03/06/95, 60 FR 12125	Ref 52.2299(c)(93).
Revision addressing visible emissions with Board Orders 89–03, 90–12, 92–19, and 93–06.	Statewide	08/21/89, 01/29/91, 10/15/92, and 08/04/93.	05/08/96, 61 FR 20732	Ref 52.2299(c)(94).
Alternative Emission Reduction (Bubble) for Shell Oil Company's Deer Park manufacturing complex.	Deer Park, TX	07/26/93	06/19/95, 60 FR 31915	Ref 52.2299(c)(95).
Transportation Conformity and Board Order No. 94–40.	Areas designated nonattainment and areas subject to a maintenance plan.	10/12/94	11/08/95, 60 FR 56244	Ref 52.2299(c)(96).
Revision to Permitting Regulations and Board Orders No. 85–07, 87–09, 87–17, 88–08, 89–06, 90–05, 91–10, 92–06, 92–18, and 93–17.	Statewide	07/26/85, 07/17/87, 12/18/87, 07/15/88, 08/11/89, 05/18/90, 09/20/91, 05/08/92, 10/16/92, 08/16/93.	09/27/95, 60 FR 49781	Ref 52.2299(c)(97).
VOC RACT Negative Declarations.	Beaumont/Port Arthur, Dallas/Fort Worth, El Paso, Houston/Galveston.	1/10/96	10/30/96, 61 FR 55894	Ref 52.2299(c)(103).
VOC RACT Negative Declaration for SOCMI Batch Processing Source Category.	El Paso	1/10/96	6/7/07, 72 FR 31457..	
Alternate Control Strategy for Bell Helicopter Textron, Inc..	Ft Worth, TX, Plant 1 facility.	04/18/96	05/30/97, 62 FR 29297	Ref 52.2299(c)(100).
Revisions to the Plan concerning Sulfur Dioxide in Milam County.	Rockdale, TX	10/15/92 and 09/20/95	09/30/97, 61 FR 49685	Ref 52.2299(c)(101).
TNRCC Order No. 93–20, 94–06, 94–26, 94–0676–SIP.	The four ozone nonattainment areas in TX.	11/10/93, 05/04/94, 07/13/94, 11/09/94.	05/22/97, 62 FR 27964	Ref 52.2299(c)(104).

EPA APPROVED NONREGULATORY PROVISIONS AND QUASI-REGULATORY MEASURES IN THE TEXAS SIP—Continued

Name of SIP provision	Applicable geographic or nonattainment area	State submittal/effective date	EPA approval date	Comments
15% ROP Plan	Beaumont/Port Arthur ozone nonattainment area.	08/09/96	02/10/98, 63 FR 6659	Ref 52.2299(c)(107).
15% ROP Plan	Dallas/Ft Worth, El Paso, and Houston/Galveston ozone nonattainment areas.	08/09/96	11/10/98, 63 FR 62943	Ref 52.2299(c)(113) See also 52.2309.
Lead Maintenance Plan for Gould National Battery, Incorporated.	Collin County	08/31/99	10/13/99, 64 FR 55425	Ref. 59 FR 60905 (11/29/94).
Post 96 Rate of Progress Plan.	Houston, Texas	5/19/98	4/25/01 66 FR 20750	Originally submitted 11/9/94 and revised 8/9/96.
Contingency Measures	Houston, Texas	5/19/98	4/25/01 66 FR 20751	Originally submitted 11/9/94 and revised 8/9/96.
Post 96 Rate of Progress Plan.	Houston, Texas	5/19/98	4/25/01 66 FR 20750	Originally submitted 11/9/94 and revised 8/9/96.
Contingency Measures	Houston, Texas	5/19/98	4/25/01 66 FR 20751	Originally submitted 11/9/94 and revised 8/9/96.
Attainment Demonstration for the 1-hour Ozone NAAQS.	Houston/Galveston, TX	[1] 12/09/00	11/14/01, 66 FR 57195.	
Speed Limit Reduction	Houston/Galveston, TX	9/26/02	11/14/02, 67 FR 68944	Section 6.3.12
Voluntary Mobile Emissions Program.	Houston/Galveston, TX	9/26/02	11/14/02, 67 FR 68944.	
Texas Senate Bill 5	Houston/Galveston, TX	9/26/00	11/14/01, 66 FR 57195.	
Transportation Control Measures Appendix I.	Houston/Galveston, TX	12/09/00	11/14/01, 66 FR 57195.	
Commitment to Mid-course review.	Houston/Galveston, TX	4/19/01	11/14/01, 66 FR 57195.	
Table 7.1–1 Enforceable Commitments.	Houston/Galveston, TX	9/26/01	11/14/01, 66 FR 57195.	
15% Rate of Progress Plan.	Houston/Galveston, TX	12/09/00	11/14/01, 66 FR 57195.	
Revisions to the 1990 Base Year Inventory.	Houston/Galveston, TX	12/09/00	11/14/01, 66 FR 57195.	
Reasonably Available Control Measure Analysis.	Houston/Galveston, TX	9/26/01	11/14/01, 66 FR 57195.	
Memorandum of Agreement between TNRCC and Houston Airport System.	Houston/Galveston Area Ozone Nonattainment Area.	10/18/2000	11/14/01, 66 FR 57222	HGA, Texas 1-hour ozone standard attainment demonstrations.
Vehicle Miles Traveled Offset Plan.	Houston/Galveston Ozone nonattainment area.	05/09/00	11/14/01, 66 FR 57251	Originally submitted 11/12/93 and revised 11/06/94, 8/25/97, and 05/17/00.
Memorandum of Agreement between TNRCC and the City of Dallas, Texas.	Dallas/Fort Worth Ozone Nonattainment Area.	5/23/01	4/22/02, 67 FR 19516	DFW, Texas 1-hour ozone standard attainment demonstrations.
Memorandum of Agreement between TNRCC and the City of Fort Worth, Texas.	Dallas/Fort Worth Ozone Nonattainment Area.	5/23/01	4/22/02, 67 FR 19516	DFW, Texas 1-hour ozone standard attainment demonstrations.
Memorandum of Agreement between TNRCC and the D/FW International Airport Board, Texas.	Dallas/Fort Worth Ozone Nonattainment Area.	5/23/01	4/22/02, 67 FR 19516	DFW, Texas 1-hour ozone standard attainment demonstrations.
Transportation Control Measures SIP Revision.	All Nonattainment and Maintenance Areas.	05/09/00	12/5/00, 67 FR 72382	Chapter 1. Introduction, Chapter 2, General, and Chapter 3.Criteria and Procedures.

EPA APPROVED NONREGULATORY PROVISIONS AND QUASI-REGULATORY MEASURES IN THE TEXAS SIP—Continued

Name of SIP provision	Applicable geographic or nonattainment area	State submittal/effective date	EPA approval date	Comments
Section 179B Demonstration of Attainment for Carbon Monoxide for El Paso.	El Paso CO nonattainment area	09/27/95	07/02/03, 68 FR 39460	Supplemented 02/11/98.
Carbon Monoxide On-Road Emissions Budget for Conformity.	El Paso CO nonattainment area	09/27/95	07/02/03	
Contingency Measure for El Paso Carbon Monoxide Area.	El Paso CO nonattainment area	09/27/95	07/02/03, 68 FR 39460	
Section 179B Attainment Demonstration Report.	El Paso ozone nonattainment area.	10/03/94	6/10/04	Approval includes a revision submitted 08/09/96.
Deferral of the post 1996 RFP.	El Paso ozone nonattainment area.		6/10/04.	
Enforceable commitment to conduct additional modeling for the area as new data become available. This modeling effort will be conducted under the auspices of the 1983 La Paz Agreement between the United States and Mexico.	El Paso ozone nonattainment area.	10/03/94	6/10/04.	
VOC and NO_X Motor Vehicle Emissions Budget for Conformity.	El Paso ozone nonattainment area.	12/11/97	6/10/04.	
Second 10-year maintenance plan for Victoria County.	Victoria	02/05/03	01/03/05, 70 FR 22.	
Post 1999 Rate of Progress Plan.	Houston/Galveston, TX	11/16/04	2/14/05, 70 FR 7407.	
Revisions to the 1990 Base Year Inventory.	Houston/Galveston, TX	11/16/04	2/14/05, 70 FR 7407.	
Approval of the Post-1996 Rate-of-Progress Plan and Motor Vehicle Emission Budgets.	Dallas-Fort Worth	10/25/1999	3/28/05, 70 FR 15592	
Adjustments to the 1990 base year emissions inventory.	Dallas-Fort Worth	10/25/1999	3/28/05, 70 FR 15592.	
Approval of the 15% Rate of Progress Plan and the Motor Vehicle Emissions Budget.	Dallas-Fort Worth	9/8/1996	4/12/2005, 70 FR 18993.	
Memorandum of Agreement between Texas Council on Environmental Quality and the North Central Texas Council of Governments Providing Emissions Offsets to Dallas Fort Worth International Airport.	Dallas-Fort Worth	1/14/04	04/22/05, 70 FR 20816.	

EPA APPROVED NONREGULATORY PROVISIONS AND QUASI-REGULATORY MEASURES IN THE TEXAS SIP—Continued

Name of SIP provision	Applicable geographic or nonattainment area	State submittal/effective date	EPA approval date	Comments
Clean Air Action Plan, 8-hour ozone standard attainment demonstration, and Transportation Emission Reduction Measures (TERMs) for the Austin EAC area.	Bastrop, Caldwell, Hays, Travis and Williamson Counties, TX.	12/06/04	8/19/05, 70 FR 48640.	
Clean Air Action Plan and 8-hour ozone standard attainment demonstration for the Northeast Texas Early Action Compact area.	Gregg, Harrison, Rusk, Smith and Upshur Counties, TX.	12/06/04	8/19/05, 70 FR 48642.	
Clean Air Plan, 8-hour ozone standard attainment demonstration and Transportation Emission Reduction Measures (TERMs) for the San Antonio EAC area.	Bexar, Comal, Guadalupe, and Wilson Counties, TX.	12/06/04	8/22/05, 70 FR 48877.	
Voluntary Mobile Emission Program.	Dallas/Fort Worth, TX	4/25/00	8/26/05, 70 FR 50208.	
Dallas—Fort Worth SIP, Appendix G; Transportation Control Measures in the Dallas/Fort Worth Ozone Nonattainment Area.	Dallas/Fort Worth Ozone Nonattainment Area.	01/14/04	09/27/05, 70 FR 56374.	
Approval of the Speed Limits Local Initiative Measure in the DFW nine county area. Affected counties are Dallas, Tarrant, Collin, Denton, Parker, Johnson, Ellis, Kaufman, Rockwall.	Dallas-Fort Worth	9/16/2010	1/9/2014, 79 FR 1596	Recategorized as a Transportation Control Measure.
Memorandum of Understanding Between the Texas Department of Transportation and the Texas Natural Resource Conservation Commission.	Statewide	08/15/02	12/12/2005, 70 FR 73380.	
Post 1996 Rate of Progress Plan.	Beaumont/Port Arthur, TX.	11/16/04	2/22/06, 71 FR 8965.	
Revisions to the 1990 Base Year Inventory.	Beaumont/Port Arthur, TX.	11/16/04	2/22/06, 71 FR 8965.	
Attainment Demonstration for Houston/Galveston/Brazoria (HGB) One-hour Ozone Nonattainment Area Adopting Strategy Based on NO_X and Point Source Highly-Reactive VOC Emission Reductions.	Houston/Galveston, TX	12/01/04	09/06/06, 71 FR 52670.	

EPA APPROVED NONREGULATORY PROVISIONS AND QUASI-REGULATORY MEASURES IN THE TEXAS SIP—Continued

Name of SIP provision	Applicable geographic or nonattainment area	State submittal/effective date	EPA approval date	Comments
Texas Clean Air Interstate Rule Nitrogen Oxides Annual Trading Program Abbreviated SIP Revision.	Statewide	07/12/06	07/30/07, 72 FR 41453	Only CAIR Phase I NO_X Annual and CSP Allocations approved into SIP.
2002 Emissions Inventory.	Collin, Dallas, Denton, Ellis, Johnson, Kaufman, Parker, Rockwall and Tarrant Counties, TX.	4/27/05	8/15/2008, 73 FR 47835.	
Energy Efficiency Measures.	Collin, Dallas, Denton, Ellis, Johnson, Kaufman, Parker, Rockwall and Tarrant Counties, TX.	4/27/05	8/15/2008, 73 FR 47835.	
El Paso County Carbon Monoxide Maintenance Plan.	El Paso, TX	2/13/08	8/4/08, 73 FR 45162.	
Dallas-Fort Worth 1997 8-hour ozone Attainment Demonstration SIP and its 2009 attainment MVEBs, RACM demonstration, and Failure-to-Attain Contingency Measures Plan.	Collin, Dallas, Denton, Ellis, Johnson, Kaufman, Parker, Rockwall and Tarrant Counties, TX.	May 23, 2007, November 7, 2008.	January 14, 2009, 74 FR 1903.	Conditional Approval.
Transportation Control Measures.	Collin, Dallas, Denton, Ellis, Johnson, Kaufman, Parker, Rockwall and Tarrant Counties, TX.	May 23, 2007	January 14, 2009, 74 FR 1903.	
VMEP	Collin, Dallas, Denton, Ellis, Johnson, Kaufman, Parker, Rockwall and Tarrant Counties, TX.	May 23, 2007	January 14, 2009, 74 FR 1903.	
VOC RACT finding for the 1-hour ozone NAAQS and the 1997 8-hour ozone NAAQS.	Collin, Dallas, Denton, Ellis, Johnson, Kaufman, Parker, Rockwall and Tarrant Counties, TX.	May 23, 2007	January 14, 2009, 74 FR 1903.	
El Paso County 1997 8-Hour Ozone Maintenance Plan.	El Paso, TX	1/11/06	1/15/09, 74 FR 2387.	
Approval of the 1997 8-hour Ozone 15% Reasonable Further Progress Plan, and 2008 RFP Motor Vehicle Emission Budgets.	Dallas/Fort Worth, TX	05/23/07	10/7/08, 73 FR 58475.	
Revised 2002 Base Year Emissions Inventory.	Dallas/Fort Worth, TX	05/23/07	10/7/08, 73 FR 58475.	
Approval of the 1997 8-hour Ozone 15% Reasonable Further Progress Plan, and 2008 RFP Motor Vehicle Emission Budgets.	Houston-Galveston-Brazoria, TX.	5/23/07	4/22/09, 74 FR 18298.	
2002 Base Year Emissions Inventory.	Houston-Galveston-Brazoria, TX.	5/23/07	4/22/09, 74 FR 18298	
VOC and NO_X RACT demonstration for the 1-hour ozone NAAQS.	Beaumont/Port Arthur Area: Hardin, Jefferson, and Orange Counties.	9/28/2005	7/10/2009, 74 FR 33146.	

EPA APPROVED NONREGULATORY PROVISIONS AND QUASI-REGULATORY MEASURES IN THE TEXAS SIP—Continued

Name of SIP provision	Applicable geographic or nonattainment area	State submittal/effective date	EPA approval date	Comments
Redesignation Request for the 1997 8-hour Ozone NAAQS (Hardin, Jefferson, and Orange Counties).	Beaumont/Port Arthur, TX.	12/10/2008	10/20/2010, 75 FR 64675.	
Determination of Attainment for the 1-hour Ozone NAAQS (Hardin, Jefferson, and Orange Counties).	Beaumont/Port Arthur, TX.	12/10/2008	10/20/2010, 75 FR 64675.	
2002 Base Year Emissions Inventory. (1997 8-hour Ozone NAAQS).	Beaumont/Port Arthur, TX.	12/10/2008	10/20/2010, 75 FR 64675.	
Texas Clean-Fuel Vehicle Program Equivalency Demonstration (1-hour Ozone NAAQS).	Beaumont/Port Arthur, TX.	12/10/2008	10/20/2010, 75 FR 64675.	
Substitute Control Measures for the SIP-Approved Failure-to-attain Contingency Measures (1-hour Ozone NAAQS).	Beaumont/Port Arthur, TX.	12/10/2008	10/20/2010, 75 FR 64675.	
Post 1996 Rate of Progress Plan Contingency Measures (1-hour Ozone NAAQS).	Beaumont/Port Arthur, TX.	11/16/2004	10/20/2010, 75 FR 64675.	
Maintenance Plan (1997 8-hour Ozone NAAQS, CAA Section 175A).	Beaumont/Port Arthur, TX.	12/10/2008	10/20/2010, 75 FR 64675.	
2021 Motor Vehicle Emissions Budget (1997 8-hour Ozone NAAQS).	Beaumont/Port Arthur, TX.	12/10/2008	10/20/2010, 75 FR 64675.	
Infrastructure and Interstate Transport for the 1997 Ozone and the 1997 and 2006 $PM_{2.5}$ NAAQS.	Statewide	12/12/2007, 3/11/2008, 4/4/2008, 11/23/2009	12/28/2011, 76 FR 81371.	Approval for CAA elements 110(a)(2)(A), (B), (E), (F), (G), (H), (K), (L), and (M). Approval for CAA elements 110(a)(2)(C), (D)(ii) and (J), except for the portions that address Greenhouse Gas (GHG) emissions. Approval for revisions to prohibit interference with PSD in any other state (CAA element 110(a)(2)(D)(i)(II)), except for the portion that addresses GHG emissions.
Letter of explanation and interpretation of the Texas SIP for NSR Reform.	Statewide	5/3/2012	10/25/2012, 77 FR 65119.	Letter dated 5/3/2012 from TCEQ to EPA explains and clarifies TCEQ's interpretation of section 116.12(22); and section 116.186(a), (b)(9), and (c)(2).

EPA APPROVED NONREGULATORY PROVISIONS AND QUASI-REGULATORY MEASURES IN THE TEXAS SIP—Continued

Name of SIP provision	Applicable geographic or nonattainment area	State submittal/effective date	EPA approval date	Comments
On-Road Mobile Source Emissions Inventory and Motor Vehicle Emissions Budget Update.	Beaumont/Port Arthur, TX.	12/10/2012	2/4/2013, 78 FR 7673	MOVES update to motor vehicle emissions budgets.
Voluntary Mobile Emission Reduction Program (VMEP).	Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery and Waller Counties, TX.	June 13, 2007	4/2/13, 78 FR 19599.	
NO_X RACT finding for the 1997 8-hour ozone NAAQS.	Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery and Waller Counties, TX.	April 6, 2010	4/2/13, 78 FR 19599.	
VOC RACT finding for the 1997 8-hour ozone NAAQS.	Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery and Waller Counties, TX.	April 6, 2010	4/2/13, 78 FR 19599	For selected categories.
Victoria County 1997 8-Hour Ozone Maintenance Plan.	Victoria, TX	7/28/2010	8/8/2013, 78 FR 48318.	
Reasonable Further Progress Plan (RFP), RFP Contingency Measures.	Houston-Galveston-Brazoria, TX.	4/1/2010, 5/6/2013, 79 FR 51.		
RFP Motor Vehicle Emission Budgets (2008, 2011, 2014, 2017 and 2018).	Houston-Galveston-Brazoria, TX.	5/6/2013, 79 FR 51.		
Vehicle miles traveled offset analysis.	Houston-Galveston-Brazoria, TX.	5/6/2013, 79 FR 51.		
Houston-Galveston-Brazoria 1997 8-hour Ozone NAAQS Attainment Demonstration SIP and its MECT and HECT air pollution control program revisions, VMEP measures and TCMs, 2018 MVEB, RACM demonstration, and Failure to attain contingency measure plan.	Houston-Galveston-Brazoria, TX.	4/6/2010 5/6/2013	1/2/2014, 79 FR 57.	
Stage II Vapor Recovery Program SIP.	Statewide	10/9/2013	3/17/14, 79 FR 14611.	
VOC RACT negative declaration for Fiberglass Boat Manufacturing Materials, Leather Tanning and Finishing, Surface Coating for Flat Wood Paneling, Letterpress Printing, Automobile and Light-Duty Truck Assembly Coating, Rubber Tire Manufacturing, and Vegetable Oil Manufacturing Operations.	Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery and Waller Counties, TX.	April 6, 2010..		

EPA APPROVED NONREGULATORY PROVISIONS AND QUASI-REGULATORY MEASURES IN THE TEXAS SIP—Continued

Name of SIP provision	Applicable geographic or nonattainment area	State submittal/effective date	EPA approval date	Comments
VOC RACT finding for the 1997 8-hour ozone NAAQS, except for the 2006–2010 EPA-issued CTG series.	Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery and Waller Counties, TX.	April 6, 2010	4/15/14, 79 FR 21144.	

[1] As revised 9/26/01.

[64 FR 36589, July 7, 1999]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.2270, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at *www.fdsys.gov*.

§ 52.2271 Classification of regions.

(a) The Texas plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Ozone
Abilene-Wichita Falls Intrastate	II	III	III	III	III
Amarillo-Lubbock Intrastate	II	III	III	III	III
Austin-Waco Intrastate	II	III	III	III	I
Brownsville-Laredo Intrastate	I	III	III	III	III
Corpus Christi-Victoria Intrastate	I	II	III	III	I
Midland-Odessa-San Angelo Intrastate	II	II	III	III	III
Metropolitan Houston-Galveston Intrastate	I	I	III	III	I
Metropolitan Dallas-Fort Worth Intrastate	II	III	III	III	I
Metropolitan San Antonio Intrastate	II	III	III	III	I
Southern Louisiana-Southeast Texas Interstate	II	I	III	III	I
El Paso-Las Cruces Alamogordo Interstate	I	IA	III	I	I
Shreveport-Texarkana-Tyler Interstate	II	III	III	III	III

(b) The proposed priority classifications for particulate matter and carbon monoxide submitted by the Governor on March 21, 1975 are disapproved.

(c) The revision of section II, classification of regions, submitted by the Texas Air Control Board with the semiannual in 1975 is disapproved.

[37 FR 10895, May 31, 1972, as amended at 39 FR 16347, May 8, 1974; 42 FR 20131, Apr. 18, 1977; 42 FR 27894, June 1, 1977; 45 FR 19244, Mar. 25, 1980]

§ 52.2272 [Reserved]

§ 52.2273 Approval status.

(a) With the exceptions set forth in this subpart, the Administrator approves Texas' plan for the attainment and maintenance of the national standards under section 110 of the Clean Air Act. Furthermore, the Administrator finds that the plan satisfies all requirements of Part D, Title 1, of the Clean Air Act as amended in 1977, except as noted below.

(b) EPA is disapproving the Texas SIP revision submittals as follows:

(1) The following definitions in 30 TAC 116.10—General Definitions:

(i) Definition of ''actual emissions'' in 30 TAC 116.10(1), submitted March 13, 1996 and repealed and re-adopted June 17, 1998 and submitted July 22, 1998;

(ii) Definition of ''allowable emissions'' in 30 TAC 116.10(2), submitted March 13, 1996; repealed and re-adopted June 17, 1998 and submitted July 22, 1998; and submitted September 11, 2000;

(iii) Portion of the definition of ''modification of existing facility'' in 30 TAC 116.10(11)(E), submitted March 13, 1996; repealed and re-adopted June 17, 1998 and submitted July 22, 1998; and submitted September 4, 2002; and

(iv) Definition of ''qualified facility'' in 30 TAC 116.10(16), submitted March 13, 1996; repealed and re-adopted June 17, 1998 and submitted July 22, 1998; and submitted September 4, 2002;

(2) 30 TAC 116.116(e)—Changes at Qualified Facilities—submitted March 13, 1996 and repealed and re-adopted June 17, 1998 and submitted July 22, 1998;

(3) 30 TAC 116.117—Documentation and Notification of Changes to Qualified Facilities—submitted March 13, 1996 and repealed and re-adopted June 17, 1998 and submitted July 22, 1998;

(4) 30 TAC 116.118—Pre-Change Qualification—submitted March 13, 1996 and repealed and re-adopted June 17, 1998 and submitted July 22, 1998.

(c) EPA is disapproving the Texas SIP revision submittals under 30 TAC Chapter 116—Control of Air Pollution by Permits for New Construction or Modification as follows:

(1) The following provisions under 30 TAC Chapter 116, Subchapter A—Definitions:

(i) Portion of the definition of ''modification of existing facility'' in 30 TAC 116.10(11)(F), submitted March 13, 1996; repealed and readopted June 17, 1998 and submitted July 22, 1998; adopted August 9, 2000 and submitted September 11, 2000; and revised August 21, 2002 and submitted September 4, 2002;

(ii) 30 TAC 116.13—Flexible Permit Definitions, adopted November 16, 1994 and submitted November 29, 1994; repealed and readopted June 17, 1998 and submitted July 22, 1998;

(2) The following provision in 30 TAC Chapter 116, Subchapter B—New Source Review Permits, Division 1—Permit Application: 30 TAC 116.110(a)(3)—Applicability, adopted November 16, 1994 and submitted November 29, 1994; repealed and readopted June 17, 1998 and submitted July 22, 1998;

(3) The following sections in 40 TAC Chapter 116, Subchapter G—Flexible Permits:

(i) 30 TAC 116.710—Applicability—adopted November 16, 1994 and submitted November 29, 1994; revised June 17, 1998 and submitted July 22, 1998; and adopted August 9, 2000 and September 11, 2000;

(ii) 30 TAC 116.711—Flexible Permit Application—adopted November 16, 1994 and submitted November 29, 1994; revised June 17, 1998 and submitted July 22, 1998; revised March 7, 2001 and submitted April 12, 2001; and revised August 21, 2002 and submitted September 4, 2002;

(iii) 30 TAC 116.714—Application Review Schedule—adopted November 16, 1994 and submitted November 29, 1994, and revised June 17, 1998 and submitted July 22, 1998;

(iv) 30 TAC 116.715—General and Special Conditions—adopted November 16, 1994 and submitted November 29, 1994; revised June 17, 1998 and submitted July 22, 1998; adopted August 9, 2000 and submitted September 11, 2000; revised March 7, 2001 and submitted April 12, 2001; revised August 21, 2002 and submitted September 4, 2002; and revised August 20, 2003 and submitted September 25, 2003;

(v) 30 TAC 116.716—Emission Caps and Individual Limitations—adopted November 16, 1994 and submitted November 29, 1994;

(vi) 30 TAC 116.717—Implementation Schedule for Additional Controls—adopted November 16, 1994 and submitted November 29, 1994;

(vii) 30 TAC 116.718—Significant Emission Increase—adopted November 16, 1994 and submitted November 29, 1994;

(viii) 30 TAC 116.720—Limitation on Physical and Operational Changes—adopted November 16, 1994 and submitted November 29, 1994;

(ix) 30 TAC 116.721—Amendments and Alterations—adopted November 16, 1994 and submitted November 29, 1994; revised June 17, 1998 and submitted July 22, 1998; and revision adopted August 9, 2000 and submitted September 11, 2000;

(x) 30 TAC 116.722—Distance Limitations—adopted November 16, 1994 and submitted November 29, 1994; and revision adopted August 9, 2000 and submitted September 11, 2000;

(xi) 30 TAC 116.730—Compliance History—adopted November 16, 1994 and submitted November 29, 1994; and revised June 17, 1998 and submitted July 22, 1998;

(xii) 30 TAC 116.740—Public Notice and Comment—adopted November 16, 1994 and submitted November 29, 1994;

revised June 17, 1998 and submitted July 22, 1998; and revision adopted September 2, 1999 and submitted October 25, 1999;

(xiii) 30 TAC 116.750—Flexible Permit Fee—adopted November 16, 1994 and submitted November 29, 1994; revised June 17, 1998 and submitted July 22, 1998; adopted August 9, 2000 and submitted September 11, 2000; and revision adopted September 25, 2002 and submitted October 4, 2002;

(xiv) 30 TAC 116.760—Flexible Permit Renewal—adopted November 16, 1994 and submitted November 29, 1994.

(d) EPA is disapproving the Texas SIP revision submittals under 30 TAC Chapter 116—Control of Air Pollution by Permits for New Construction and Modification as follows:

(1) The following provisions in 30 TAC Chapter 116, Subchapter A—Definitions:

(i) 30 TAC 116.10—General Definitions—the definition of ''BACT'' in 30 TAC 116.10(3), adopted February 14, 1996, and submitted March 13, 1996; and repealed and readopted June 17, 1998, and submitted July 22, 1998;

(2)–(3) [Reserved]

(4) The following sections in 30 TAC Chapter 116, Subchapter C—Plant-Wide Applicability Limits, Division 1—Plant-Wide Applicability Limits:

(i)–(vii) [Reserved]

(viii) 30 TAC 116.194—Public Notice and Comment—adopted January 11, 2006, and submitted February 1, 2006;

(5) The following sections in 30 TAC Chapter 116, Subchapter F—Standard Permits:

(i) Revisions to 30 TAC 116.610—Applicability—paragraphs (a)(1) through (a)(5) and (b)—revisions adopted January 11, 2006, and submitted February 1, 2006;

(ii) 30 TAC 116.617—State Pollution Control Project Standard Permit—adopted January 11, 2006, and submitted February 1, 2006;

(e) EPA is disapproving the Texas SIP revision submittals under 30 TAC Chapter 101—General Air Quality Rules as follows:

(1) Subchapter F—Emissions Events and Scheduled Maintenance, Startup, and Shutdown Activities, Division 1—Section 101.222 (Demonstrations): Sections 101.222(h), 101.222(i), and 101.222(j), adopted December 14, 2005, and submitted January 23, 2006.

(f) EPA is disapproving the Texas SIP revision submittals under 30 TAC Chapter 116—Control of Air Pollution by Permits for New Construction or Modification as follows:

(1) Subchapter I—Electric Generating Facility Permits—Section 116.911(a)(2) (Electric Generating Facility Permit), adopted December 16, 1999, and submitted January 3, 2000.

(g) EPA has disapproved the Texas SIP revision submittals under 30 TAC Chapter 116—Control of Air Pollution by Permits for New Construction or Modification—Subchapter A—Definitions—Section 116.10(11)(G), adopted February 14, 1996, and submitted March 13, 1996; repealed and re-adopted June 17, 1998, and submitted July 22, 1998; and adopted August 21, 2002, and submitted September 4, 2002.

(h) EPA is disapproving the Texas SIP revisions submittals under 30 TAC Chapter 35—Emergency and Temporary Orders and Permits; Temporary Suspension or Amendment of Permit Conditions and 30 TAC Chapter 116—Control of Air Pollution by Permits for New Construction or Modification as follows:

(1) The following provisions under 30 TAC Chapter 35, Subchapter A—Purpose, Applicability and Definitions:

(i) 30 TAC 35.1—Purpose—adopted November 18, 1998 and submitted December 10, 1998.

(ii) 30 TAC 35.2—Applicability—adopted November 18, 1998 and submitted December 10, 1998.

(iii) 30 TAC 35.3—Definitions—adopted November 18, 1998 and submitted December 10, 1998.

(2) The following provisions under 30 TAC Chapter 35, Subchapter B—Authority of the Executive Director:

(i) 30 TAC 35.11—Purpose and Applicability—adopted November 18, 1998 and submitted December 10, 1998.

(ii) 30 TAC 35.12—Authority of the Executive Director—adopted November 18, 1998 and submitted December 10, 1998.

(iii) 35.13—Eligibility of the Executive Director—adopted November 18, 1998 and submitted December 10, 1998.

(3) The following provisions under 30 TAC Chapter 35, Subchapter C—General Provisions:

(i) 30 TAC 35.21—Action by the Commission or Executive Director—adopted November 18, 1998 and submitted December 10, 1998.

(ii) 30 TAC 35.22—Term and Renewal of Orders—adopted November 18, 1998 and submitted December 10, 1998.

(iii) 30 TAC 35.23—Effect of Orders—adopted November 18, 1998 and submitted December 10, 1998.

(iv) 30 TAC 35.24—Application for Emergency or Temporary Orders—adopted November 18, 1998 and submitted December 10, 1998. No action is taken on subsection (b) and paragraphs (e)(6)–(7) which are outside the scope of the SIP.

(v) 30 TAC 35.25—Notice and Opportunity for Hearing—adopted November 18, 1998 and submitted December 10, 1998. No action is taken on paragraphs (e)(1)–(8) and (11)–(15) which are outside the scope of the SIP.

(vi) 30 TAC 35.26—Contents of Emergency or Temporary Order—adopted November 18, 1998 and submitted December 10, 1998.

(vii) 30 TAC 35.27—Hearing Required—adopted November 18, 1998 and submitted December 10, 1998.

(viii) 30 TAC 35.28—Hearing Requests—adopted November 18, 1998 and submitted December 10, 1998.

(ix) 30 TAC 35.29—Procedures for a Hearing—adopted November 18, 1998 and submitted December 10, 1998.

(x) 30 TAC 35.30—Application Fees—adopted November 18, 1998 and submitted December 10, 1998.

(4) The following provisions under 30 TAC Chapter 35, Subchapter K—Air Orders:

(i) 30 TAC 35.801—Emergency Orders Because of a Catastrophe—adopted November 18, 1998 and submitted December 10, 1998; revised June 28, 2006 and submitted July 17, 2006.

(ii) 30 TAC 35.802—Applications for an Emergency Order—adopted August 16, 1993 and submitted August 31, 1993 (as 30 TAC 116.411); revised November 18, 1998 and submitted December 10, 1998 (as redesignated to 30 TAC 35.802); revised June 28, 2006 and submitted July 17, 2006.

(iii) 30 TAC 35.803—Public Notification—adopted August 16, 1993 and submitted August 31, 1993 (as 30 TAC 116.412); revised November 18, 1998 and submitted December 10, 1998 (as redesignated to 30 TAC 35.803).

(iv) 30 TAC 35.804—Issuance of an Emergency Order—adopted November 18, 1998 and submitted December 10, 1998; revised June 28, 2006 and submitted July 17, 2006.

(v) 30 TAC 35.805—Contents of an Emergency Order—adopted August 16, 1993 and submitted August 31, 1993 (as 30 TAC 116.415); revised November 18, 1998 and submitted December 10, 1998 (as redesignated to 30 TAC 35.805); revised June 28, 2006 and submitted July 17, 2006.

(vi) 30 TAC 35.806—Requirement to Apply for a Permit or Modification—adopted August 16, 1993 and submitted August 31, 1993 (as 30 TAC 116.416); revised November 18, 1998 and submitted December 10, 1998 (as redesignated to 30 TAC 35.806).

(vii) 30 TAC 35.807—Affirmation of an Emergency Order—adopted August 16, 1993 and submitted August 31, 1993 (as 30 TAC 116.414); revised November 18, 1998 and submitted December 10, 1998 (as redesignated to 30 TAC 35.807); revised June 28, 2006 and submitted July 17, 2006.

(viii) 30 TAC 35.808—Modification of an Emergency Order—adopted August 16, 1993 and submitted August 31, 1993 (as 30 TAC 116.417); revised November 18, 1998 and submitted December 10, 1998 (as redesignated to 30 TAC 35.808); revised June 28, 2006 and submitted July 17, 2006.

(ix) 30 TAC 35.809—Setting Aside an Emergency Order—adopted August 16, 1993 and submitted August 31, 1993 (as 30 TAC 116.418); revised November 18, 1998 and submitted December 10, 1998 (as redesignated to 30 TAC 35.809).

(5) The following provision under 30 TAC Chapter 116, Subchapter K—Emergency Orders: 30 TAC 116.1200—Applicability—adopted August 16, 1993 and submitted August 31, 1993 (as 30 TAC 116.410); revised November 18, 1998 and submitted December 10, 1998; revised

January 11, 2006 and submitted February 1, 2006 (as redesignated to 30 TAC 116.1200).

[45 FR 19244, Mar. 25, 1980, as amended at 49 FR 32190, Aug. 13, 1984; 61 FR 16062, Apr. 11, 1996; 75 FR 19493, Apr. 14, 2010; 75 FR 41335, July 15, 2010; 75 FR 56452, Sept. 15, 2010; 75 FR 69002, Nov. 10, 2010; 76 FR 1532, Jan. 11, 2011; 76 FR 71267, Nov. 17, 2011; 77 FR 65125, Oct. 25, 2012; 78 FR 59257, Oct. 28, 2013]

§52.2274 General requirements.

(a) The requirements of §51.116(c) of this chapter are not met since the legal authority to provide for public availability of emission data is inadequate.

[39 FR 34537, Sept. 26, 1974, as amended at 51 FR 40676, Nov. 7, 1986]

§52.2275 Control strategy and regulations: Ozone.

(a) Section 510.3 of revised Regulation V, which was submitted by the Governor on July 20, 1977, is disapproved.

(b) Notwithstanding any provisions to the contrary in the Texas Implementation Plan, the control measures listed in paragraph (d) of this section shall be implemented in accordance with the schedule set forth below.

(c)(1) Removal from service of a 12,000 BPD vacuum distillation unit at the Corpus Christi refinery of the Champlin Petroleum Company, Corpus Christi, Texas, with a final compliance date no later than October 1, 1979. This shall result in an estimated hydrocarbon emission reduction of at least 139 tons per year.

(2) Dedication of gasoline storage tank 91–TK–3 located at the Corpus Christi refinery of the Champlin Petroleum Company, Corpus Christi, Texas to the exclusive storage of No. 2 Fuel Oil or any fluid with a vapor pressure equivalent to, or less than that of No. 2 Fuel Oil, with a final compliance date no later than October 1, 1979. This shall result in an estimated hydrocarbon emission reduction of at least 107.6 tons per year.

(d) *Determinations that Certain Areas Did Not Attain the 1-Hour Ozone NAAQS.* EPA has determined that the Houston/Galveston/Brazoria severe-17 1-hour ozone nonattainment area did not attain the 1-hour ozone NAAQS by the applicable attainment date of November 15, 2007. This determination bears on the area's obligations with respect to implementation of two specific 1-hour ozone standard anti-backsliding requirements: section 172(c)(9) contingency measures for failure to attain and sections 182(d)(3) and 185 major stationary source fee programs.

(e) Approval—The Texas Commission on Environmental Quality (TCEQ) submitted a revision to the Texas SIP on February 18, 2003, concerning the Victoria County 1-hour ozone maintenance plan. This SIP revision was adopted by TCEQ on February 5, 2003. This SIP revision satisfies the Clean Air Act requirement, as amended in 1990, for the second 10-year update to the Victoria County 1-hour ozone maintenance area.

(f) *Determination of attainment.* Effective November 17, 2008 EPA has determined that the Dallas/Fort Worth (DFW) 1-hour ozone nonattainment area has attained the 1-hour ozone standard. Under the provisions of EPA's Clean Data Policy, this determination suspends the requirements for this area to submit an attainment demonstration or 5% increment of progress plan, a reasonable further progress plan, contingency measures, and other State Implementation Plans related to attainment of the 1-hour ozone NAAQS for so long as the area continues to attain the 1-hour ozone NAAQS.

(g) Approval. The Texas Commission on Environmental Quality (TCEQ) submitted a 1997 8-hour ozone NAAQS maintenance plan for the area of El Paso County on January 20, 2006. The area is designated unclassifiable/attainment for the 1997 8-hour ozone standard. EPA determined this request for El Paso County was complete on June 13, 2006. The maintenance plan meets the requirements of section 110(a)(1) of the Clean Air Act and is consistent with EPA's maintenance plan guidance document dated May 20, 2005. The EPA therefore approved the 1997 8-hour ozone NAAQS maintenance plan for the area of El Paso County on January 15, 2009.

(h) *Determination of attainment for the 1-hour ozone standard and redesignation for the 1997 8-hour ozone standard.* Effective November 19, 2010, EPA has determined that the Beaumont/Port Arthur

ozone nonattainment area has attained the 1-hour ozone National Ambient Air Quality Standard (NAAQS) and has redesignated the area to attainment for the 1997 8-hour ozone standard. With this final redesignation to attainment for the 1997 8-hour ozone NAAQS and this final determination of attainment for the 1-hour ozone NAAQS, the 1-hour anti-backsliding obligations to submit planning SIPs to meet the attainment demonstration and reasonably available control measures (RACM) requirements, and the ROP and contingency measures requirements, cease to apply.

[42 FR 37380, July 21, 1977, as amended at 44 FR 5662, Jan. 29, 1979; 44 FR 55006, Sept. 24, 1979; 45 FR 19244, Mar. 25, 1980; 46 FR 47545, Sept. 29, 1981; 47 FR 20770, May 14, 1982; 47 FR 50868, Nov. 10, 1982; 60 FR 12459, Mar. 7, 1995; 60 FR 33924, June 29, 1995; 70 FR 25, Jan. 3, 2005; 73 FR 61358, Oct. 16, 2008; 74 FR 2391, Jan. 15, 2009; 75 FR 64679, Oct. 20, 2010; 77 FR 36403, June 19, 2012]

§ 52.2276 Control strategy and regulations: Particulate matter.

(a) *Part D conditional approval.* The Texas plan for total suspended particulate (TSP) for the nonattainment area of Dallas 3 is conditionally approved until the State satisfactorily completes the following items:

(1) Draft SIP revision supplement submitted to EPA by March 3, 1980.

(2) Public hearing completed by May 5, 1980.

(3) Adopt revision and revised Regulation I as it pertains to control of nontraditional sources, if necessary, and submit to EPA by August 1, 1980.

(b) Notwithstanding any provisions to the contrary in the Texas Implementation Plan, the control measures listed in paragraph (c) of this section shall be implemented in accordance with the schedule set forth below.

(c) No later than January 1, 1980, Parker Brothers and Co., Inc., at its limestone quarry facilities near New Braunfels, Comal County, Texas shall install fabric filters on the primary crusher and on the secondary crusher and screens, meeting the requirements of Appendix A of the Texas Air Control Board Order 78–8 adopted August 11, 1978. After the date of installation of the fabric filters, Parker Brothers and Co., Inc., shall not emit particulate matter in excess of 0.03 grains per standard cubic foot from the exhaust stack of the fabric filter on its primary crusher and shall not emit particulate matter in excess of 0.03 grains per standard cubic foot from the exhaust stack of the fabric filter on its secondary crusher and screens.

[46 FR 43425, Aug. 28, 1981, and 46 FR 47545, Sept. 29, 1981]

§§ 52.2277–52.2281 [Reserved]

§ 52.2282 Public hearings.

(a) The requirements of § 51.102 of this chapter are not met because principal portions of the revised plan were not made available to the public for inspection and comment prior to the hearing.

[38 FR 16568, June 22, 1973, as amended at 51 FR 40675, Nov. 7, 1986]

§ 52.2283 Interstate pollutant transport provisions; What are the FIP requirements for decreases in emissions of nitrogen oxides?

(a)(1) The owner and operator of each source located within the State of Texas and for which requirements are set forth under the Federal CAIR NO_X Annual Trading Program in subparts AA through II of part 97 of this chapter must comply with such applicable requirements. The obligation to comply with these requirements in part 97 of this chapter will be eliminated by the promulgation of an approval by the Administrator of a revision to the Texas State Implementation Plan (SIP) as meeting the requirements of CAIR for $PM_{2.5}$ relating to NO_X under § 51.123 of this chapter, except to the extent the Administrator's approval is partial or conditional or unless such approval is under § 51.123(p) of this chapter.

(2) Notwithstanding any provisions of paragraph (a)(1) of this section, if, at the time of such approval of the State's SIP, the Administrator has already allocated CAIR NO_X allowances to sources in the State for any years, the provisions of part 97 of this chapter authorizing the Administrator to complete the allocation of CAIR NO_X allowances for those years shall continue to apply, unless the Administrator approves a SIP provision that provides for the allocation of the remaining CAIR NO_X allowances for those years.

(b) Notwithstanding any provisions of paragraph (a) of this section and subparts AA through II of part 97 of this chapter to the contrary:

(1) With regard to any control period that begins after December 31, 2011,

(i) The provisions in paragraph (a) of this section relating to NO_X annual emissions shall not be applicable; and

(ii) The Administrator will not carry out any of the functions set forth for the Administrator in subparts AA through II of part 97 of this chapter;

(2) The Administrator will not deduct for excess emissions any CAIR NO_X allowances allocated for 2012 or any year thereafter;

(3) By November 7, 2011, the Administrator will remove from the CAIR NO_X Allowance Tracking System accounts all CAIR NO_X allowances allocated for a control period in 2012 and any subsequent year, and, thereafter, no holding or surrender of CAIR NO_X allowances will be required with regard to emissions or excess emissions for such control periods.

(c)(1) The owner and operator of each source and each unit located in the State of Texas and Indian country within the borders of the State and for which requirements are set forth under the TR NO_X Annual Trading Program in subpart AAAAA of part 97 of this chapter must comply with such requirements. The obligation to comply with such requirements with regard to sources and units in the State will be eliminated by the promulgation of an approval by the Administrator of a revision to Texas' State Implementation Plan (SIP) as correcting in part the SIP's deficiency that is the basis for the TR Federal Implementation Plan under §52.38(a), except to the extent the Administrator's approval is partial or conditional. The obligation to comply with such requirements with regard to sources and units located in Indian country within the borders of the State will not be eliminated by the promulgation of an approval by the Administrator of a revision to Texas' SIP.

(2) Notwithstanding the provisions of paragraph (c)(1) of this section, if, at the time of the approval of Texas' SIP revision described in paragraph (c)(1) of this section, the Administrator has already started recording any allocations of TR NO_X Annual allowances under subpart AAAAA of part 97 of this chapter to units in the State for a control period in any year, the provisions of subpart AAAAA of part 97 of this chapter authorizing the Administrator to complete the allocation and recordation of TR NO_X Annual allowances to units in the State for each such control period shall continue to apply, unless provided otherwise by such approval of the State's SIP revision.

(d)(1) The owner and operator of each source and each unit located in the State of Texas and Indian country within the borders of the State and for which requirements are set forth under the TR NO_X Ozone Season Trading Program in subpart BBBBB of part 97 of this chapter must comply with such requirements. The obligation to comply with such requirements with regard to sources and units in the State will be eliminated by the promulgation of an approval by the Administrator of a revision to Texas' State Implementation Plan (SIP) as correcting in part the SIP's deficiency that is the basis for the TR Federal Implementation Plan under §52.38(b), except to the extent the Administrator's approval is partial or conditional. The obligation to comply with such requirements with regard to sources and units located in Indian country within the borders of the State will not be eliminated by the promulgation of an approval by the Administrator of a revision to Texas' SIP.

(2) Notwithstanding the provisions of paragraph (d)(1) of this section, if, at the time of the approval of Texas' SIP revision described in paragraph (d)(1) of this section, the Administrator has already started recording any allocations of TR NO_X Ozone Season allowances under subpart BBBBB of part 97 of this chapter to units in the State for a control period in any year, the provisions of subpart BBBBB of part 97 of this chapter authorizing the Administrator to complete the allocation and recordation of TR NO_X Ozone Season allowances to units in the State for each such control period shall continue to apply, unless provided otherwise by such approval of the State's SIP revision.

[72 FR 62355, Nov. 2, 2007, as amended at 76 FR 48375, Aug. 8, 2011]

§ 52.2284 Interstate pollutant transport provisions; What are the FIP requirements for decreases in emissions of sulfur dioxide?

(a) The owner and operator of each SO_2 source located within the State of Texas and for which requirements are set forth under the Federal CAIR SO_2 Trading Program in subparts AAA through III of part 97 of this chapter must comply with such applicable requirements. The obligation to comply with these requirements in part 97 of this chapter will be eliminated by the promulgation of an approval by the Administrator of a revision to the Texas State Implementation Plan as meeting the requirements of CAIR for $PM_{2.5}$ relating to SO_2 under § 51.124 of this chapter, except to the extent the Administrator's approval is partial or conditional or unless such approval is under § 51.124(r) of this chapter.

(b) Notwithstanding any provisions of paragraph (a) of this section and subparts AAA through III of part 97 of this chapter and any State's SIP to the contrary:

(1) With regard to any control period that begins after December 31, 2011,

(i) The provisions of paragraph (a) of this section relating to SO_2 emissions shall not be applicable; and

(ii) The Administrator will not carry out any of the functions set forth for the Administrator in subparts AAA through III of part 97 of this chapter; and

(2) The Administrator will not deduct for excess emissions any CAIR SO_2 allowances allocated for 2012 or any year thereafter.

(c)(1) The owner and operator of each source and each unit located in the State of Texas and Indian country within the borders of the State and for which requirements are set forth under the TR SO_2 Group 2 Trading Program in subpart DDDDD of part 97 of this chapter must comply with such requirements. The obligation to comply with such requirements with regard to sources and units in the State will be eliminated by the promulgation of an approval by the Administrator of a revision to Texas' State Implementation Plan (SIP) as correcting in part the SIP's deficiency that is the basis for the TR Federal Implementation Plan under § 52.39, except to the extent the Administrator's approval is partial or conditional. The obligation to comply with such requirements with regard to sources and units located in Indian country within the borders of the State will not be eliminated by the promulgation of an approval by the Administrator of a revision to Texas' SIP.

(2) Notwithstanding the provisions of paragraph (c)(1) of this section, if, at the time of the approval of Texas' SIP revision described in paragraph (c)(1) of this section, the Administrator has already started recording any allocations of TR SO_2 Group 2 allowances under subpart DDDDD of part 97 of this chapter to units in the State for a control period in any year, the provisions of subpart DDDDD of part 97 of this chapter authorizing the Administrator to complete the allocation and recordation of TR SO_2 Group 2 allowances to units in the State for each such control period shall continue to apply, unless provided otherwise by such approval of the State's SIP revision.

[72 FR 62355, Nov. 2, 2007, as amended at 76 FR 48376, Aug. 8, 2011]

§ 52.2285 Control of evaporative losses from the filling of gasoline storage vessels in the Houston and San Antonio areas.

(a) Definitions:

(1) *Gasoline* means any petroleum distillate having a Reid vapor pressure of 4 pounds or greater which is produced for use as a motor fuel and is commonly called gasoline.

(2) *Storage container* means any stationary vessel of more than 1,000 gallons (3,785 liters) nominal capacity. Stationary vessels include portable vessels placed temporarily at a location; e.g., tanks on skids.

(3) *Owner* means the owner of the gasoline storage container(s).

(4) *Operator* means the person who is directly responsible for the operation of the gasoline storage container(s), whether the person be a lessee or an agent of the owner.

(5) *Delivery Vessel* means tank trucks and tank trailers used for the delivery of gasoline.

(6) *Source* means both storage containers and delivery vessels.

(b) This section is applicable to the following counties in Texas: Harris, Galveston, Brazoria, Fort Bend, Waller, Montgomery, Liberty, Chambers, Matagorda, Bexar, Comal, and Guadalupe.

(c) No person shall transfer or permit the transfer of gasoline from any delivery vessel into any stationary storage container with a nominal capacity greater than 1,000 gallons (3,785 liters) unless such container is equipped with a submerged fill pipe and unless the displaced vapors from the storage container are processed by a system that prevents release to the atmosphere of no less than 90 percent by weight of total hydrocarbon compounds in said vapors.

(1) The vapor recovery system shall include one or more of the following:

(i) A vapor-tight return line from the storage container to the delivery vessel and a system that will ensure that the vapor return line is connected before gasoline can be transferred into the container.

(ii) Other equipment that prevents release to the atmosphere of no less than 90 percent by weight of the total hydrocarbon compounds in the displaced vapor provided that approval of the proposed design, installation, and operation is obtained from the Regional Administrator prior to start of construction.

(2) The vapor recovery system shall be so constructed that it will be compatible with a vapor recovery system, which may be installed later, to recover vapors displaced by the filling of motor vehicle tanks.

(3) The vapor-laden delivery vessel shall meet the following requirements:

(i) The delivery vessel must be so designed and maintained as to be vapor-tight at all times.

(ii) If any gasoline storage compartment of a vapor-laden delivery vessel is refilled in one of the counties listed in paragraph (b) of this section, it shall be refilled only at a facility which is equipped with a vapor recovery system, or the equivalent, which prevents release to the atmosphere of at least 90 percent by weight of the total hydrocarbon compounds in the vapor displaced from the delivery vessel during refilling.

(iii) Gasoline storage compartments of one thousand gallons or less in gasoline delivery vehicles presently in use on November 6, 1973 will not be required to be retrofitted with a vapor return system until January 1, 1977.

(iv) Facilities which have a daily throughput of 20,000 gallons of gasoline or less are required to have a vapor recovery system in operation no later than May 31, 1977. Delivery vessels and storage vessels served exclusively by facilities required to have a vapor recovery system in operation no later than May 31, 1977, also are required to meet the provisions of this section no later than May 31, 1977.

(d) The provisions of paragraph (c) of this section shall not apply to the following:

(1) Storage containers used for the storage of gasoline *used on a farm for farming purposes*, as that expression is used in the Internal Revenue Code, 26 U.S.C. section 6420.

(2) Any container having a nominal capacity less than 2,000 gallons (7,571 liters) installed prior to November 6, 1973.

(3) Transfers made to storage containers equipped with floating roofs or their equivalent.

(4) Any facility for loading and unloading of volatile organic compounds (including gasoline bulk terminals) in Bexar, Brazoria, Galveston and Harris Counties, any gasoline bulk plants in Harris County, and any filling of gasoline storage vessels (Stage I) for motor vehicle fuel dispensing facilities in Bexar, Brazoria, Galveston, and Harris Counties which is subject to Texas Air Control Board Regulation V subsections 115.111–115.113, 115.121–115.123, and 115.131–115.135, respectively.

(e) Except as provided in paragraph (f) of this section, the owner or operator of a source subject to paragraph (c) of this section shall comply with the increments contained in the following compliance schedule:

(1) Contracts for emission control systems or process modifications must be awarded or orders must be issued for the purchase of component parts to accomplish emission control or process modification not later than March 31, 1975.

(2) Initiation of onsite construction or installation of emission control equipment or process change must begin not later than July 1, 1975.

(3) On-site construction or installation of emission control equipment or process modification must be completed no later than June 30, 1976.

(4) Final compliance is to be achieved no later than August 31, 1976.

(5) Any owner or operator of sources subject to the compliance schedule in this paragraph shall certify in writing to the Regional Administrator whether or not the required increment of progress has been met. The certification shall be submitted within five days after the deadlines for each increment. The certification shall include the name(s) and street address(es) of the facility (facilities) for which the certification applies, and the date(s) the increment(s) of progress was (were) met—if met. The Regional Administrator may request whatever supporting information he considers necessary for proper certification.

(f) Paragraph (e) of this section shall not apply to the owner or operator of:

(1) A source which is presently in compliance with paragraph (c) of this section and which has certified such compliance to the Regional Administrator by January 1, 1974. The certification shall include the name(s) and street address(es) of the facility (facilities) for which the certification applies. The Regional Administrator may request whatever supporting information he considers necessary for proper certification.

(2) To a source for which a compliance schedule is adopted by the State and approved by the Administrator.

(3) To a source whose owner or operator receives approval from the Administrator by June 1, 1974, of a proposed alternative schedule. No such schedule may provide for compliance after August 31, 1976. If approval is promulgated by the Administrator, such schedule shall satisfy the requirements of this section for the affected source.

(g) Nothing in this section shall preclude the Administrator from promulgating a separate schedule for any source to which the application of the compliance schedule in paragraph (e) of this section fails to satisfy the requirements of §§ 51.261 and 51.262(a) of this chapter.

(h) After August 31, 1976 paragraph (c) of this section shall be applicable to every storage container (except those exempted in paragraph (d) of this section) located in the counties specified in paragraph (b) of this section. Every storage container installed after August 31, 1976 shall comply with the requirements of paragraph (c) of this section from the time of installation. In the affected counties, storage containers which were installed, or converted to gasoline storage after November 6, 1973, but before August 31, 1976 shall comply with paragraph (c) of this section in accordance with the schedule established in paragraph (e) of this section.

[42 FR 37380, July 21, 1977, as amended at 47 FR 50868, Nov. 10, 1982; 51 FR 40676, Nov. 7, 1986]

§ 52.2286 Control of evaporative losses from the filling of gasoline storage vessels in the Dallas-Fort Worth area.

(a) Definitions:

(1) *Gasoline* means any petroleum distillate having a Reid vapor pressure of 4 pounds or greater which is produced for use as a motor fuel and is commonly called gasoline.

(2) *Storage container* means any stationary vessel of more than 1,000 gallons (3,785 liters) nominal capacity. Stationary vessels include portable vessels placed temporarily at a location; e.g., tanks on skids.

(3) *Owner* means the owner of the gasoline storage container(s).

(4) *Operator* means the person who is directly responsible for the operation of the gasoline storage container(s), whether the person be a lessee or an agent of the owner.

(5) *Delivery vessel* means tank truck and tank trailers used for the delivery of gasoline.

(6) *Source* means both storage containers and delivery vessels.

(b) This section is applicable to the following counties in Texas: Dallas, Tarrant, Denton, Wise, Collin, Parker, Rockwall, Kaufman, Hood, Johnson, and Ellis.

(c) No person shall transfer or permit the transfer of gasoline from any delivery vessel into any stationary storage container with a nominal capacity greater than 1,000 gallons (3,785 liters) unless such container is equipped with a submerged fill pipe and unless the displaced vapors from the storage container are processed by a system that prevents release to the atmosphere of no less than 90 percent by weight of total hydrocarbon compounds in said vapors.

(1) The vapor recovery system shall include one or more of the following:

(i) A vapor-tight return line from the storage container to the delivery vessel and a system that will ensure that the vapor return line is connected before gasoline can be transferred into the container.

(ii) Other equipment that prevents release to the atmosphere of no less than 90 percent by weight of the total hydrocarbon compounds in the displaced vapor provided that approval of the proposed design, installation, and operation is obtained from the Regional Administrator prior to start of construction.

(2) The vapor recovery system shall be so constructed that it will be compatible with a vapor recovery system, which may be installed later, to recover vapors displaced by the filling of motor vehicle tanks.

(3) The vapor-laden delivery vessel shall meet the following requirements:

(i) The delivery vessel must be so designed and maintained as to be vapor-tight at all times.

(ii) If any gasoline storage compartment of a vapor-laden delivery vessel is refilled in one of the counties listed in paragraph (b) of this section, it shall be refilled only at a facility which is equipped with a vapor recovery system, or the equivalent, which prevents release to the atmosphere of at least 90 percent by weight of the total hydrocarbon compounds in the vapor displaced from the delivery vessel during refilling.

(d) The provisions of paragraph (c) of this section shall not apply to the following:

(1) Storage containers used for the storage of gasoline *used on a farm for farming purposes*, as that expression is used in the Internal Revenue Code, 26 U.S.C. section 6420.

(2) Any container having a nominal capacity less than 2,000 gallons (7,571 liters) installed prior to promulgation of this section.

(3) Transfers made to storage containers equipped with floating roofs or their equivalent.

(4) Any facility for loading and unloading of volatile organic compounds (including gasoline bulk terminals) in Dallas or Tarrant County, and any filling of gasoline storage vessels (Stage I) for motor vehicle fuel dispensing facilities in Dallas or Tarrant County which is subject to Texas Air Control Board Regulation V subsections 115.111–115.113 and 115.131–115.135, respectively.

(e) Except as provided in paragraph (f) of this section, the owner or operator of a source subject to paragraph (c) of this section shall comply with the increments contained in the following compliance schedule:

(1) Contracts for emission control systems or process modifications must be awarded or orders must be issued for the purchase of component parts to accomplish emission control or process modification no later than September 30, 1977.

(2) Initiation of on-site construction or installation of emission control equipment or process modification must begin no later than January 31, 1978.

(3) On-site construction or installation of emission control equipment or process modification must be completed no later than August 31, 1978.

(4) Final compliance is to be achieved no later than September 30, 1978.

(5) Any owner or operator of sources subject to the compliance schedule in this paragraph shall certify in writing to the Regional Administrator whether or not the required increment of progress has been met. The certification shall be submitted not later than February 15, 1978, for award of contracts and initiation of construction, and not later than October 15, 1978, for completion of construction and final compliance. The certification shall include the name(s) and street address(es) of the facility (facilities) for which the certification applies, and the date(s) the increment(s) of progress

was (were) met—if met. The Regional Administrator may request whatever supporting information he considers necessary for proper certification.

(f) Paragraph (e) of this section shall not apply to the owner or operator of:

(1) A source which is presently in compliance with paragraph (c) of this section and which has certified such compliance to the Regional Administrator by August 1, 1977. The certification shall include the name(s) and street address(es) of the facility (facilities) for which the certification applies. The Regional Administrator may request whatever supporting information he considers necessary for proper certification.

(2) A source for which a compliance schedule is adopted by the State and approved by the Administrator.

(3) To a source whose owner or operator receives approval from the Administrator by August 1, 1977, of a proposed alternative schedule. No such schedule may provide for compliance after September 30, 1978. If approval is promulgated by the Administrator, such schedule shall satisfy the requirements of this section for the affected source.

(g) Nothing in this section shall preclude the Administrator from promulgating a separate schedule for any source to which the application of the compliance schedule in paragraph (e) of this section fails to satisfy the requirements of § 51.15 (b) and (c) of this chapter.

(h) After September 30, 1978, paragraph (c) of this section shall be applicable to every storage container (except those exempted in paragraph (d) of this section) located in the counties specified in paragraph (b). Every storage container installed after September 30, 1978 shall comply with the requirements of paragraph (c) of this section from the time of installation. In the affected counties, storage containers which were installed, or coverted to gasoline storage after promulgation of this section, but before September 30, 1978 shall comply with paragraph (c) of this section in accordance with the schedule established in paragraph (e).

[42 FR 37381, July 21, 1977, as amended at 47 FR 50868, Nov. 10, 1982]

§§ 52.2287–52.2298 [Reserved]

§ 52.2299 Original identification of plan section.

(a) This section identifies the original ''Texas Air Pollution Control Implementation Plan'' and all revisions submitted by Texas that were federally approved prior to December 31, 1998.

(b) The plan was officially submitted on January 28, 1972.

(c) The plan revisions listed below were submitted on the dates specified.

(1) Certification that statewide public hearings had been held on the plan was submitted by the Texas Air Control Board (TACB) on February 8, 1972. (Nonregulatory)

(2) A discussion of its policy concerning the confidentiality of certain hydrocarbon emission data was submitted by the TACB on May 2, 1972. (Nonregulatory)

(3) A discussion of the source surveillance and extension sections of the plan was submitted by the TACB on May 3, 1972. (Nonregulatory)

(4) A discussion of minor revisions to the plan was submitted by the Governor on July 31, 1972. (Nonregulatory)

(5) Revisions of section XI, paragraph C.3: Rule 9: Regulation V and control strategy for photochemical oxidants/hydrocarbons in Texas designated regions 7 and 10; regulation VII; and control strategy for nitrogen oxides in regions 5, 7, and 8 were submitted by the TACB on August 8, 1972.

(6) A request that inconsistencies in the plan concerning the attainment dates of primary air standards be corrected was submitted by the Governor on November 10, 1972. (Nonregulatory)

(7) Revisions to regulation IV, regulation V, the general rules and control strategy for photochemical oxidants/hydrocarbons, and a request for a two year extension to meet Federal standards for photochemical oxidants was submitted by the Governor on April 13, 1973.

(8) Revisions to regulation IV (Control of Air Pollution from Motor Vehicles) were adopted on October 30, 1973, and were submitted by the Governor on December 11, 1973.

(9) A revision of priority classifications for particulate matter, sulfur oxides, and carbon monoxide was submitted by the Governor on March 21, 1975. (Nonregulatory)

(10) Revisions to rule 23, concerning compliance with new source performance standards, and rule 24, concerning compliance with national emission standards for hazardous air pollutants were submitted by the Governor on May 9, 1975.

(11) Administrative revisions were submitted by the TACB with the semiannual report in 1974 for sections I, II, III, IV, XI and XIII, and with the semiannual report in 1975 for sections I, II, XI, and XII. (Nonregulatory)

(12) A revision of section IX, Air Quality Surveillance, was submitted by the Governor on August 2, 1976. (Nonregulatory)

(13) Revisions to section IX, Air Quality Surveillance Plan, which include changes of several air quality monitoring sites, were submitted by the TACB on August 12, 1977. (Nonregulatory)

(14) Administrative revisions to section X, the Permit System, were submitted by the TACB in 1973, 1974, 1975, and 1977. (Nonregulatory)

(15) Revisions to regulation V for control of volatile carbon compound emissions, as amended on December 10, 1976, were submitted by the Governor on July 20, 1977.

(16) An administrative revision to section IX, Air Quality Surveillance System, was submitted by the Texas Air Control Board on August 14, 1978. (Nonregulatory)

(17) Board Order No. 78–6, creditable as emission offsets for the Corpus Christi Petrochemical Company project in Corpus Christi, was submitted by the Governor on July 24, 1978, as amendments to the Texas State Implementation Plan (see § 52.2275).

(18) Draft inspection/maintenance legislation and a schedule for conducting a pilot inspection/maintenance study were submitted by the Governor on April 13, 1979.

(19) Adopted inspection/maintenance legislation and administrative revisions concerning inspection/maintenance were submitted by the Governor on August 9, 1979.

(20) Revision to the plan for attainment of standards for particulate matter, carbon monoxide, and ozone (Part D requirements) were submitted by the Governor on April 13, 1979.

NOTE: The provisions of Rule 104 submitted by the Governor on 1/28/72 and approved by EPA on 5/31/72 remain in effect in other than nonattainment areas.

(21) Administrative revisions to the transportation control portion of the plan were submitted by the Governor on August 9, 1979 (non-regulatory).

(22) No action is being taken on Subchapters 131.07.52, .53, and .54 of Regulation V, submitted by the Governor April 13, 1979 for the ozone nonattainment counties of Harris, Galveston, Brazoria, Bexar, Dallas, and Tarrant.

(23) No action is being taken on the control strategy for the TSP nonattainment area of Houston 1, submitted by the Governor on April 13, 1979.

(24) A revision identifying and committing to implement currently planned Transportation Control Measures (TCMs) for Harris County was submitted by the Governor on December 28, 1979.

(25) Revisions to Regulation VI (i.e., Subchapter 116.3(a)(13–15)), and the definition of ''de minimis impact,'' were adopted by the Texas Air Control Board on July 11, 1980, and submitted by the Governor on July 25, 1980.

(26) Board Order No. 78–8 creditable as emission offsets for the General Portland, Inc., project in New Braunfels, Comal County, Texas, was submitted by the Governor on September 13, 1978, as an amendment to the Texas State Implementation Plan (see § 52.2276).

(27) Revisions to Regulation V (i.e., Subchapters 115.171–176) and particulate matter (TSP) control strategies for the nonattainment areas of San Benito, Brownsville, Corpus Christi 1, Corpus Christi 2, Dallas 1, and El Paso 4 were adopted by the Texas Air Control Board on July 11, 1980, and submitted by the Governor on July 25, 1980.

(28) An administrative revision to section I, Introduction, was submitted by the TACB on July 23, 1981. (Nonregulatory)

(29) An administrative revision to section V, Legal Authority, was submitted by the TACB on July 23, 1981. (Nonregulatory).

(30) Revisions to the Texas SIP for the Union Carbide Corporation Bubble in Texas City, Texas were submitted by the Governor on December 15, 1981.

(31) Revisions to the ozone, total suspended particulate, and carbon monoxide control strategies, General Rules (i.e., definition for vapor mounted seal and section 101.22), Regulation IV (i.e., addition of section 114.2(b)), and Regulation V (i.e., deletion of sections 115.46 and 115.71, 115.101–106, sections 115.144, 115.153, title of sections 115.161–163 and 115.162, 115.171–176, 115.191–194, sections 115.252, 115.262, 115.401, 115.411, and title of sections 115.421–424) were adopted by the Texas Air Control Board on March 20, 1981, and submitted by the Governor on July 20, 1981.

(32) Revisions to the plan for intergovernmental consultation and composition of the Texas Air Control Board were submitted by the Governor on April 13, 1979.

(33) A revision to General Rule 9—Sampling, as adopted by the Texas Air Control Board on October 30, 1973, was submitted by the Governor on December 11, 1973.

(34) Revisions to the General Rules (i.e., the addition of definitions for liquid-mounted seal, miscellaneous metal parts and products, factory surface coating of flat wood paneling, vapor tight, and waxy high pour point crude oil) and Regulation V (i.e., sections 115.101–106, section 115.191 (9) and (10), sections 115.193, 115.194, 115.201–203, 115.221–223, 115.231–233, 115.251–255, 115.261–264, and 115.421–424) were adopted by the Texas Air Control Board on July 11, 1980 and submitted by the Governor on July 25, 1980.

(35) [Reserved]

(36) Revisions to Regulation VI (i.e., section 116.1, section 116.2, section 116.3(a), section 116.3(a)(2), the addition of sections 116.3(a)(3), 116.3(a)(4), and 116.3(a)(5), section 116.3(a)(6), section 116.3(b)(2), the addition of sections 116.3(b)(3), 116.3(b)(4), 116.4, and 116.5, section 116.6, section 116.7, and section 116.8) were adopted by the Texas Air Control Board on March 27, 1975 and submitted by the Governor on May 9, 1975.

(37) Revisions to Regulation VI (i.e., the deletion of 131.08.00.009) were adopted by the Texas Air Control Board on March 30, 1979 and submitted by the Governor on April 13, 1979.

(38) Revisions to Regulation VI (i.e., the deletion of 131.08.00.003(a)(3) and 131.08.00.003(a)(5), section 116.3(a)(4), section 116.3(a)(5), section 116.3(a)(9), section 116.3(a)(10), section 116.3(a)(12), and section 116.10) were adopted by the Texas Air Control Board on March 20, 1981 and submitted by the Governor on July 20, 1981.

(39) [Reserved]

(40) Revisions to Subchapter 115.135 (formerly 131.07.54.105) of Regulation V were adopted by the Texas Air Control Board on September 7, 1979 and submitted by the Governor to EPA on November 2, 1979 (i.e., removal of Jefferson, Orange, El Paso, Nueces, and Travis Counties).

(41) The Texas Lead SIP was submitted to EPA on June 12, 1980, by the Governor of Texas, as adopted by the Texas Air Control Board on March 21, 1980. Additional information was submitted in letters dated January 29, 1982, March 15, 1982, June 3, 1982, June 15, 1982, August 23, 1982, and October 14, 1982. Also additional information and Board Order 82–11 were submitted in a letter dated December 3, 1982. No action is taken regarding the Dallas and El Paso areas.

(42) An administrative revision for Section VIII (Texas Air Pollution Emergency Episode Contingency Plan) and a revision to Regulation VIII (Control of Air Pollution Episodes) was submitted by the TACB on May 18, 1982 and December 29, 1981, respectively.

(43) A revision to Regulation V deleting Ector County from the provisions of subsections 115.111 and .113 was adopted on March 20, 1981 and submitted by the Governor on July 20, 1981.

(44) Revisions to Regulation I, sections 111.2(7), 111.3, 111.11, 111.12, 111.26, 111.61–111.65, and 111.71–111.76, for control of particulate matter and visible emissions as submitted by the Governor on January 22, 1974.

(45) Revisions to Regulation I, section 111.2 for control of particulate

matter and visible emissions as submitted by the Governor on December 29, 1975.

(46) Revisions to Regulation I, Sections 111.2(8), 111.2(9), 111.22, 111.91 and 111.92 for control of particulate matter and visible emissions as submitted by the Governor on April 13, 1979.

(47) Revisions to section XII (Resources) as submitted by the Executive Director on July 6, 1982.

(48) Revisions to Subchapters 115.111–115.113 (formerly 131.07.52.101–131.07.52.104) regarding gasoline bulk terminals, 115.123–115.124 (formerly 131.07.53.101–131.07.53.103) regarding gasoline bulk plants, and 115.131–115.135 (formerly 131.07.54.101–131.07.54.105) regarding the filling of gasoline storage vessels at motor vehicle fuel dispensing facilities (Stage I vapor recovery at service stations) of Regulation V for the counties of Harris, Galveston, Brazoria, Bexar, Dallas, and Tarrant were adopted by the Texas Air Control Board on March 30, 1979 and submitted by the Governor to EPA on April 13, 1979.

(49) Revisions to Subchapters 115.111 and 115.113 (formerly 131.07.52.101 and 131.07.52.103) regarding gasoline bulk terminals, 115.121 and 115.123 (formerly 131.07.53.101 and 131.07.53.103) regarding gasoline bulk plants, and 115.131, 115.132, and 115.135 (formerly 131.07.54.101, 131.07.54.102, and 131.07.54.105) regarding the filling of gasoline storage vessels at motor vehicle fuel dispensing facilities (Stage I vapor recovery at service stations) of Regulation V were adopted by the Texas Air Control Board on July 11, 1980 and submitted by the Governor to EPA on July 25, 1980.

(50) Revisions to the General Rules (i.e., deletion of the definitions for chemical process plant, exhaust emission, gas processing plant, and nonmethane hydrocarbons, and revisions to the definitions for gasoline bulk plant, gasoline terminal, lowest achievable emission rate, standard conditions, submerged fill pipe, paper coating, and light-duty truck coating), Regulation I (i.e., the deletion of sections 111.61–111.65, revisions to title of sections 111.71–111.76 and section 111.71, addition of sections 111.81–111.83, deletion of section 111.91, and revisions to section 111.92), and Regulation V (i.e., section 115.1, sections 115.11–115.13, sections 115.31–115.32, sections 115.41–115.45, section 115.81, and section 115.91, all for Bexar County only: and, sections 115.101–115.106; title of sections 115.141–115.144 and section 115.141, section 115.142, and section 115.144; title of sections 115.151–115.153 and section 115.152, and section 115.153; sections 115.161–115.163 and title; title of sections 115.171–115.176 and section 115.173, section 115.175, and section 115.176; title of sections 115.191–115.194 and section 115.191, section 115.192, and section 115.193; title of sections 115.201–115.203 and section 115.203; title of sections 115.221–115.223 and sections 115.222–115.223; sections 115.231–115.233 and title; title of sections 115.251–115.255 and section 115.253, and section 115.255; section 115.401; title of sections 115.411–115.413 and sections 115.411 and 115.412; title only of sections 115.421–115.424) were adopted by the Texas Air Control Board on January 8, 1982, and submitted by the Governor on August 9, 1982, with an addendum from the State on January 13, 1983.

(51) A revision to Section III (Public Participation/Intergovernmental Coordination) was submitted by the Texas Air Control Board on August 17, 1982 and a letter of clarification was submitted on January 28, 1983. The revision also supercedes and deletes Section XIII which was approved on May 31, 1972.

(52) An administrative revision to Section IX, Air Quality Surveillance, was submitted by the TACB on June 22, 1983. (Nonregulatory)

(53) A revision to Regulation VI (i.e., the addition of section 116.11) was adopted by the Texas Air Control Board on December 3, 1982, and submitted by the Governor on May 13, 1983.

(54) Revisions to the Texas State Implementation Plan for lead for Dallas County (concerning a lead control plan for the area around the secondary lead smelter in West Dallas), were submitted to EPA on April 6, 1984, by the Governor of Texas, as adopted by the Texas Air Control Board on February 17, 1984.

(55) Revisions to the Texas State Implementation Plan for lead for Dallas

County (concerning a lead control plan for the area around the secondary lead smelter in South Dallas), and revisions to Regulation III, chapter 113, Subchapter B, Lead Smelters in Dallas County, were submitted to EPA on July 16, 1984, by the Governor of Texas, as adopted by Texas Air Control Board on May 18, 1984. No action is taken on Regulation III, Sections 113.113 and 113.114.

(56) Revisions to the Texas State Implementation Plan for lead for El Paso County, with revisions to Regulation III, Chapter 113, Subchapter B, Nonferrous Smelters in El Paso County, were submitted to EPA on June 20, 1984, by the Governor of Texas, as adopted by Texas Air Control Board on February 17, 1984. Also, letters providing additional information were submitted by Texas on June 11 and June 28, 1984. No action is taken on Regulation III, Sections 113.111 113.112. The date of compliance listed in § 113.122 of February 28, 1989 (for section 113.53) is disapproved. EPA is taking no action on the attainment date for El Paso County.

(57)–(58) [Reserved]

(59) Revisions to TACB Regulation VI and definitions in the General Rules as adopted on June 10, 1983 and submitted by the Governor on December 22, 1983, including a letter of clarification on their definitions submitted by the Texas Air Control Board on March 27, 1984.

(60) The Alternative Emission Control Plan for the Exxon Baytown Refinery in Baytown, Texas was adopted by the Texas Air Control Board on March 18, 1983, in Board Order No. 83–2.

(61) Revisions to the plan for attainment of the standard for Ozone in Harris County were submitted by the Governor on December 9, 1982, January 3, 1984, and March 18, 1985.

(i) Revisions adopted on December 3, 1982, include the following changes to Regulation V and the general rules. New sections or subsections 115.105(7), 115.111(2)(b), 115.111(2)(c), 115.111(2)(d), 115.163, 115.164, 115.193(c)(5), 115.193(c)(6), 115.271, 115.272, 115.273, 115.274, 115.275, and 115.421 are added. Revisions to 115.106(b), 115.106(c), 115.113, 115.141, 115.142, 115.161, 115.162, 115.191(9)(a)(i), 115.251(a)(1), 115.252(a)(4), 115.252(b), 115.252(c), 115.253(a), 115.254, 115.255(c), and 115.401(b) were made. Section 101.1 of the general rules was revised to include definitions of new terms. The revisions also included the following commitments: emissions tracking, pages 87–88; projections of reasonable further progress, pages 91 and 93; and emission reduction commitments for transportation control measures, Appendix V.

(ii) Revisions adopted on September 9, 1983, include revisions to Regulation IV. New sections or subsections 114.1(e), 114.1(f), 114.3, and 114.5 are added.

(iii) Revisions adopted on November 9, 1984 include the following:

(A) Recordkeeping and record submittal requirements, pages 12–13,

(B) Mechanics training program commitments, pages 17–18,

(C) Public Awareness Plan commitments, pages 19–20,

(D) Implementation Schedule, page 25(1–3),

(E) Reasonable Further Progress Chart, Table 13, and

(F) Department of Public Safety and Texas Air Control Board Rules and Regulations, Texas Vehicle Inspection Act Article XV, and Documentation to Authorize and Support the Implementation and Enforcement of the Texas Vehicle Parameter Inspection and Maintenance Program, Appendix X, containing the following documents:

—Senate Bill 1205
—Letters of commitment from Texas Department of Public Safety, City of Houston Police Department, and Harris County Sheriff
—Parameter Vehicle Emission Inspection and Maintenance Rules and Regulations for Official Vehicle Inspection Stations and Certified Inspectors, July 1, 1984
—Texas Motor Vehicle Laws, 1981–1982
—Rules and Regulations for Official Vehicle Inspection Stations and Certified Inspectors, November 11, 1983, Sections A, B, C pages C–1, C–16, C–17, C–18, C–26, C–27, and C–28, D, and E pages E–1, E–6, E–7, E–8, and E–9.

(62) Revision to the Texas State Implementation Plan for Good Engineering Practice—Stack Height regulations, Texas Air Control Board Regulation VI, § 116.3(a)(14), as adopted by the Texas Air Control Board on July 17, 1987, were submitted by the Governor

of Texas on October 26, 1987. This revision included definitions for *owner or operator, emission limitation and emission standards, stack, a stack in existence, dispersion technique, good engineering practice, nearby, excessive concentration,* and regulations related to *stack height provisions* and *stack height procedures* for new source review.

(i) Incorporation by reference.

(A) Texas Air Control Board Regulation VI, §116.3(a)(14), adopted by the Board on July 17, 1987.

(ii) Other material—one.

(63) Revisions to TACB Regulation VI and definitions in the General Rules were submitted by the Governor on December 13, 1985.

(i) Incorporation by reference. December 13, 1985 letter from the Governor to EPA, and Revisions adopted on September 20, 1985, include the following changes to Regulation VI and the General Rules. Revisions to §116.11 were made, and §101.1 of the General Rules was revised to include an amendment to the term *major facility/stationary source*.

(64) Board Order No. 85–2, an alternate emission reduction plan for the Continental Can Company, U.S.A. can coating plant in Longview, Texas was submitted by the Governor on July 25, 1985, as amendments to the Texas State Implementation Plan. The source is now subject to the legally enforceable requirements stated in Board Order No. 85–2 and in TACB Permit Number C–16765.

(i) Incorporation by reference.

(A) Texas Air Control Board Order No. 85–2 adopted on May 10, 1985, and TACB Permit Number C–16765 as revised November 21, 1986.

(65) In a October 26, 1987, letter, the Governor of Texas submitted a revision to the Texas State Implementation Plan for Lead in El Paso County. These revisions to the control strategy are adequate to demonstrate attainment by August 14, 1987, of the National Ambient Air Quality Standards for lead in El Paso County by modeling. Enclosed in this letter were Texas Air Control Board (TACB) Board Order No. 87–14 as passed and approved on August 14, 1987; the revisions to Regulation III, Subchapter B as appended to the Board Order; and a certification of Public Hearing.

(i) Incorporation by reference.

(A) TACB Board Order No. 87–14, as adopted on August 14, 1987.

(B) The March 23, 1988, letter and enclosures from TACB to EPA.

(66) Revisions to the plan for attainment of the standard for ozone in Dallas and Tarrant Counties were submitted by the Governor on September 30, 1985 and December 21, 1987.

(i) Incorporation by reference.

(A) Revisions to the Texas Air Control Board Regulation IV, Section 114.1 (c), (e), (f), 114.3, 114.5 (a), (b), (d), (e), (f), and (g) adopted July 26, 1985.

(B) Vehicle Inspection and Maintenance and Transportation Control Measures (VIMTCM), Appendix AG, Emission Reduction Commitments for Transportation Control Measures in Post-1982 SIP Areas adopted by the Texas Air Control Board on August 28, 1985.

(C) VIMTCM, Appendix AJ, Excerpted Senate Bill 725, section 35 (d) and (g) effective September 1, 1985; and House Bill 1593 sections 21 and 22 effective June 18, 1987.

(D) The following portions of VIMTCM, Appendix AK, Texas Vehicle Parameter Inspection and Maintenance Program adopted by the Texas Air Control Board on December 18, 1987.

1 Record keeping and Record submittal Requirements, pages 15–17

2 Quality Control, Audit and Surveillance Procedures, pages 17–18

3 Procedures to Assure that Noncomplying Vehicles are Not Operated on the Public Roads, pages 18–20

4 Mechanic Training Program, pages 21–23

5 A Public Awareness Plan, pages 23–25

6 Vehicle Maintenance Program (Anti-tampering), pages 25–27

(E) VIMTCM, Appendix AM, Department of Public Safety Rules and Regulations Concerning Vehicle Inspection and Maintenance Programs, Sections 1, 2, and 3 adopted by the Texas Air Control Board on December 18, 1987.

(F) VIMTCM, Appendix AN, Local Government Letters of Commitment to Enforce Vehicle Inspection and Maintenance Programs adopted by the Texas Air Control Board on December 18, 1987.

(67) Part II of the Visibility Protection Plan was submitted by the Governor on November 18, 1987. This submittal includes a visibility long-term strategy and general plan provisions as adopted by the Texas Air Control Board on September 18, 1987.

(i) Incorporation by reference.

(A) Revision entitled, ''State Implementation Plan Revisions for Visibility Protection in Class I Areas: Phase I, September 18, 1987'' (including Appendices A and B).

(B) Texas Air Control Board Order No. 87–15, adopted September 18, 1987.

(ii) Additional material.

(A) None.

(68) [Reserved]

(69) Revisions to the plan for attainment of the standard for ozone in Dallas and Tarrant Counties were submitted by the Governor on October 11, 1985, December 21, 1987, and December 13, 1988. EPA is approving these stationary source VOC regulations and commitments under part A, section 110 of the Clean Air Act. However, these regulations do not represent RACT under part D, section 172 of the Clean Air Act for numerous reasons, including cross-line averaging and director's equivalency determinations without first being submitted to and approved by EPA as a SIP revision.

(i) Incorporation by reference.

(A) Revisions to Texas Air Control Board Regulation V (31 TAC chapter 115), Control of Air Pollution from Volatile Organic Compounds: Rules 115.111 introductory paragraph; 115.111(2)(E); 115.111(2)(F); 115.113 introductory paragraph, 115.113 last entry in table; except El Paso County for Rules 115.131 introductory paragraph, 115.132(6), 115.132(7), 115.135 introductory paragraph, and 115.135 second to last entry in table; 115.162 introductory paragraph only; 115.163(b)(2); 115.163(b)(3); 115.164(b) first paragraph only; 115.164(b)(3); 115.164(b)(4); 115.171(a); except El Paso County for Rule 115.171(b); 115.175(f); 115.176(a); 115.176(c); 115.191(9)(A)(iii); 115.191(9)(A)(iv); 115.191(9)(A)(v); 115.193(c)(3); 115.223; except El Paso County for Rules 115.261 undesignated heading, 115.261 introductory paragraph, 115.262(a), and 115.264; as adopted by the Texas Air Control Board on July 26, 1985. Rules 115.171(c); 115.171(d); 115.176(d); 115.193(c) first paragraph only; 115.193(c)(1); 115.193(c)(2);115.193(c)(6); 115.193(d) first paragraph only; 115.193(e); 115.194; 115.201(b)(1); 115.202; 115.203(a); and 115.291 through 115.294 and the corresponding undesignated heading; as adopted by the Texas Air Control Board on December 18, 1987. Rules 115.111(4)(C); except El Paso County for Rule 115.111(5); 115.111(6); 115.111(7); 115.113 last entry in table; 115.131(2); except El Paso County for Rule 115.131(3); 115.131(4); 115.131(5); 115.132 introductory paragraph only; 115.132(2); 115.134(3); 115.135 last entry in table; 115.141(a); 115.141(b); 115.142(a) first paragraph; 115.142(b); 115.143(a); 115.143(b); 115.143(c); 115.144; 115.162(3)(B); 115.163(a); 115.163(c); 115.163(d); 115.164(b)(7); 115.171(e); 115.172(a) first paragraph only; 115.172(a)(1); 115.172(a)(3); 115.172(a)(4); 115.172(a)(5)(A); 115.172(a)(6); 115.172(a)(7); 115.172(b) first paragraph only; 115.172(b)(1); 115.173(a) first paragraph only; 115.173(a)(2); 115.173(a)(4)(A); 115.173(a)(4)(B); 115.173(a)(4)(E); 115.173(a)(6); 115.173(b) first paragraph only; 115.173(b)(2); 115.173(b)(4); 115.173(b)(5); 115.173(b)(10); 115.173(b)(11); 115.173(c); 115.174(a) first paragraph only; 115.174(a)(1)(A); 115.174(a)(1)(B); 115.174(a)(1)(C); 115.174(a)(7); 115.174(a)(8); 115.174(a)(9); 115.174(b) first paragraph only; 115.174(b)(2); 115.174(b)(4); 115.174(b)(5); 115.174(c); 115.175(e); 115.175(g); 115.176(e); 115.191(a) first paragraph only; 115.191(a)(8)(A); 115.191(a)(8)(B); 115.191(a)(8)(C); 115.191(a)(9)(C); 115.191(a)(11); 115.191(b); 115.191(c); 115.192(a); 115.192(b); 115.192(c); 115.193(f); 115.201(a); 115.201(b) first paragraph only; 115.201(b)(2) through 115.201(b)(6); 115.201(c); 115.203(b); 115.221(a) first paragraph only; 115.221(a)(4); and 115.221(b); as adopted by the Texas Air Control Board on October 14, 1988.

(B) Revisions to the Texas Air Control Board General Rules (31 TAC chapter 101), rule 101.1, Definitions for: automobile refinishing; consumer-solvent products; as adopted by the Texas Air Control Board on December 18, 1987. Rule 101.1, Definitions for: architectural coating; automotive primer or

primer surfacers (used in automobile refinishing); automotive wipe-down solutions; coating application system; delivery vessel/tank-truck tank; exempt solvent; flexographic printing process; non-flat architectural coating; packaging rotogravure printing; publication rotogravure printing; rotogravure printing; surface coating processes; transfer efficiency; and vapor balance system; as adopted by the Texas Air Control Board on October 14, 1988.

(C) The following portions of the Post-1982 Ozone Control Strategies Dallas and Tarrant Counties Texas State Implementation Plan Revisions (TX82SIP), as adopted by the Texas Air Control Board on December 18, 1987.

(*1*)(d) Emissions Tracking, page 56 (last paragraph), 57, and 58.

(*2*)(e) Regulation Review, pages 58–60.

(*3*)(a) Emissions Reductions and Growth Unaffected by This Plan, page 63 (first two full paragraphs).

(*4*)(e) Transportation Control Measures, pages 67–68.

(*5*)(4) Projection of Reasonable Further Progress (RFP), pages 71–72.

(*6*)(5) Contengency Plan, page 72.

(*7*)(a) Emissions Reductions and Growth Unaffected by This Plan, page 75.

(*8*)(e) Transportation Control Measures, pages 79–80.

(*9*)(4) Projection of Reasonable Further Progress (RFP), pages 83–84.

(*10*)(5) Contingency Plan, page 84.

(D) TX82SIP, appendix AG, Emission Reduction Commitments for Transportation Control Measures in Post-1982 SIP Areas, as adopted by the Texas Air Control Board on December 18, 1987.

(E) Texas Air Control Board Order No. 85–06, as adopted July 26, 1985.

(F) Texas Air Control Board Order No. 87–18, as adopted December 18, 1987.

(G) Texas Air Control Board Order No. 88–10, as adopted October 14, 1988.

(ii) Additional Material.

(A) A letter dated September 25, 1989, from Allen Eli Bell, Executive Director, Texas Air Control Board to Robert E. Layton Jr., P.E., Regional Administrator, EPA Region 6.

(B) TX82SIP, (c) Additional Control Technique Guidelines (CTGs), pages 48–49.

(C) TX82SIP, appendix AL, Transportation Control Measure Evaluation and Documentation of Highway Vehicle Data adopted by the Texas Air Control Board on December 18, 1987.

(70) On March 12, 1982, the Governor of Texas submitted a request to revise the Texas SIP to include an Alternative Emission Reduction Plan for the E.I. Du Pont de Nemours & Company's Sabine River Works at Orange, Orange County, Texas. This Bubble uses credits obtained from the shutdown of sixteen methanol storage tanks and a methanol truck and railcar loading terminal in lieu of controls on one cyclohexane storage tank and two methanol storage tanks.

(i) Incorporation by reference.

(A) Texas Air Control Board Order No. 82–1, entitled ''E.I. Du Pont de Nemours and Company Incorporated'' passed and approved by the Board on January 8, 1982.

(ii) Additional material.

(A) Letter dated October 23, 1989, from the Director of the Texas Air Control Board (TACB) Technical Support and Regulation Development Program, giving assurances that the State has resources and plans necessary to strive toward attainment and maintenance of the National Ambient Air Quality Standard (NAAQS) for ozone taking into account the influence of this Bubble on air quality.

(B) Letter dated May 31, 1988, from the Director of the TACB Technical Services Division, giving quantification of emissions and developmental information relative to volatile organic compound emissions from the storage and terminal facilities at the Du Pont plant.

(C) Letter dated June 21, 1988, from the Director of the TACB Technical Services Division, giving the throughput basis for emission calculations for the tanks and discussing status of the equipment in the trade.

(D) Record of Communication of a phone call from Bill Riddle, EPA Region 6 Emissions Trading Coordinator, to Clayton Smith and Wayne Burnop, Environmental Engineers for the TACB, dated November 7, 1989. TACB confirms that there has been no *shifting demand* for the bubble.

(E) Record of Communication of a phone call from Mr. Bertie Fernando, TACB Environmental Engineer, to Bill Riddle, EPA Region 6 Emissions Trading Coordinator, dated December 15, 1989. TACB gives the status of the equipment in the bubble as a follow up to the June 21, 1988, letter mentioned in paragraph (c) of this section.

(71) Revisions to section VIII of the Texas SIP entitled ''Texas Air Pollution Episode Contingency Plan'' as submitted by the Texas Air Control Board (TACB) in a letter dated October 2, 1987. Revisions to TACB Regulation VIII, 31 TAC Chapter 118, ''Emergency Episode Planning,'' as approved by TACB on July 16, 1987, and on April 14, 1989, and submitted by the Governor in letters dated October 26, 1987, and October 13, 1989, respectively.

(i) Incorporation by reference.

(A) Amended TACB Regulation VIII, 31 TAC chapter 118, Rules 118.1(a), 118.1(b)(2), 118.1(c), 118.2, 118.3, 118.4, 118.5(d), 118.5(e), 118.5(f) and 118.6 as approved on July 17, 1987, and the repeal of Rule 118.7 as approved by TACB on July 17, 1987.

(B) Amended TACB Regulation VIII, 31 TAC chapter 118, Rules 118.1(b), 118.1(b)(1), Table 1 of Rule 118.1, first paragraph of Rule 118.5, and 118.5(1), 118.5(2), 118.5(3), as approved by TACB on April 14, 1989.

(C) TACB Order 87–10, approved July 17, 1987.

(D) TACB Order 89–01, approved April 14, 1989.

(E) Texas SIP section VIII ''Texas Air Pollution Episode Contingency Plan'' pages VIII–3 through VIII–14, VIII–A–2 through VIII–A–4, and VIII–B–2 through VIII–B–3.

(ii) Additional material

(A) Revisions to section VIII as submitted on October 2, 1987, from Eli Bell, superceding and deleting section VIII as approved by EPA on October 7, 1982, at 47 FR 44260 (Texas Air Pollution Emergency Episode Contingency Plan).

(B) A letter dated February 10, 1989, from Steven Spaw, TACB, to William B. Hathaway, U.S. EPA.

(72) Revisions to the plan for attainment of the standard for ozone in Dallas and Tarrant counties were submitted by the Governor on March 5, 1990 limiting the volatility of gasoline.

(i) Incorporation by reference.

(A) Revisions to the Texas Air Control Board Regulation V (31 TAC chapter 115), Control of Air Pollution from Volatile Organic Compounds, Rule 115.242–249 as adopted by the Texas Air Control Board on December 8, 1989.

(B) Texas Air Control Board Order No. 89–13, as adopted December 8, 1988.

(73) Revisions for Prevention of Significant Deterioration (PSD) are: Regulation VI—Section 116.3(a)(13) as adopted by the Texas Air Control Board (TACB) on July 26, 1985 and as revised by the TACB on July 17, 1987 and July 15, 1988 and submitted by the Governor on December 11, 1985, October 26, 1987, and September 29, 1988, respectively; the PSD Supplement as adopted by the TACB on July 17, 1987 and submitted by the Governor on October 26, 1987; General Rules—Section 101.20(3) as adopted by the TACB on July 26, 1985 and submitted by the Governor on December 11, 1985; and the TACB commitment letters submitted by the Executive Director on September 5, 1989 and April 17, 1992. Approval of the PSD SIP is partially based on previously approved TACB regulations and State statutes.

(i) Incorporation by reference.

(A) Revisions to the TACB Regulation VI (31 TAC chapter 116)—Control of Air Pollution by Permits for New Construction or Modification: Rule 116.3(a)(13) as adopted by the TACB on July 26, 1985 and as revised by the TACB on July 17, 1987 and July 15, 1988.

(B) Revision to TACB General Rules (31 TAC Chapter 101)—Rule 101.20(3) as adopted by the TACB on July 26, 1985.

(C) TACB Board Order No. 85–07, as adopted on July 26, 1985.

(D) TACB Board Order No. 87–09, as adopted on July 17, 1987.

(E) TACB Board Order No. 88–08, as adopted on July 15, 1988.

(F) The following portions of the PSD Supplement, as adopted by the TACB on July 17, 1987: 1. (2) Initial Classification of areas in Texas, pages 1–2; 2. (3) Re-designation procedures, page 2; 3. (4) plan assessment, pages 2–3; 4. (6) Innovative Control Technology, page 3; and 5. (7) Notification, (a) through (d), page 4.

(ii) Additional material.

(A) The PSD Supplement as adopted by the TACB on July 17, 1987.

(B) A letter dated September 5, 1989, from the Executive Director of the TACB to the Regional Administrator of EPA Region 6.

(C) A letter dated April 17, 1992, from the Executive Director of the TACB to the Division Director of Air, Pesticides and Toxics Division, EPA Region 6.

(74) Revisions to Texas Air Control Board's volatile organic compound regulations were submitted by the Governor of Texas on July 16, 1990.

(i) Incorporation by reference

(A) Revisions to Texas Air Control Board Regulation V (31 TAC Chapter 115) Control of Air Pollution from Volatile Organic Compounds, Subchapter E: Solvent-Using Processes, Surface Coating Processes, §115.421 introductory paragraph, §115.421(8)(A), §115.425 introductory paragraph, §115.425(3), §115.429 introductory paragraph, and §115.429(2)(E), as adopted by the Texas Air Control Board on June 22, 1990.

(B) Texas Air Control Board Order No. 90–07 as adopted by the Texas Air Control Board on June 22, 1990.

(ii) Additional material

(A) Texas Air Control Board July 10, 1990, certification signed by Steve Spaw, P.E., Executive Director, Texas Air Control Board.

(75) Revisions to the State Implementation Plan for particulate matter (PM_{10} Group III) General Rules (31 TAC Chapter 101), §101.1 Definitions for ''De minimis impact'', ''Particulate matter'', ''Particulate matter emissions'', ''PM_{10}'', ''PM_{10} emissions'', and ''Total suspended particulate'', as adopted on June 16, 1989, by the Texas Air Control Board (TACB), were submitted by the Governor on August 21, 1989.

(i) Incorporation by reference.

(A) General Rules (31 TAC Chapter 101), Section 101.1 Definitions for ''De minimis impact'', ''Particulate matter'', ''Particulate matter emissions'', ''PM_{10}'', ''PM_{10} emissions'', and ''Total suspended particulate'', as adopted on June 16, 1989, by the TACB.

(ii) Additional material—None.

(76) A revision to the Texas State Implementation Plan (SIP) to include revisions to Texas Air Control Board (TACB) Regulation II, 31 TAC Chapter 112. Control of Air Pollution from Sulfur Compounds, submitted by the Governor by cover letter dated October 15, 1992.

(i) Incorporation by reference.

(A) Revisions to Texas Air Control Board (TACB), Regulation II, 31 TAC Chapter 112, Section 112.1, ''Definitions;'' Section 112.2, ''Compliance, Reporting, and Recordkeeping;'' Section 112.3, ''Net Ground Level Concentrations;'' Section 112.4, ''Net Ground Level Concentration—Exemption Conditions;'' Section 112.5, ''Allowable Emission Rates—Sulfuric Acid Plant Burning Elemental Sulfur;'' Section 112.6, ''Allowable Emission Rates—Sulfuric Acid Plant;'' Section 112.7, ''Allowable Emission Rates—Sulfur Recovery Plant;'' Section 112.8, ''Allowable Emission Rates From Solid Fossil Fuel-Fired Steam Generators,'' Subsections 112.8(a), except for the phrase ''Except as provided in subsection (b) of this section,'' 112.8(c), 112.8(d), 112.8(e); Section 112.9, ''Allowable Emission Rates—Combustion of Liquid Fuel;'' Section 112.14, ''Allowable Emission Rates—Nonferrous Smelter Processes;'' Section 112.15, ''Temporary Fuel Shortage Plan Filing Requirements;'' Section 112.16, ''Temporary Fuel Shortage Plan Operating Requirements;'' Section 112.17, ''Temporary Fuel Shortage Plan Notification Procedures;'' Section 112.18, ''Temporary Fuel Shortage Plan Reporting Requirements;'' Section 112.19, ''Application for Area Control Plan;'' Section 112.20, ''Exemption Procedure;'' and Section 112.21, ''Allowable Emission Rates Under Area Control Plan,'' as adopted by the TACB on September 18, 1992.

(B) Texas Air Control Board Order No. 92–19, as adopted by the Texas Air Control Board on September 18, 1992.

(ii) Additional material.

(A) Texas Air Control Board certification letter dated October 1, 1992, and signed by William R. Campbell, Executive Director, Texas Air Control Board.

(B) Texas Air Control Board clarification letter dated July 5, 1993, from William R. Campbell, Executive Director, Texas Air Control Board, to A. Stanley Meiburg, Director, Air, Pesticides, and Toxics Division, EPA Region 6.

(77) Revisions to Texas Air Control Board Regulation V (31 TAC Chapter 115), Control of Air Pollution from Volatile Organic Compounds, were submitted by the Governor on March 5, 1990, July 16, 1990, May 10, 1991, and September 30, 1991.

(i) Incorporation by reference.

(A) Revisions to Texas Air Control Board Regulation V (31 TAC Chapter 115), Control of Air Pollution from Volatile Organic Compounds, as adopted by the Texas Air Control Board on December 8, 1989.

(B) Revisions to Texas Air Control Board Regulation V (31 TAC Chapter 115), Control of Air Pollution from Volatile Organic Compounds, as adopted by the Texas Air Control Board on June 22, 1990: 115.425(1)(D) and 115.425(1)(E).

(C) Revisions to Texas Air Control Board Regulation V (31 TAC Chapter 115), Control of Air Pollution from Volatile Organic Compounds, as adopted by the Texas Air Control Board on May 10, 1991: 115.010—Definitions for coating, coating line, leak, pounds of volatile organic compounds (VOC) per gallon of coating (minus water and exempt solvents), pounds of volatile organic compounds (VOC) per gallon of solids, printing line, volatile organic compound (VOC), 115.112(c), 115.114 introductory paragraph, 115.114(3), 115.116(1), 115.116(3)(B) through 115.116(3)(D), 115.119(a)(1), 115.119(a)(2), 115.122(a)(3), 115.126(1)(B) through 115.126(1)(E), 115.129(a)(1), 115.129(a)(2), 115.132(a)(4), 115.136, 115.139(a)(1), 115.139(a)(2), 115.212(a)(4), 115.212(a)(5), 115.212(a)(6), 115.215(5), 115.216(2)(B) through 115.216(2)(D), 115.219(a)(1) through 115.219(a)(3), 115.222(7) through 115.222(9), 115.229(1), 115.229(2), 115.239, 115.315(2), 115.316(1)(A) through 115.316(1)(D), the repeal of 115.317, 115.319(1), 115.319(2), 115.322(4), 115.324(1)(A), 115.324(1)(B), 115.324(2)(A) through 115.324(2)(E), 115.325(2), 115.327(1) through 115.327(5), 115.329 introductory paragraph, 115.329(1), 115.329(2) 115.332 introductory paragraph, 115.332(4), 115.334(1)(D), 115.334(1)(E), 115.334(2), 115.335 introductory paragraph, 115.335(2), 115.336 introductory paragraph, 115.337(1) through 115.337(5), 115.339, 115.342(4), 115.344(1)(D), 115.344(1)(E), 115.344(2), 115.345(2), 115.347(1) through 115.347(6), 115.349, 115.417(3) through 115.417(6), 115.419(1) through 115.419(3), 115.421 introductory paragraph, 115.421(1) through 115.421(8)(B) introductory paragraph, 115.421(8)(C) through 115.421(9)(A)(v), 115.421(9)(C), 115.422 introductory paragraph, 115.422(1), 115.422(1)(A) through 115.422(1)(C), 115.422(2), 115.423(2) through 115.423(4), 115.424 introductory paragraph, 115.424(1) through 115.424(3), 115.425(2), 115.425(3)(B)(i), 115.425(3)(B)(iii), 115.426 introductory paragraph, 115.426(2), 115.426(2)(A)(ii) through 115.426(2)(A)(iv), 115.426(3), 115.427(6), 115.427(6)(A), 115.427(6)(B), 115.427(7), 115.429(1), 115.429(2)(A), 115.429(2)(B), 115.432 introductory paragraph, 115.432(1), 115.432(1)(A) through 115.432(1)(C)(iii), 115.432(2), 115.432(3), 115.435(5) through 115.435(7), 115.436(3)(B) through 115.436(3)(D), 115.437(1), 115.437(2), 115.439(1), 115.439(2), 115.512(3), 115.519, 115.532(5), 115.536(2)(A)(ii) through 115.536(2)(A)(iv), 115.537(5), 115.537(6), 115.539(1), 115.539(2).

(D) Revisions to Texas Air Control Board Regulation V (31 TAC Chapter 115), Control of Air Pollution from Volatile Organic Compounds, as adopted by the Texas Air Control Board on September 20, 1991: 115.010—Definitions for capture efficiency, capture system, carbon adsorber, carbon adsorption system, control device and control system, 115.126(1), 115.129(a)(3), 115.136, 115.139(a)(2), 115.224(2), 115.229(2), 115.422(2), 115.423(3), 115.425(4) through 115.425(4)(C)(iii), 115.426(3), 115.426(4), 115.429(2)(C), 115.435 introductory paragraph, 115.435(7) through 115.435(7)(C)(iii), 115.435(8), 115.436(6), 115.439(2).

(78) Revision to the Texas State Implementation Plan for Prevention of Significant Deterioration adopted by the Texas Air Control Board (TACB) on December 14, 1990, and submitted by the Governor on February 18, 1991.

(i) Incorporation by reference.

(A) Revision to TACB Regulation VI (31 TAC Chapter 116)—Control of Air Pollution by Permits for New Construction or Modification: Section 116.3(a)(13) as adopted by the TACB on December 14, 1990, and effective January 7, 1991.

(B) TACB Board Order No. 90–13, as adopted on December 14, 1990.

(79) A revision to the Texas SIP addressing moderate PM–10 nonattainment area requirements for El Paso was submitted by the Governor of Texas by letter dated November 5, 1991. The SIP revision included, as per section 179B of the Clean Air Act, a modeling demonstration providing for timely attainment of thePM–10 National Ambient Air Quality Standards for El Paso but for emissions emanating from Mexico.

(i) Incorporation by reference.

(A) Revisions to Texas Air Control Board (TACB), Regulation I, Section 111.101, ''General Prohibition;'' Section 111.103, ''Exceptions to Prohibition of Outdoor Burning;'' Section 111.105, ''General Requirements for Allowable Outdoor Burning;'' Section 111.107, ''Responsibility for Consequences of Outdoor Burning;'' Section 111.143, ''Materials Handling;'' Section 111.145, ''Construction and Demolition,'' Subsections 111.145(1), 111.145(2); Section 111.147, ''Roads, Streets, and Alleys,'' Subsections 111.147(1)(B), 111.147(1)(C), 111.147(1)(D); and Section 111.149, ''Parking Lots,'' as adopted by the TACB on June 16, 1989.

(B) TACB Order No. 89–03, as adopted by the TACB on June 16, 1989.

(C) Revisions to TACB, Regulation I, Section 111.111, ''Requirements for Specified Sources,'' Subsection 111.111(c); Section 111.141, ''Geographic Areas of Application and Date of Compliance;'' Section 111.145, ''Construction and Demolition,'' Subsections 111.145(first paragraph), 111.145(3); and Section 111.147, ''Roads, Streets, and Alleys,'' Subsections 111.147(first paragraph), 111.147(1)(first paragraph), 111.147(1)(A), 111.147(1)(E), 111.147(1)(F), and 111.147(2), as adopted by the TACB on October 25, 1991.

(D) TACB Order No. 91–15, as adopted by the TACB on October 25, 1991.

(E) City of El Paso, Texas, ordinance, Title 9 (Health and Safety), Chapter 9.38 (Woodburning), Section 9.38.010, ''Definitions;'' Section 9.38.020, ''No-Burn Periods;'' Section 9.38.030, ''Notice Required;'' Section 9.38.040, ''Exemptions;'' Section 9.38.050, ''Rebuttable Presumption;'' and Section 9.38.060, ''Violation Penalty,'' as adopted by the City Council of the City of El Paso on December 11, 1990.

(ii) Additional material.

(A) November 5, 1991, narrative plan addressing the El Paso moderate PM–10 nonattainment area, including emission inventory, modeling analyses, and control measures.

(B) A Memorandum of Understanding between the TACB and the City of El Paso defining the actions required and the responsibilities of each party pursuant to the revisions to the Texas PM–10 SIP for El Paso, passed and approved on November 5, 1991.

(C) TACB certification letter dated July 27, 1989, and signed by Allen Eli Bell, Executive Director, TACB.

(D) TACB certification letter dated October 28, 1991, and signed by Steve Spaw, Executive Director, TACB.

(E) El Paso PM–10 SIP narrative from pages 91–92 that reads as follows: ''* * * provided that adequate information becomes available, a contingency plan will be developed in conjunction with future El Paso PM–10 SIP revisions. It is anticipated that EPA, TACB, the City of El Paso, and SEDUE will continue a cooperative effort to study the PM–10 air quality in the El Paso/Juarez air basin. Based on the availability of enhanced emissions and monitoring data, as well as more sophisticated modeling techniques (e.g., Urban Airshed Model), future studies will attempt to better define the relative contributions of El Paso and Juarez to the PM–10 problem in the basin. At that time, a contingency plan can more appropriately be developed in a cooperative effort with Mexico.''

(80) A revision to the Texas State Implementation Plan to adopt an alternate control strategy for the surface coating processes at Lockheed Corporation of Fort Worth.

(i) Incorporation by reference.

(A) Texas Air Control Board Order Number 93–13 issued and effective June 18, 1993, for Lockheed Corporation, Fort Worth approving an Alternate Reasonably Available Control Technology (ARACT). A letter from the Governor of Texas dated August 19, 1993, submitting to the EPA the ARACT demonstration.

(ii) Additional material-the document prepared by GD titled ''The Proposed Alternate Reasonably Available Control Technology Determination for U.S. Air Force Plant Number Four and Ancillary Facilities of General Dynamics'' dated September 16, 1991.

(81) A revision to the Texas SIP to include revisions to Texas Regulation V, 31 TAC §§115.241–115.249–Control of Vehicle Refueling Emissions (Stage II) at Motor Vehicle Fuel Dispensing Facilities adopted by the State on October 16, 1992, effective November 16, 1992, and submitted by the Governor by cover letter dated November 13, 1992.

(i) Incorporation by reference.

(A) Revisions to Texas Regulation V, 31 TAC §§115.241–115.249–Control of Vehicle Refueling Emissions (Stage II) at Motor Vehicle Fuel Dispensing Facilities, effective November 16, 1992.

(B) Texas Air Control Board Order No. 92–16, as adopted October 16, 1992.

(ii) Additional materials.

(A) September 30, 1992, narrative plan addressing: general requirements, definitions, determination of regulated universe, certification of approved vapor recovery systems, training, public information, recordkeeping, requirements for equipment installation and testing, annual in-use above ground inspections, program penalties, resources, and benefits.

(82) A revision to the Texas SIP to include a new Texas Natural Resource Conservation Commission, Part III, Chapter 101, *General Rules*, section 101.10, *Emission Inventory Requirements*. In a concurrent action, the TNRCC repealed the existing section 101.10 concerning filing of emissions data. The new rule and the repealing of the old rule was submitted to the EPA on October 15, 1992, by the Governor, as a proposed revision to the SIP.

(i) Incorporation by reference.

(A) TNRCC, Part III, Chapter 101, *General Rules*, section 101.10, *Emission Inventory Requirements*, as adopted by the TNRCC on August 20, 1992.

(B) TNRCC Order No. 92–20, as adopted by the TNRCC on August 20, 1992.

(ii) Additional material.

(A) TNRCC certification letter dated October 8, 1992, and signed by William R. Campbell, Executive Director, TNRCC.

(83) A revision to the Texas SIP to include an alternate particulate control plan for certain unpaved industrial roadways at the ASARCO copper smelter in El Paso, submitted by the Governor by cover letter dated March 30, 1994.

(i) Incorporation by reference.

(A) Texas Natural Resource Conservation Commission Order No. 94–01, as adopted by the Texas Natural Resource Conservation Commission on March 9, 1994.

(B) TNRCC Attachment 3 containing the Texas Air Control Board permit number 20345 for the ASARCO primary copper smelter in El Paso, Texas, issued May 11, 1992.

(C) TNRCC Attachment 4 containing the June 8, 1993, letter from Mr. Troy W. Dalton, Texas Air Control Board (TACB), to Mr. Thomas Diggs, U.S. EPA Region 6, addressing the ASARCO Inc. (El Paso) waiver request from TACB Regulation I, Section 111.147(1)(A), including the enclosure entitled ''Waiver Provisions to Texas Air Control Board Regulation 111.147(1)(A) for ASARCO, Incorporated, El Paso Account No. EE–0007–G.''

(ii) Additional material.

(A) March 9, 1994, SIP narrative addressing the alternate particulate control plan (in lieu of paving) for certain unpaved industrial roadways at the ASARCO copper smelter in El Paso.

(84) A revision to the Texas SIP for the El Paso moderate carbon monoxide nonattainment area which has a design value less than 12.7 parts per million was submitted by the Governor of Texas to meet the November 15, 1992, CAA deadline. The elements in this incorporation include the general SIP revision and the oxygenated fuels regulations submitted to the EPA on October 23, 1992, and the completed emissions inventory submitted to the EPA on November 17, 1992.

(i) Incorporation by reference.

(A) Addition of a new Section 114.13, ''Oxygenated Fuels'' to the Texas Air Control Board (TACB), Regulation IV.

(B) TACB Board Order Number 92–15, as adopted by the TACB on September 18, 1992.

(C) SIP narrative plan entitled ''Revisions to the State Implementation Plan (SIP) for Carbon Monoxide (CO),

1992 CO SIP for Moderate Area—El Paso,'' adopted by the Texas Air Control Board September 18, 1992, addressing: 3. 1992 CO SIP Revisions for Moderate Area El Paso (new.) e. Attainment Demonstration, pages 9–10; f. Oxygenated Fuels 3) Administrative Requirements, page 13, b) Clerical Reviews, page 15, c) Field Inspections, page 15; and e) enforcement (i)–(iv), pages 17–19.

(ii) Additional material.

(A) SIP narrative plan entitled ''Revisions to the State Implementation Plan (SIP) for Carbon Monoxide (CO), 1992 CO SIP for Moderate Area—El Paso,'' adopted by the Texas Air Control Board September 18, 1992.

(B) Governor of Texas submittal of November 13, 1992, regarding the El Paso CO emissions inventory.

(C) The TACB certification letter dated October 1, 1992, and signed by William R. Campbell, Executive Director, TACB.

(85) The State is required to implement a Small Business Stationary Source Technical and Environmental Compliance Assistance Program (PROGRAM) as specified in the plan revision submitted by the Governor on November 13, 1992. This plan submittal, as adopted by the Texas Air Control Board (TACB) on November 6, 1992, was developed in accordance with section 507 of the Clean Air Act (CAA).

(i) Incorporation by reference.

(A) Texas Clean Air Act (TCAA), TEXAS HEALTH AND SAFETY CODE ANN. (Vernon 1992), §382.0365, ''Small Business Stationary Source Assistance Program'', enacted by the Texas 1991 legislative session and effective September 1, 1991. Included in TCAA, §382.0365, are provisions establishing a small business assistance program (SBAP), an Ombudsman, and a Compliance Advisory Panel (CAP); establishing membership of the CAP; and addressing the responsibilities and duties of the SBAP, Ombudsman, and the CAP.

(B) TACB Order No. 92–22, as adopted by the TACB on November 6, 1992.

(C) Appendix C, ''Schedule of Implementation'', appended to the narrative SIP Revision entitled, ''Revisions to the State Implementation Plan for the Small Business Stationary Source Technical and Environmental Compliance Assistance Program, Texas Air Control Board; November 1992''.

(ii) Additional material.

(A) Narrative SIP Revision entitled, ''Revisions to the State Implementation Plan for the Small Business Stationary Source Technical and Environmental Compliance Assistance Program, Texas Air Control Board; November 1992''.

(B) TACB certification letter dated November 10, 1992, and signed by William R. Campbell, Executive Director, TACB.

(C) Legal opinion letter dated October 15, 1992 from Kirk P. Watson, Chairman, TACB, to Mr. B.J. Wynne, III, Regional Administrator, EPA Region 6, regarding the composition of the Small Business Compliance Advisory Panel for Texas.

(86) [Reserved]

(87) A revision to the Texas SIP to include revisions to Texas Regulation IV, 31 TAC §114.3—Vehicle Emissions Inspection and Maintenance Program, adopted by the State on November 10, 1993, and February 16, 1994, regulations effective December 8, 1993, and revisions to Texas Department of Transportation, Chapter 17. Vehicle Titles and Registration—Vehicle Emissions Verification System, 43 TAC §17.80, adopted by the State on October 28, 1993, effective November 22, 1993, and submitted by the Governor by cover letters dated November 12, 1993 and March 9, 1994.

(i) Incorporation by reference.

(A) House Bill 1969 an act relating to motor vehicle registration, inspections and providing penalties amending:

(*1*) Sections 382.037 and 382.038 of the Texas Health and Safety Code;

(*2*) Section 2 Chapter 88, General Laws, Acts of the 41st Legislature, 2nd Called Session, 1929 (Article 6675a–2, Vernon's Texas Civil Statutes);

(*3*) Title 116, Articles 6675b–4, 6675b–4A, and 6675b–4B;

(*4*) Section 141(d), and section 142(h), Uniform Act Regulating Traffic on Highways (Article 6701d, Vernon's Civil Statutes);

(*5*) Section 4.202, County Road and Bridge Act (Article 6702–1, Vernon's Texas Civil Statutes) signed by the

Governor on June 8, 1993, and effective August 30, 1993.

(B) Texas Health and Safety Code (Vernon 1990), the Texas Clean Air Act, sections 382.017, 382.037, 382.038, and 382.039 effective September 1, 1991.

(C) Revisions to Texas Regulation IV, 31 TAC §114.3—Vehicle Emissions Inspection and Maintenance Program, effective December 8, 1993.

(D) Order No. 93–23, as adopted November 10, 1993, and Order No. 94–02 as adopted February 16, 1994.

(E) Texas Civil Statutes, Articles 6675a–1 to 6675b–2 and 6687–1. (Vernon 1993).

(F) Revisions to Texas Department of Transportation, Chapter 17. Vehicle Titles and Registration—Vehicle Emissions Verification System, 43 TAC §17.80, effective November 22, 1993.

(ii) Additional materials.

(A) SIP narrative plan entitled ''Revisions to the State Implementation Plan (SIP) for the Control of Ozone Air Pollution—Inspection/Maintenance SIP for Dallas/Fort Worth, El Paso, Beaumont/Port Arthur, and Houston/Galveston Ozone Nonattainment Areas,'' submitted to the EPA on November 12, 1993, and on March 9, 1994 addressing by section: 8(a)(1) Applicability, 8(a)(2) Adequate Tools and Resources, 8(a)(3) I/M Performance Standards, 8(a)(4) Network Type and Program Evaluation, 8(a)(5) Test Frequency and Convenience, 8(a)(6) Vehicle coverage, 8(a)(7) Test Procedures and Standards and Test Equipment, 8(a)(8) Quality Control, 8(a)(9) Quality Assurance, 8(a)(10) Waivers and Compliance Via Diagnostic Inspection, 8(a)(11) Motorist Compliance Enforcement, 8(a)(12) Motorist Compliance Enforcement Program Oversight, 8(a)(13) Enforcement Against Contractors, Stations and Inspectors, 8(a)(14) Compliance with Recall Notices, 8(a)(15) Data Collection, 8(a)(16) Data Analysis and Reporting, 8(a)(17) Inspector Training and Licensing or Certification, 8(a)(18) Public Information, 8(a)(19) Consumer Protection Provisions, 8(a)(20) Improving Repair Effectiveness, 8(a)(21) On-Road Testing, 8(a)(22) State Implementation Plan Submission and Appendices.

(B) Letter dated May 4, 1994, from John Hall, Chairman of the Texas Natural Resource Conservation Commission to the EPA, clarifying the State's intent regarding its Executive Director's exemption policy and repair effectiveness program.

(88) Revisions to the Texas State Implementation Plan, submitted to EPA on June 8 and November 13, 1992, respectively. These revisions adopt expansion of applicability for Reasonably Available Control Technology (RACT) rules for volatile organic compounds (VOCs) to ensure that all major VOC sources are covered by RACT, to revise the major source definition, and to revise certain monitoring, recordkeeping, and reporting requirements for Victoria County, Texas.

(i) Incorporation by reference.

(A) Texas Air Control Board Order No. 92–04, as adopted on May 8, 1992.

(B) Revisions to the General Rules, as adopted by the Board on May 8, 1992, section 101.1—New definitions for capture efficiency, capture system, carbon adsorber, carbon adsorption system, coating, coating line, control device, control system, pounds of volatile organic compounds (VOC) per gallon of coating (minus water and exempt solvents), pounds of volatile organic compounds (VOC) per gallon of solids, printing line; revised definitions for component, exempt solvent, leak, vapor recovery system, volatile organic compound (VOC).

(C) Revisions to Regulation V, as adopted by the Board on May 8, 1992, sections 115.010 (Definitions)—Beaumont/Port Arthur area, Dallas/Fort Worth area, El Paso area, Houston/Galveston area; revised definition for delivery vessel/tank truck tank; 115.112(a), 115.112(a)(3), 115.112(b)(1), 115.112(b)(2), 115.112(b)(2)(A) through 115.112(b)(2)(D), 115.112(b)(2)(E), 115.112(b)(2)(F), 115.112(c), 115.112(c)(3)(A), 115.112(c)(3)(B), 115.113(a) through 115.113(c), 115.114(a), 115.114(b), 115.114(b)(1), 115.114(b)(2), 115.115(a), 115.115(b), 115.115(b)(1) through 115.115(b)(8), 115.116(a), 115.116(a)(4), 115.116(b), 115.116(b)(1) through 115.116(b)(4), 115.117(a), 115.117(b), 115.117(b)(1) through 115.117(b)(6), 115.117(b)(6)(A) through 115.117(b)(6)(C), 115.117(b)(7), 115.117(b)(7)(A) through 115.117(b)(7)(C), 115.117(c), 115.117(c)(1) through

115.117(c)(4), 115.119 introductory paragraph, 115.121(a), 115.121(a)(1), 115.121(a)(1)(C), 115.121(a)(2), 115.121(a)(3), 115.121(b), 115.121(b)(1) through 115.121(b)(3), 115.121(c), 115.121(c)(1), 115.121(c)(2) through 115.121(c)(4), 115.122(a), 115.122(b), 115.122(c), 115.122(c)(1) through 115.122(c)(4), 115.123(a) through 115.123(c), 115.125(a), 115.125(a)(2), 115.125(b), 115.125(b)(1) through 115.125(b)(7), 115.126 introductory paragraph, 115.127(a), 115.127(a)(2), 115.127(a)(3), 115.127(a)(3)(B), 115.127(a)(3)(C), 115.127(a)(4), 115.127(a)(4)(C), 115.127(b), 115.127(b)(1), 115.127(b)(2), 115.127(b)(2)(A) through 115.127(b)(2)(B), 115.127(c), 115.127(c)(1), 115.127(c)(2), 115.127(c)(2)(A) through 115.127(c)(2)(C), 115.129 introductory paragraph, 115.129(1) through 115.129(3), 115.131(a), 115.131(a)(2) through 115.131(a)(4), 115.131(b) through 115.131(c), 115.132(a), 115.132(b), 115.132(b)(1) through 115.132(b)(3), 115.132(c), 115.132(c)(3), 115.133(a) through 115.133(c), 115.135(a), 115.135(b), 115.135(b)(1) through 115.135(b)(6), 115.136(a), 115.136(a)(1), 115.136(a)(2), 115.136(a)(2)(A) through 115.136(a)(2)(D), 115.136(a)(3), 115.136(a)(4), 115.136(b), 115.137(a), 115.137(a)(1) through 115.137(a)(4), 115.137(b), 115.137(b)(1) through 115.137(b)(4), 115.137(c), 115.137(c)(1) through 115.137(c)(3), 115.139 introductory paragraph, 115.139(1), 115.139(2), 115.211 introductory paragraph, 115.211(1)(A), 115.211(1)(B), 115.211(2), 115.212(a), 115.212(a)(4), 115.212(a)(5), 115.212(b), 115.212(b)(1), 115.212(b)(2), 115.212(b)(2)(A), 115.212(b)(2)(B), 115.212(b)(3), 115.212(b)(3)(A) through 115.212(b)(3)(C), 115.212(c), 115.212(c)(1), 115.213(a) through 115.213(c), 115.214(a), 115.214(a)(3), 115.214(a)(4), 115.214(b), 115.214(b)(1), 115.214(b)(2), 115.215(a), 115.215(b), 115.215(b)(1) through 115.215(b)(8), 115.216 introductory paragraph, 115.216(4), 115.217(a), 115.217(a)(2) through 115.217(a)(4), 115.217(b), 115.217(b)(1) through 115.217(b)(3), 115.217(c), 115.217(c)(3), 115.219 introductory paragraph, 115.219(1) through 115.219(6), 115.221 introductory paragraph, 115.222 introductory paragraph, 115.222(6), 115.223 introductory paragraph, 115.224 introductory paragraph, 115.224(2), 115.225 introductory paragraph, 115.226 introductory paragraph, 115.227 introductory paragraph, 115.229 introductory paragraph, 115.234 introductory paragraph, 115.235 introductory paragraph, 115.236 introductory paragraph, 115.239 introductory paragraph, 115.311(a), 115.311(a)(1), 115.311(a)(2), 115.311(b), 115.311(b)(1), 115.311(b)(2), 115.312(a), 115.312(a)(2), 115.312(b), 115.312(b)(1), 115.312(b)(1)(A), 115.312(b)(1)(B), 115.312(b)(2), 115.313(a) through 115.313(b), 115.315(a), 115.315(b), 115.315(b)(1) through 115.315(b)(7), 115.316 introductory paragraph, 115.316(1), 115.316(2), 115.316(3), 115.317 introductory paragraph, 115.319 introductory paragraph, 115.319(1), 115.319(2), 115.322(a), 115.322(b), 115.322(b)(1) through 115.322(b)(5), 115.323(a), 115.323(a)(2), 115.323(b), 115.323(b)(1), 115.323(b)(2), 115.324(a), 115.324(a)(4), 115.324(b), 115.324(b)(1), 115.324(b)(1)(A) through 115.324(b)(1)(D), 115.324(b)(2), 115.324(b)(2)(A) through 115.324(b)(2)(C), 115.324(b)(3) through 115.324(b)(8), 115.324(b)(8)(A), 115.324(b)(8)(A)(i), 115.324(b)(8)(A)(ii), 115.324(b)(8)(B), 115.325(a), 115.325(b), 115.325(b)(1) through 115.325(b)(3), 115.326(a), 115.326(a)(2), 115.326(b), 115.326(b)(1), 115.326(b)(2), 115.326(b)(2)(A) through 115.326(b)(2)(I), 115.326(b)(3), 115.326(b)(4), 115.327(a), 115.327(a)(2), 115.327(a)(4), 115.327(a)(5), 115.327(b), 115.327(b)(1), 115.327(b)(1)(A) through 115.327(b)(1)(C), 115.327(b)(2) through 115.327(b)(6), 115.329 introductory paragraph, 115.332 introductory paragraph, 115.333 introductory paragraph, 115.334 introductory paragraph, 115.334(3), 115.334(3)(A), 115.335 introductory paragraph, 115.336 introductory paragraph, 115.337 introductory paragraph, 115.337(2) through 115.337(4), 115.337(4)(E), 115.339 introductory paragraph, 115.342 introductory paragraph, 115.343 introductory paragraph, 115.344 introductory paragraph, 115.345 introductory paragraph, 115.346 introductory paragraph, 115.347 introductory paragraph, 115.347(3), 115.349 introductory paragraph, 115.412(a), 115.412(a)(1)(F)(iv), 115.412(a)(3)(I), 115.412(a)(3)(I)(viii), 115.412(b), 115.412(b)(1), 115.412(b)(1)(A), 115.412(b)(1)(A)(i) through 115.412(b)(1)(A)(iii), 115.412(b)(1)(B) through 115.412(b)(1)(F), 115.412(b)(1)(F)(i) through 115.412(b)(1)(F)(iv), 115.412(b)(2),

115.412(b)(2)(A), 115.412(b)(2)(B), 115.412(b)(2)(B)(i) through 115.412(b)(2)(B)(iii), 115.412(b)(2)(C), 115.412(b)(2)(D), 115.412(b)(2)(D)(i) through 115.412(b)(2)(D)(iv), 115.412(b)(2)(E), 115.412(b)(2)(F), 115.412(b)(2)(F)(i) through 115.412(b)(2)(F)(xiii), 115.412(b)(3), 115.412(b)(3)(A), 115.412(b)(3)(A)(i), 115.412(b)(3)(A)(ii), 115.412(b)(3)(B) through 115.412(b)(3)(I), 115.412(b)(3)(I)(i) through 115.412(b)(3)(I)(viii), 115.413(a), 115.413(a)(1), 115.413(a)(2), 115.413(b), 115.413(b)(1), 115.413(b)(2), 115.415(a), 115.415(a)(1), 115.415(a)(2), 115.415(b), 115.415(b)(1), 115.415(b)(1)(A), 115.415(b)(1)(B), 115.415(b)(2), 115.415(b)(2)(A) through 115.415(b)(2)(E), 115.416(a), 115.416(b), 115.416(b)(1), 115.416(b)(2), 115.417(a), 115.417(a)(1) through 115.417(a)(6), 115.417(b), 115.417(b)(1) through 115.417(b)(6), 115.419(a) through 115.419(b), 115.421(a), 115.421(a)(8), 115.421(a)(8)(A), 115.421(a)(8)(B), 115.421(a)(8)(C), 115.421(a)(9), 115.421(a)(9)(v), 115.421(a)(11), 115.421(b), 115.421(b)(1) through 115.421(b)(9), 115.421(b)(9)(A), 115.421(b)(9)(A)(i) through 115.421(b)(9)(A)(iv), 115.421(b)(9)(B), 115.421(b)(9)(C), 115.421(b)(10), 115.422(a), 115.422(a)(1), 115.422(a)(2), 115.423(a), 115.423(a)(3), 115.423(a)(4), 115.423(b), 115.423(b)(1) through 115.423(b)(4), 115.424(a), 115.424(a)(1) through 115.424(a)(3), 115.424(a)(2), 115.424(b), 115.424(b)(1), 115.424(b)(2), 115.425(a), 115.425(a)(1), 115.425(a)(2), 115.425(a)(3), 115.425(a)(3)(B), 115.425(a)(4)(C)(ii), 115.425(b), 115.424(b)(1), 115.424(b)(1)(A) through 115.425(b)(1)(E), 115.425(b)(2), 115.424(b)(2)(A) through 115.425(b)(2)(E), 115.426(a), 115.426(a)(1), 115.426(a)(1)(C), 115.426(a)(2), 115.426(a)(2)(B), 115.426(a)(3), 115.426(a)(4), 115.426(b), 115.426(b)(1), 115.426(b)(1)(A) through 115.426(b)(1)(D), 115.426(b)(2), 115.426(b)(2)(A), 115.426(b)(2)(A)(i) through 115.426(b)(2)(A)(iv), 115.426(b)(2)(B), 115.426(b)(2)(C), 115.426(b)(3), 115.427(a), 115.427(a)(1), 115.427(a)(2), 115.427(a)(2)(A), 115.427(a)(2)(B), 115.427(a)(3), 115.427(a)(4), 115.427(a)(5), 115.427(a)(5)(A), 115.427(a)(5)(B), 115.426(a)(6), 115.427(b), 115.427(b)(1), 115.427(b)(2), 115.427(b)(2)(A) through 115.427(b)(2)(E), 115.427(b)(3), 115.427(b)(3)(A) through 115.427(b)(3)(C), 115.429(a) through 115.429(c), 115.432(a), 115.432(a)(2), 115.432(a)(3), 115.432(b), 115.432(b)(1) through 115.432(b)(3), 115.432(b)(3)(A) through 115.432(b)(3)(C), 115.433(a), 115.433(b), 115.435(a), 115.435(a)(6), 115.435(a)(7), 115.435(a)(7)(C)(ii), 115.435(a)(8), 115.435(b), 115.435(b)(1) through 115.435(b)(7), 115.436(a), 115.436(a)(1), 115.436(a)(2), 114.436(a)(4) through 115.436(a)(6), 115.436(b), 115.436(b)(1) through 115.436(b)(3), 115.436(b)(3)(A) through 115.436(b)(3)(C), 115.436(b)(4), 115.436(b)(5), 115.437(a), 115.437(a)(1) through 115.437(a)(4), 115.437(b), 115.439(a) through 115.439(c), 115.512 introductory paragraph, 115.512 (1) through 115.512(3), 115.513 introductory paragraph, 115.515 introductory paragraph, 115.516 introductory paragraph, 115.517 introductory paragraph, 115.519(a) through 115.519(b), 115.531(a), 115.531(a)(2), 115.531(a)(3), 115.531(b), 115.531(b)(1) through 115.531(b)(3), 115.532(a), 115.532(a)(4), 115.532(a)(5), 115.532(b), 115.532(b)(1)(A), 115.532(b)(1)(B), 115.532(b)(2), 115.532(b)(3), 115.532(b)(3)(A), 115.532(b)(3)(B), 115.532(b)(4), 115.533(a), 115.533(b), 115.534(a), 115.534(b), 115.534(b)(1), 115.534(b)(2), 115.535(a), 115.535(b), 115.535(b)(1) through 115.535(b)(6), 115.536(a), 115.536(a)(1), 115.536(a)(2), 115.536(a)(3), 115.536(a)(4), 115.536(b), 115.536(b)(1), 115.536(b)(2), 115.536(b)(2)(A), 115.536(b)(2)(A)(i) through 115.536(b)(2)(A)(iii), 115.536(b)(2)(B), 115.536(b)(3), 115.536(b)(3)(A), 115.536(b)(3)(B), 115.536(b)(4), 115.536(b)(5), 115.537(a), 115.537(a)(1) through 115.537(a)(7), 115.537(b), 115.537(b)(1) through 115.537(b)(5), 115.539(a), 115.539(b), 115.612 introductory paragraph, 115.613 introductory paragraph, 115.614 introductory paragraph, 115.615 introductory paragraph, 115.615(1), 115.617 introductory paragraph, 115.617(1), 115.619 introductory paragraph.

(D) Texas Air Control Board Order No. 92–16, as adopted on October 16, 1992.

(E) Revisions to the General Rules, as adopted by the Board on October 16, section 101.1: Introductory paragraph, new definition for extreme performance coating; revised definitions for gasoline bulk plant, paragraph vii of

miscellaneous metal parts and products coating, mirror backing coating, volatile organic compound.

(F) Revisions to Regulation V, as adopted by the Board on October 16, 1992, sections 115.010—new definition for extreme performance coating; revised definitions for gasoline bulk plant, paragraph vii of miscellaneous metal parts and products coating, mirror backing coating, and volatile organic compound; 115.116 title (Monitoring and Recordkeeping Requirements), 115.116(a)(2), 115.116(a)(3), 115.116(a)(3)(A) through 115.116(a)(3)(C), 115.116(a)(5), 115.116(b)(2), 115.116(b)(3), 115.116(b)(3)(A) through 115.116(b)(3)(D), 115.116(b)(4), 115.116(b)(5), 115.119(a), 115.119(b), 115.126 title (Monitoring and Recordkeeping Requirements), 115.126(a), 115.126(a)(1)(A), 115.126(a)(1)(C), 115.126(a)(1)(E), 115.126(b), 115.126(b)(1), 115.126(b)(1)(A) through 115.126(b)(1)(E), 115.126(b)(2), 115.126(b)(2)(A) through 115.126(b)(2)(D), 115.126(b)(3), 115.126(b)(3)(A), 115.126(b)(3)(B), 115.127(a)(4)(A) through 115.127(a)(4)(C), 115.129(a), 115.129(a)(1), 115.129(b), 115.136 title (Monitoring and Recordkeeping Requirements), 115.136(a)(4), 115.136(b), 115.136(b)(1), 115.136(b)(2), 115.136(b)(2)(A) through 115.136(b)(2)(D), 115.136(b)(3), 115.136(b)(4), 115.139(a), 115.139(b), 115.211(a), 115.211(b), 115.215(a), 115.215(b), 115.216 title (Monitoring and Recordkeeping Requirements), 115.216(a), 115.216(a)(2)(A) through 115.216(a)(2)(C), 115.216(a)(5), 115.216(b), 115.216(b)(1), 115.216(b)(2), 115.216(b)(2)(A) through 115.216(b)(2)(D), 115.216(b)(3), 115.216(b)(3)(A), 115.216(b)(3)(B), 115.216(b)(4), 115.217(a)(6), 115.219(a)(1) through 115.219(a)(4), 115.219(b), 115.316 title (Monitoring and Recordkeeping Requirements), 115.316(a), 115.316(a)(1)(A), 115.316(a)(1)(C), 115.316(a)(4), 115.316(b), 115.316(b)(1), 115.316(b)(1)(A) through 115.316(b)(1)(D), 115.316(b)(2), 115.316(b)(2)(A) through 115.316(b)(2)(C), 115.316(b)(3), 115.316(b)(4), 115.319(a)(1), 115.319(a)(2), 115.319(b), 115.421(a), 115.421(a)(12), 115.421(a)(12)(A), 115.421(a)(12)(A)(i), 115.421(a)(12)(A)(ii), 115.421(a)(12)(B), 115.425(a)(4)(C)(ii), 115.426 title (Monitoring and Recordkeeping Requirements), 115.426(a)(2), 115.426(a)(2)(A)(i), 115.426(b)(2), 115.426(b)(2)(i), 115.427(a)(5)(C), 115.427(a)(6), 115.427(a)(6)(A) through 115.427(a)(6)(C), 115.427(a)(7), 115.429(d), 115.436 title (Monitoring and Recordkeeping Requirements), 115.436(a)(3), 115.436(a)(3)(C), 115.436(b), 115.436(b)(3), 115.436(b)(3)(B) through 115.436(b)(3)(D), 115.439(d), 115.536 title (Monitoring and Recordkeeping Requirements), 115.536(a)(1), 115.536(a)(2), 115.536(a)(2)(A), 115.536(a)(2)(A)(ii), 115.536(a)(5), 115.536(b)(1), 115.536(b)(2), 115.536(b)(2)(A), 115.536(b)(2)(A)(ii) through 115.536(b)(2)(A)(iv), 115.539(c).

(89) A revision to the Texas State Implementation Plan to adopt an attainment demonstration control strategy for lead which addresses that portion of Collin County owned by GNB.

(i) Incorporation by reference.

(A) Texas Air Control Board Order Number 92–09 issued and effective October 16, 1992, for settlement of the enforcement action against the GNB facility at Frisco, Texas.

(B) Texas Air Control Board Order Number 93–10 issued and effective June 18, 1993, for control of lead emissions from the GNB facility at Frisco, Texas.

(C) Texas Air Control Board Order Number 93–12 issued and effective June 18, 1993, establishing contingency measures relating to the GNB facility at Frisco, Texas.

(ii) Additional material.

(A) The lead attainment demonstration prepared by the State, dated July 1993.

(90) A revision to the Texas SIP regarding ozone monitoring. The State of Texas will modify its SLAMS and its NAMS monitoring systems to include a PAMS network design and establish monitoring sites. The State's SIP revision satisfies 40 CFR 58.20(f) PAMS requirements.

(i) Incorporation by reference.

(A) TNRCC Order Number 93–24 as adopted by the TNRCC November 10, 1993.

(B) SIP narrative plan entitled ''Revisions to the State Implementation Plan (SIP) for the Control of Ozone Air Pollution'' adopted by the TNRCC on November 10, 1993, addressing: 1993 Rate-of-Progress SIP for Dallas/Fort Worth, El Paso, Beaumont/Port Arthur and Houston/Galveston Ozone Nonattainment Areas, Section VI: Control

Strategy, B. Ozone Control Strategy, 7. SIP Revisions for 1993 Rate-of-Progress (new.), a. Ozone Control Plan, 1) General, f) Photochemical Assessment Monitoring Stations, page 87, second paragraph, first sentence; third paragraph; fourth paragraph; and, the fifth paragraph which ends on page 88; page 88, first complete paragraph, including numbers (1), (2) and (3).

(ii) Additional material.

(A) The Texas SIP revision narrative regarding PAMS.

(B) TNRCC certification letter dated November 10, 1993, and signed by Gloria A. Vasquez, Chief Clerk, TNRCC.

(91)–(92) [Reserved]

(93) A revision to the Texas State Implementation Plan (SIP) to include agreed orders limiting sulfur dioxide (SO_2) allowable emissions at certain nonpermitted facilities in Harris County, and to include a modeling demonstration showing attainment of the SO_2 National Ambient Air Quality Standards, was submitted by the Governor by cover letter dated August 3, 1994.

(i) Incorporation by reference.

(A) Texas Natural Resource Conservation Commission (TNRCC) Order No. 94–09, as adopted by the TNRCC on June 29, 1994.

(B) TNRCC Order No. 94–10 for Anchor Glass Container, as adopted by the TNRCC on June 29, 1994.

(C) TNRCC Order No. 94–11 for Crown Central Petroleum Corporation, as adopted by the TNRCC on June 29, 1994.

(D) TNRCC Order No. 94–12 for Elf Atochem North America, Inc., as adopted by the TNRCC on June 29, 1994.

(E) TNRCC Order No. 94–13 for Exxon Company USA, as adopted by the TNRCC on June 29, 1994.

(F) TNRCC Order No. 94–14 for ISK Biosciences Corporation, as adopted by the TNRCC on June 29, 1994.

(G) TNRCC Order No. 94–15 for Lyondell Citgo Refining Company, LTD., as adopted by the TNRCC on June 29, 1994.

(H) TNRCC Order No. 94–16 for Lyondell Petrochemical Company, as adopted by the TNRCC on June 29, 1994.

(I) TNRCC Order No. 94–17 for Merichem Company, as adopted by the TNRCC on June 29, 1994.

(J) TNRCC Order No. 94–18 for Mobil Mining and Minerals Company, as adopted by the TNRCC on June 29, 1994.

(K) TNRCC Order No. 94–19 for Phibro Energy USA, Inc., as adopted by the TNRCC on June 29, 1994.

(L) TNRCC Order No. 94–20 for Shell Chemical and Shell Oil, as adopted by the TNRCC on June 29, 1994.

(M) TNRCC Order No. 94–21 for Shell Oil Company, as adopted by the TNRCC on June 29, 1994.

(N) TNRCC Order No. 94–22 for Simpson Pasadena Paper Company, as adopted by the TNRCC on June 29, 1994.

(ii) Additional material.

(A) May 27, 1994, letter from Mr. Norman D. Radford, Jr. to the TNRCC and the EPA Region 6 requesting approval of an equivalent method of monitoring sulfur in fuel and an equivalent method of determining compliance.

(B) June 28, 1994, letter from Anthony C. Grigsby, Executive Director, TNRCC, to Crown Central Petroleum Corporation, approving an alternate monitoring and compliance demonstration method.

(C) June 28, 1994, letter from Anthony C. Grigsby, Executive Director, TNRCC, to Exxon Company USA, approving an alternate monitoring and compliance demonstration method.

(D) June 28, 1994, letter from Anthony C. Grigsby, Executive Director, TNRCC, to Lyondell Citgo Refining Co., LTD., approving an alternate monitoring and compliance demonstration method.

(E) June 28, 1994, letter from Anthony C. Grigsby, Executive Director, TNRCC, to Phibro Energy, USA, Inc., approving an alternate monitoring and compliance demonstration method.

(F) June 28, 1994, letter from Anthony C. Grigsby, Executive Director, TNRCC, to Shell Oil Company, approving an alternate monitoring and compliance demonstration method.

(G) June 8, 1994, letter from Mr. S. E. Pierce, Mobil Mining and Minerals Company, to the TNRCC requesting approval of an alternative quality assurance program.

(H) June 28, 1994, letter from Anthony C. Grigsby, Executive Director, TNRCC, to Mobil Mining and Minerals Company, approving an alternative quality assurance program.

(I) August 3, 1994, narrative plan addressing the Harris County Agreed Orders for SO_2, including emission inventories and modeling analyses (i.e. the April 16, 1993, report entitled ''Evaluation of Potential 24-hour SO_2 Nonattainment Area in Harris County, Texas-Phase II'' and the June, 1994, addendum).

(J) TNRCC certification letter dated June 29, 1994, and signed by Gloria Vasquez, Chief Clerk, TNRCC.

(94) Revisions to the Texas SIP addressing visible emissions requirements were submitted by the Governor of Texas by letters dated August 21, 1989, January 29, 1991, October 15, 1992 and August 4, 1993.

(i) Incorporation by reference.

(A) Revisions to Texas Air Control Board (TACB), Regulation I, Section 111.111, ''Requirements for Specified Sources;'' Subsection 111.111(a) (first paragraph) under ''Visible Emissions;'' Subsections 111.111(a)(1) (first paragraph), 111.111(a)(1)(A), 111.111(a)(1)(B) and 111.111(a)(1)(E) under ''Stationary Vents;'' Subsection 111.111(b) (first paragraph) under ''Compliance Determination Exclusions;'' and Subsections 111.113 (first paragraph), 111.113(1), 111.113(2), and 111.113(3) under ''Alternate Opacity Limitations,'' as adopted by the TACB on June 16, 1989.

(B) TACB Board Order No. 89–03, as adopted by the TACB on June 16, 1989.

(C) Revisions to Texas Air Control Board (TACB), Regulation I, Section 111.111, ''Requirements for Specified Sources;'' Subsections 111.111(a)(4)(A) and 111.111(a)(4)(B)(i) under ''Railroad Locomotives or Ships;'' Subsections 111.111(a)(5)(A) and 111.111(a)(5)(B)(i) under ''Structures;'' and Subsections 111.111(a)(6)(A) and 111.111(a)(6)(B)(i) under ''Other Sources,'' as adopted by the TACB on October 12, 1990.

(D) TACB Board Order No. 90–12, as adopted by the TACB on October 12, 1990.

(E) Revisions to Texas Air Control Board (TACB), Regulation I, Section 111.111, ''Requirements for Specified Sources;'' Subsections 111.111(a)(1)(C), 111.111(a)(1)(D), 111.111(a)(1)(F) (first paragraph), 111.111(a)(1)(F)(i), 111.111(a)(1)(F)(ii), 111.111(a)(1)(F)(iii), 111.111(a)(1)(F)(iv), and 111.111(a)(1)(G) under ''Stationary Vents;'' Subsections 111.111(a)(2) (first paragraph), 111.111(a)(2)(A), 111.111(a)(2)(B), and 111.111(a)(2)(C) under ''Sources Requiring Continuous Emissions Monitoring;'' Subsection 111.111(a)(3) (first paragraph) under ''Exemptions from Continuous Emissions Monitoring Requirements;'' Subsection 111.111(a)(4), ''Gas Flares,'' title only; Subsection 111.111(a)(5) (first paragraph) under ''Motor Vehicles;'' Subsections 111.111(a)(6)(A), 111.111(a)(6)(B) (first paragraph), 111.111(a)(6)(B)(i) and 111.111(a)(6)(B)(ii) under ''Railroad Locomotives or Ships'' (Important note, the language for 111.111(a)(6)(A) and 111.111(a)(6)(B)(i) was formerly adopted as 111.111(a)(4)(A) and 111.111(a)(4)(B)(i) on October 12, 1990); Subsections 111.111(a)(7)(A), 111.111(a)(7)(B) (first paragraph), 111.111(a)(7)(B)(i) and 111.111(a)(7)(B)(ii) under ''Structures'' (Important note, the language for 111.111(a)(7)(A) and 111.111(a)(7)(B)(i) was formerly adopted as 111.111(a)(5)(A) and 111.111(a)(5)(B)(i) on October 12, 1990); and Subsections 111.111(a)(8)(A), 111.111(a)(8)(B) (first paragraph), 111.111(a)(8)(B)(i) and 111.111(a)(8)(B)(ii) under ''Other Sources'' (Important note, the language for 111.111(a)(8)(A) and 111.111(a)(8)(B)(i) was formerly adopted as 111.111(a)(6)(A) and 111.111(a)(6)(B)(i) on October 12, 1990), as adopted by the TACB on September 18, 1992.

(F) TACB Board Order No. 92–19, as adopted by the TACB on September 18, 1992.

(G) Revisions to Texas Air Control Board (TACB), Regulation I, Section 111.111, ''Requirements for Specified Sources;'' Subsections 111.111(a)(4)(A) (first paragraph), 111.111(a)(4)(A)(i), 111.111(a)(4)(A)(ii), and 111.111(a)(4)(B) under ''Gas Flares,'' as adopted by the TACB on June 18, 1993.

(H) TACB Board Order No. 93–06, as adopted by the TACB on June 18, 1993.

(ii) Additional material.

(A) TACB certification letter dated July 27, 1989, and signed by Allen Eli Bell, Executive Director, TACB.

(B) TACB certification letter dated January 9, 1991, and signed by Steve Spaw, Executive Director, TACB.

(C) TACB certification letter dated October 1, 1992, and signed by William Campbell, Executive Director, TACB.

(D) TACB certification letter dated July 13, 1993, and signed by William Campbell, Executive Director, TACB.

(95) Alternative emission reduction (bubble) plan for the Shell Oil Company's Deer Park manufacturing complex submitted to the EPA by the Governor of Texas in a letter dated July 26, 1993.

(i) Incorporation by reference.

(A) TACB Order 93–11, as adopted by the TACB on June 18, 1993.

(B) SIP narrative entitled, ''Site-Specific State Implementation Plan,'' section IV.H.1.b., attachment (4), entitled, ''Alternate Emission Reduction (''Bubble'') Plan Provisions for Uncontrolled Vacuum-Producing Vents, Shell Oil Company, Deer Park Manufacturing Complex, HG–0659–W,'' adopted by the TACB on June 18, 1993.

(ii) Additional material.

(A) SIP narrative entitled, ''Site-Specific State Implementation Plan,'' section IV.H.1.b., adopted by the TACB on June 18, 1993.

(B) TACB certification letter dated July 5, 1993, and signed by William R. Campbell, Executive Director, TACB.

(96) A revision to the Texas State Implementation Plan for Transportation Conformity: Regulation 30 TAC Chapter 114 ''Control of Air Pollution from Motor Vehicles'', Section 114.27 ''Transportation Conformity'' as adopted by the Texas Natural Resource Conservation Commission (TNRCC) on October 19, 1994, was submitted by the Governor on November 6, 1994. No action is taken on a portion of 30 TAC 114.27(c) that contains provisions of 40 CFR 51.448.

(i) Incorporation by reference.

(A) The TNRRC 30 TAC Chapter 114 ''Control of Air Pollution from Motor Vehicles'', 114.27 ''Transportation Conformity'' as adopted by the TNRCC on October 19, 1994. No action is taken on a portion of 30 TAC 114.27(c) that contains provisions of 40 CFR 51.448.

(B) TNRCC order No. 94–40 as passed and approved on October 12, 1994.

(ii) Additional material. None.

(97) Revisions to the Texas SIP addressing revisions to the Texas Air Control Board (TACB) General Rules, 31 Texas Administrative Code (TAC) Chapter 101, ''General Rules'', section 101.1, ''Definitions'', and revisions to TACB Regulation VI, 31 TAC Chapter 116, ''Control of Air Pollution by Permits for New Construction or Modification,'' were submitted by the Governor of Texas by letters dated December 11, 1985, October 26, 1987, February 18, 1988, September 29, 1988, December 1, 1989, September 18, 1990, November 5, 1991, May 13, 1992, November 13, 1992, and August 31, 1993.

(i) Incorporation by reference.

(A) Revisions to TACB Regulation VI, 31 TAC Chapter 116, sections 116.2 and 116.10(a)(4), as adopted by the TACB on July 26, 1985.

(B) TACB Board Order No. 85–07, as adopted by the TACB on July 26, 1985.

(C) Amended TACB Regulation VI, 31 TAC Chapter 116, section 116.10(a)(3) as adopted by the TACB on July 17, 1987.

(D) TACB Board Order No. 87–09, as adopted by the TACB on July 17, 1987.

(E) Amended TACB Regulation VI, 31 TAC Chapter 116, sections 116.10(a)(1), 116.10(c)(1), 116.10(c)(1)(A), 116.10(c)(1)(B), 116.10(c)(1)(C) and 116.10(f), as adopted by the TACB on December 18, 1987.

(F) TACB Board Order No. 87–17, as adopted by the TACB on December 18, 1987.

(G) Amended TACB Regulation VI, 31 TAC Chapter 116, redesignation of section 116.1 to 116.1(a), revision to section 116.1(b), and redesignation of 116.10(a)(6) to 116.10(a)(7), as adopted by the TACB on July 15, 1988.

(H) TACB Board Order No. 88–08, as adopted by the TACB on July 15, 1988.

(I) Amended TACB Regulation VI, 31 TAC Chapter 116, sections 116.1(a), 116.3(f), 116.5, 116.10(a)(7), 116.10(b)(1), 116.10(d), 116.10(e), 116.11(b)(3), 116.11(e), and 116.11(f), as adopted by the TACB on August 11, 1989.

(J) TACB Board Order No. 89–06, as adopted by the TACB on August 11, 1989.

(K) Amended TACB Regulation VI, 31 TAC Chapter 116, sections 116.1(c), 116.3(a)(1), 116.3(a)(1)(A), and 116.3(a)(1)(B), as adopted by the TACB on May 18, 1990.

(L) TACB Board Order No. 90–05, as adopted by the TACB on May 18, 1990.

(M) Amended TACB Regulation VI, 31 TAC Chapter 116, section 116.1(a)(15), as adopted by the TACB on September 20, 1991.

(N) TACB Board Order No. 91–10, as adopted by the TACB on September 20, 1991.

(O) Revisions to TACB General Rules, 31 TAC Chapter 101 to add definitions of ''actual emissions''; ''allowable emissions''; ''begin actual construction''; ''building, structure, facility, or installation''; ''commence''; ''construction''; ''de minimis threshold''; ''emissions unit''; ''federally enforceable''; ''necessary preconstruction approvals or permits''; ''net emissions increase''; ''nonattainment area''; ''reconstruction''; ''secondary emissions''; and ''synthetic organic chemical manufacturing process'' and to modify definitions of ''fugitive emission''; ''major facility/stationary source''; and ''major modification'' (except for Table I), as adopted by the TACB on May 8, 1992.

(P) Amended TACB Regulation VI, 31 TAC Chapter 116, sections 116.3(a)(1), (3), (4), (5), (7), (8), (9), (10), (11), (12), and (13); 116.3(c)(1); and 116.11(b)(4), as adopted by the TACB on May 8, 1992.

(Q) TACB Board Order No. 92–06, as adopted by the TACB on May 8, 1992.

(R) Amended TACB Regulation VI, 31 TAC Chapter 116, sections 116.3(a); 116.3(a)(7) and (10); 116.3(c); and 116.14 as, adopted by the TACB on October 16, 1992.

(S) TACB Board Order No. 92–18, adopted by the TACB on October 16, 1992.

(T) Amended TACB Regulation VI, 31 TAC Chapter 116, Table I, as adopted in section 116.012 by the TACB on August 16, 1993, is approved and incorporated into section 101.1 in lieu of Table I adopted May 8, 1992.

(U) TACB Board Order No. 93–17, as adopted by the TACB on August 16, 1993

(ii) Additional materials—None.

(98)–(99) [Reserved]

(100) A revision to the Texas State Implementation Plan (SIP) to adopt an alternate control strategy for the surface coating processes at the Bell Helicopter Textron, Incorporated (Bell) Plant 1 Facility.

(i) Incorporation by reference.

(a) Texas Natural Resource Conservation Commission Agreed Order for Docket No. 95–1642–SIP, issued and effective April 2, 1996, for Bell's Plant 1 facility.

(b) A letter from the Governor of Texas dated April 18, 1996, submitting to the EPA the Agreed Order and the site-specific SIP revision for Bell.

(ii) Additional material.

(a) The site-specific revision to the Texas State Implementation Plan for Bell, dated January 16, 1996.

(b) The alternate reasonably available control technology demonstration prepared by Bell, dated December 1995.

(101) Revisions to Texas Natural Resource Conservation Commission Regulation II and the Texas State Implementation Plan concerning the Control of Air Pollution from Sulfur Compounds, submitted by the Governor by cover letters dated October 15, 1992 and September 20, 1995. These revisions relax the SO_2 limit from 3.0 lb/MMBtu to 4.0 lb/MMBtu, and include Agreed Order No. 95–0583–SIP, which stipulates specific SO_2 emission limit compliance methodologies for the Aluminum Company of America, located in Rockdale, Texas.

(i) Incorporation by reference.

(A) Texas Natural Resource Conservation Commission Agreed Order No. 95–0583–SIP, approved and effective on August 23, 1995.

(B) Revisions to 30 TAC Chapter 112, Section 112.8 'Allowable Emission Rates from Solid Fossil Fuel-Fired Steam Generators,' Subsections 112.8(a) and 112.8(b) as adopted by the Texas Air Control Board on September 18, 1992, and effective on October 23, 1992.

(ii) Additional material.

(A) The State submittal entitled, ''Revisions to the State Implementation Plan Concerning Sulfur Dioxide in Milam County,'' dated July 26, 1995, including Appendices G–2–1 through G–2–6.

(B) The document entitled *Dispersion Modeling Analysis of ALCOA Rockdale Operations, Rockdale, Texas*, dated April 28, 1995 (document No. 1345–05).

(102) The Governor of Texas submitted on August 31, 1993, and July 12, 1995, revisions to the Texas State Implementation Plan for Prevention of Significant Deterioration adopted by TACB on August 16, 1993, and by Texas Natural Resource Conservation Commission (TNRCC) on March 1, 1995. The revisions adopted on August 16, 1993, were a comprehensive recodification of

and revisions to the existing requirements. The revision adopted on March 1, 1995, amended the recodified Section 116.160(a) to incorporate the PM–10 PSD increments.

(i) Incorporation by reference.

(A) TACB Board Order Number 93–17, as adopted by TACB on August 16, 1993.

(B) Recodified and revised Regulation VI—Control of Air Pollution by Permits for New Construction or Modification, as adopted by TACB on August 16, 1993, Repeal of 31 TAC Sections 116.3(a)(9), 116.3(a)(11), 116.3(a)(12), 116.3(14), and 116.11(b) (1)–(4); New Sections 116.160 introductory paragraph, 116.160 (a)–(d), 116.161, 116.162 introductory paragraph, 116.162 (1)–(4), 116.163 (a)–(e) and 116.141 (a),(c)–(e).

(C) Revisions to Regulation VI—Control of Air Pollution by Permits for New Construction or Modification: as adopted by Texas Natural Resource Conservation Commission (TNRCC) on August 16, 1993. New Section 116.010, definition of *de minimis* impact.

(D) Revision to General Rules, as adopted by Texas Natural Resource Conservation Commission (TNRCC) on August 16, 1993, Repeal Section 101.1 definition of *de minimis* impact.

(E) Texas Natural Resource Conservation Commission (TNRCC) Commission Order Docket Number 95–0276–RUL, as adopted by Texas Natural Resource Conservation Commission (TNRCC) on March 1, 1995.

(F) Revision to Regulation VI—Control of Air Pollution by Permits for New Construction or Modification, revised 30 TAC Section 116.160(a), as adopted by Texas Natural Resource Conservation Commission (TNRCC) on March 1, 1995.

(103) Revisions to the Texas SIP addressing VOC RACT Negative Declarations. A revision to the Texas SIP was submitted on January 10, 1996, which included negative declarations for various categories. Section 172(c)(1) of the Clean Air Act Amendments of 1990 requires nonattainment areas to adopt, at a minimum, the reasonably available control technology (RACT) to reduce emissions from existing sources. Pursuant to section 182(b)(2) of the Act, for moderate and above ozone nonattainment areas, the EPA has identified 13 categories for such sources and developed the Control Technique Guidelines (CTGs) or Alternate Control Techniques (ACTs) documents to implement RACT at those sources. When no major volatile organic compound (VOC) sources for a source category exist in a nonattainment area, a State may submit a negative declaration for that category. Texas submitted negative declarations for the areas and source categories listed in this paragraph (c)(103). For the Beaumont/Port Arthur region, negative declarations were submitted for the following eight categories: clean-up solvents, aerospace coatings, shipbuilding and repair, wood furniture, plastic part coatings-business machines, plastic part coatings-others, autobody refinishing, and offset lithography. For Dallas/Fort Worth, negative declarations were submitted for six categories: industrial wastewater, clean-up solvents, shipbuilding and repair, autobody refinishing, plastic part coatings-business machines, and offset lithography. For the Houston/Galveston area, negative declarations were submitted for seven categories: clean-up solvents, aerospace coatings, wood furniture, plastic part coatings-business machines, plastic part coatings-others, autobody refinishing, and offset lithography. For El Paso, negative declarations were submitted for nine categories: industrial wastewater, clean-up solvents, aerospace coatings, shipbuilding and repair, wood furniture, plastic part coatings-business machines, plastic part coatings-others, autobody refinishing, and offset lithography. This submittal satisfies section 182(b)(2) of the Clean Air Act Amendments of 1990 for these particular CTG/ACT source categories for the Texas ozone nonattainment areas stated in this paragraph (c)(103).

(i) Incorporation by reference. The letter dated January 10, 1996, from the Governor of Texas to the Regional Administrator, submitting the Post-1996 Rate of Progress Plan as a revision to the SIP, which included VOC RACT negative declarations.

(ii) Additional material. Pages 53, 55 through 59, 61, 63, and 64 of the Post-1996 Rate of Progress Plan, adopted by the Texas Natural Resource Conservation Commission on December 13, 1995.

(104) Revisions to the Texas State Implementation Plan, submitted to the EPA in letters dated November 13, 1993, May 9, 1994, August 3, 1994, and November 14, 1994. These control measures can be found in the 15 Percent Plans for the Beaumont/Port Arthur, Dallas/Fort Worth, El Paso and Houston/Galveston ozone nonattainment areas. These control measures are being approved for the purpose of strengthening of the SIP.

(i) Incorporation by reference.

(A) Revisions to the General Rules as adopted by the Texas Natural Resource Conservation Commission on November 10, 1993; Section 101.1—New Definitions for Alcohol Substitutes (used in offset lithographic printing), Automotive basecoat/clearcoat system (used in automobile refinishing), Automotive precoat (used in automobile refinishing), Automotive pretreatment (used in automobile refinishing), Automotive sealers (used in automobile refinishing), Automotive specialty coatings (used in automobile refinishing), Automotive three-stage system (used in automobile refinishing), Batch (used in offset lithographic printing), Cleaning solution (used in offset lithographic printing), Fountain Solution (used in offset lithographic printing), Hand-held lawn and garden and utility equipment, Heatset (used in Offset lithographic Printing), HVLP spray guns, Industrial Solid Waste introductory paragraph and (A)–(C), Lithography (used in offset lithographic printing), Marine terminal, Marine vessel, Municipal solid waste facility, Municipal solid waste landfill, Municipal solid waste landfill emissions, Non-heatset (used in offset lithographic printing), Offset lithography, Sludge, Solid waste introductory paragraph and (A)–(C), Synthetic Organic Chemical Manufacturing Industry batch distillation operation, Synthetic Organic Chemical Manufacturing Industry batch process, Synthetic Organic Chemical Manufacturing Industry distillation operation, Synthetic Organic Chemical Manufacturing Industry distillation unit, Synthetic Organic Chemical Manufacturing Industry reactor process, Transport vessel, Utility engines, Vapor recovery system, VOC introductory paragraph and (A)–(D).

(B) Revisions to Regulation V, as adopted by the Commission on November 10, 1993; Section 115.010. new definitions for Alcohol substitutes (used in offset lithographic printing), Automotive basecoat/clearcoat system (used in automobile refinishing), Automotive precoat (used in automobile refinishing), Automotive pretreatment (used in automobile refinishing), Automotive sealers (used in automobile refinishing), Automotive specialty coatings (used in automobile refinishing), Automotive three-stage system (used in automobile refinishing), Batch (used in offset lithographic printing), Cleaning solution (used in offset lithographic printing), Fountain Solution (used in offset lithographic printing), Hand-held lawn and garden and utility equipment, Heatset (used in Offset lithographic Printing), High-volume low-pressure spray guns, Industrial solid waste introductory paragraph and (A)–(C), Leakless Valve, Lithography (used in offset lithographic printing) Marine terminal, Marine vessel, Municipal solid waste facility, Municipal solid waste landfill, Municipal solid waste landfill emissions, Non-heatset (used in offset lithographic printing), Offset lithography, Owner or operator of a motor vehicle dispensing facility (as used in §§115.241–115.249 of this title, relating to Control of Vehicle Refueling Emissions (Stage II) at Motor Fuel Dispensing Facilities), Sludge, Solid waste introductory paragraph and (A)–(C), Synthetic Organic Chemical Manufacturing Industry batch distillation operation, Synthetic Organic Chemical Manufacturing Industry batch process, Synthetic Organic Chemical Manufacturing Industry distillation operation, Synthetic Organic Chemical Manufacturing Industry distillation unit, Synthetic Organic Chemical Manufacturing Industry reactor process, Transport vessel, Utility Engines, Vapor recovery system, Volatile Organic Compound introductory and (A)–(D). Revised sections 115.121(a)(1), 115.121(a)(2), 115.121(a)(3), 115.121(a)(4), 115.122(a)(2), 115.122(a)(3), 115.122(a)(3)(A), 115.122(a)(3)(B), 115.123(a), 115.123(a)(1), 115.123(a)(2), 115.126(a)(1), 115.126(a)(1)(C), 115.126(b)(1)(C), 115.127(a)(1), 115.127(a)(2), 115.127(a)(3), 115.127(a)(4), 115.127(a)(5),

115.127(a)(5)(A), 115.127(a)(5)(B), 115.127(a)(5)(C), 115.129(a)(1), 115.129(a)(2), 115.129(a)(3), 115.129(a)(4), 115.152(a)(2), 115.152(a)(2)(A)–115.152(a)(2)(C), 115.152(a)(3), 115.152(b), 115.152(b)(1), 115.152(b)(2), 115.152(b)(3), 115.155 introductory paragraph, 115.155(1), 115.155(4), 115.155(5), 115.155(6), 115.155(7), 115.155(9), 115.156(1), 115.156(3), 115.156(3)(B), 115.156(3)(C), 115.156(3)(D),115.156(3)(D)(i)–115.156(3)(D)(iii), 115.156(3)(E), 115.156(3)(E)(i), 115.156(3)(E)(ii), 115.211(a)(1), 115.211(b), 115.212(a)(1), 115.212(a)(2), 115.212(a)(3), 115.212(a)(4), 115.212(a)(5)(A), 115.212(a)(5)(A)(i), 115.212(a)(5)(A)(ii), 115.212(a)(5)(B), 115.212(a)(6), 115.212(a)(7), previously approved 115.212(a)(4)(A) now redesignated 115.212(a)(8)(A), 115.212(a)(8)(B), 115.212(a)(8)(C), 115.212(a)(9)(A)–115.212(a)(9)(D), 115.212(a)(10)(A), 115.212(a)(10)(B), 115.212(b), 115.212(b)(1), 115.212(b)(2), 115.212(b)(3),115.212(b)(3)(A), 115.212(b)(3)(A)(i), 115.212(b)(3), 115.217(a)(11)(B) (note that 115.217(a)(11)(A) and 115.217(a)(11)(B) were moved to 115.217(a)(9)(A) and 115.217(a)(9)(B) in the May 9, 1994 adoption without revisions, 115.217(b)(1), 115.217(b)(2)(A)–115.217(b)(2)(C), 115.217(b)(3), 115.217(b)(4), 115.217(b)(4)(A)–115.217(b)(4)(C), 115.217(b)(5), 115.217(b)(5)(A), 115.217(b)(5)(B), 115.217(c)(1), 115.217(c)(2)(A)–115.217(c)(2)(C), 115.217(c)(3), 115.217(c)(4), 115.217(c)(4)(A)–115.217(c)(4)(C), 115.217(c)(5), 115.217(c)(5)(A), 115.217(c)(5)(B), 115.219(b), 115.222(1), 115.222(5), 115.222(6), 115.222(7), 115.222(8), 115.222(9), 115.222(10), 115.222(11), 115.226 introductory paragraph, 115.226(1), 115.226(2), 115.226(2)(A), 115.226(2)(B), 115.227(1), 115.227(2), 115.227(3), 115.227(3)(A), 115.227(3)(B), 115.229(a), 115.229(b), 115.229(c), 115.229(c)(1), 115.229(c)(2), 115.234 introductory paragraph, 115.234(1), 115.234(2), 115.235(1), 115.235(4), 115.236 introductory paragraph, 115.236(1), 115.237(1), 115.237(2), 115.237(3), 115.239(a), 115.239(b), 115.242(1), 115.242(1)(A), 115.242(1)(B), 115.242(2), 115.242(2)(A)–115.242(2)(F), 115.242(3), 115.242(3)(A), 115.242(3)(B), 115.242(3)(C), 115.242(3)(C)(i)–115.242(3)(C)(iii), 115.242(3)(D)–115.242(3)(K), 115.242(4), 115.242(5), 115.242(6), 115.242(7), 115.242(8), 115.242(9), 115.242(9)(A)–115.242(9)(C), 115.242(10), 115.242(10)(A), 115.242(10)(B), 115.242(11), 115.242(12), 115.242(12)(A)–115.242(12)(C), 115.243 introductory paragraph, 115.243(1), 115.243(2), 115.244 introductory paragraph, 115.244(1), 115.244(2), 115.244(3), 115.244(4), 115.245 introductory paragraph, 115.245(1), 115.245(1)(A), 115.245(1)(A)(i)–115.245(1)(A)(iv), 115.245(1)(B), 115.245(1)(C), 115.245(1)(D), 115.245(2), 115.245(3),115.245(3)(A)–115.245(3)(C), 115.245(4), 115.245(5), 115.245(5)(A), 115.245(5)(B), 115.245(6), 115.246(1), 115.246(2), 115.246(3), 115.246(4), 115.246(5), 115.246(6), 115.246(7), 115.246(7)(A), 115.246(7)(B), 115.247(2), 115.248(1), 115.248(1)(A), 115.248(1)(B), 115.248(3), 115.248(3)(A)–115.248(3)(E), 115.248(4), 115.248(4)(A), 115.248(4)(B), 115.248(4)(B)(i), 115.248(4)(B)(ii), 115.249(1), 115.249(2),115.249(3), 115.249(4), 115.324(a)(8)(A)(iii), 115.334(3)(A)(iii). New sections 115.352, 115.353, 115.354, 115.355, 115.356, 115.357, and 115.359. Revised sections 115.421(a)(8)(B), 115.421(a)(8)(B)(i), 115.421(a)(8)(C), 115.421(a)(8)(C)(i)–115.421(a)(8)(C)(ix), 115.421(a)(8)(D), 115.421(a)(11), 115.422 introductory paragraph, 115.422(1), 115.422(2), 115.426(a)(1)(B), 115.426(a)(2)(A)(iii), 115.426(b)(1)(B), 115.426(b)(2)(A)(iii), 115.427(a)(1)(B), 115.427(a)(2), 115.427(a)(3), 115.427(a)(4), 115.427(a)(4)(A)–115.427(a)(4)(E), 115.427(a)(5), 115.427(a)(6), deletion of 115.427(a)(7), 115.429(a), 115.429(b), 115.429(c). New Subchapter E: Offset Lithography, sections 115.442, 115.443, 115.445, 115.446, 115.449, and new Subchapter F: Miscellaneous Industrial Sources, Degassing or Cleaning of Stationary and Transport Vessels, sections 115.541, 115.542, 115.543, 115.544, 115.545, 115.546, 115.547, 115.549. Revised sections 115.910(b), 115.930, 115.932, 115.940. New Subchapter J: Administrative Provisions, Standard Permits, section 115.950.

(C) Texas Natural Resources Conservation Commission Order No. 93–20 as adopted November 10, 1993.

(D) Revisions to the General Rules as adopted by the Commission on May 4, 1994; 101.1 new definitions for Alcohol (used in offset lithographic printing), Bakery oven, Clear coat (used in wood parts and products coating), Clear

sealers (used in wood parts and products coating), Final repair coat (used in wood parts and products coating), Opaque ground coats and enamels (used in wood parts and products coating), Semitransparent spray stains and toners (used in wood parts and products coating), Semitransparent wiping and glazing stains (used in wood parts and products coating), Shellacs (used in wood parts and products coating), Surface coating processes (M) Wood parts and Products Coating, Topcoat (used in wood parts and products coatings), Varnishes (used in wood parts and products coatings, Wash coat (used in wood parts and products coating).

(E) Revisions to Regulation V as adopted by the Commission on May 4, 1994; 115.10 new Definitions for Alcohol (used in offset lithographic printing), Bakery oven, Clear coat (used in wood parts and products coating), Clear sealers (used in wood parts and products coating), Continuous monitoring, Final repair coat (used in wood parts and products coating), Leak-free marine vessel, Marine loading facility, Marine terminal, Opaque ground coats and enamels (used in wood par 115.541(b)(2), 115.541(b)(3), 115.541(b)(4), 115.541(b)(5), 115.542(a), 115.543, 115.544 introductory paragraph, 115.545 introductory paragraph, 115.546 introductory paragraph, 115.547 introductory paragraph, 115.549(a), 115.549(b), 115.549(c), new sections 115.552, 115.553, 115.555, 115.556, 115.557, 115.559, repeal of sections 115.612, 115.613, 115.614, 115.615, 115.617, 115.619, new sections 115.600, 115.610, 115.612, 115.613, 115.614, 115.615, 115.616, 115.617, and 115.619.

(F) Texas Natural Resource Conservation Commission Order No. 94–06 as adopted May 4, 1994.

(G) Revision to Regulation V as adopted by the Commission on July 13, 1994; new sections 115.901, 115.910, 115.911, 115.912, 115.913, 115.914, 115.915, 115.916, 115.920, 115.923.

(H) Texas Natural Resource Conservation Commission Order No. 94–26 as adopted July 13, 1994.

(I) Texas Natural Resource Conservation Commission Order No. 94–0676-SIP as adopted November 9, 1994.

(ii) Additional material.

(A) Appendix A of the Revision to the Texas SIP adopted by the Commission on November 9, 1994 concerning alternate means of control.

(105) Revisions to the Texas State Implementation Plan, submitted to EPA in letters dated January 11, 1995; July 12, 1995; November 10, 1995; January 10, 1996; March 13, 1996; August 9, 1996 and May 21, 1997. Sections 115.122(a)(3), 126(a)(4), 126(a)(5), 127(a)(5) and 129(2)–129(5) pertaining to bakeries, 115.140–115.149 pertaining to Industrial Wastewater, 115.421(a)(13) pertaining to wood coating, and 115.152–115.159 pertaining to municipal waste landfills retain their limited approval as revised in these SIP revisions because they strengthen the SIP. All other sections of these SIP revisions receive full approval.

(i) Incorporation by Reference.

(A) Revisions to the General Rules as adopted by the Texas Natural Resources Conservation Commission (Commission) on January 4, 1995, effective January 27, 1995, Section 101.10(a)(1).

(B) Revisions to Regulation V, as adopted by the Commission on January 4, 1995, effective on January 27, 1995, Sections 115.112(c), 115.112(c)(2)(A), 115.112(c)(3), 115.113(a), 115.113(b), 115.113(c), 115.115(a)(7), 115.115(b)(7), 115.116(a)(2), 115.116(a)(2)(A)–115.116(a)(2)(J), 115.117(c), 115.119 introductory paragraph, 115.121(b), 115.122(a)(4)(B), 115.123(a)(1), 115.127(a)(5)(C), 115.127(b)(2)(A), 115.127(b)(2)(B), 115.143 introductory paragraph, 115.147(6), 115.149(a), 115.149(b), 115.159(a), 115.219(c).

(C) Certification dated January 4, 1995 that copies of revisions to General Rules and Regulation V adopted by the Commission on January 4, 1995, and submitted to EPA on January 11, 1995, are true and correct copies of documents on file in the permanent records of the Commission.

(D) Revisions to Regulation V, as adopted by the Commission on May 24, 1995, effective June 16, 1995, Sections 115.212(a)(1), 115.212(a)(2), 115.212(a)(5)(A)(i), 115.212(a)(5)(A)(ii), 115.212(a)(5)(C), 115.212(a)(5)(C)(i), 115.212(a)(5)(C)(ii), 115.212(a)(5)(D), 115.212(a)(10)(C), 115.212(a)(10)(C)(i), 115.212(a)(10)(C)(ii), 115.212(a)(12)(B), 115.212(b)(1), 115.212(b)(3)(A), 115.212(b)(3)(A)(i), 115.212(b)(3)(A)(ii),

115.212(b)(3)(C), 115.212(c)(1), 115.212(c)(2), 115.212(c)(3)(A), 115.212(c)(3)(A)(i), 115.212(c)(3)(A)(ii), 115.212(c)(3)(C), 115.213(a), 115.213(b), 115.213(c), 115.214(a)(3), 115.214(a)(4), 115.214(a)(4)(A)–115.214(a)(4)(E), 115.214(a)(5), 115.215(a)(7), 115.215(b)(7), 115.216(a)(3)(A), 115.215(a)(3)(B), 115.216(a)(4)(A), 115.216(a)(4)(B), 115.216(a)(5)(A), 115.216(a)(6)(C), 115.217(a)(3), 115.217(a)(4), 115.217(a)(6)(A)–115.217(a)(6)(D), 115.217(b)(2), 115.217(b)(4), 115.217(b)(4)(D), 115.217(b)(5)(C), 115.217(c)(2), 115.217(c)(4)(D), 115.217(c)(5)(C), 115.219 introductory paragraph, 115.219(1), 115.219(2), 115.219(3), 115.219(4), 115.219(5).

(E) Certification dated May 24, 1995, that the copy of revisions to Regulation V adopted by the Commission on May 24, 1995, and submitted to EPA on July 12, 1995, is a true and correct copy of the document on file in the permanent records of the Commission.

(F) Revisions to Regulation V, as adopted by the Commission on October 25, 1995, effective November 20, 1995, Sections 115.131(a), 115.131(c), 115.132(c), 115.133(a), 115.133(b), 115.133(c), 115.135(a), 115.135(a)(5), 115.135(b), 115.135(b)(5), 115.137(a)(1), 115.137(a)(2), 115.137(a)(3), 115.137(c), 115.137(c)(4), 115.139 introductory paragraph.

(G) Certification dated October 25, 1995, that the copy of revisions to Regulation V adopted by the Commission on October 25, 1995, and submitted to EPA on November 10, 1995, is a true and correct copy of the document on file in the permanent records of the Commission.

(H) Revisions to Regulation V, as adopted by the Commission on December 6, 1995, effective December 28, 1995, Section 115.612(a)(1) (Table III).

(I) Certification dated December 6, 1995, that the copy of revisions to Regulation V adopted by the Commission on December 6, 1995, and submitted to EPA on March 13, 1996, is a true and correct copy of the document on file in the permanent records of the Commission.

(J) Revisions to the General Rules as adopted by the Texas Natural Resource Conservation Commission on February 14, 1996, effective March 7, 1996, Section 101.1, definitions of Automotive basecoat/clearcoat system (used in vehicle refinishing (body shops)), Automotive precoat (used in vehicle refinishing (body shops)), Automotive pretreatment (used in vehicle refinishing (body shops)), Automotive primer or primer surfacers (used in vehicle refinishing (body shops)), Automotive sealers (used in vehicle refinishing (body shops)), Automotive specialty coatings (used in vehicle refinishing (body shops)), Automotive three-stage system (used in vehicle refinishing (body shops)), Automotive wipe-down solutions (used in vehicle refinishing (body shops)), Cold solvent cleaning, Conveyorized degreasing, Gasoline bulk plant, Gasoline terminal, High-bake coatings, Low-bake coatings, Mechanical shoe seal, Open-top vapor degreasing, Remote reservoir cold solvent cleaning, Vehicle refinishing (body shops), Volatile organic compound.

(K) Revisions to Regulation V, as adopted by the Commission on February 14, 1996, effective March 7, 1996, Section 115.1, definitions of Automotive basecoat/clearcoat system (used in vehicle refinishing (body shops)), Automotive precoat (used in vehicle refinishing (body shops)), Automotive pretreatment (used in vehicle refinishing (body shops)), Automotive primer or primer surfacers (used in vehicle refinishing (body shops)), Automotive sealers (used in vehicle refinishing (body shops)), Automotive specialty coatings (used in vehicle refinishing (body shops)), Automotive three-stage system (used in vehicle refinishing (body shops)), Automotive wipe-down solutions (used in vehicle refinishing (body shops)), Cold solvent cleaning, Conveyorized degreasing, External floating roof, Gasoline bulk plant, Gasoline terminal, High-bake coatings, Internal floating cover, Low-bake coatings, Mechanical shoe seal, Open-top vapor degreasing, Remote reservoir cold solvent cleaning, Vehicle refinishing (body shops), Volatile organic compound, sections 115.112(a)(2), 115.112(a)(2)(A), 115.112(a)(2)(B), 115.112(a)(2)(D), 115.112(b)(2), 115.112(b)(2)(A), 115.112(b)(2)(B), 115.112(b)(2)(D), new 115.114, 115.116(a)(1), 115.116(b)(1), 115.117(a)(1), 115.117(a)(4), 115.117(a)(6),

115.116(a)(6)(A), 115.117(a)(7), 115.117(a)(7)(A), 115.117(b)(1), 115.117(b)(4), 115.117(b)(6)(A), 115.117(b)(7)(A), 115.117(c), 115.117(c)(1), 115.121(a)(1)–115.121(a)(4), 115.121(c), 115.122(a)(1)–115.122(a)(3), 115.122(a)(3)(C), 115.122(a)(3)(D), 115.122(c), 115.123(c), 115.126(a)(1), 115.126(a)(5), 115.126(a)(5)(A), 115.127(a)(1), 115.127(a)(2), 115.127(a)(2)(A)–115.127(a)(2)(E), 115.127(a)(3), 115.127(a)(3)(A)–115.127(a)(3)(C), 115.127(a)(4), 115.127(a)(4)(A)–115.127(a)(5)(E), 115.127(a)(5), 115.127(a)(6), 115.127(a)(7), 115.127(b)(2), 115.127(b)(3), 115.127(b)(4), 115.127(c), 115.127(c)(2)(B), 115.127(c)(3), 115.127(c)(4), 115.129(1)–115.129(5), 115.212(a)(11), 115.219 introductory paragraph, 115.219(5), 115.219(5)(A)–115.219(5)(C), 115.412(a), 115.413(a), 115.413(b), 115.416(a), 115.417(a)(3), 115.417(a)(4), 115.417(b)(5), 115.419 introductory paragraph, 115.421(a), 115.421(a)(1)–115.421(a)(8), 115.421(a)(8)(B), 115.421(a)(8)(B)(i)–115.421(a)(8)(B)(ix), 115.421(a)(8)(C), 115.421(a)(9)(A)(i)–115.421(a)(9)(A)(v), 115.421(a)(12)(A), 115.421(a)(12)(A)(i), 115.421(a)(12)(A)(ii), 115.421(b), 115.421(b)(1)–115.421(b)(8), 115.421(b)(8)(A), 115.421(b)(8)(A)(i)–115.421(b)(8)(A)(iv), 115.422(1), 115.422(2), 115.423(a)(1), 115.423(a)(2), 115.423(b), 115.423(b)(1), 115.423(b)(2), 115.423(b)(4), 115.425(a)(1)(C), 115.425(b)(1)(C), 115.426(a)(1)(B), 115.427(a)(1)(A)–115.427(a)(1)(D), 115.427(a)(3), 115.427(a)(5), 115.427(b)(2), 115.427(b)(2)(B)–115.427(b)(2)(D), 115.427(b)(3), 115.429(a), 115.429(b), 115.433(a), 115.433(b), 115.435(a)(5), 115.435(b)(5), 115.436(a), 115.436(b), 115.437(a)(1), 115.437(a)(2), 115.439(b), 115.439(c), 115.442(1)(F)(i), 115.422(1)(F)(ii), 115.443 introductory paragraph, 115.445(5), 115.446(7), 115.512(1), 115.512(2), 115.513 introductory paragraph, 115.517(1), 115.541(a)(2)(C), 115.541(2)(E), 115.541(b), 115.541(b)(5), 115.542(a)(1), 115.542(a)(2), 115.542(a)(5), 115.542(b), 115.542(b)(1), 115.542(b)(2), 115.542(b)(4), 115.543 introductory paragraph, 115.546(1)(A), 115.547 introductory paragraph, 115.547(2), 115.547(4), 115.547(5), 115.549(a)–115.549(c), 115.600 introductory paragraph and definitions of Consumer product, Pesticide, Sections 115.614(a), 115.614(c), 115.614(c)(1), 115.614(c)(1)(A)–115.614(c)(1)(F), 115.614(c)(2), 115.614(c)(2)(A)–115.614(c)(2)(F), 115.614(d), 115.614(e), 115.614(f), 115.617(h).

(L) Certification dated February 14, 1996, that copies of revisions to General Rules and Regulation V adopted by The Commission on February 14, 1996, and submitted to EPA on March 13, 1996, are true and correct copies of documents on file in the permanent records of the Commission.

(M) Revisions to Regulation V, as adopted by the Commission on July 24, 1996, effective August 16, 1996, Sections 115.214(a)(4), 115.214(a)(4)(E), 115.214(a)(5), 115.216(a), 115.216(a)(7), 115.216(a)(7)(A)–115.216(a)(7)(G), 115.616(a), 115.616(a)(1)–115.616(a)(3).

(N) Certifications dated July 24, 1996, that the copy of revisions to Regulation V adopted by the Commission on July 24, 1996, and submitted to EPA on August 9, 1996, is a true and correct copy of the document on file in the permanent records of the Commission.

(O) Revisions to the General Rules as adopted by the Commission on April 30, 1997, effective May 22, 1997, Section 101.1, introductory paragraph and definitions of Component, Leak, Synthetic Organic Chemical Manufacturing Industry (SOCMI) batch distillation operation, Synthetic Organic Chemical Manufacturing Industry (SOCMI) batch process, Synthetic Organic Chemical Manufacturing Industry (SOCMI) distillation operation, Synthetic Organic Chemical Manufacturing Industry (SOCMI) distillation unit, Synthetic Organic Chemical Manufacturing Industry (SOCMI) reactor process, Tank-truck tank, Vehicle refinishing (body shops), Volatile organic compound (introduction paragraph).

(P) Revisions to Regulation V, as adopted by the Commission on April 30, 1997, effective May 22, 1997, Section 115.10, introductory paragraph and definitions of Fugitive emission, Leak, Synthetic Organic Chemical Manufacturing Industry (SOCMI) batch distillation operation, Synthetic Organic Chemical Manufacturing Industry (SOCMI) batch process, Synthetic Organic Chemical Manufacturing Industry (SOCMI) distillation operation,

Synthetic Organic Chemical Manufacturing Industry (SOCMI) distillation unit, Synthetic Organic Chemical Manufacturing Industry (SOCMI) reactor process, Tank-truck tank, Vehicle refinishing (body shops), Volatile organic compound (introduction paragraph), and Sections 115.112(a)(2), 115.112(a)(2)(F), 115.112(b)(2), 115.112(b)(2)(F), 115.114(a), 115.114(a)(1), 115.114(a)(2), 115.114(a)(4), 115.114(b), 115.114(b)(1), 115.114(b)(2), 115.114(a)(4), 115.114(c), 115.114(c)(1), 115.114(c)(2), 115.115(a)(6), 115.115(b)(6), 115.116(a)(5), 115.116(b)(5), 115.119(a), 115.119(b), 115.121(a)(1), 115.121(a)(2), 115.121(a)(2)(A)–115.121(a)(2)(E), 115.121(a)(3), 115.121(b), 115.121(c), 115.121(c)(1), 115.121(c)(2), 115.121(c)(3), 115.121(c)(4), 115.122(a)(1), 115.122(a)(1)(A), 115.122(a)(1)(B), 115.122(a)(1)(C), 115.122(a)(2), 115.122(a)(2)(A), 115.122(a)(2)(B), 115.122(a)(3), 115.122(a)(4), 115.122(a)(4)(A), 155.122(a)(4)(B), 115.122(b), 115.122(b)(1), 115.122(b)(2), 115.122(b)(3), 115.122(c), 115.122(c)(1), 115.122(c)(1)(A)–115.122(c)(1)(C), 115.122(c)(2), 115.122(c)(2)(A), 115.122(c)(2)(B), 115.122(c)(3), 115.122(c)(3)(A), 115.122(c)(3)(B), 115.122(c)(4), 115.122(c)(4)(A), 115.122(c)(4)(B), 115.123(a)(1), 115.123(b), 115.123(c), 115.126(a), 115.126(a)(3), 115.126(a)(4)(A), 115.126(a)(4)(B), 115.126(a)(4)(C), 115.126(a)(5)(A)–115.126(a)(5)(C), 115.126(b), 115.126(b)(3), 115.127(a)(2), 115.127(a)(2)(C), 115.127(a)(2)(D), 115.127(a)(2)(E), 115.127(a)(3), 115.127(a)(4), 115.127(a)(4)(A)–115.127(a)(4)(E), 115.127(a)(5), 115.127(c), 115.127(c)(1), 115.127(c)(1)(A)–115.127(c)(1)(C), 115.127(c)(2), 115.129(1)–115.129(5), 115.132(a)(1), 115.132(a)(4)(A), 115.132(a)(4)(B), 115.132(b)(1), 115.132(c), 115.132(c)(1), 115.136(a)(4), 115.136(b)(4), 115.137(a)(3), 115.137(b)(5), 115.137(c), 115.137(c)(4), 115.146(5), 115.147(5)(A), 115.147(5)(B), 115.147(5)(C), 115.149(b), 115.153 introductory paragraph, 115.156(3)(E)(i), 115.159(a), 115.159(b), 115.159(c), 115.211(a)(1), 115.211(a)(3), 115.212(a)(1), 115.212(a)(2), 115.212(a)(3), 115.212(a)(3)(A), 115.212(a)(3)(A)(i), 115.212(a)(3)(A)(ii), 115.212(a)(3)(B), 115.212(a)(3)(C), 115.212(a)(3)(C)(i), 115.212(a)(3)(C)(ii), 115.212(a)(3)(D), 115.212(a)(4), 115.212(a)(5), 115.212(a)(6), 115.212(a)(6)(A), 115.212(a)(6)(B), 115.212(a)(6)(C), 115.212(a)(7), 115.212(a)(7)(A)–115.212(a)(7)(D), 115.212(a)(8), 115.212(a)(8)(A), 115.212(a)(8)(B), 115.212(a)(8)(B)(i), 115.212(a)(8)(B)(ii), 115.212(a)(8)(B)(iii), 115.212(a)(8)(C), 115.212(a)(8)(C)(i), 115.212(a)(8)(C)(ii), 115.212(a)(9), 115.212(a)(10), 115.212(a)(10)(A), 115.212(a)(10)(B), 115.214(a)(4), 115.214(a)(4)(E), 115.214(a)(5), 115.215(a)(8), 115.216(a), 115.216(a)(1), 115.216(a)(6), 115.216(b), 115.216(b)(1), 115.217(a)(1), 115.217(a)(2), 115.217(a)(3), 115.217(a)(4), 115.217(a)(4)(A), 115.217(a)(4)(B), 115.217(a)(5), 115.217(a)(6), 115.217(a)(6)(A)–115.217(a)(6)(D), 115.217(a)(7), 115.217(a)(7)(A)–115.217(a)(7)(E), 115.217(a)(8), 115.217(a)(8)(A)–115.217(a)(8)(C), 115.217(a)(9), 115.217(b)(2), 115.217(b)(4)(A)–115.217(b)(4)(D), 115.217(b)(5), 115.217(c)(2), 115.217(c)(4), 115.217(c)(4)(A)–115.217(c)(4)(D), 115.217(c)(5), 115.219(1), 115.219(4), 115.221 introductory paragraph, 115.222(7), 115.223 introductory paragraph, 115.226 introductory paragraph, 115.226(1), 115.253 introductory paragraph, 115.256 introductory paragraph, 115.311(a)(1), 115.311(a)(2), 115.311(b)(1)–115.311(b)(2), 115.312(a)(2), 115.312(a)(2)(A)–115.312(a)(2)(C), 115.312(b)(2) 115.312(b)(2)(A)–115.312(b)(2)(C), 115.313(a), 115.313(b), 115.319 introductory paragraph, 115.322 introductory paragraph, 115.322(1)–15.322(5), 115.323 introductory paragraph, 115.323(1), 115.323(2), new 115.324, 115.325 introductory paragraph, 115.325(1)–115.325(3), 115.326 introductory paragraph, 115.326(1), 115.326(2), 115.326(2)(A)–115.326(2)(I), 115.326(3), 115.324(4), 115.327 introductory paragraph, 115.327(1), 115.327(1)(A)–115.327(1)(C), 115.327(2)–115.327(6), 115.329 introductory paragraph, 115.352(1), 115.352(2), 115.352(9), 115.353 introductory paragraph, 115.354(1)(C), 115.354(4)–115.354(7), 115.354(7)(A), 115.354(7)(B), 115.354(8), 115.356(1)(I), 115.356(3), 115.357(2), 115.357(8), 115.421(a), 115.421(a)(13)(A), 115.422(3)(A), 115.422(3)(B), 155.424(a)(1), 115.424(a)(2), 115.424(b)(1), 115.426(a)(1)(D), 115.426(a)(2)(C), 115.426(b)(1)(D), 115.426(b)(2)(C), 115.427(a)(5), 115.427(a)(6), 115.442(1)(B)–115.422(1)(D), 155.446(8), 115.449(a),

115.449(b), 115.449(c), 115.532(a)(5), 115.532(a)(5)(A), 115.532(a)(5)(B), 115.533(a), 115.533(b), 115.536(a)(5), 115.536(b)(5), 115.537(a)(5), 115.539 introductory paragraph, 115.552(b)(1), 115.522(b)(2), 115.533 introductory paragraph, 115.559(a)–115.559(d), and repeal of Sections 115.332, 115.333, 115.334, 115.335, 115.336, 115.337, 115.339, 115.342, 115.343, 115.344, 115.345, 115.346, 115.347, 115.349.

(Q) Certification dated April 30, 1997, that copies of revisions to General Rules and Regulation V adopted by the Commission on April 30, 1997, and submitted to EPA on May 21, 1997, are true and correct copies of documents on file in the permanent records of the Commission.

(R) Texas Natural Resource Conservation Commission order adopting amendments to the SIP; Docket Number 95–1198–RUL, issued December 19, 1995.

(ii) Additional Material.

(A) TNRCC certification letter dated December 13, 1995, and signed by the Chief Clerk, TNRCC that the attached are true and correct copies of the SIP revision adopted by the Commission on December 13, 1995.

(B) The following portions of the SIP narrative entitled Post-1996 Rate of Progress Plan for the Beaumont/Port Arthur and Houston/Galveston Ozone Nonattainment Areas Dated December 13, 1995: The section pertaining to Storage Tanks (pp. 17–37), the section pertaining to SOCMI Reactor and Distillation (p. 40), the Section pertaining to Plastic Parts Coating (pp. 54–55).

(106) A revision to the Texas State Implementation Plan: Regulation 30 TAC Chapter 101 ''General Rules'', Section 101.30 ''Conformity of General and State Actions to State Implementation Plans'' as adopted by the Texas Natural Resource Conservation Commission (TNRCC) on November 16, 1994, and July 9, 1997, was submitted by the Governor on November 22, 1994, and August 21, 1997, respectively.

(i) Incorporation by reference.

(A) The Texas Natural Resource Conservation Commission (TNRCC) Regulation 30, TAC Chapter 101 ''General Rules'', Section 101.30 ''Conformity of General and State Actions to State Implementation Plans'' as adopted by TNRCC on November 16, 1994, and July 9, 1997.

(B) TNRCC orders Docket No. 94–0709–SIP and 97–0143–RUL as passed and approved on November 16, 1994, and July 9, 1997, respectively.

(107) A revision to the Texas State Implementation Plan addressing the 15% Rate-of-Progress Plan requirements for the Beaumont/Port Arthur ozone nonattainment area was submitted by a cover letter from Governor George Bush dated August 9, 1996. This revision will aid in ensuring that reasonable further progress is made towards attaining the National Ambient Air Quality Standard (NAAQS) for ozone in the Beaumont/Port Arthur area. This submittal also contained revisions to the 1990 base year emissions inventory, Motor Vehicle Emission Budget, and contingency plan for the Beaumont/Port Arthur area.

(i) Incorporation by reference. Texas Natural Resource Conservation Commission (TNRCC) order adopting amendments to the State Implementation Plan; Docket Number 96–0465–SIP, issued July 31, 1996.

(ii) Additional material.

(A) TNRCC certification letter dated July 24, 1996, and signed by Gloria Vasquez, Chief Clerk, TNRCC.

(B) The SIP narrative plan and tables entitled, ''Revisions to the State Implementation Plan for the Control of Ozone Air Pollution,'' as it applies to the Beaumont/Port Arthur area dated July 24, 1996.

(108) A revision to the Texas State Implementation Plan to adopt an alternate control strategy for the surface coating processes at Raytheon TI Systems, Inc., Lemmon Avenue Facility.

(i) Incorporation by reference.

(A) Commission Order Number 96–1180–SIP issued and effective December 4, 1996, for Texas Instruments, Inc., prior owner of the Lemmon Avenue facility, approving an alternate Reasonably Available Control Technology (ARACT) demonstration for its Lemmon Avenue facility. Raytheon TI Systems assumed operating responsibility for this facility on July 3, 1997.

(B) A letter from the Governor of Texas dated January 9, 1997, submitting the TI ARACT to the Regional Administrator.

(ii) Additional material. The document prepared by the Texas Natural Resource Conservation Commission titled ''A Site-Specific Revision to the SIP Concerning the Texas Instruments Lemmon Avenue Facility.''

(109) [Reserved]

(110) Revision to the Texas State Implementation Plan adopted by the Texas Natural Resource Conservation Commission (TNRCC) on October 15, 1997, and submitted by the Governor on November 12, 1997, repealing the Perchloroethylene Dry Cleaning Systems regulations from the Texas SIP.

(i) Incorporation by reference. TNRCC Order Docket No. 97–0534–RUL issued October 21, 1997, repealing Perchloroethylene Dry Cleaning Systems regulations (Sections 115.521 to 115.529) from 30 TAC Chapter 115.

(ii) Additional materials.

(A) Letter from the Governor of Texas dated November 12, 1997, submitting amendments to 30 TAC Chapter 115 for approval as a revision to the SIP.

(111) Recodified and revised Regulation IV, 30 TAC Chapter 114 ''Control of Air Pollution From Motor Vehicles'' regulations of Texas submitted by the Governor on November 20, 1997, to reformat original Chapter 114 sections into seven new subchapters (A through G) and to remove original section 114.1(e), concerning leaded gasoline dispensing labeling requirements.

(i) Incorporation by reference.

(A) Commission Order 97–0713-RUL, adopted by the commission on November 5, 1997.

(B) SIP narrative entitled ''Revisions to 30 TAC Chapter 114 and to the State Implementation Plan (Reformatting of the Chapter)'' adopted by the commission on November 5, 1997, addressing: adoption of new Sections 114.1–114.5, 114.20, 114.21, 114.50–114.53, 114.100, 114.150–114.157, 114.200–114.202, 114.250, 114.260, 114.270, and repeal of original sections 114.1, 114.3–114.7, 114.13, 114.23, 114.25, 114.27, 114.29–114.40.

(112) Revision to the Texas State Implementation Plan submitted by the Governor on January 10, 1996.

(i) Incorporation by reference.

(A) Texas Natural Resource Conservation Commission (TNRCC) General Rules (30 TAC Chapter 101), Section 101.2(b), adopted by TNRCC on December 13, 1995, effective January 8, 1996.

(B) TNRCC Docket No. 95–0849–RUL issued December 13, 1995, for adoption of amendments to 30 TAC Chapter 101, Section 101.2(b), regarding Multiple Air Contaminant Sources or Properties and revision to the SIP.

(ii) Additional materials. A letter from the Governor of Texas dated January 10, 1996, submitting revisions to 30 TAC Chapter 101, Section 101.2(b), for approval as a revision to the SIP.

(113) The Texas Natural Resource Conservation Commission submitted a revision to the State Implementation Plan (SIP) on August 9, 1996. This revision contained, among other things, 15% Rate-of-Progress plans for the Dallas/Fort Worth, El Paso and Houston/Galveston ozone nonattainment areas which will aid in ensuring the attainment of the National Ambient Air Quality Standards for ozone. This submittal also contained revisions to the 1990 base year emissions inventories, the associated Motor Vehicle Emission Budgets and contingency plans.

(i) Incorporation by reference. Texas Natural Resource Conservation Commission (TNRCC) order adopting amendments to the SIP; Docket Number 96–0465–SIP, issued July 31, 1996.

(ii) Additional material.

(A) TNRCC certification letter dated July 24, 1996, and signed by Gloria Vasquez, Chief Clerk, TNRCC.

(B) The SIP narrative plan and tables dated July 24, 1996 entitled, ''Revisions to the State Implementation Plan (SIP) for the Control of Ozone Air Pollution,'' as it applies to the Dallas/Fort Worth, El Paso and Houston areas' 15% Rate-of-Progress plans, emissions inventories, motor vehicle emissions budgets and contingency plans.

(114) Recodified regulations of Texas Administrative Code, Title 30, Chapter 113, Subchapter B, controlling lead emissions from stationary sources, and submitted by the Governor in a letter dated August 21, 1997.

(i) Incorporation by reference.

(A) Texas Natural Resource Conservation Commission (TNRCC) order adopting amendments to the State Implementation Plan; Docket Number 97–0143–RUL, issued July 9, 1997.

(B) Texas Administrative Code, Title 30, Chapter 113, Subchapter B, entitled ''Lead from Stationary Sources,'' adopted by the TNRCC on July 9, 1997. Newly recodified sections 113.31, 113.32, 113.33, 113.34, 113.35, 113.36, 113.37, 113.41, 113.42, 113.43, 113.44, 113.45, 113.46, 113.47, 113.48, 113.52, 113.61, 113.62, 113.63, 113.64, 113.65, 113.66, 113.67, and 113.68.

(ii) Additional material. TNRCC certification letter dated June 25, 1997, and signed by Gloria Vasquez, Chief Clerk, TNRCC.

(115) [Reserved]

(116) A revision to the Texas State Implementation Plan (SIP) to include two modified Agreed Orders limiting sulfur dioxide (SO_2) allowable emissions at two facilities in Harris County, submitted by the Governor by cover letter dated May 29, 1997.

(i) Incorporation by reference.

(A) TNRCC Docket No. 96–1188–AIR Order Modifying Commission Order No. 94–15 for Lyondel-Citgo Refining Company, LTD., as adopted by the TNRCC on June 29, 1994, and modified on July 31, 1996;

(B) TNRCC Docket No. 96–1187–AIR, Order Modifying Commission Order No. 94–22 for Simpson Pasadena Paper Company, as adopted by the TNRCC on June 29, 1994, and modified on July 31, 1996.

(ii) Additional material. TNRCC submittal to the EPA dated May 29, 1997, entitled, ''Revisions to the SIP Concerning Sulfur Dioxide in Harris County.''

(117) Revisions to the Texas State Implementation Plan submitted to the EPA in a letter dated April 13, 1998. These revisions address Reasonably Available Control Technology for Wood Furniture coating operations and Ship Building and Repair. The revisions also address coating of oil and gas platforms at ship building and repair facilities.

(i) Incorporation by Reference.

(A) Revisions to Regulation V, as adopted by the Commission on March 18, 1998, effective April 7, 1998, sections 115.10. Definitions—Introductory Paragraph, 115.420 Surface Coating Definitions, 115.420(a) General Surface Coating Definitions, 114.420(a)(1)–115.420(a)(10), 115.420(b) Specific surface coating definitions—Introductory Paragraph, 115.420(b)(1), 115.420(b)(2), 115.420(b)(2)(A), 115.420(b)(2)(B), 115.420(b)(3)–115.420(b)(9), 115.420(b)(10), 115.420(b)(10)(A)–115.420(b)(10)(E), 115.420(b)(10)(F), 115.420(b)(10)(F)(i)–115.420(b)(10)(F)(vii), 115.420(b)(10)(G), 115.420(b)(11), 115.420(b)(12), 115.420(b)(12)(A)–115.420(b)(12)(FF), 115.420(b)(13), 115.420(b)(13)(A), 115.420(b)(13)(A)(i), 115.420(b)(13)(A)(ii), 115.420(b)(13)(B), 115.420(b)(13)(B)(i)–115.420(b)(13)(B)(ix), 115.420(b)(14), 115.420(b)(15), 115.420(15)(A), 115.420(15)(A)(i)–115.420(15)(A)(xi), 115.420(15)(B), 115.420(15)(B)(i)–115.420(15)(B)(xix), 115.421(a), 115.421(a)(8), 115.421(a)(8)(B), 115.421(a)(8)(B)(i)–115.421(a)(8)(B)(ix), 115.421(a)(13), 115.421(a)(13)(A), 115.421(a)(13)(A)(i)–115.421(a)(13)(A)(vii), 115.421(a)(13)(A)(viii), 115.421(a)(13)(A)(ix), 115.421(a)(14), 115.421(a)(14)(A), 115.421(a)(14)(A)(i), 115.421(a)(14)(A)(ii), 115.421(a)(14)(A)(iii), 115.421(a)(14)(A)(iii)(I)–115.421(a)(14)(A)(iii)(III), 115.421(a)(14)(A)(iv)–115.421(a)(14)(A)(vi), 115.421(a)(14)(B), 115.421(a)(15), 115.421(a)(15)(A),115.421(a)(15)(B), 115.421(a)(15)(B)(i), 115.421(a)(15)(B)(ii), 115.421(b), 115.422. Control Requirements—Introductory Paragraph, 115.422(2), 115.422(3), 115.422(3)(A), 115.422(3)(B), 115.422(3)(C), 115.422(3)(C)(i), 115.422(3)(C)(ii), 115.422(3)(C)(ii)(I), 115.422(3)(C)(ii)(II), 115.422(3)(C)(iii)–115.422(3)(C)(v), 115.422(3)(C)(vi), 115.422(3)(C)(vi)(I), 115.422(3)(vi)(II), 115.422(3)(D), 115.422(3)(E), 115.422(3)(E)(i), 115.422(3)(E)(ii), 115.422(4), 115.422(4)(A)–115.422(4)(C), 115.422(5), 115.422(5)(A), 115.422(5)(B), 115.423(a), 115.423(a)(1), 115.423(a)(2), 115.423(b), 115.423(b)(1), 115.423(b)(2), 115.426(a), 115.426(a)(1), 115.426(a)(1)(B), 115.426(a)(1)(B)(i), 115.426(a)(1)(B)(ii), 115.426(a)(2), 115.426(a)(2)(A), 115.426(a)(2)(A)(i), 115.426(b), 115.426(b)(1), 115.426(b)(1)(B), 115.426(b)(2), 115.426(b)(2)(A), 115.426(b)(2)(A)(i), 115.427(a), 115.427(a)(1), 115.427(a)(1)(B), 115.427(a)(1)(C), 115.427(a)(3), 115.427(a)(3)(A), 115.427(a)(3)(B), 115.427(a)(3)(D)–115.427(a)(3)(I), 115.427(b), 115.427(b)(4), 115.429(a), and 115.429(b).

(B) Certification Dated March 18, 1998 that these are true and correct copies

of revisions to 30 TAC Chapter 115 and the SIP.

(118)–(119) [Reserved]

(120) Revisions submitted by the Governor on May 29, 1997, June 23, 1998, and December 22, 1998, that change the definition of ''primarily operated,'' commit to on-board diagnostic testing, remove the test-on-resale of vehicles subject to the inspection and maintenance program, and provide the legal authority for denial of re-registration of vehicles that have not complied with the I/M program requirements, and the establishment of a class C misdemeanor penalty for operating a grossly polluting vehicle in a nonattainment area.

(i) Incorporation by reference:

(A) Narrative of State Implementation Plan revision submitted May 29, 1997, by the Governor.

(B) Narrative of State Implementation Plan revision submitted June 23, 1998, by the Governor.

(C) Letter from the Governor dated December 22, 1998, submitting Senate Bill 1856.

(ii) Additional material:

(A) Senate Bill 1856.

(B) Memorandum of Agreement between the Texas Natural Resource Conservation Commission and the Texas Department of Public Safety adopted November 20, 1996, and signed February 5, 1997.

(121) Revisions submitted by the Governor on July 13, 2000, that remove approval of the Alternate Reasonably Available Control Technology (ARACT) for Lockheed Corporation, Bell Helicopter Textron, Incorporated; Bell Plant 1, and Raytheon TI Systems, Inc., (RTIS).

[37 FR 10895, May 31, 1972. Redesignated and amended at 64 FR 36589, July 7, 1999; 66 FR 54691, Oct. 30, 2001]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.2299, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at *www.fdsys.gov*.

§ 52.2300 [Reserved]

§ 52.2301 Federal compliance date for automobile and light-duty truck coating. Texas Air Control Board Regulation V (31 TAC chapter 115), control of air pollution from volatile organic compound, rule 115.191(1)(8)(A).

(a) The requirements of section 110 of the Clean Air Act are not met regarding the final compliance date, as found in TACB rule 115.191(a)(8)(A), for the requirements of TACB Rule 115.191(a)(8)(A).

(b) TACB adopted revisions to rule 115.191(a)(8)(A) on October 14, 1988, and submitted them to EPA on December 13, 1988. Prior to the submittal, automobile and light-duty truck coating operations were to have complied with final control limits of § A115.191(a)(8)(B) of the federally approved State Implementation Plan (SIP), by December 31, 1986. In the December 13, 1988, submittal, the final control limits had been moved to § 115.191(a)(8)(A) and had been given a new extended compliance date of December 31, 1987. EPA does not recognize the later compliance data and retains the original compliance date for the final emission limits of December 31, 1986. The owner or operator of an automobile and light-duty truck coating operation shall comply with the requirements of TACB rule 115.191(a)(8)(A) no later than December 31, 1986.

[56 FR 40257, Aug. 14, 1991]

§ 52.2302 [Reserved]

§ 52.2303 Significant deterioration of air quality.

(a) The plan submitted by Texas is approved as meeting the requirements of part C, Clean Air Act for preventing significant deterioration of air quality. The plan consists of the following:

(1) Prevention of significant deterioration plan requirements as follows:

(i) December 11, 1985 (as adopted by the Texas Air Control Board (TACB) on July 26, 1985).

(ii) October 26, 1987 (as revised by TACB on July 17, 1987).

(iii) September 29, 1988 (as revised by TACB on July 15, 1988).

(iv) February 18, 1991 (as revised by TACB on December 14, 1990).

(v) May 13, 1992 (as revised by TACB on May 8, 1992).

(vi) August 31, 1993 (as recodified, revised and adopted by TACB on August 16, 1993).

(vii) July 12, 1995 (as revised by the Texas Natural Resource Conservation Commission (TNRCC) on March 1, 1995) containing revisions to chapter 116—Control of Air Pollution for New Construction or Modification, sections 116.10, 116.141 and 116.160–116.163.

(viii) July 22, 1998 (as revised by TNRCC on June 17, 1998) containing revisions to chapter 116—Control of Air Pollution for New Construction or Modification, sections 116.160 and 116.161.

(ix) September 16, 2002 (as revised by TNRCC on October 10, 2001) containing revisions to chapter 116—Control of Air Pollution for New Construction or Modification, sections 116.160 and 116.162.

(x) June 30, 2014 (as revised by the Texas Commission on Environmental Quality on April 20, 2011 and submitted on May 19, 2011) to address PSD permitting requirements for $PM_{2.5}$ promulgated by EPA on May 16, 2008, October 20, 2010, and December 9, 2013.

(2) The Prevention of Significant Deterioration (PSD) Supplement document, submitted October 26, 1987 (as adopted by the TACB on July 17, 1987) and revised on July 2, 2010, to remove paragraphs (7)(a) and (7)(b). See EPA's final approval action on January 6, 2014.

(3) Revision to General Rules, Rule 101.20(3), submitted December 11, 1985 (as adopted by TACB on July 26, 1985).

(b) The plan approval is partially based on commitment letters provided by the Executive Director of the Texas Air Control Board, dated September 5, 1989 and April 17, 1992.

(c) The requirements of section 160 through 165 of the Clean Air Act are not met for federally designated Indian lands. Therefore, the provisions of § 52.21 except paragraph (a)(1) are hereby adopted and made a part of the applicable implementation plan and are applicable to sources located on land under the control of Indian governing bodies.

[57 FR 28098, June 24, 1992, as amended at 59 FR 46557, Sept. 9, 1994; 62 FR 44088, Aug. 19, 1997; 68 FR 11324, Mar. 10, 2003; 68 FR 74490, Dec. 24, 2003; 69 FR 43755, July 22, 2004; 79 FR 31049, May 30, 2014]

§ 52.2304 Visibility protection.

(a) *Reasonably Attributable Visibility Impairment*. The requirements of section 169A of the Clean Air Act are not met because the plan does not include fully approvable measures for meeting the requirements of 40 CFR 51.305 for protection of visibility in mandatory Class I Federal areas.

(b) Regulation for visibility monitoring. The provisions of § 52.26 are hereby incorporated and made a part of the applicable plan for the State of Texas.

(c) *Regional Haze*. The requirements of section 169A of the Clean Air Act are not met because the regional haze plan submitted by Texas on March 31, 2009, does not include fully approvable measures for meeting the requirements of 40 CFR 51.308(d)(3) and 51.308(e) with respect to emissions of NO_X and SO_2 from electric generating units. EPA has given limited disapproval to the plan provisions addressing these requirements.

[50 FR 28553, July 12, 1985, as amended at 52 FR 45137, Nov. 24, 1987; 54 FR 7770, Feb. 23, 1989; 77 FR 33658, June 7, 2012]

§ 52.2305 What are the requirements of the Federal Implementation Plan (FIP) to issue permits under the Prevention of Significant Deterioration requirements to sources that emit greenhouse gases?

(a) The requirements of sections 160 through 165 of the Clean Air Act are not met to the extent the plan, as approved, for Texas does not apply with respect to emissions of the pollutant GHGs from certain stationary sources. Therefore, the provisions of § 52.21 except paragraph (a)(1) are hereby made a part of the plan for Texas for:

(1) Beginning on May 1, 2011, the pollutant GHGs from stationary sources described in § 52.21(b)(49)(iv), and

(2) Beginning July 1, 2011, in addition to the pollutant GHGs from sources described under paragraph (a)(1) of this

section, stationary sources described in § 52.21(b)(49)(v).

(b) For purposes of this section, the ''pollutant GHGs'' refers to the pollutant GHGs, as described in § 52.21(b)(49)(i).

(c) In addition, the United States Environmental Protection Agency shall take such action as is appropriate to assure the application of PSD requirements to sources in Texas for any other pollutants that become subject to regulation under the Federal Clean Air Act for the first time after January 2, 2011.

[76 FR 25209, May 3, 2011]

§ 52.2306 Particulate Matter (PM_{10}) Group II SIP commitments.

On July 18, 1988, the Governor of Texas submitted a revision to the State Implementation Plan (SIP) that contained commitments for implementing all of the required activities including monitoring, reporting, emission inventory, and other tasks that may be necessary to satisfy the requirements of the PM_{10} Group II SIPs. The Texas Air Control Board adopted these revisions on May 13, 1988. The State of Texas has committed to comply with the PM_{10} Group II SIP requirements, as articulated in the FEDERAL REGISTER notice of July 1, 1987 (52 FR 24670), for the defined areas of Dallas, Harris, Lubbock, and Nueces counties as provided in the Texas PM_{10} Group II SIPs. In addition to the SIP, a letter from the Governor of Texas, dated July 18, 1988, stated that:

* * * In the July 1, 1987 issue of the FEDERAL REGISTER, the U.S. Environmental Protection Agency announced the requirement that each state submit a committal SIP for PM_{10} Group II areas instead of full control strategies. States were also required to submit demonstrations of attainment and maintenance of the PM_{10} National Ambient Air Quality Standards. The TACB is committed to carrying out the activities contained in the enclosed proposed SIP to satisfy those requirements * * *.

[54 FR 25586, June 16, 1989]

§ 52.2307 Small business assistance program.

The Governor of Texas submitted on November 13, 1992 a plan revision to develop and implement a Small Business Stationary Source Technical and Environmental Compliance Assistance Program to meet the requirements of section 507 of the Clean Air Act by November 15, 1994. The plan commits to provide technical and compliance assistance to small businesses, hire an Ombudsman to serve as an independent advocate for small businesses, and establish a Compliance Advisory Panel to advise the program and report to the EPA on the program's effectiveness.

[59 FR 42765, Aug. 19, 1994]

§ 52.2308 Area-wide nitrogen oxides (NO_X) exemptions.

(a) The Texas Natural Resource Conservation Commission (TNRCC) submitted to the EPA on June 17, 1994, a petition requesting that the Dallas ozone nonattainment area be exempted from the NO_X control requirements of section 182(f) of the Clean Air Act (CAA) as amended in 1990. The Dallas nonattainment area consists of Dallas, Tarrant, Denton, and Collin counties. The exemption request was based on a photochemical grid modeling which shows that the Dallas nonattainment area would attain the National Ambient Air Quality Standards (NAAQS) for ozone by the CAA mandated deadline without the implementation of the additional NO_X controls required under section 182(f). On November 21, 1994, the EPA conditionally approved this exemption request, conditioned upon the EPA approving the modeling portion of the Dallas attainment demonstration SIP.

(b) The TNRCC submitted to the EPA on June 17, 1994, a petition requesting that the El Paso ozone nonattainment area be exempted from the NO_X control requirements of section 182(f) of the Clean Air Act (CAA) as amended in 1990. The El Paso nonattainment area consists of El Paso county, and shares a common airshed with Juarez, Mexico. The exemption request was based on a photochemical grid modeling which shows that the El Paso nonattainment area would attain the NAAQS for ozone by the CAA mandated deadline without the implementation of the additional NO_X controls required under section 182(f), but for emissions emanating from Mexico. On November 21, 1994, the

EPA conditionally approved this exemption request, conditioned upon the EPA approving the modeling portion of the El Paso attainment demonstration SIP.

(c) The Texas Natural Resource Conservation Commission submitted to the EPA on May 4, 1994, a petition requesting that the Victoria County incomplete data ozone nonattainment area be exempted from the requirement to meet the NO_X provisions of the Federal transportation conformity rule. The exemption request was based on monitoring data which demonstrated that the National Ambient Air Quality Standard for ozone had been attained in this area for the 35 months prior to the petition, with the understanding that approval of the State's request would be contingent upon the collection of one additional month of data. The required additional month of verified data was submitted later and, together with the data submitted with the State's petition, demonstrated attainment of the NAAQS for 36 consecutive months. The EPA approved this exemption request on March 2, 1995.

(d) The TNRCC submitted to the EPA on August 17, 1994, with supplemental information submitted on August 31, 1994, and September 9, 1994, a petition requesting that the Houston and Beaumont ozone nonattainment areas be temporarily exempted from the NO_X control requirements of section 182(f) of the CAA. The Houston nonattainment area consists of Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller counties. The Beaumont nonattainment area consists of Hardin, Jefferson, and Orange counties. The exemption request was based on photochemical grid modeling which shows that reductions in NO_X would not contribute to attaining the ozone NAAQS. On April 12, 1995, the EPA approved the State's request for a temporary exemption. Approval of the temporary exemption waives the federal requirements for NO_X Reasonably Available Control Technology (RACT), New Source Review (NSR), conformity, and vehicle inspection and maintenance (I/M) for the period of the temporary exemption. The temporary exemption automatically expires on December 31, 1996, without further notice from the EPA. Based on the rationale provided in the notice of proposed rulemaking on this action, upon the expiration of the temporary exemption, the requirements pertaining to NO_X RACT, NSR, conformity, and I/M will again become applicable, except that the NO_X RACT implementation date applicable to the Houston and Beaumont nonattainment areas under section 182(f) shall be as expeditious as practicable but no later than May 31, 1997, unless the State has received a permanent NO_X exemption from the EPA prior to that time.

(e) The TNRCC submitted to EPA on March 6, 1996, a petition requesting that the Houston/Galveston and Beaumont/Port Arthur ozone nonattainment areas be granted an extension to a previously-granted temporary exemption from the NO_X control requirements of sections 182(f) and 182(b) of the Clean Air Act. The temporary exemption was granted on April 19, 1995. The current petition is based on the need for more time to complete UAM to confirm the need for, and the extent of, NO_X controls required. On May 23, 1997, EPA approved the State's request for an extension to the temporary exemption. The temporary extension automatically expires on December 31, 1997, without further notice from EPA. Upon expiration of the extension, the requirements pertaining to NO_X RACT, NSR, I/M, general and transportation conformity will become applicable, except that the NO_X RACT compliance date shall be implemented as expeditiously as practicable, but no later than May 31, 1999, unless the State has received a contingent NO_X exemption from the EPA prior to that time.

(f) The extension of the temporary exemption from NO_X control requirements of sections 182(f) and 182(b) of the Clean Air Act for the Houston/Galveston and Beaumont/Port Arthur ozone nonattainment areas granted on May 23, 1997, expired December 31, 1997. Upon expiration of the extension, the requirements pertaining to NO_X RACT, NSR, I/M, general and transportation conformity will become applicable and the State is expected to implement the requirements as expeditiously as possible.

(g) The Texas Natural Resource Conservation Commission submitted a letter to EPA requesting rescission of the previously-granted conditional exemption from the NO_X control requirements of section 182(f) of the Act for the Dallas/Fort Worth ozone nonattainment area. The letter was sent on November 13, 1998. The conditional exemption was granted on November 21, 1994, conditioned upon EPA approving the modeling portion of the DFW attainment demonstration SIP. The conditional exemption was also approved on a contingent basis. The modeling-based exemption would last only as long as the area's modeling continued to demonstrate attainment without the additional NO_X reductions required by section 182(f). The State's request is based on new photochemical modeling which shows the need for NO_X controls to help the area attain the ozone National Ambient Air Quality Standards. Furthermore, EPA would not and could not approve the earlier attainment demonstration SIP modeling upon which the condition was based.

(1) On June 21, 1999, the conditional NO_X exemption for the DFW area granted on November 21, 1994 is rescinded. Upon rescission, the Federal requirements pertaining to NO_X Reasonably Available Control Technology (RACT), New Source Review, vehicle Inspection/Maintenance, general and transportation conformity now apply.

(2) The NO_X RACT final compliance date must be implemented as expeditiously as practicable, but no later than March 31, 2001.

[59 FR 60714, Nov. 28, 1994, as amended at 60 FR 5867, Jan. 31, 1995; 60 FR 19522, Apr. 19, 1995; 62 FR 28349, May 23, 1997; 63 FR 7072, Feb. 12, 1998; 64 FR 19286, Apr. 20, 1999]

§ 52.2309 Emissions inventories.

(a) The Governor of the State of Texas submitted the 1990 base year emission inventories for the Houston/Galveston (HGA), Beaumont/Port Arthur (BPA), El Paso (ELP), and Dallas/Fort Worth (DFW) ozone nonattainment areas on November 17, 1992 as a revision to the State Implementation Plan (SIP). The 1990 base year emission inventory requirement of section 182(a)(1) of the Clean Air Act, as amended in 1990, has been satisfied for each of these areas.

(b) The inventories are for the ozone precursors which are volatile organic compounds, nitrogen oxides, and carbon monoxide. The inventories cover point, area, non-road mobile, on-road mobile, and biogenic sources.

(c) The HGA nonattainment area is classified as Severe-17 and includes Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller Counties; the BPA nonattainment area is classified as Serious and includes Hardin, Jefferson, and Orange Counties; the ELP nonattainment area is classified as Serious and includes El Paso County; and the DFW nonattainment area is classified as Moderate and includes Collin, Dallas, Denton, and Tarrant Counties.

(d) The Texas Natural Resource Conservation Commission submitted State Implementation Plan revisions to the 1990 base year emission inventory for the Beaumont/Port Arthur area with a cover letter from the Governor of Texas dated August 9, 1996.

(e) The Texas Natural Resource Conservation Commission submitted a revision to the State Implementation Plan (SIP) on August 9, 1996. This revision was submitted for the purpose of satisfying the 15% Rate-of-Progress requirements of the Clean Air Act, which will aid in ensuring the attainment of the National Ambient Air Quality Standards for ozone. This submittal also contained revisions to the 1990 base year emissions inventories for the Dallas/Fort Worth, El Paso and Houston/Galveston areas.

(f) The Texas Natural Resource Conservation Commission submitted a revision to the State Implementation Plan (SIP) on May 19, 2000. This revision was submitted for the purpose of satisfying the 9 percent Rate-of-Progress requirements of the Clean Air Act, which will aid in ensuring the attainment of the National Ambient Air Quality Standards for ozone. This submission also contained revisions to the 1990 base year emissions inventory for the Houston/Galveston areas.

[59 FR 55589, Nov. 8, 1994, as amended at 63 FR 6663, Feb. 10, 1998; 63 FR 62947, Nov. 10, 1998; 66 FR 20751, Apr. 25, 2001]

§ 52.2311 Motor vehicle antitampering.

The State of Texas submitted revisions to the State Implementation Plan for 30 TAC Chapter 114, sections 114.1 ''Maintenance and Operation of Air Pollution Control Systems or Devices Used to Control Emissions from Motor Vehicles'' and 114.5 ''Exclusions and Exceptions'' on February 24, 1989, and September 6, 1990, and July 13, 1993. The EPA disapproved these revisions that relate to Statewide antitampering provisions and exemptions to antitampering provisions for motor vehicles or motor vehicle engine emission control systems because the State's antitampering rules are not consistent with the Act, section 203(a)(3) and EPA's tampering prohibitions as outlined in EPA's antitampering enforcement policy, Mobile Source Enforcement Memorandum No. 1A.

[63 FR 6653, Feb. 10, 1998]

Subpart TT—Utah

§ 52.2320 Identification of plan

(a) Title of plan: ''Utah Implementation Plan.''

(b) The plan was officially submitted on January 25, 1972.

(c) The plan revisions listed below were submitted on the dates specified.

(1) Clarifications of the plan relating to particulate regulations, CO and NO_2 control strategies, new source review, emergency episodes, availability of emission data, and source surveillance submitted May 18, 1972, by State Division of Health.

(2) Revision of State new source review regulation, section 1.3.3 of the Utah Code of Air Conservation Regulations, submitted on September 13, 1972, by the Governor.

(3) Transportation control plan submitted April 13, 1973, by the Governor.

(4) Reenacted legislation providing for public availability of emission data submitted on June 13, 1974, by the State Division of Health.

(5) The Revised Utah Air Conservation Regulations on July 10, 1975, by the Governor.

(6) Provisions to meet the requirements of Part D and other sections of the Clean Air Act, as amended in 1977, were submitted on December 28, 1978, by the Governor.

(7) On November 5, 1979, the Governor submitted a plan revision to meet the requirements of Air Quality Monitoring, 40 CFR part 58, subpart C, § 58.20.

(8) Provisions to meet the transportation control requirements of Part D and other sections of the Clean Air Act, as amended in 1977, were submitted on November 5, 1979, and August 11, 1980, by the Governor.

(9) Provisions to meet the requirements of Part D for particulates and to attain the national standard for lead were submitted on March 11, 1980, July 25, 1980, November 13, 1980, December 26, 1980, and April 8, 1981.

(10) Provisions to meet the requirements of Part C of the Clean Air Act, as amended in 1977, were submitted on August 17, 1981.

(11) Provisions to meet the requirements of section 127 and Part D for carbon monoxide and ozone were submitted on August 11, 1980.

(12) Provisions to meet the requirements of Part D of the Clean Air Act, as amended in 1977, for particulates and volatile organic compounds, were submitted on April 8, 1981.

(13) Provisions to meet the requirements of Part D of the Clean Air Act, as amended in 1977, for particulates were submitted on March 1, 1982.

(14) A revision to the definition of volatile organic compound was submitted on April 29, 1982.

(15) Provisions to meet the requirements of Part D of the Clean Air Act, as amended in 1977, for carbon monoxide in Provo and Ogden, Utah were submitted on September 20, 1982.

(16) Additional information regarding stack monitoring at the main stack at the Kennecott Copper Smelter in Salt Lake City was submitted on December 27, 1982, and February 3, 1984.

(17) Provision to meet the requirements of Part D of the Clean Air Act as amended in 1977 providing for implementing automobile inspection and maintenance in Salt Lake and Davis Counties were submitted on December 9, 1983, December 19, 1983, February 6, 1984, and March 1, 1984. A revision providing for the commitment to adopt regulations for VOC sources covered by

future CTG's (Group III) was submitted on February 6, 1984.

(18) A revision to the SIP was submitted by the Governor for attainment of the SO_2 standard on August 17, 1981. Additional submittals January 25, 1983, and September 5, 1984.

(19) A revision to the SIP was submitted by the Governor on April 26, 1985, for visibility monitoring and new source review.

(i) Incorporation by reference.

(A) Letter dated April 26, 1985, from Governor Norman Bangerter submitting the Utah Visibility SIP and Regulations.

(B) The Visibility SIP and the Utah Air Conservation Regulations 1.1.7 and 3.11.1 were adopted on April 15, 1985 referred to in the Governor's letter as April 12, 1985.

(20) A revision to the SIP was submitted by the Governor on December 12, 1985, for attaintment of the CO standard in Utah County.

(i) Incorporation by reference.

(A) Letter and attachments dated December 12, 1985, from Governor Norman H. Bangerter submitting the SIP Revision for attainment of NAAQS for CO in Utah County. The attachments included Section 9, Part C; Section 9, Appendices A, C, H, and I; and Technical Support Document—Provo.

(ii) Additional material.

(A) Letter dated May 8, 1986, from Brent C. Bradford to Irwin Dickstein; Re: Response to questions on I/M with anti-tampering program.

(B) Letter and attachment dated May 15, 1986, from Brent Bradford to Irwin Dickstein transmitting Appendix D of the Technical Support Document.

(21) A revision to the SIP was submitted by the Governor on December 11, 1987, for visibility general plan requirements and long-term strategies.

(i) Incorporation by reference.

(A) Letter dated December 2, 1988, from the Utah Bureau of Air Quality to the U.S. Environmental Protection Agency, Region VIII.

(B) A revised section 16, Visibility Protection, of the Utah SIP was adopted on November 12, 1987, except for the first three paragraphs of § 16.1, the fifth and sixth paragraph of § 16.4, and the second and third paragraphs of § 16.5.

(22) In a letter dated May 2, 1986, the Governor submitted revisions to the Utah Air Conservation Regulations addressing GEP stack heights/dispersion techniques and a new Section 17 to the SIP addressing GEP stack height demonstration analysis.

(i) Incorporation by reference.

(A) Revisions to the Utah Air Conservation Regulations adopted April 18, 1986. The revisions consist of adding stack height definitions (UACR 1.1.128 through UACR 1.1.133) and updating stack height exemptions (UACR 3.8).

(B) Stack height demonstration analysis submitted by the State in a letter dated May 2, 1986.

(23) On May 2, 1991 the Governor of Utah submitted revisions to the plan. The revisions include amendments to the prevention of significant deterioration (PSD) portion of the plan to incorporate the nitrogen dioxide (NO_2) increments, and several ''housekeeping'' changes to definitions, new source review, and PSD regulations.

(i) Incorporation by reference.

(A) Revisions to the Utah Air Conservation Regulations, section R446–1–1, Foreword and Definitions, section R446–1–3, Control of Installations, and section R446–2–1, Utah State Implementation Plan Incorporation by Reference, effective January 1, 1991.

(B) Letter dated May 1, 1991, from Kenneth Hansen of the Utah Division of Administrative Rules to Dave McNeill of the Utah Bureau of Air Quality, confirming a codification change to paragraph R446–1–3.6.5, effective May 1, 1991. This letter contains a reprinted version of R446–1–3.6.5.

(ii) Additional material.

(A) February 26, 1991, letter from F. Burnell Cordner, Executive Secretary, Utah Air Conservation Committee, to Douglas M. Skie, EPA, transmitting administrative materials for the SIP revision.

(B) May 2, 1991, letter from Norman H. Bangerter, Governor, State of Utah, to James J. Scherer, EPA. Official SIP submittal, transmitting the SIP narrative modifying section 8, Prevention of Significant Deterioration, and other administrative materials.

(24) On May 4, 1990, and July 25, 1991, the Governor of Utah submitted revisions to the plan. The revisions include

amendments to the ozone nonattainment area regulations for stationary sources of volatile organic compounds (VOCs), contained within Regulation R446–1–4.9 of the Utah Air Conservation Regulations, ''Emission Standards. Non-Attainment Area Requirements—Ozone,'' and the definitions applicable to the VOC regulations, contained within Regulation R446–1–1, ''Foreward and Definitions.'' The amendments were made to conform Regulations R446–1–1 and R446–1–4.9 to statutory requirements for application of reasonably available control technology (RACT) to stationary sources of VOC's, as required by section 182(a)(2)(A) of the 1990 Clean Air Act, and to improve the clarity and enforceability of the regulations.

(i) Incorporation by reference.

(A) Revisions to the following Utah Air Conservation Regulations, Section R446–1–1, Foreward and Definitions, effective January 1, 1991: R446–1–1.10, 1.16, 1.40, 1.60, 1.109, 1.126, 1.140, 1.150, 1.151, 1.159, 1.160, 1.161, 1.162, 1.163, 1.164, 1.165, 1.166, 1.167, 1.168, 1.169, 1.170, 1.171, 1.172, 1.173, 1.174, 1.175, 1.176, 1.177, 1.178, 1.180, 1.182, 1.183, 1.184.

(B) Revisions to the following rules of R446–1–4.9, *Emission Standards. Non-Attainment Area Requirements—Ozone*, effective June 15, 1991: 4.9.A through 4.9.E were added (disposal of VOCs; requirements for EPA concurrence on alternative test methods, alternative methods of control, alternative compliance periods, alternative emission limits, or alternative monitoring schedules; recordkeeping and reporting requirements; RACT requirements for major non-CTG sources; ''once-in, always-in'' requirements; and allowance for exclusion of non-reactive VOC's); revisions to 4.9.1 (Petroleum Liquid Storage), 4.9.2 (Gasoline Transfer/Storage), 4.9.3 (Control of Hydrocarbon Emissions in Refineries), 4.9.4 (Degreasing and Solvent Cleaning Operations), 4.9.5 (Cutback Asphalt), 4.9.6 (Volatile Organic Compounds Used for Coating Paper, Fabric, Vinyl, Metal Furniture, Large Appliances, Magnet Wire, Flat Wood Paneling, Miscellaneous Metal Parts and Products, and Graphic Arts), 4.9.7 (Perchlorethylene Dry Cleaning Plants), 4.9.8 (Compliance Schedule); 4.9.9 (Compliance Schedule) was deleted.

(ii) Additional material.

(A) May 9, 1991, letter from F. Burnell Cordner, Executive Secretary, Utah Air Conservation Committee, to Douglas Skie, EPA. This letter provided final changes to R446–1–4.9, indicated that these changes would become effective on June 15, 1991, and indicated that the State would submit the Ozone SIP revision package to EPA after the changes become effective.

(B) July 25, 1991, letter from Norman H. Bangerter, Governor, State of Utah, to James Scherer, EPA. Official SIP submittal, transmitting revised Regulation R446–1–4.9, and other administrative materials. This letter provided a negative declaration for seven CTG source categories: large petroleum dry cleaners, manufacturers of high density polyethylene, polypropylene, polystyrene resins, manufacturers of synthesized pharmaceutical products, manufacturers of pneumatic rubber tires, natural gas/gas processing plants, and synthetic organic chemical manufacturing industries (SOCMI) with fugitive emissions and/or air oxidation processes.

(C) September 5, 1991, letter from F. Burnell Cordner, Executive Secretary, Utah Air Quality Board, to James Scherer, EPA. This letter provided a negative declaration for three CTG source categories: surface coating of cans, surface coating of metal coils, and surface coating of automobiles and light duty trucks.

(D) January 30, 1992, letter from F. Burnell Cordner, Executive Secretary, Utah Air Quality Board, to Doug Skie, EPA. This letter contained the State's commitment to conduct capture efficiency testing using the most recent EPA capture efficiency protocols, and the commitment to adopt federal capture efficiency test methods after they are officially promulgated by EPA.

(25) The Governor of Utah submitted a PM_{10} State Implementation Plan (SIP) for Salt Lake and Utah Counties, Utah with a letter dated November 15, 1991. The submittals were made to satisfy those moderate PM_{10} nonattainment area SIP requirements due for Salt Lake and Utah Counties as outlined in the Clean Air Act of 1990. The

Governor's submittal also included revisions to the Utah Air Quality Rules and to other sections of the State-wide SIP. The Utah Air Conservation Regulations have been revised and renumbered over the past decade and are being replaced in its entirely with this Governor's submittal.

(i) Incorporation by reference.

(A) Utah Air Conservation Regulations, printed January 27, 1992.

(B) Utah State Implementation Plan, Section 1–7 and 10–15, effective March 31, 1992.

(C) Utah State Implementation Plan, Section 9, Part A and Section 9, Part A, Appendix A effective August 14, 1991.

(26) On November 9, 1992, Norman Bangerter, the Governor of Utah, submitted a SIP revision to the Utah Implementation Plan and Utah Air Conservation Regulations. This revision establishes and requires the implementation of oxygenated fuel programs in Provo-Orem and Salt Lake-Ogden Metropolitan Statistical Areas as required by section 211(m) of the Clean Air Act Amendments of 1990.

(i) Incorporation by reference.

(A) R307–8; Oxygenated Gasoline Program, of the Utah Air Conservation Regulations as adopted by the State, effective December 16, 1993.

(ii) Additional materials.

(A) Letter dated November 9, 1992, from Governor Norman Bangerter submitting the oxygenated gasoline program SIP revision.

(B) Letter dated May 19, 1994, from Governor Michael O. Leavitt submitting the oxygenated gasoline program SIP revision.

(27) The Governor of Utah submitted a Section 16, Stack Height Demonstration and Section 9, Part B, Sulfur Dioxide of the Utah State Implementation Plan (SIP) a letter dated December 23, 1991, and May 15, 1992, respectively. The Governor's submittal also included statewide SO_2 regulations.

(i) Incorporation by reference.

(A) Utah State Implementation Plan, Section 16, effective December 16, 1991.

(B) Utah State Implementation Plan, Section 9, Part B effective June 15, 1992.

(C) Utah Air Conservation Regulations, R307–1–4. Emission Standards: changes to 4.2 Sulfur Content of Fuels and 4.6.2, effective June 15, 1992.

(28) On November 12, 1993, the Governor of Utah submitted revisions to its permitting requirements to satisfy the nonattainment new source review provisions in the amended Clean Air Act for all of its nonattainment areas. On May 20, 1994, the Governor of Utah submitted a revision to Utah's definition of volatile organic compounds.

(i) Incorporation by reference.

(A) Utah Air Conservation Regulations, R307–1–1, the forward and the following definitions: ''air contaminant,'' ''air contaminant source,'' ''air pollution,'' ''allowable emissions,'' ''ambient air,'' ''best available control technology (BACT),'' ''board,'' ''department,'' ''dispersion technique,'' ''emission limitation,'' ''executive director,'' ''executive secretary,'' ''major modification,'' ''major source,'' ''PM–10 precursor,'' ''person,'' ''temporary,'' and ''volatile organic compound (VOC);'' effective November 15, 1993, printed June 24, 1994.

(B) Utah Air Conservation Regulations, R307–1–3.1.8, R307–1–3.1.10, and R307–1–3.3; effective August 16, 1993, printed May 26, 1994.

(ii) Additional material.

(A) Letter dated October 18, 1994 from Russell A. Roberts to Douglas M. Skie clarifying applicability of Utah's nonattainment new source review permitting requirements.

(29) Revisions to the Utah State Implementation Plan for the 1990 Carbon Monoxide Base Year emission inventories for Ogden City, Salt Lake City, and Utah County were submitted by the Governor in a letter dated July 11, 1994.

(i) Incorporation by reference.

(A) Carbon Monoxide 1990 Base Year Emission Inventories for Ogden City, Utah SIP, Section IX, Part C.3., Table IX.C.5; Salt Lake City, Utah SIP, Section IX, Part C.3., Table IX.C.4; and Utah County, Utah SIP, Section IX, Part C.6., Table IX.C.10 all of which became effective on August 31, 1994.

(30) On November 9, 1992, the Governor of Utah submitted a plan for the establishment and implementation of a Small Business Assistance Program to be incorporated into the Utah State

Implementation Plan as required by section 507 of the Clean Air Act.

(i) Incorporation by reference.

(A) Utah Code, Title 19, Chapter 2, Air Conservation Act, Sections 19–2–109.1 and 19–2–109.2, to establish and fund a small business stationary source technical and environmental compliance assistance program, effective April 27, 1992.

(ii) Additional materials.

(A) November 9, 1992 letter from the Governor of Utah submitting a Small Business Assistance Program plan to EPA.

(B) The State of Utah plan for the establishment and implementation of a Small Business Assistance Program, promulgated September 30, 1992 by the Utah Air Quality Board, effective December 1, 1992.

(31) On February 1, 1995, the Governor of Utah submitted revisions to the prevention of significant deterioration permitting regulations in R307–1–1 and R307–1–3 of the Utah Air Conservation Regulations to incorporate changes in the Federal PSD permitting regulations for PM–10 increments and to make other minor, administrative changes.

(i) Incorporation by reference.

(A) Revisions to the Utah Air Conservation Regulations, R307–1–1, the definitions of ''baseline area,'' ''baseline date,'' ''net emissions increase,'' and ''significant,'' effective 9/22/94, printed 10/24/94.

(B) Revisions to the Utah Air Conservation Regulations, R307–1–3, Sections 3.6.2.B, 3.6.2.D, 3.6.2.E, 3.6.3.A, 3.6.3.B, 3.6.3.D.(2) and (3), 3.6.4.A.(1), 3.6.4.C, 3.6.4.D, 3.6.5.A, 3.6.5.B.(1)(a), 3.6.5.C, 3.6.5.D, 3.6.5.E, 3.6.5.F, and 3.6.6, effective 10/1/94, printed 10/24/94.

(32)–(33) [Reserved]

(34) Revisions to the Utah State Implementation Plan for the Emission Statement Inventory regulation, UACR R307–1–3.5.4., revision of the ozone nonattainment area designation definition, UACR R307–1–3.3.3C, and other minor changes to definitions in UACR R307–1–1. were submitted by the Governor in a letter dated November 12, 1993.

(i) Incorporation by reference.

(A) Emission Statement Inventory regulation, UACR R307–1–3.5.4, ozone nonattainment area designation definition, UACR R307–1–3.3.3C, and the following definitions in UACR R307–1–1.; ''Control Apparatus'', ''Emissions Information'', ''Peak Ozone Season'', ''Process Level'', and ''Process Rate''. All were adopted on August 4, 1993, and became effective on November 15, 1993.

(B) A letter dated May 30, 1995, from Russell Roberts, Director, Utah Division of Air Quality to Douglas Skie, Chief, Air Programs Branch for Region 8.

(35) [Reserved]

(36) The Governor of Utah submitted a revision to Utah's State Implementation Plan (SIP) for Visibility Protection with a letter dated July 25, 1996. The revision was made to add a new subsection 15.10 to the SIP to include a policy statement regarding scenic views which was deleted from the Utah Air Conservation Regulations.

(i) Incorporation by reference.

(A) Utah State Implementation Plan, Subsection 15.10, Policy of the Air Conservation Committee Concerning the Protection of Scenic Views Associated with Mandatory Class I Areas from Significant Impairment for Visibility, adopted on March 26, 1993, and effective on March 29, 1993.

(ii) Additional material.

(A) A July 25, 1996 letter from Michael O. Leavitt, Utah Governor, to Jack McGraw, EPA Region VIII Acting Regional Administrator, in which it was communicated, among other things, that the Utah Air Quality Board deleted R307–5 from the Utah Air Conservation Regulations. The deletion was effective March 29, 1993.

(37) On November 20, 1996, the Governor of Utah submitted a revision to the Utah State Implementation Plan. The submittal included a new Utah regulation which incorporates by reference the Federal new source performance standards in 40 CFR part 60, as in effect on March 12, 1996.

(i) Incorporation by reference.

(A) Utah Air Conservation Regulations, R307–18–1, ''Standards of Performance for New Stationary Sources (NSPS),'' effective September 9, 1996, printed October 19, 1996.

(38) Revisions to the Utah State Implementation Plan, Section IX, Control Measures for Area and Point Sources,

Part D, Ozone; Section X, Vehicle Inspection and Maintenance Program, Part A, General Requirements and Applicability; Section X, Vehicle Inspection and Maintenance Program, Part B, Davis County; Section X, Vehicle Inspection and Maintenance Program, Part C, Salt Lake County; Section X, Vehicle Inspection and Maintenance Program, Part E, Weber County; UACR R307–1–3.3.3.C., a portion of Control of Installations; UACR R307–1–3.5.3.B.(1), a portion of Emission Statement Inventory; all as submitted by the Governor on February 19, 1997. EPA approved the above provisions. In addition, EPA approved, for the limited purpose of strengthening the SIP, revisions to UACR R307–14, Requirements for Ozone Nonattainment Areas and Davis and Salt Lake Counties, as submitted by the Governor on February 6, 1996.

(i) Incorporation by reference.

(A) UACR R307–2–13 adopted by the Utah Air Quality Board on January 8, 1997, effective March 4, 1997, including Section IX, Part D.2 of the Utah State Implementation Plan (SIP) that such rule incorporates by reference (Ozone Maintenance Provisions for Salt Lake and Davis Counties, adopted by the Utah Air Quality Board on January 8, 1997), and excluding any other provisions that such rule incorporates by reference.

(B) The following State Approval Orders (AO): Pacificorp Gadsby Power Plant AO DAQE–0063–94 dated February 3, 1994, Kennecott Utah Copper Utah Power Plant AO DAQE–433–94 dated May 27, 1994, Hill Air Force Base (HAFB) AO DAQE–163–96 dated February 9, 1996, HAFB AO DAQE–1134–95 dated December 7, 1995, HAFB AO DAQE–860–95 dated September 20, 1995, HAFB AO DAQE–775–95 dated August 30, 1995, HAFB AO DAQE–403–95 dated May 8, 1995, HAFB AO DAQE–067–95 dated January 31, 1995, HAFB AO DAQE–068–95 dated January 30, 1995, HAFB AO DAQE–915–94 dated October 18, 1994, HAFB AO DAQE–824–94 dated September 29, 1994, HAFB AO DAQE–0752–93 dated August 27, 1993, HAFB AO DAQE–0719–93 dated August 20, 1993, HAFB AO DAQE–0103–93 dated February 11, 1993, HAFB AO DAQE–1171–92 dated January 4, 1993, HAFB AO DAQE–416–92 dated April 28, 1992, HAFB AO DAQE–167–92 dated February 19, 1992, HAFB AO DAQE–894–91 dated November 25, 1991, HAFB AO BAQE–039–91 dated February 7, 1991, HAFB AO BAQE–669–88 dated December 20, 1988, HAFB AO BAQE–525–88 dated October 13, 1988, HAFB AO BAQE–353–88 dated July 21, 1988, HAFB AO BAQE–026–88 dated January 20, 1988, HAFB AO for Industrial Wastewater Treatment Facility dated February 20, 1986, HAFB AO for Hydrazine Exhaust Incinerator dated February 5, 1985, HAFB AO for Paint Booth, HVAC Modification, Standby Generators, and Fuel Storage dated July 18, 1983, HAFB AO for Remodeling Base Exchange BX Service Station dated July 12, 1979, HAFB AO for Construction dated June 27, 1978, and the Olympia Sales Company AO DAQE–300–95 dated April 13, 1995.

(C) UACR R307–2–18, adopted by the Utah Air Quality Board on February 5, 1997, effective February 14, 1997. This rule incorporates by reference Section X, Part A of the Utah State Implementation Plan, Vehicle Inspection and Maintenance Program, General Requirements and Applicability.

(D) UACR R307–2–31, adopted by the Utah Air Quality Board on February 5, 1997, effective February 14, 1997. This rule incorporates by reference Section X, Part B of the Utah State Implementation Plan, Vehicle Inspection and Maintenance Program, Davis County.

(E) UACR R307–2–32, adopted by the Utah Air Quality Board on February 5, 1997, effective February 14, 1997. This rule incorporates by reference Section X, Part C of the Utah State Implementation Plan, Vehicle Inspection and Maintenance Program, Salt Lake County.

(F) UACR R307–2–34, adopted by the Utah Air Quality Board on February 5, 1997, effective February 14, 1997. This rule incorporates by reference Section X, Part E of the Utah State Implementation Plan, Vehicle Inspection and Maintenance Program, Weber County.

(G) UACR R307–1–3.3.3.C., a portion of Control of Installations, as adopted by the Utah Air Quality Board on January 8, 1997, effective January 15, 1997.

(H) UACR R307–1–3.5.3.B.(1), a portion of Emission Statement Inventory regulation, as adopted by the Utah Air

Quality Board on January 8, 1997, effective January 15, 1997.

(I) UACR R307–14–1, Requirements for Ozone Nonattainment Areas and Davis and Salt Lake Counties, adopted by the Utah Air Quality Board on August 9, 1995, effective on August 15, 1995.

(39) Revisions to the Utah State Implementation Plan, Section IX, Control Measures for Area and Point Sources, Part C, Carbon Monoxide as submitted by the Governor on December 6, 1996 (with minor mathematical corrections submitted by the Utah Division of Air Quality on August 12, 1998), excluding Section IX, Part C.7.f.(3) of the plan, ''Emissions Credit Allocation,'' as EPA is not taking any action on that section of the plan. UACR R307–1–3.3 Requirements for Nonattainment and Maintenance Areas—New and Modified Sources; as submitted by the Governor on November 24, 1995.

(i) Incorporation by reference.

(A) UACR R307–2–12, adopted by the Utah Air Quality Board on August 7, 1996 and September 4, 1996, effective November 1, 1996, as modified through a notice of nonsubstantive rule change dated July 14, 1998, effective July 27, 1998, to correct minor mathematical errors in Section IX, Part C.7.f.(2) of the Utah State Implementation Plan (SIP). UACR R307–2–12 incorporates by reference a number of provisions of the Utah SIP, only some of which are relevant to this rulemaking action. EPA's incorporation by reference of UACR R307–2–12 only extends to the following Utah SIP provisions and excludes any other provisions that UACR R307–2–12 incorporates by reference:

Section IX, Part C.7 (except for Section IX, Part C.7.f.(3)), Carbon Monoxide Maintenance Provisions for Salt Lake City, adopted by Utah Air Quality Board on August 7, 1996, and September 4, 1996, effective November 1, 1996, as modified by the nonsubstantive rule change noted above.

(B) UACR R307–1–3.3, a portion of Requirements for Nonattainment and Maintenance Areas—New and Modified Sources, as adopted by the Utah Air Quality Board on October 4, 1995, December 6, 1995, effective January 31, 1996.

(ii) Additional material.

(A) February 19, 1998, letter from Ursula Trueman, Director, Utah Division of Air Quality, Department of Environmental Quality to Richard R. Long, Director, Air and Radiation Program, EPA Region VIII, entitled ''DAQS–0188–98; Technical Support Documents—Ogden City and Salt Lake City CO Maintenance Plans.'' This letter confirmed that all the emission projections, contained in the technical support documents for both the Salt Lake City and Ogden City redesignation requests, were properly adopted by the Utah Air Quality Board in accordance with the Utah Air Quality Rules.

(B) Materials from Jan Miller, Utah Division of Air Quality, Department of Environmental Quality, received by Tim Russ, Air and Radiation Program, EPA Region VIII, displaying the minor mathematical corrections to the on-road mobile source emission budgets in Section IX, Part C. 7.f.(2) of the Salt Lake City CO Maintenance Plan. These nonsubstantive changes were made in accordance with the Utah Air Quality Rules and were effective July 27, 1998.

(40) The Governor of Utah submitted revisions to the Utah State Implementation Plan to revise Utah's definition of a volatile organic compound (VOC) and to include nonsubstantive wording changes regarding VOC emissions from air strippers and soil venting operations. The revisions to the VOC definition, found in UACR R307–1–1, were submitted by the Governor on November 8, 1995, February 12, 1996, November 20, 1996, May 15, 1997, and June 10, 1998. The revisions submitted November 8, 1995, February 12, 1996, November 20, 1996, and May 15, 1997, deleted volatile methyl siloxanes, parachlorobenzotrifluoride (PCBTF), acetone, perchloroethylene (PERC), HFC 43–10mee, HCFC 225ca and HCFC 225cb from the definition of VOCs. The June 10, 1998 submittal incorporated the deletion of 16 more pollutants from the federal list that were determined to have a negligible contribution to tropospheric ozone formation; the compounds are: HFC–32, HFC–161, HFC–236fa, HFC–245ca, HFC–245ea, HFC–245eb, HFC–245fa, HFC–236ea, HFC–365mfc, HCFC–31, HCFC–123a, HCFC–151a, $C_4F_9OCH_3$, $(CF_3)_2CFCF_2OCH_3$, $C_4F_9OC_2H_5$, and $(CF_3)_2CFCF_2OC_2H_5$

(compound names only are listed here, refer to 62 FR 44901, August 25, 1997 for the chemical name and 62 FR 44903, August 25, 1997 for the complete list of exempted VOCs). A second February 12, 1996 Governor's submittal contained minor wording revisions which were made to UACR R307–6–1 regarding VOC emissions from air strippers and soil venting operations. The revision submitted November 20, 1996 also repealed UACR R307–14–8 which had addressed requirements for perchloroethylene dry cleaning plants located in ozone nonattainment and maintenance areas.

(i) Incorporation by reference.

(A) UACR R307–1–1, a portion of Forward and Definitions, definition of VOC, as adopted by the Utah Air Quality Board on January 7, 1998, effective January 8, 1998.

(B) UACR R307–6, a portion of *De minimis* Emissions from Air Strippers and Soil Venting Projects, nonsubstantive wording changes, effective October 1, 1995.

(41) On July 11, 1994 the Governor of Utah submitted revisions to the Utah State Implementation Plan (SIP) to revise the definition for ''Sole Source of Heat'' under UACR R307–1–1, ''Foreword and Definitions,'' to allow the exemption of those households with small portable heating devices from mandatory no-burn periods. This revision also made changes to the residential woodburning regulations under UACR R307–1–4.13.3 ''No-Burn Periods,'' which specifies the actions which must be taken if contingency measures are implemented in the Salt Lake, Davis or Utah County nonattainment areas. These plans were requested to be withdrawn by the Governor in a November 9, 1998, letter to the Regional Administrator. EPA returned the portions of these plans with a letter to the Governor on January 29, 1999. A nonsubstantive change was made in this section as a result of the revision which moves section 4.13.3 D to section 4.13.3.E; this change was also approved by EPA. On February 6, 1996 the Governor of Utah submitted revisions to the Utah State Implementation Plan to revise Utah's open burning regulations, under UACR R307–1–2.4, to require that the local county fire marshal establish 30-day open burning windows during the spring and fall closed burning seasons in areas outside of Salt Lake, Davis, Weber, and Utah Counties as granted by the state forester. There were also minor changes made to the open burning regulations under UACR R307–1–2.4, ''General Burning'' and minor changes made to UACR R307–1–2.5 ''Confidentiality of Information.'' On July 9, 1998 the Governor of Utah submitted revisions to the Utah SIP to add a definition for ''PM_{10} Nonattainment Area,'' under UACR R307–1–1, ''Foreword and Definitions.''

(i) Incorporation by reference.

(A) UACR R307–1–1, a portion of ''Foreword and Definitions,'' revision of definition for ''Sole Source of Heat,'' as adopted by Utah Air Quality Board on December 9, 1993, effective on January 31, 1994.

(B) UACR R307–1–4, a portion of ''Emissions Standards,'' as adopted by Utah Air Quality Board on December 9, 1993, effective on January 31, 1994.

(C) UACR R307–1–2, a portion of ''General Requirements,'' open burning changes and nonsubstantive wording changes, as adopted by Utah Air Quality Board on September 6, 1995, effective on October 31, 1995.

(D) UACR R307–1–1, a portion of ''Foreword and Definitions,'' addition of definition for ''PM_{10} Nonattainment Area,'' as adopted by Utah Air Quality Board on January 7, 1998, effective on January 8, 1998.

(ii) Additional Material.

(A) July 20, 1998, fax from Jan Miller, Utah Department of Air Quality, to Cindy Rosenberg, EPA Region VIII, transmitting Utah Code 65A–8–9, regarding closed fire seasons.

(B) October 21, 1998, letter from Richard R. Long, Director, EPA Air and Radiation Program, to Ursula Trueman, Director, Utah Division of Air Quality, requesting that Utah withdraw the submitted Salt Lake and Davis County PM_{10} Contingency Measure SIP revisions, the Utah County PM_{10} Contingency Measure SIP revisions, and the Residential Woodburning in Salt Lake, Davis and Utah Counties PM_{10} Contingency Measure SIP revision.

(C) November 9, 1998, letter from the Governor of Utah, to William Yellowtail, EPA Region VIII Administrator, requesting that the submitted

Salt Lake and Davis County and Utah County PM_{10} Contingency Measure SIP revisions and the Residential Woodburning in Salt Lake, Davis and Utah Counties PM_{10} Contingency Measure SIP revision be withdrawn.

(D) December 16, 1998, letter from Larry Svoboda, EPA Region VIII, to Ursula Trueman, Utah Department of Air Quality, clarifying revisions that were made to UACR R307–1–4.

(E) January 5, 1999, letter from Ursula Trueman, Utah Department of Air Quality, to William Yellowtail, EPA Region VIII Administrator, concurring on EPA's clarification of revisions that were made to UACR R307–1–4.

(F) January 29, 1999, letter from William Yellowtail, EPA Region VIII Administrator, to the Governor of Utah returning the Salt Lake and Davis County and Utah County PM_{10} Contingency Measure SIP revisions and the Residential Woodburning in Salt Lake, Davis and Utah Counties PM_{10} Contingency Measure SIP revision.

(42) On February 12, 1996, the Governor of Utah submitted revisions submitted revisions to the SIP that incorporate the General Conformity requirements of 40 CFR part 93, subpart B into the SIP and State regulation.

(i) Incorporation by reference.

(A) UACR R307–2–30, Section XXII, General Conformity, as adopted on October 4, 1995, effective October 12, 1995.

(B) UACR R307–19, General Conformity, as adopted on October 4, 1995, effective October 12, 1995.

(43) On February 1, 1995 the Governor of Utah submitted revisions to the Utah SIP to revise the provisions for road salting and sanding in Section 9, part A of the SIP and in UACR R307–1–3, updating the incorporation by reference in R307–2–1, deleting obsolete measures for nonferrous smelters in R307–1–3, and making nonsubstantive changes to UACR R307–1–1 and R307–1–3.

(i) Incorporation by reference.

(A) UACR R307–1–3, a portion of ''Control of Installations,'' revisions to road salting and sanding requirements and deletion of non ferrous smelter orders, as adopted by Utah Air Quality Board on November 5, 1993, effective on January 3, 1994.

(B) UACR R307–2–1, ''Incorporation by Reference,'' revised date for incorporation by reference of the State Implementation Plan, as adopted by Utah Air Quality Board on January 31, 1994.

(C) UACR R307–1–1, ''Foreword and Definitions,'' nonsubstantive change made to definition of ''PM_{10} precursor,'' effective on June 1, 1994.

(D) UACR R307–1–3, ''Control of Installations,'' nonsubstantive changes to road salting and sanding, effective on June 1, 1994.

(ii) Additional Material.

(A) February 22, 1999 letter from Ursula Trueman, Director, Utah Division of Air Quality, to Richard Long, Director, EPA Region VIII Air and Radiation Program, transmitting nonsubstantive change correction to R307–2–1, ''Incorporation by Reference,'' that was left out of the February 1, 1995 SIP submittal.

(B) March 16, 1999 letter from Larry Svoboda, Unit Leader, EPA Region VIII Air and Radiation Program, to Ursula Trueman, Director, Utah Division of Air Quality, explaining EPA's interpretation of nonsubstantive revision to definition of ''PM_{10} precursor.''

(C) April 28, 1999 letter from Richard Sprott, Planning Branch Manager, Utah Division of Air Quality, to Larry Svoboda, Unit Leader, EPA Region VIII Air and Radiation Program, providing explanation for and background to the ''PM_{10} precursor'' definition.

(D) August 26, 1999 fax from Jan Miller, Utah Division of Air Quality, to Cindy Rosenberg, EPA Region VIII Air and Radiation Program, transmitting documentation for effective date of the ''PM_{10} precursor'' definition.

(44) On February 29, 2000, the Governor of Utah submitted revisions to Section XI of the SIP that incorporate a new transportation control measure for Utah County into the SIP and State regulation.

(i) Incorporation by reference.

(A) UACR R307–110–19, Section XI, Other Control Measures for Mobile Sources, as adopted on February 9, 2000, effective February 10, 2000.

(B) Revisions to Section XI of the Utah SIP, Other Control Measures for Mobile Sources, adopted February 9, 2000, effective February 10, 2000.

(45) Revisions to the Utah State Implementation Plan, Section IX, Control Measures for Area and Point Sources, Part C, Carbon Monoxide (''Carbon Monoxide Maintenance Provisions for Ogden City'') as submitted by the Governor on December 9, 1996, excluding section IX, part C.8.f.(3) of the plan, ''Emissions Credit Allocation,'' as EPA is not taking any action on that section of the plan. UACR R307–8; Oxygenated Gasoline Program as submitted by the Governor on July 8, 1998.

(i) Incorporation by reference.

(A) UACR R307–2–12, section IX, part C of the Utah State Implementation Plan (SIP), adopted by the Utah Air Quality Board on August 7, 1996, and September 4, 1996, effective November 1, 1996. EPA's incorporation by reference of UACR R307–2–12 only extends to the following Utah SIP provisions and excludes any other provisions that UACR R307–2–12 incorporates by reference:

Section IX, part C.8 (except for section IX, part C.8.f.(3)), ''Carbon Monoxide Maintenance Provisions for Ogden City,'' adopted by Utah Air Quality Board on August 7, 1996, and September 4, 1996, effective November 1, 1996.

(B) UACR R307–8, Oxygenated Gasoline Program, as adopted by the Utah Air Quality Board on April 21, 1998, effective April 22, 1998.

(ii) Additional materials.

(A) February 19, 1998, letter from Ursula Trueman, Director, Utah Division of Air Quality, Department of Environmental Quality to Richard R. Long, Director, Air and Radiation Program, EPA Region VIII, entitled ''DAQS–0188–98; Technical Support Documents—Ogden City and Salt Lake City CO Maintenance Plans.'' This letter confirmed that all the emission projections contained in the technical support documents for both the Salt Lake City and Ogden City redesignation requests were properly adopted by the Utah Air Quality Board in accordance with the Utah Air Quality Rules.

(B) July 17, 2000, letter from Richard Long, Director, Air and Radiation Program, EPA Region VIII, to Ursula Kramer, Director, Utah Division of Air Quality, Department of Environmental Quality, entitled ''Federal Register Action for the Ogden City Carbon Monoxide (CO) Redesignation—Resolution of Issues with the Conformity Budgets.''

(C) September 11, 2000, letter from Rick Sprott, Acting Director, Utah Division of Air Quality, Department of Environmental Quality, to Richard Long, Director, Air and Radiation Program, EPA Region VIII, entitled ''DAQP–131–00; Ogden City Carbon Monoxide (CO) Redesignation—Resolution of Issues with the Conformity Budgets.'' This letter provided clarification regarding the transportation conformity budgets in section IX.C.8 of the Ogden City maintenance plan SIP revision.

(46) On April 19, 2000, the Governor of Utah submitted revisions to the State's Air Conservation Regulations to update the definitions for ''significant'' and ''volatile organic compound'' to be in agreement with the federal definitions found at 40 CFR 51.166(23)(i) and 40 CFR 51.100(s)(1), July 1, 1998, respectively.

(i) Incorporation by reference.

(A) Utah Air Conservation Regulations section R307–101–2, definitions of ''significant'' and ''volatile organic compound'' (VOC), effective April 8, 1999.

(47) The Governor of Utah submitted a request to repeal sections R307–1–4.11 and R307–2–28, and revise R307–7of the Utah Air Conservation Regulations (UACR) on June 17, 1998. R307–1–4.11 is removed from the SIP. No action was taken on the repeal of R307–2–28 because it was never approved into the SIP.

(i) Incorporation by reference.

(A) UACR R307–7 effective November 15, 1996.

(48) On August 14, 2001, the Governor of Utah submitted a revision to Utah's SIP to update UACR R307–110–33, Section X, Vehicle Inspection and Maintenance Program, Part C, Salt Lake County. The changes involve a demonstration that Salt Lake County's test and repair I/M network is as effective as a test only I/M network.

(i) Incorporation by reference.

(A) UACR R307–110–33, which incorporates by reference Utah SIP, Section X, Vehicle Inspection and Maintenance Program, Part C, Salt Lake County

and appendices 1.a, 1.b, and 1.c, adopted by the UAQB August 1, 2001 and State effective on August 2, 2001.

(49) On August 15, 2001, the Governor of Utah submitted a revision to Utah's SIP to update UACR R307–110–31, Section X, Vehicle Inspection and Maintenance Program, Part A, General Requirements and Applicability. This revision required the mandatory implementation of the inspection of vehicle On-Board Diagnostic (OBD) systems starting January 1, 2002 in all areas implementing an I/M program.

(i) Incorporation by reference.

(A) UACR R–307–110–31 which incorporates by reference Utah SIP, Section X, Vehicle Inspection and Maintenance Program, Part A, General Requirements and Applicability adopted by the UAQB on August 1, 2001 and State effective on August 2, 2001.

(50) The Governor of Utah submitted Rule R307–110–34 and Section X, Vehicle Inspection and Maintenance Program, Part D, Utah County as part of the Utah State Implementation Plan on December 7, 2001.

(i) Incorporation by reference.

(A) Rule R307–110–34 and Section X, Vehicle Inspection and Maintenance Program, Part D, Utah County, including appendices 1 through 6, as adopted by the Utah Air Quality Board on August 1, 2001, effective October 2, 2001, published in the Utah State Bulletin issue of September 1, 2001.

(ii) Additional Material.

(A) Letter dated December 7, 2001 from Governor Michael O. Leavitt submitting Utah County's inspection and maintenance program state implementation plan revision.

(B) Evaluation of the Utah County Inspection/Maintenance Program, dated May 20, 1999.

(51) On May 13, 2002, the Governor of Utah submitted a revision to Utah's SIP involving a new rule R307-310 ''Salt Lake County: Trading of Emission Budgets for Transportation Conformity.'' R307–310 allows trading from the motor vehicle emissions budget for primary Particulate Matter of 10 microns or less in diameter (PM_{10}) in the Salt Lake County PM_{10} SIP to the motor vehicle emissions budget for Nitrogen Oxides (NO_X) in the Salt Lake County PM_{10} SIP. This trading mechanism allows Salt Lake County to increase their NO_X budget in the Salt Lake County PM_{10} SIP by decreasing their PM_{10} budget by an equivalent amount. These adjusted budgets in the Salt Lake County PM_{10} SIP would then be used for transportation conformity purposes.

(i) Incorporation by reference.

(A) Rule R307–310 ''Salt Lake County: Trading of Emission Budgets for Transportation Conformity'', as adopted on May 13, 2002, by the Utah Air Quality Board, and State effective on May 13, 2002.

(52) [Reserved]

(53) On September 27, 2001, the Governor of Utah submitted a revision to Utah's SIP involving R307–301 ''Utah and Weber Counties: Oxygenated Gasoline Program.'' Specifically, the State revised R307–301–3 ''Average Oxygen Content Standard'' to only require the implementation of a 2.7% oxygen by weight program and not a 3.1% program that the State had mandated in a 1998 revision.

(i) Incorporation by reference.

(A) Rule R307–301–3 ''Average Oxygen Content Standard'', as adopted on September 5, 2001, by the Utah Air Quality Board, and State effective on September 10, 2001. This rule supersedes and replaces R307–8–3.1.B.

(54) On July 3, 2002, the Governor of Utah submitted a SIP revision revising the SIP for the Utah County nonattainment area for particulates of 10 microns in size or smaller (PM_{10}). The Governor's submittal, among other things, revises the existing attainment demonstration in the approved PM_{10} SIP based on a short-term emissions inventory, establishes 24-hour emission limits for the major stationary sources in the Utah County PM_{10} nonattainment area and establishes motor vehicle emission budgets based on EPA's most recent mobile source emissions model, Mobile6.

(i) Incorporation by reference.

(A) Rule R307–110–10, which incorporates revisions to portions of the Utah State Implementation Plan, Section IX, ''Control Measures for Area and Point Sources,'' Part A, ''Fine Particulate Matter'' as adopted on July 3, 2002, by the Utah Air Quality Board, and State effective on September 5,

2002. (Section IX of the Utah SIP was formerly designated Section 9. The revisions to Section IX, Part A we are incorporating by reference with this action do not replace Section 9, Part A entirely, but revise portions of Section 9.A.3., 9.A.6, 9.A.7, 9.A.8, 9.A.9 of the previously approved Utah SIP and add a new Section IX.A.10.)

(B) Rule R307–110–17, which incorporates revisions to portions of the Utah State Implementation Plan, Section IX, ''Control Measures for Area and Point Sources,'' Part H, ''Emission Limits,'' as adopted on June 5, 2002, by the Utah Air Quality, and State effective on September 5, 2002. (Section IX, Part H of the Utah SIP was formerly designated Section 9, Appendix A. The revisions to Section IX, Part H we are incorporating by reference with this action replace the following sections of Section 9, Appendix A of the previously approved Utah SIP: Section 1.1 (General Requirements (Utah County)) and all subsections thereof; Section 1.2 (Particulate Emission Limitations (company specific)) and all subsections thereof.)

(ii) Additional material.

(A) Letter dated August 9, 2002 from Richard Sprott, Director, Utah Division of Air Quality, to Richard Long, Director, Air and Radiation Program, EPA Region 8, transmitting the chronology of how the Utah County PM_{10} SIP revision was adopted over two Utah Air Quality Board meetings (June 5, 2002 and July 3, 2002) and the justification for the nonsubstantive revisions made between the two adoption dates.

(B) Letter dated July 3, 2002 from Governor Michael O. Leavitt, State of Utah, to Robert E. Roberts, Regional Administrator, EPA Region 8, requesting EPA's approval of the Utah State Implementation Plan for PM_{10} in Utah County.

(C) Commitment letter dated April 18, 2002 from Richard Sprott, Director, Utah Division of Air Quality, to Richard Long, Director, Air and Radiation Program, EPA Region 8, committing to work with us to address remaining issues with the PM_{10} SIPs for both the Utah and Salt Lake County nonattainment areas and with the Utah SIP in general. Utah will address these ongoing issues in a SIP revision (which may be in the form of a maintenance plan) that will be submitted by March 1, 2004.

(D) Letter dated March 15, 2002 from, Richard Sprott, Director, Utah Division of Air Quality, to Richard Long, Director, Air and Radiation Program, EPA Region 8, accompanied by three volumes of Technical Support Documentation titled ''Supplement II–02 to the Technical Support Documentation for the State Implementation Plan for PM_{10}'' for the Utah County PM_{10} SIP revision.

(E) Utah's General Definition rule R307–101–2 as in effect at the time Utah adopted Section IX, Part H of the SIP revision on June 5, 2002.

(F) All portions of the July 3, 2002 Utah PM_{10} SIP revision submittal, other than any documents or provisions mentioned in paragraph (c)(54)(i) of this section.

(55) [Reserved]

(56) On June 27, 1994 and April 28, 2000, the Governor of Utah submitted revisions to the State Implementation Plan. On December 31, 2002, the State of Utah submitted Supplemental Administrative Documentation. The June 27, 1994 submittal revises the numbering and format of Utah's State Implementation Plan (SIP). The April 28, 2000 and December 31, 2002 submittals contain non-substantive changes to correct minor errors in the June 27, 1994 submittal. The provisions identified below are approved into the SIP and supersede and replace the corresponding prior codification of the provisions of the SIP.

(i) Incorporation by reference.

(A) Utah State Implementation Plan Section I; Section II; Section III (except III.C); Section IV; Section V; Section VI; Section VII (except VII.D); Section IX, Part IX.B (except the title, IX.B.3.a, IX.B.3.d, IX.B.3.e, and IX.B.4); Section IX, Parts C, E, F and G (except the titles); Section IX, Part D.1 (except for the title and IX.D.1.d (5)); Section XI (Appendix 1 and Appendix 2 only); Section XII; Section XIII; Section XIV (except Table IX.9); Section XV; Section XVI; Section XVII (except XVII.A, XVII.D and XVII.E); Section XVIII (except XVIII.B); and Section XIX, effective 11/12/93.

(B) Utah State Implementation Plan Section IX, Part IX.B.3.d; Section IX, titles of Parts B, C, D.1, E, F and G; Section XIV, Table XIV.9; Section XVII, Parts XVII.A, XVII.D and XVII.E; and Section XVIII, Part XVIII.B, effective 2/25/2000.

(C) Utah State Implementation Plan Section III, Part III.C; Section VII, Part VII.D; Section VIII; Section IX, Parts IX.B.3.a, IX.B.3.e, IX.B.4, IX.C.7.b(3), IX.C.7.h(3), IX.C.8.b(3), IX.C.8.f(1)(a), IX.C.8.h(3)(a), IX.C.8.h(3)(c), IX.D.1.d(5), IX.D.2.b, IX.D.2.d(1)(a), IX.D.2.e(1), IX.D.2.f(1)(a), IX.D.2.h (except IX.D.2.h(2)), IX.D.2.i and IX.D.2.j; and Section XXII, effective January 1, 2003.

(ii) Additional Material.

(A) October 3, 2002 letter from Rick Sprott, Utah Department of Air Quality, to Richard Long, EPA Region VIII, to address typographical errors and missing pages in the January 27, 1994 submittal.

(B) [Reserved]

(57) On September 7, 1999 and February 11, 2003, the Governor of Utah submitted revisions to the SIP. The submittals revise Utah's Air Conservation Regulations (UACR), R307–170, Continuous Emission Monitoring Program, by repealing and re-enacting the rule to clarify requirements of the rule. The revisions are being approved into the SIP.

(i) Incorporation by reference.

(A) UACR R307–170, effective 4/1/1999, except sections R307–170–4, R307–170–5 and R307–170–9.

(B) UACR sections R307–170–4, R307–170–5 and R307–170–9, effective December 5, 2002.

(58) On November 9, 2001 and September 16, 2003 the State of Utah submitted revisions to its State Implementation Plan (SIP) to incorporate new and revise existing definitions in the new source review (NSR) rules. The revisions update the State's NSR rules so that they are consistent with the revisions EPA made to its NSR rules on July 21, 1992.

(i) Incorporation by reference.

(A) Revisions to the Utah Air Conservation Regulations, R307–101–2, the definitions ''Actual Emissions,'' ''Clean Coal Technology,'' ''Clean Coal Technology Demonstration Project,'' ''Electric Utility Steam Generating Unit,'' ''Emissions Unit,'' ''Pollution Control Project,'' and ''Representative Actual Annual Emissions,'' effective 7/12/01.

(B) Revisions to the Utah Air Conservation Regulations, R307–101–2, the definitions ''Major Modification,'' ''Reactivation of Very Clean Coal-Fired Electric Utility Steam Generating Unit,'' ''Repowering,'' and ''Temporary Clean Coal Technology Demonstration Project,'' effective 6/1/03.

(C) Revisions to the Utah Air Conservation Regulations, R307–405–1, the definition ''Major Modification'' effective 6/1/03.

(59) On February 5, 2001, October 26, 2000, September 20, 1999, September 7, 1999, two State Implementation Plan (SIP) revisions submitted February 6, 1996 and one on January 27, 1995, the State of Utah submitted SIP revisions that recodifies Utah's rules that had previously been approved into Utah's SIP; removed from Utah's SIP language that is obsolete or is generally not related to attainment of the National Ambient Air Quality Standards (NAAQS) and is therefore not appropriate to be in Utah's SIP; and arranged rules to allow for a more coherent SIP structure.

(i) Incorporation by Reference.

(A) Utah Administrative Code (UAC) rule sections: R307–101–1 and 2 with the exception of the definitions for ''actual emissions,'' ''major modification,'' ''part 70 source,'' ''significant,'' and ''volatile organic compound'' effective September 15, 1998; R307–102–1 through R307–102–6 effective September 15, 1998 and R307–102–1(2) effective August 3, 2000; R307–105–1 and R307–105–2 effective September 15, 1998, R307–107–1 through R307–107–6 effective September 15, 1998; R307–110–1 through R307–110–9, R307–110–11, R307–110–13 through R307–110–15, R307–110–18, R307–110–20 through R307–110–28, R307–110–30, and R307–110–32 effective September 15, 1998; R307–115–1 effective September 15, 1998; R307–130–1 through R307–130–4 effective September 15, 1998; R307–165–1 through R307–165–4 effective September 15, 1998; R307–201–1 through R307–201–3 effective September 15, 1998; R307–202–1 through R307–202–6 effective September 15, 1998; R307–203–1

through R307–203–3 effective September 15, 1998; R307–206–1 through R307–206–5 effective September 15, 1998; R307–302–1, R302–302–2 (except paragraph (4)) and R307–302–4 effective September 15, 1998; R307–305–1 through R307–305–7 effective September 15, 1998; R307–307–1 through R307–307–3 effective September 15, 1998; R307–325–1 through R307–325–4 effective September 15, 1998; R307–326–1 through R307–326–7 effective September 15, 1998; R307–327–1 through R307–327–3 effective September 15, 1998; R307–328–1 through R307–328–5 effective September 15, 1998; R307–335–1 through R307–335–4 effective September 15, 1998; R307–340–1 through R307–340–13 effective September 15, 1998; R307–341–1 through R307–341–3 effective September 15, 1998; R307–342–1 through R307–342–7 effective September 15, 1998; R307–401–9 and R307–401–10(1) effective September 15, 1998; R307–403–1 through R307–403–9 effective September 15, 1998; R307–405–1 through R307–405–8 effective September 15, 1998; R307–406–1 through R307–406–6 effective September 15, 1998; R307–413–7 effective September 15, 1998; and R307–414–1 through R307–414–3 effective September 15, 1998.

(ii) Additional Material.

(A) Outline for Utah's Rules Reorganization effective September 15, 1998.

(B) July 6, 2000 letter from Richard Long, EPA Region VIII to Ursula Kramer, Director, Utah Division of Environmental Quality requesting Utah to withdraw Utah SIP submittals dated April 30, 1998, October 9, 1998, and April 19, 2000.

(C) October 6, 2000 letter from Richard Long, EPA Region VIII to Rick Sprott, Acting Director, Utah Division of Air Quality (UDAQ) notifying UDAQ of an October 6, 1995 EPA memorandum (included with the October 6, 2000 letter) stating that Clean Air Act section 172(c)(9) pertaining to contingency measures requirements would not apply to PM10 nonattainment areas that had attained the standard with at least 3 years of clean air quality and as long as the area continued to attain the standard.

(D) October 16, 2000 letter from Michael Leavitt, Governor of Utah to William Yellowtail, Regional Administrator, EPA Region VIII requesting the withdraw of Utah's SIP submittals dated April 30, 1998, October 9, 1998, and April 19, 2000.

(E) April 2, 2002 letter from Richard Long, EPA Region VIII to Rick Sprott, Director, Utah Division of Air Quality informing UDAQ of our intent to not act on Utah's SIP submittal dated October 26, 2000 and our intent to remove existing asbestos rule language (R701–1–8) from Utah's federally approved SIP.

(F) April 7, 2005 letter from Rick Sprott, Director, Utah Division of Air Quality agreeing with EPA on the exclusion of Utah rules R307–1–6, R307–121, R307–122, R307–135, R307–214, R307–215, R307–220, R307–221, R307–320, R307–332, R307–415, R307–417, and R307–1–8 from Utah's federally approved SIP.

(60) Revisions to the Utah State Implementation Plan, Section IX, Part C.7, ''Carbon Monoxide Maintenance Provisions for Salt Lake City,'' as submitted by the Governor on October 19, 2004; revisions to UAC R307–110–12, ''Section IX, Control Measures for Area and Point Sources, Part C, Carbon Monoxide,'' as submitted by the Governor on October 19, 2004; revisions to the Utah State Implementation Plan, Section X, ''Vehicle Inspection and Maintenance Program, Part C, Salt Lake County,'' as submitted by the Governor on October 19, 2004; and revisions to UAC R307–110–33, ''Section X, Vehicle Inspection and Maintenance Program, Part C, Salt Lake County,'' as submitted by the Governor on October 19, 2004.

(i) Incorporation by reference.

(A) UAC R307–110–12, as adopted by the Utah Air Quality Board on October 6, 2004, effective December 2, 2004. This incorporation by reference of UAC R307–110–12 only extends to the following Utah SIP provisions and excludes any other provisions that UAC R307–110–12 incorporates by reference: Section IX, Part C.7, ''Carbon Monoxide Maintenance Provisions for Salt Lake City,'' adopted by Utah Air Quality Board on October 6, 2004, effective December 2, 2004.

(B) UAC R307–110–33, ''Section X, Vehicle Inspection and Maintenance Program, Part C, Salt Lake County,'' as adopted by the Utah Air Quality Board on October 6, 2004, effective October 7, 2004.

(61) Revisions to the Utah State Implementation Plan, Section IX, Part C.8, ''Carbon Monoxide Maintenance Provisions for Ogden,'' as submitted by the Governor on November 29, 2004; revisions to UAC R307–110–12, ''Section IX, Control Measures for Area and Point Sources, Part C, Carbon Monoxide,'' as submitted by the Governor on November 29, 2004; revisions to the Utah State Implementation Plan, Section X, ''Vehicle Inspection and Maintenance Program, Part E, Weber County,'' as submitted by the Governor on November 29, 2004; and revisions to UAC R307–110–35, ''Section X, Vehicle Inspection and Maintenance Program, Part E, Weber County,'' as submitted by the Governor on November 29, 2004.

(i) Incorporation by reference.

(A) UAC R307–110–12, as adopted by the Utah Air Quality Board on November 3, 2004, effective January 4, 2005. This incorporation by reference of UAC R307–110–12 only extends to the following Utah SIP provisions and excludes any other provisions that UAC R307–110–12 incorporates by reference:

Section IX, Part C.8, ''Carbon Monoxide Maintenance Provisions for Ogden,'' adopted by the Utah Air Quality Board on November 3, 2004, effective January 4, 2005.

(B) UAC R307–110–35, ''Section X, Vehicle Inspection and Maintenance Program, Part E, Weber County,'' as adopted by the Utah Air Quality Board on November 3, 2004, effective November 4, 2004.

(ii) Additional materials.

(A) A July 28, 2005 letter from Jan Miller, Utah Department of Environmental Quality, to Kerri Fiedler, EPA Region VIII, to address typographical errors in the November 29, 2004 submittal.

(B) An August 2, 2005 letter from Richard Sprott, Utah Department of Environmental Quality, to Gary House, Weber-Morgan Board of Health, addressing limits on Weber County authority to revise vehicle emission cutpoints.

(62) Revisions to the Utah State Implementation Plan, ''Section IX, Part C.6, Carbon Monoxide Provisions for Provo,'' as submitted by the Governor on April 1, 2004; revisions to UAC R307–110–12, ''Section IX, Control Measures for Area and Point Sources, Part C, Carbon Monoxide,'' as submitted by the Governor on April 1, 2004; revisions to the Utah State Implementation Plan, ''Section X, Vehicle Inspection and Maintenance Program, Part A, General Requirements and Applicability,'' as submitted by the Governor on April 1, 2004; revisions to UAC R307–110–31, ''Section X, Vehicle Inspection and Maintenance Program, Part A, General Requirements and Applicability,'' as submitted by the Governor on April 1, 2004; revisions to the Utah State Implementation Plan, ''Section X, Vehicle Inspection and Maintenance Program, Part D, Utah County,'' as submitted by the Governor on April 1, 2004; revisions to UAC R307–110–34, ''Section X, Vehicle Inspection and Maintenance Program, Part D, Utah County,'' as submitted by the Governor on April 1, 2004; the removal of UAC R307–301 from the Federally-approved SIP as requested by the Governor on April 1, 2004; and UAC R307–302–3, and UAC R307–302–4, ''No-Burn Periods for Carbon Monoxide'' and ''Violations,'' respectively, as submitted by the Governor on September 20, 1999.

(i) Incorporation by reference.

(A) UAC R307–110–12, as adopted by the Utah Air Quality Board on March 31, 2004, effective May 18, 2004. This incorporation by reference of UAC R307–110–12 only extends to the following Utah SIP provisions and excludes any other provisions that UAC R307–110–12 incorporates by reference: ''Section IX, Part C.6, Carbon Monoxide Provisions for Provo,'' adopted by the Utah Air Quality Board on March 31, 2004, effective May 18, 2004.

(B) UAC R307–110–31, ''Section X, Vehicle Inspection and Maintenance Program, Part A, General Requirements and Applicability,'' as adopted by the Utah Air Quality Board on March 31, 2004, effective May 18, 2004.

(C) UAC R307–110–34, ''Section X, Vehicle Inspection and Maintenance Program, Part D, Utah County,'' as adopted by the Utah Air Quality Board on March 31, 2004, effective May 18, 2004.

(D) UAC R307–302–3, ''No-Burn Periods for Carbon Monoxide,'' as adopted by the Utah Air Quality Board on August 13, 1998, effective September 15, 1998.

(E) UAC R307–302–4, ''Violations,'' as adopted by the Utah Air Quality Board on August 13, 1998, effective September 15, 1998.

(ii) Additional materials.

(A) An August 2, 2005 letter from Richard Sprott, Utah Department of Environmental Quality, to Jerry Grover, Utah County Commission, addressing limits on Utah County authority to revise vehicle emission cut-points.

(B) An August 19, 2005 letter from Richard Sprott, Utah Department of Environmental Quality, to Richard Long, EPA Region VIII, providing supplemental Technical Support Documentation to Volumes 11 and 12 of the State's Technical Support Document for the Provo area's carbon monoxide attainment demonstration and maintenance plan that was submitted by Governor Walker on April 1, 2004.

(C) A September 8, 2005 letter from Jan Miller, Utah Department of Environmental Quality, to Kerri Fiedler, EPA Region VIII, to address typographical errors in ''Section X, Part D, Utah County Vehicle Emissions Inspection and Maintenance Program'' that was submitted by Governor Walker on April 1, 2004.

(63) Revisions to the definition of ''Volatile Organic Compounds,'' in UAC rule R307–101–2, as submitted by the Governor on November 11, 2005. Revisions to the definition of ''Clearing Index,'' in UAC rule R307–101–2, as submitted by the Governor on November 23, 2005.

(i) Incorporation by reference.

(A) Utah Administrative Code rule R307–101–2, as adopted by the Utah Air Quality Board on July 6, 2005, effective on July 7, 2005. This incorporation by reference extends only to the definition of Volatile Organic Compounds and excludes any other provisions that R307–101–02 incorporates by reference.

(B) Utah Administrative Code rule R307–101–2, as adopted by the Utah Air Quality Board on September 7, 2005, effective on September 8, 2005. This incorporation by reference extends only to the definition of the Clearing Index and excludes any other provisions that R307–101–2 incorporates by reference.

(64) Revisions to State Implementation Plan were submitted by the State of Utah on February 7, 2006. The revisions are to the Utah Administrative Code to revise the continuous emission monitoring requirements for performance audits of acid rain monitors and to correct several typographical and grammatical errors.

(i) Incorporation by reference.

(A) Utah Administrative Code sections: R307–170–7(1); 307–170–4; *R307–170–5(1)(b);* R307–170–5(7); R307–170–7(6); R307–170–7(6)(a) and (b); and in R307–170–9 sections (5)(a) and (d), (6)(b), (*7*)(*a*)(*i*), (7)(b), and (9)(a); effective January 5, 2006.

(65) On March 22, 2007 the Governor of Utah submitted the addition to the Utah Administrative Code (UAC) of Rule R307–110–36. This rule incorporates by reference Section XXIII, Interstate Transport, of the Utah State Implementation Plan (SIP). The Interstate Transport declaration satisfies the requirements of Section 110(a)(2)(D)(i) of the Clean Air Act (CAA). On September 17, 2007, the Governor of Utah also submitted an amendment to the UAC Rule R307–130–4, ''Options,'' that removes from the text a typographical error. It removes the word ''not'' which had been accidentally placed in this rule.

(i) Incorporation by reference.

(A) Addition to the UAC of rule R307–110–36 that incorporates by reference Section XXIII, ''Interstate Transport,'' of the Utah SIP. Rule R307–110–36 was adopted by the UAQB on February 7, 2007, effective February 9, 2007, and it was submitted by the Governor to EPA on March 22, 2007.

(B) Revision to UAC Rule R307–130–4, ''Options.'' This revision removes from the text the word ''not.'' The amended text was adopted by the UAQB on June 21, 2007, effective July 13, 2007, and it was submitted by the Utah Governor to EPA on September 17, 2007.

(ii) Additional material.

(A) Replacement page for UAC Rule R307–110–36 attached to the March 22, 2007 submittal letter by the Utah Governor to EPA. The new page correctly refers to Section XXIII of the Utah SIP instead of the incorrect reference to Section XXII included in the corresponding page submitted with the Administrative Documentation for Rule R307–110–36.

(66) Revisions to the Utah State Implementation Plan, ''Section XII, Transportation Conformity Consultation,'' as submitted by the Governor on June 26, 2007; and revisions to UAC R307–110–20, ''Section XII, Transportation Conformity Consultation,'' as submitted by the Governor on June 26, 2007.

(i) Incorporation by Reference.

(A) UAC R307–110–20, ''Section XII, Transportation Conformity Consultation,'' as adopted by the Utah Air Quality Board on May 2, 2007, effective on May 2, 2007.

(67) Revisions to the Utah State Implementation Plan, Sections R307–101–2, ''Definitions,'' R307–115–1, ''Determining Conformity,'' R307–170–7, ''Performance Specification Audits,'' R307–310–2, ''Definitions,'' and R307–101–3, ''Version of CFR Incorporated by Reference,'' as submitted by the Governor on April 17, 2008.

(i) Incorporation by Reference.

(A) UAC R307–101–2, ''Definitions,'' as adopted by the Utah Air Quality Board on February 6, 2008, effective on February 8, 2008.

(B) UAC R307–115–1, ''Determining Conformity,'' as adopted by the Utah Air Quality Board on February 6, 2008, effective on February 8, 2008.

(C) UAC R307–170–7, ''Performance Specification Audits,'' as by the Utah Air Quality Board adopted on February 6, 2008, effective on February 8, 2008.

(D) UAC R307–310–2, ''Definitions,'' as adopted by the Utah Air Quality Board on February 6, 2008, effective on February 8, 2008.

(E) UAC R307–101–3, ''Version of CFR Incorporated by Reference,'' as adopted by the Utah Air Quality Board on February 6, 2008, effective on February 8, 2008.

(68) On September 7, 1999 and December 1, 2003 the State of Utah submitted revisions to its State Implementation Plan (SIP) to incorporate the requirements of the Consolidated Emission Reporting Rule (CERR). The revisions update the State's emission reporting rules so that they are consistent with the revisions EPA made to the CERR on June 10, 2002.

(i) Incorporation by reference.

(A). Title R307 of the Utah Administrative Code, Rule 307–221 EMISSION STANDARDS: EMISSION CONTROLS FOR EXISTING MUNICIPAL SOLID WASTE LANDFILLS, Rule 307–221–1, Purpose and Applicability. Effective January 7, 1999. Published in the Utah State Bulletin, Volume 98, Number 22, November 15, 1998.

(B). Title R307 of the Utah Administrative Code, Rule 307–150 EMISSION INVENTORIES, Rule 150–1, Purpose and General Requirements; Rule 150–2 Definitions; Rule 150–3 Applicability; Rule 307–150–5 Sources Identified in R307–150–3(2); Rule 307–150–6 Sources Identified in R307–150–3(3); Rule 307–150–7 Sources Identified in R307–150–3(4). Effective December 31, 2003. Published in the Utah State Bulletin, Volume 23, Number 23, December 1, 2003.

(ii) Additional Material.

(A) October 15, 2002 letter from Richard Long, EPA Region VIII to Rick Sprott, Director, Utah Division of Air Quality (UDAQ) notifying UDAQ of the June 10, 2002 publication of the Consolidated Emission Reporting Rule (40 CFR Part 51, Subpart A) and the need for the State to update its emission inventory reporting requirements.

(69) On September 15, 2006 and March 7, 2008 the State of Utah submitted revisions to its State Implementation Plan (SIP) that contained revised rules pertaining to the State's Prevention of Significant Deterioration (PSD) preconstruction permit program.

(i) Incorporation by reference.

(A) The Utah Administrative Code (UAC), R307–110–9, *Section VIII, Prevention of Significant Deterioration*, is amended effective June 16, 2006.

(B) The Utah Administrative Code (UAC), R307–405, *Permits: Major Sources in Attainment or Unclassified Areas (PSD)*, (except R307–405–3(2)(a)(i), ''Major Source Baseline Date'') is amended effective September 7, 2007.

(70) On February 22, 1999, the Governor submitted revisions to the Ozone Maintenance Provisions for Salt Lake and Davis Counties, Section IX, Part D.2 of the Utah State Implementation Plan (SIP). EPA is approving the revisions except for the following: the revisions to Section IX.D.2.h(2) of the SIP, ''Determination of Contingency Action Level,'' which EPA is disapproving; the revisions to the remainder of Section

IX.D.2.h, which were superseded by revisions to the SIP that EPA approved at § 52.2320(c)(56); and the revisions to Sections IX.D.2.b, IX.D.2.d(1)(a), IX.D.2.e(1), IX.D.2.f(1)(a), IX.D.2.i, and IX.D.2.j, which were superseded by revisions to the SIP that EPA approved at § 52.2320(c)(56).

(i) [Reserved]

(ii) Additional material.

(A) Ozone Maintenance Provisions for Salt Lake and Davis Counties, Section IX, Part D.2 that was adopted by the Air Quality Board on June 3, 1998 and submitted by the Governor on February 22, 1999.

(71) On May 26, 2011 and September 29, 2011, the State of Utah submitted revisions to its State Implementation Plan to incorporate the requirements of the regional haze program.

(i) Incorporation by reference

(A) Title R307 of the Utah Administrative Code—*Environmental Quality, Air Quality*, Rule R307–150—*Emission Inventories*, sections -1, *Purpose and General Requirements*, -2, *Definitions*, -3, *Applicability*, -5, *Sources Identified in R307–150(3)(2)*, *Large Major Source Inventory Requirements*, -6, *Sources Identified in R307–150–3(3)*, -7, *Sources Identified in R307–150–3(4)*, *Other Part 70 Sources*, and -8, *Exempted Hazardous Air Pollutants*. Effective December 31, 2003; as published in the Utah State Bulletin December 1, 2003 and January 15, 2004.

(B) Title R307 of the Utah Administrative Code—*Environmental Quality, Air Quality*, Rule R307–150—*Emission Inventories*, section -4, *Sulfur Dioxide Milestone Emission Inventory Requirements*. Effective September 4, 2008; as published in the Utah State Bulletin July 1, 2008 and October 1, 2008.

(C) Title R307 of the Utah Administrative Code—*Environmental Quality, Air Quality*, Rule R307–250—*Western Backstop Sulfur Dioxide Trading Program*, sections -1, *Purpose*, -3, *WEB Trading Program Trigger*, -10, *Allowance Transfers*, -11, *Use of Allowances from a Previous Year*, and -13, *Special Penalty Provisions for the 2018 Milestone*. Effective December 31, 2003; as published in the Utah State Bulletin December 1, 2003 and January 15, 2004.

(D) Title R307 of the Utah Administrative Code—*Environmental Quality, Air Quality*, Rule R307–250—*Western Backstop Sulfur Dioxide Trading Program*, sections -2, *Definitions*, -4, *WEB Trading Program Applicability*, -5, *Account Representative for WEB Sources*, -6, *Registration*, -7, *Allowance Allocations*, -8, *Establishment of Accounts*, -9, *Monitoring, Recordkeeping, and Reporting*, and -12, *Compliance*. Effective November 10, 2008; as published in the Utah State Bulletin October 1, 2008 and December 1, 2008.

(ii) Additional materials

(A) Section XX of the Utah *Regional Haze State Implementation Plan*. Effective April 7, 2011. Published in the Utah State Bulletin February 1, 2011.

(72) On May 26, 2011 and September 29, 2011, the State of Utah submitted revisions to its State Implementation Plan to incorporate the smoke management requirements of the regional haze program.

(i) Incorporation by reference.

(A) Title R307 of the Utah Administrative Code—*Environmental Quality, Air Quality*, Rule R307–204—*Emission Standards: Smoke Management*, sections -1, *Purpose and Goals*, and -2, *Applicability*. Effective December 31, 2003; as published in the Utah State Bulletin October 1, 2003 and January 15, 2004.

(B) Title R307 of the Utah Administrative Code—*Environmental Quality, Air Quality*, Rule R307–204—*Emission Standards: Smoke Management*, section -4, *General Requirements*. Effective April 7, 2006; as published in the Utah State Bulletin March 1, 2006 and May 1, 2006.

(C) Title R307 of the Utah Administrative Code, Rule R307–204—*Environmental Quality, Air Quality*, Rule R307–204—*Emission Standards: Smoke Management*, sections -3, *Definitions*, -5, *Burn Schedule*, -6, *Small Prescribed Fires (de minimis)*, -7, *Small Prescribed Pile Fires (de minimis)*, -8, *Large Prescribed Fires*, -9, *Large Prescribed Pile Fires*, and -10, *Requirements for Wildland Fire Use Events*. Effective July 7, 2011; as published in the Utah State Bulletin May 1, 2011 and August 1, 2011.

(ii) Additional materials.

(A) Section XX.G of the Utah *Regional Haze State Implementation Pan*. Effective April 7, 2011. Published in the Utah State Bulletin February 1, 2011.

(73) On March 22, 2007, the Governor submitted revisions to Section IX, Part D of the Utah State Implementation

Plan (SIP) in the form of a maintenance plan for the 1997 8-hour ozone national ambient air quality standard (NAAQS) for Salt Lake County and Davis County. On March 22, 2007, the Governor also submitted revisions to associated rules: UAC R307–101–2, R307–110–13, R307–320, R307–325, R307–326, R307–327, R307–328, R307–335, R307–340, R307–341, and R307–342. EPA is approving the maintenance plan, except for the following aspects, which EPA is disapproving: those contingency measures listed in section 6.d of the State's maintenance plan that are voluntary in nature, which consist of: ''Alert Day Enhancements,'' ''Heavy Equipment Emission Control Program,'' ''Reduce Emissions of VOCs'' (to the extent the State would adopt and implement the measure as a voluntary commitment rather than a regulatory measure), ''Identification of High-Polluting Vehicles,'' and ''Other VOC or NO_X emissions control measures as appropriate'' (to the extent such measures would be voluntary); the contingency measure listed in section 6.d of the State's maintenance plan as ''Establish an Offset Ratio for NO_X;'' the State's proposal in section 5.a.(3)(b)of the maintenance plan to remove from the SIP the VOC RACT approval orders for Hill Air Force Base; the State's proposal in section 5.b.(1) of the maintenance plan to remove from the SIP the NO_X RACT limits for the PacifiCorp Gadsby Power Plant; and section 5.g of the maintenance plan, which indicates that the employer-based trip reduction program is included as part of the plan. EPA is approving the revisions to UAC R307–110–13, which incorporates the maintenance plan into Utah's rules, but only to the extent we are approving the 1997 8-hour ozone maintenance plan. EPA is disapproving UAC R307–320, the employer-based trip reduction program. EPA is approving the revisions to UAC R307–325, R307–326, R307–327, R307–328, R307–335, R307–340, R307–341, and R307–342, subject to our interpretation of these rules expressed in the preamble to our rulemaking action. EPA is not acting on the revisions to UAC R307–101–2 because the revisions have been superseded by later revisions to the rule, which EPA approved at § 52.2320(c)(67).

(i) *Incorporation by reference.*

(A) Title R307 of the Utah Administrative Code, *Environmental Quality, Air Quality*, Rule R307–325, *Ozone Nonattainment and Maintenance Areas: General Requirements;* Rule R307–326, *Ozone Nonattainment and Maintenance Areas: Control of Hydrocarbon Emissions in Petroleum Refineries;* Rule R307–327, *Ozone Nonattainment and Maintenance Areas: Petroleum Liquid Storage;* and Rule R307–340, *Ozone Nonattainment and Maintenance Areas: Surface Coating Processes*. Effective March 9, 2007, as published in the Utah State Bulletin on October 1, 2006 and February 1, 2007 in proposed form, and April 1, 2007 as finally adopted.

(B) Title R307 of the Utah Administrative Code, *Environmental Quality, Air Quality*, Rule R307–328, *Ozone Nonattainment and Maintenance Areas and Utah and Weber Counties: Gasoline Transfer and Storage;* Rule R307–335, *Ozone Nonattainment and Maintenance Areas: Degreasing and Solvent Cleaning Operations;* Rule R307–341, *Ozone Nonattainment and Maintenance Areas: Cutback Asphalt;* and, UAC R307–342, *Ozone Nonattainment and Maintenance Areas: Qualification of Contractors and Test Procedures for Vapor Recovery Systems for Gasoline Delivery Tanks*. Effective January 16, 2007 as published in the Utah State Bulletin on October 1, 2006 in proposed form and February 1, 2007 as finally adopted.

(ii) Additional materials.

(A) Utah State Implementation Plan, Section IX, Part D, *8-Hour Ozone Maintenance Provisions for Salt Lake and Davis Counties*, with the following exceptions: Subsection 5.a.(*3*)(b), paragraphs 2, 3, and 4, beginning with ''The State of Utah . . .'' and ending with ''. . . (Stratospheric Ozone).'' on pages 17 and 18; subsection 5.b.(1), beginning in paragraph 1 at ''On April 3, 2002 . . .'' and ending with ''the ozone maintenance plan.'' at the end of paragraph 2 on page 18; subsection 5.g., *Control Measure Carried Forward from the 1-hour Ozone Plan*, on page 20; subsection 6.d., first bullet, *Alert Day Enhancements, on page 22;* subsection 6.d., third bullet, *Heavy Equipment Emission Control Program, on page 22;* subsection 6.d., fourth bullet, phrase ''Request voluntary commitments or'' on page 23;

subsection 6.d., fifth bullet, *Identification of High-Polluting Vehicles, on page 23;* and, subsection 6.d., sixth bullet, *Establish an Offset Ratio for NO_X, on page 23*. Adopted by the Air Quality Board on January 3, 2007.

(74) On August 16, 2012 the State of Utah submitted as a SIP revision a revised version of its breakdown rule, Utah Administrative Code (UAC) R307–107, which replaces the prior version of UAC R307–107.

(i) Incorporation by reference.

(A) Title R307 of the Utah Administrative Code, *Environmental Quality, Air Quality*, Rule R307–107, *General Requirements: Breakdowns*. Effective July 31, 2012; as published in the Utah State Bulletin on March 1, 2012, modified on July 1, 2012, and August 15, 2012. Note: The August 15, 2012 publication contains a typographical error in the title of Rule R307–107.

(75) On September 15, 2006, the Governor submitted revisions to the Utah State Implementation Plan (SIP) permitting rules. The September 15, 2006 submittal contains new, amended and renumbered rules in Utah Administrative Code (UAC) Title R–307 that pertain to the issuance of Utah air quality permits. EPA is approving the following rules or parts of rules from the September 15, 2006 submittal: R307–401–1 through 6; R307–401–8; R307–401–9 (except for paragraph (b) and the portions of paragraph (c) that reference paragraph (b)); R307–401–10 through 11; R307–401–13; R307–401–17 through 20; and R307–410–1 through 4. EPA is disapproving the following rules or parts of rules from the September 15, 2006 submittal: R307–401–7; R307–401–9(b) and the portions of 9(c) that reference (9)(b); R307–401–12; and R307–410–5. EPA is limitedly approving and limitedly disapproving R307–410–6 from the September 15, 2006 submittal—this means EPA is approving this rule because it will strengthen the SIP but is simultaneously disapproving it because it does not fully comply with applicable requirements. EPA is not acting on the revisions to UAC R307–101–2 because the revisions have been superseded by later revisions to the rule, which EPA approved at § 52.2320(c)(67) (see 73 FR 51222). EPA is not acting on R307–401–14 through 16 because EPA previously acted on such provisions (notice of final rulemaking signed October 19, 2012).

(i) Incorporation by reference.

(A) Title R307 of the Utah Administrative Code, *Environmental Quality, Air Quality*, Rule R307–401, *Permits: New and Modified Sources*, Rule R307–401–1, *Purpose;* Rule R307–401–2, *Definitions;* Rule R307–401–3, *Applicability;* Rule R307–401–4, *General Requirements;* Rule R307–401–5, *Notice of Intent;* Rule R307–401–6, *Review Period;* Rule R307–401–8, *Approval Order;* R307–401–9, *Small Source Exemption* except for R307–401–9(1)(b) and the phrase ''or (b)'' in R307–401–9(1)(c); Rule R307–401–10, *Source Category Exemptions;* Rule R307–401–11, *Replacement-in-Kind Equipment;* Rule R307–401–13, *Plantwide Applicability Limits;* Rule R307–401–17, *Temporary Relocation;* Rule R307–401–18, *Eighteen Month Review;* Rule R307–401–19, *Analysis of Alternatives;* and Rule R307–401–20, *Relaxation of Limitations*. Title R307 of the Utah Administrative Code, *Environmental Quality, Air Quality*, Rule R307–410, *Permits: Emissions Impact Analysis*, Rule R307–410–1, *Purpose;* Rule R307–410–2, *Definitions;* Rule R307–410–3, *Use of Dispersion Models;* R307–410–4, *Modeling of Criteria Pollutant Impacts in Attainment Areas;* and R307–410–6, *Stack Heights and Dispersion Techniques*. Effective June 16, 2006, as published in the Utah State Bulletin on December 1, 2005, modified on April 1, 2006, and July 15, 2006. NOTE: The July 15, 2006 publication contains a typographical error in the title for Rule R307–410.

(76) On April 14, 2011 the State of Utah submitted revisions to its State Implementation Plan (SIP) that contained revised rules, submitted in their entirety, pertaining to regulation of Greenhouse Gases (GHGs) under the State's Prevention of Significant Deterioration (PSD) program.

(i) Incorporation by reference.

(A) Title R307 of the Utah Administrative Code (UAC), *Environmental Quality, Air Quality*, R307–401, *Permit: New and Modified Sources*, R307–401–9, *Small Source Exemption*, (5); and R307–405, *Permits: Major Sources in Attainment or Unclassified Areas (PSD)*, R307–405–3, *Definitions*, except (2)(a), (b), (f), (5), and (6); effective January 1, 2011, as published in the Utah State Bulletin on

September 15, 2010 and December 15, 2010.

(77) On February 6, 1996, Utah submitted as a revision to its State Implementation Plan (SIP) a ''Diesel Inspection and Maintenance Program,'' Section XXI of the Utah SIP. EPA is disapproving the Utah Diesel Inspection and Maintenance Program as submitted on February 6, 1996. On September 20, 1999 the State of Utah submitted revisions to its SIP that revised the numbering and format of the Utah Administrative Code rules within Utah's SIP. From the September 20, 1999 submittal, EPA is approving R307–110–16, ''Section IX, Control Measures for Area and Point Sources, Part G, Fluoride,'' and disapproving R307–110–29, ''Section XXI, Diesel Inspection and Maintenance Program,'' which incorporated Utah's Diesel Inspection and Maintenance Program by reference into Utah's rules. EPA has previously acted on other provisions from the September 20, 1999 submittal.

(i) Incorporation by reference.

(A) Title R307 of the Utah Administrative Code, *Environmental Quality, Air Quality*, R307–110, *General Requirements: State Implementation Plan*, R307–110–16, *Section IX, Control Measures for Area and Point Sources, Part G, Fluoride;* effective September 15, 1998; as published in the Utah State Bulletin on June 1, 1998 and October 1, 1998.

(78) On April 17, 2008 the State of Utah submitted revisions to the Utah Administrative Code (UAC) R307–401–14, *Used Oil Fuel Burned for Energy Recovery*. On September 15, 2006 the State of Utah submitted revisions to the UAC R307–401–15, *Air Strippers and Soil Venting Projects*, and R307–401–16, *De minimis Emissions From Soil Aeration Projects*.

(i) Incorporation by Reference

(A) Title R307 of the Utah Administrative Code, *Environmental Quality, Air Quality*, Rule R307–401–14, *Used Oil Fuel Burned for Energy Recovery*. Effective February 8, 2008; as published in the Utah State Bulletin on December 1, 2007 and March 1, 2008.

(B) Title R307 of the Utah Administrative Code, *Environmental Quality, Air Quality*, R307–401–15, *Air Strippers and Soil Venting Projects*, and R307–401–16, *De minimis Emissions From Soil Aeration Projects*. Effective June 16, 2006; as published in the Utah State Bulletin on December 1, 2005 and July 15, 2006.

[37 FR 10898, May 31, 1972]]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.2320, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at *www.fdsys.gov*.

§ 52.2321 Classification of regions.

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

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
Wasatch Front Intrastate	I	I	I	I	I
Four Corners Interstate	IA	IA	III	III	III
Utah Intrastate	III	III	III	III	III

[37 FR 10898, May 31, 1972, as amended at 39 FR 16347, May 8, 1974]

§ 52.2322 Extensions.

(a) The Administrator, by authority delegated under section 188(d) of the Clean Air Act, as amended in 1990, extends for one year (until December 31, 1995) the attainment date for the Salt Lake County PM_{10} nonattainment area. The Administrator, by authority delegated under section 188(d) of the Clean Air Act, as amended in 1990, extends for two years (until December 31, 1996) the attainment date for the Utah County PM_{10} nonattainment area.

(b) [Reserved]

[66 FR 32760, June 18, 2001]

§ 52.2323 Approval status.

(a) With the exceptions set forth in this subpart, the Administrator approves Utah's plan as meeting the requirements of section 110 of the Clean Air Act as amended in 1977. Furthermore, the Administrator finds that the plan satisfies all requirements of Part D, Title 1, of the Clean Air Act as amended in 1977, except as noted below.

(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 CO_2e 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 CO_2e 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 CO_2e; or

(ii) At an existing stationary source that emits or has the potential to emit 100,000 tpy CO_2e, 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 CO_2e 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 CO_2 equivalent emissions (CO_2e) 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 CO_2e.

(iii) the term emissions increase shall mean that both a significant emissions increase (as calculated using the procedures in 40 CFR 52.21(a)(2)(iv)) and a significant net emissions increase (as defined in paragraphs 40 CFR 52.21(b)(3) and (b)(23)(i)) occur. For the pollutant GHGs, an emissions increase shall be based on tpy CO_2e, and shall be calculated assuming the pollutant GHGs is a regulated NSR pollutant, and ''significant'' is defined as 75,000 tpy CO_2e instead of applying the value in 40 CFR 52.21(b)(23)(ii).

[75 FR 82562, Dec. 30, 2010]

§§ 52.2324–52.2330 [Reserved]

§ 52.2331 Attainment dates for national standards.

The attainment date for the secondary NAAQS for sulfur dioxide for Salt Lake County and portions of Tooele County is December 31, 1994.

[61 FR 16062, Apr. 11, 1996]

§ 52.2332 Control Strategy: Ozone.

Determinations—EPA is determining that, as of July 18, 1995, the Salt Lake and Davis Counties ozone nonattainment area has attained the ozone standard based on air quality monitoring data from 1992, 1993, and 1994, and that the reasonable further progress and attainment demonstration requirements of section 182(b)(1) and related requirements of section 172(c)(9) of the Clean Air Act do not apply to the area for so long as the area does not monitor any violations of the ozone standard. If a violation of the

ozone NAAQS is monitored in the Salt Lake and Davis Counties ozone nonattainment area, these determinations shall no longer apply.

[60 FR 36729, July 18, 1995]

§ 52.2333 Legal authority.

(a) The requirements of § 51.230(f) of this chapter are not met since section 26–24–16 of the Utah Code Annotated (1953), may preclude the release of emission data, as correlated with applicable emission limitations, under certain circumstances.

[37 FR 15090, July 27, 1972, as amended at 51 FR 40676, Nov. 7, 1986]

§§ 52.2334–52.2345 [Reserved]

§ 52.2346 Significant deterioration of air quality.

(a) The Utah plan, as submitted, is approved as meeting the requirements of Part C, Title I, of the Clean Air Act, except that it does not apply to sources proposing to construct on Indian Reservations.

(b) *Regulation for prevention of significant deterioration of air quality*. The provisions of § 52.21 except paragraph (a)(1) are hereby incorporated and made a part of the Utah State implementation plan and are applicable to proposed major stationary sources or major modifications to be located on Indian Reservations.

(c) The State of Utah has clarified the generalized language contained in the Utah Air Conservation Regulations on the use of the ''Guidelines on Air Quality Models.'' In a letter to Douglas M. Skie, EPA, dated May 26, 1989, F. Burnell Cordner, Director of the Bureau of Air Quality, stated:

* * * The language in section 3.7 of the Utah Air Conservation Regulations on the use of ''Guidelines on Air Quality Models'' means that all PSD permit reviews will comply with the use of the ''Guideline on Air Quality Models (Revised)'', EPA 450/2–78–027R, and any future supplements approved by EPA.

(d) On March 14, 2012 the State of Utah submitted revisions to the State Implementation Plan that incorporated the required elements of the 2008 $PM_{2.5}$ NSR Implementation Rule and the 2010 $PM_{2.5}$ Increment Rule. The following provisions are approved into the State Implementation Plan.

(1) *Major source baseline date* means:

(i) In the case of PM_{10} and sulfur dioxide, January 6, 1975;

(ii) In the case of nitrogen dioxide, February 8, 1988; and

(iii) In the case of $PM_{2.5}$, October 20, 2010.

(2) *Minor source baseline date* means the earliest date after the trigger date on which a major stationary source or a major modification subject to 40 CFR 52.21 or to regulations approved pursuant to 40 CFR 51.166 submits a complete application under the relevant regulations. The trigger date is:

(i) In the case of PM_{10} and sulfur dioxide, August 7, 1977;

(ii) In the case of nitrogen dioxide, February 8, 1988; and

(iii) In the case of $PM_{2.5}$, October 20, 2011.

(3) The baseline date is established for each pollutant for which increments or other equivalent measures have been established if:

(i) The area in which the proposed source or modification would construct is designated as attainment or unclassifiable under section 107(d)(1)(A)(ii) or (iii) of the Act for the pollutant on the date of its complete application under 40 CFR 52.21 or under regulations approved pursuant to 40 CFR 51.166; and

(ii) In the case of a major stationary source, the pollutant would be emitted in significant amounts, or in the case of a major modification, there would be a significant net emissions increase of the pollutant.

(4) *Baseline area* means any intrastate area (and every part thereof) designated as attainment or unclassifiable under section 107(d)(1)(A)(ii) or (iii) of the Act in which the major source or major modification establishing the minor source baseline date would construct or would have an air quality impact for the pollutant for which the baseline date is established, as follows: equal to or greater than 1 $\mu g/m^3$ (annual average) for SO_2, NO_2, or PM_{10}; or equal or greater than 0.3 $\mu g/m^3$ (annual average) for $PM_{2.5}$.

(5) Area redesignations under section 107(d)(1)(A)(ii) or (iii) of the Act cannot intersect or be smaller than the area of

impact of any major stationary source or major modification which:

(i) Establishes a minor source baseline date; or

(ii) Is subject to 40 CFR 52.21 or [Utah Administrative Code (UAC)] R307–405 and would be constructed in the same state as the state proposing the redesignation.

(6) *Significant* means, in reference to a net emissions increase or the potential of a source to emit any of the following pollutants, a rate of emissions that would equal or exceed any of the following rates:

(i) Carbon monoxide: 100 tons per year (tpy).

(ii) Nitrogen oxides: 40 tpy.

(iii) Sulfur dioxide: 40 tpy.

(iv) Particulate matter: 25 tpy of particulate matter emissions.

(v) PM_{10}: 15 tpy.

(vi) $PM_{2.5}$: 10 tpy of direct $PM_{2.5}$ emissions; 40 tpy of sulfur dioxide emissions; 40 tpy of nitrogen oxide emissions unless demonstrated not to be a $PM_{2.5}$ precursor under 40 CFR 52.21(b)(50).

(vii) Ozone: 40 tpy of volatile organic compounds or nitrogen oxides.

(viii) Lead: 0.6 tpy.

(ix) Fluorides: 3 tpy.

(x) Sulfuric acid mist: 7 tpy.

(xi) Hydrogen sulfide (H_2S): 10 tpy.

(xii) Total reduced sulfur (including H_2S): 10 tpy.

(xiii) Reduced sulfur compounds (including H_2S): 10 tpy.

(xiv) Municipal waste combustor organics (measured as total tetra- through octa-chlorinated diebenzo-p-dioxins and dibenzofurans): 3.2×10^{M6} megagrams per year (3.5×10^{M6} tons per year).

(xv) Municipal waste combustor metals (measured as particulate matter): 14 megagrams per year (15 tons per year).

(xvi) Municipal waste combustor acid gases (measured as sulfur dioxide and hydrogen chloride): 36 megagrams per year (40 tons per year).

(xvii) Municipal solid waste landfills emissions (measured as nonmethane organic compounds): 45 megagrams per year (50 tons per year).

(7) *Regulated NSR pollutant*, for purposes of this section means the following:

(i) Any pollutant for which a national ambient air quality standard has been promulgated and any pollutant identified under 40 CFR 52.21(b)(50)(i) as a constituent or precursor for such pollutant. Precursors identified by the EPA Administrator for purposes of NSR are the following:

(A) Volatile organic compounds and nitrogen oxides are precursors to ozone in all attainment and unclassifiable areas.

(B) Sulfur dioxide is a precursor to $PM_{2.5}$ in all attainment and unclassifiable areas.

(C) Nitrogen oxides are presumed to be precursors to $PM_{2.5}$ in all attainment and unclassifiable areas, unless the State demonstrates to the EPA Administrator's satisfaction or EPA demonstrates that emissions of nitrogen oxides from sources in a specific area are not a significant contributor to that area's ambient $PM_{2.5}$ concentrations.

(D) Volatile organic compounds are presumed not to be precursors to $PM_{2.5}$ in any attainment or unclassifiable area, unless the State demonstrates to the EPA Administrator's satisfaction or EPA demonstrates that emissions of volatile organic compounds from sources in a specific area are a significant contributor to that area's ambient $PM_{2.5}$ concentrations.

(ii) Any pollutant that is subject to any standard promulgated under section 111 of the Act;

(iii) Any Class I or II substance subject to a standard promulgated under or established by title VI of the Act;

(iv) Any pollutant that otherwise is subject to regulation under the Act.

(v) Notwithstanding 40 CFR 52.21(b)(50)(i) through (iv), the term *regulated NSR pollutant* shall not include any or all hazardous air pollutant either listed in section 112 of the Act, or added to the list pursuant to section 112(b)(2) of the Act, and which have not been delisted pursuant to section 122(b)(3) of the Act, unless the listed hazardous air pollutant is also regulated as a constituent or precursor of a general pollutant listed under section 108 of the Act.

(vi) Participate matter (PM) emissions, $PM_{2.5}$ emissions and PM_{10} emissions shall include gaseous emissions

from a source or activity which condense to form particulate matter at ambient temperatures. On or after January 1, 2011 (or any earlier date established in the upcoming rulemaking codifying test methods), such condensable particulate matter shall be accounted for in applicability determinations and in establishing emissions limitations for PM, $PM_{2.5}$ and PM_{10} in PSD permits. Compliance with emissions limitations for PM, $PM_{2.5}$ and PM_{10} issued prior to this date shall not be based on condensable particular matter unless required by the terms and conditions of the permit or the applicable implementation plan. Applicability determinations made prior to this date without accounting for condensable particular matter shall not be considered in violation of this section unless the applicable implementation plan required condensable particular matter to be included.

(8) *Ambient air increments.* (i) In areas designated as Class I, II, or III, increases in pollutant concentration over the baseline concentration shall be limited to the following:

Pollutant	Maximum allowable increase (micrograms per cubic meter)
Class I Area	
$PM_{2.5}$:	
Annual arithmetic mean	1
24-hr maximum	2
PM_{10}:	
Annual arithmetic mean	4
24-hr maximum	8
Sulfur dioxide:	
Annual arithmetic mean	2
24-hr maximum	5
3-hr maximum	25
Nitrogen dioxide Annual arithmetic mean	2.5
Class II Area	
$PM_{2.5}$:	
Annual arithmetic mean	4
24-hr maximum	9
PM_{10}:	
Annual arithmetic mean	17
24-hr maximum	30
Sulfur dioxide:	
Annual arithmetic mean	20
24-hr maximum	91
3-hr maximum	512
Nitrogen dioxide Annual arithmetic mean	25
Class III Area	
$PM_{2.5}$:	
Annual arithmetic mean	8
24-hr maximum	18
PM_{10}:	
Annual arithmetic mean	34
24-hr maximum	60
Sulfur dioxide:	
Annual arithmetic mean	40
24-hr maximum	182
3-hr maximum	700
Nitrogen dioxide Annual arithmetic mean	50

(ii) For any period other than an annual period the applicable maximum allowable increase may be exceeded during one such period per year at any one location.

[47 FR 6428, Feb. 12, 1982, as amended at 54 FR 27881, July 3, 1989; 68 FR 11324, Mar. 10, 2003; 68 FR 74490, Dec. 24, 2003; 78 FR 63886, Oct. 25, 2013]

§ 52.2347 Stack height regulations.

The State of Utah has committed to revise its stack height regulations should EPA complete rulemaking to respond to the decision in *NRDC v. Thomas,* 838 F. 2d 1224 (D.C. Cir. 1988). In a letter to Douglas M. Skie, EPA, dated May 27, 1988, F. Burnell Cordner, Director, Bureau of Air Quality, stated:

* * * We are submitting this letter to allow EPA to continue to process our current SIP submittal with the understanding that if the EPA's response to the NRDC remand modifies the July 8, 1985 regulations, the EPA will notify the State of the rules that must be changed to comply with the EPA's modified requirements. The State of Utah agrees to process appropriate changes.

[54 FR 24341, June 7, 1989]

§ 52.2348 National Highway Systems Designation Act Motor Vehicle Inspection and Maintenance (I/M) Programs.

(a) On March 15, 1996 the Governor of Utah submitted a revised I/M program for Utah County which included a credit claim, a basis in fact for the credit claimed, a description of the County's program, draft County ordinances, and authorizing legislation for the program. Approval is granted on an interim basis for a period of 18 months, under the authority of section 348 of the National Highway Systems Designation Act of 1995. If Utah County fails to start its program by November 15, 1997 at the latest, this approval will

convert to a disapproval after EPA sends a letter to the State. At the end of the eighteen month period, the approval will lapse. At that time, EPA must take final rulemaking action upon the State's SIP, under the authority of section 110 of the Clean Air Act. Final action on the State/County's plan will be taken following EPA's review of the State/County's credit evaluation and final regulations (State and County) as submitted to EPA.

(b) On May 20, 1999, the State of Utah submitted an evaluation of the Utah County inspection and maintenance program. On December 7, 2001, the Governor of Utah submitted Rule R307–110–34 and Section X, Vehicle Inspection and Maintenance Program, Part D, Utah County. These submittals satisfy the interim approval requirements specified under section 348 of the National Highway Systems Designation Act of 1995 (62 FR 31351, 63 FR 414). Under the authority of section 110 of the Clean Air Act, EPA is removing the interim status of Utah County's improved inspection and maintenance program and granting Utah County full final approval of their improved inspection and maintenance program.

[62 FR 31351, June 9, 1997, as amended at 67 FR 57748, Sept. 12, 2002]

§ 52.2350 Emission inventories.

(a) The Governor of the State of Utah submitted the 1990 base year emission inventory of ozone precursors, which are volatile organic compounds, nitrogen oxides, and carbon monoxide, for the Salt Lake and Davis Counties ozone nonattainment area on January 13, 1995, as a revision to the State Implementation Plan (SIP). This inventory addresses emissions from point, area, non-road, on-road mobile, and biogenic sources. This Governor's submittal was followed by the submittal of corrections to the inventory, on April 20, 1995, from Russell Roberts, Director, Division of Air Quality, Utah Department of Environmental Quality. The ozone maintenance plan for Salt Lake and Davis Counties that the Governor submitted on February 19, 1997, incorporates by reference the corrected 1990 base year ozone emission inventory as background material. The 1990 ozone base year emission inventory requirement of section 182(a)(1) of the Clean Air Act, as amended in 1990, has been satisfied for the Salt Lake and Davis Counties area.

(b) On November 12, 1997, the Governor of Utah submitted the 1993 Carbon Monoxide Periodic Emission Inventories for Ogden City and Utah County as revisions to the Utah State Implementation Plan. These inventories address carbon monoxide emissions from stationary point, area, non-road, and on-road mobile sources.

(c) On June 14, 1999, the Governor of Utah submitted the 1996 Carbon Monoxide Periodic Emission Inventory for Utah County as a revision to the Utah State Implementation Plan. The inventory addresses carbon monoxide emissions from stationary point, area, non-road mobile, and on-road mobile sources.

[62 FR 38217, July 17, 1997, as amended at 63 FR 18124, Apr. 14, 1998; 65 FR 63548, Oct. 24, 2000]

§ 52.2351 Area-wide nitrogen oxides (NO_X) exemption.

On May 2, 1997, Ursula Trueman, Director, Division of Air Quality, Utah Department of Environmental Quality, submitted, on behalf of the State of Utah and pursuant to section 182(f)(2)(A) of the Clean Air Act as amended in 1990, a section 182(f)(2) NO_X Reasonably Available Control Technology (RACT) exemption request for major stationary sources of NO_X in the Salt Lake and Davis Counties ozone nonattainment area other than the Pacificorp Gadsby and Kennecott Utah Copper Utah Power Plants. The exemption request was based on ambient air quality monitoring data which demonstrated that the ozone National Ambient Air Quality Standard (NAAQS) had been attained in the Salt Lake and Davis Counties ozone nonattainment area for the years 1990 through 1996. EPA approved this NO_X RACT exemption request on July 2, 1997.

[62 FR 38217, July 17, 1997]

§ 52.2352 Change to approved plan.

(a) Utah Air Conservation Regulation R307–18–1, New Source Performance Standards, is removed from the approved plan. On June 10, 2002, we issued

a letter delegating responsibility for all sources located, or to be located, in the State of Utah subject to the NSPS in 40 CFR part 60. See the table in 40 CFR 60.4 for the status of NSPS delegated to the state of Utah.

(b) Utah Administrative Code (UAC) rule R307–1–8, Asbestos Work Practices, 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]

§ 52.2355 Section 110(a)(2) infrastructure requirements.

(a) On December 3, 2007 Jon L. Huntsman, Jr., Governor, State of Utah, submitted a certification letter which provides the State of Utah's SIP provisions which meet the requirements of CAA Section 110(a)(1) and (2) relevant to the 1997 Ozone NAAQS. On December 21, 2009 M. Cheryl Heying, Director, Utah Division of Air Quality, Department of Environmental Quality for the State of Utah, submitted supporting documentation which provides the

State of Utah's SIP provisions which meet the requirements of CAA Section 110(a)(1) and (2) relevant to the 1997 Ozone NAAQS.

(b) On December 3, 2007, Jon L. Huntsman, Jr. Governor, State of Utah, provided a submission to meet the infrastructure requirements for the State of Utah for the 1997 $PM_{2.5}$ NAAQS. On April 17, 2008, M. Cheryl Heying, Director, Utah Department of Environmental Quality, provided a second submission to meet the infrastructure requirements for the State of Utah for the 1997 $PM_{2.5}$ NAAQS. On September 21, 2010, M. Cheryl Heying, Director, Utah Department of Environmental Quality, provided a submission to meet the infrastructure requirements for the State of Utah for the 2006 $PM_{2.5}$ NAAQS. The State's Infrastructure SIP is approved with respect to the 1997 and 2006 $PM_{2.5}$ NAAQS with respect to CAA section 110(a)(1) and the following elements of section 110(a)(2): (A), (B), (C) with respect to PSD and minor NSR requirements, (D)(i)(II) with respect to PSD requirements, (E)(i), (E)(iii), (F), (G), (H), (J), (K), (L), and (M).

[76 FR 43905, July 22, 2011, as amended at 78 FR 63887, Oct. 25, 2013]

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 February10, 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.

(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 5 Post Office Square—Suite 100, Boston, MA 02109–3912; 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	2/8/2011	10/5/2012, 77 FR 60907	Added definitions of "Greenhouse Gases" and "Subject to Regulation," amended definition of "Major Stationary Source," added significance level for greenhouse gases to the definition of "Significant."

EPA-APPROVED VERMONT REGULATIONS—Continued

State citation	Title/subject	State effective date	EPA approval date	Explanations
Subchapter II. Prohibitions				
Section 5–201	Open burning prohibited	07/22/98	04/22/98, 63 FR 19825	
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	Except Section 5–211(3).
Section 5–221	Prohibition of potentially polluting materials in fuel.	10/14/2011	5/22/2012, 77 FR 30212	Approve revised Section 5–221(1).
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: RACT for large stationary sources.	4/27/07	7/19/2011, 76 FR 42560	Changes to numbering of RACT-related subsections of regulation. The state did not submit Subsection 5–251(2) as part of the SIP revision.
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	4/27/07	7/19/2011, 76 FR 42560	Changes to bulk gasoline plants regulation.
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	
Section 5–253.15	Cutback and emulsified asphalt.	08/02/94	04/22/98, 63 FR 19825	
Section 5–253.16	Wood Furniture Manufacturing.	3/1/04	7/19/2011, 76 FR 42560	Adopted regulation establishing wood furniture manufacturing requirements.
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	
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	Removal of the TSP standard (Section 5–304 and 5–305) and establishment of PM_{10} standard (Section 5–306).
Section 5–307	Carbon monoxide primary and secondary.	03/24/79	02/19/80, 45 FR 10775	Formerly Section 5–306, renumbered to 5–307 when new Section 5–306 for PM_{10} was created.

EPA-APPROVED VERMONT REGULATIONS—Continued

State citation	Title/subject	State effective date	EPA approval date	Explanations
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.	2/8/2011	10/5/2012, 77 FR 60907	Added certain sources of greenhouse gas emissions to the list of air contaminant sources
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	
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 nonattainment 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 recommencement of operation.	04/20/88	01/10/95, 60 FR 2524	

EPA-APPROVED VERMONT REGULATIONS—Continued

State citation	Title/subject	State effective date	EPA approval date	Explanations
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
Isovolta Inc. (Formerly U.S. Samica, Inc.) Operating Permit RACT provisions.	OP–95–040	1/06/2006	7/19/2011, 76 FR 42560	Only these sections were submitted by VT and approved into the SIP: Permit Conditions: Construction and Equipment Specifications (2), Operational Limitations (5), Emission Limitations (9) and (17), and Continuous Temperature Monitoring Systems (19) through (21).
Churchill Coatings Corporation Operating Permit RACT conditions.	AOP–06–040	2/06/2008	7/19/2011, 76 FR 42560	Only these sections were submitted by VT and conditionally approved into the SIP: Emission Limitations (3) through (6) and (11), and Record Keeping and Reporting (14) through (16).
Killington/Pico Ski Resort Partners, LLC. Operating Permit RACT provisions.	AOP–04–025a	6/14/2007	7/19/2011, 76 FR 42560	Only these sections were submitted by VT and approved into the SIP: Construction and Equipment Specifications (3) through (7), Operational Limitations (8) and (10), Emission Limitations (14) through (16), Compliance Testing and Monitoring (23) and (24), Recordkeeping and Reporting (25), (27), and (33), and Appendix A.
Okemo Limited Liability Company Operating Permit RACT provisions.	AOP–04–029	2/26/2006	7/19/2011, 76 FR 42560	Only these sections were submitted by VT and approved into the SIP: Construction and Equipment Specifications (2), Operational Limitations (5) through (7) and (9) through (11), Emission Limitations (14) through (16), Compliance Testing and Monitoring (23) and (24), and Recordkeeping and Reporting (25), (26), (31), and (32).
H.B.H Prestain, Inc. Operating Permit RACT provisions.	AOP–03–009	2/06/2008	7/19/2011, 76 FR 42560	Only these sections were submitted by VT and conditionally approved into the SIP: Emission Limitations (4) through (8) and (13), and Recordkeeping and Reporting (16) through (18).
Simpson Paper Company, Centennial Mill in Gilman, Vermont.	Envrionmental 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.	Envrionmental 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.
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.

VERMONT NON-REGULATORY—Continued

Name of non-regulatory SIP provision	Applicable geographic or nonattainment area	State submittal date/ effective date	EPA approval date	Explanation
Reasonably Available Control Technology State Implementation Plan (SIP)/certification for the 1997 8-hour Ozone National Ambient Air Quality Standard.	Statewide	Submitted 11/14/2008.	7/19/2011, 76 FR 42560.	
SIP narrative associated with 5–253.16 wood furniture manufacturing regulation.	Statewide	Submitted 11/22/2006.	7/19/2011 , 76 FR 42560.	
Vermont Regional Haze SIP and its supplement.	Statewide	8/26/2009; supplement submitted 1/3/2012.	5/22/2012, 77 FR 30212.	

[65 FR 54415, Sept. 8, 2000, as amended at 68 FR 34809, June 11, 2003; 71 FR 14390, Mar. 22, 2006; 76 FR 49672, Aug. 11, 2011; 73 FR 42566, July 19, 2011; 77 FR 30213, May 22, 2012; 77 FR 60909, Oct. 5, 2012]

§ 52.2371 Classification of regions.

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

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Ozone
Champlain Valley Interstate	II	II	III	III	III
Vermont Intrastate	II	II	III	III	III

[37 FR 10898, May 31, 1972, as amended at 45 FR 10782, Feb. 19, 1980]

§ 52.2372 Approval status.

(a) With the exceptions set forth in this subpart, the Administrator approves Vermont's plan as identified in § 52.2370 for the attainment and maintenance of the national standards under section 110 of the Clean Air Act. Furthermore, the Administrator finds the plans satisfy all requirements of Part D, Title I, of the Clean Air Act, as amended in 1977, except as noted below. In addition, continued satisfaction of the requirements of Part D for the ozone portion of the SIP depends on the adoption and submittal of RACT requirements by July 1, 1980 for the sources covered by CTGs issued between January, 1978 and January, 1979 and adoption and submittal by each subsequent January of additional RACT requirements for sources covered by CTGs issued by the previous January.

(b) [Reserved]

[75 FR 82562, Dec. 30, 2010, as amended at 77 FR 60910, Oct. 5, 2012]

§ 52.2373 Legal authority.

(a) The requirements of § 51.230(f) of this chapter are not met. Vermont does not have the authority to make emissions data available to the public since 10 V.S.A. section 363 would require the data to be held confidential if a source certified that it related to production or sales figures, unique processes, or would tend to affect adversely the competitive position of the owner.

[37 FR 10899, May 31, 1972, as amended at 51 FR 40676, Nov. 7, 1986]

§ 52.2374 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 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 10899, May 31, 1972, as amended at 40 FR 55333, Nov. 28, 1975; 51 FR 40676, Nov. 7, 1986]

§ 52.2375 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 Vermont's plan.

Air quality control region and nonattainment area [1]	Pollutant					
	SO_2		PM10	NO_X	CO	O_3
	Primary	Secondary				
Champlain Valley Interstate—Chittenden County:						
Champlain Valley Air Management Area:						
Essex Town (including Essex Jct.)	a	a	a	a	b	b
Burlington City	a	a	a	a	b	b
South Burlington City	a	a	a	a	b	b
Winooski	a	a	a	a	b	b
Remainder of Air Management Area	a	a	a	a	b	b
Remainder of County	a	a	a	a	a	b
Vermont Valley Air Management Area	a	a	a	a	a	a
Addison County	a	a	a	a	a	b
Remainder of AQCR	a	a	a	a	a	a
Vermont Interstate:						
Central Vermont Air Management Area:						
Barre City	a	a	a	a	a	a
Remainder of Air Management Area	a	a	a	a	a	a
Windsor County	a	a	a	a	a	b
Remainder of AQCR	a	a	a	a	a	a

[1] Sources subject to plan requirements and attainment dates established under section 110(a)(2)(A) prior to the 1977 Clean Air Act Amendments remain obligated to comply with those regulations by the earlier deadlines. The earlier attainment dates are set out at 40 CFR 52.2375, revised as of July 1, 1978.

a. Air quality levels presently below secondary standards or area is unclassifiable.

b. 12/31/82.

[45 FR 10782, Feb. 19, 1980; 46 FR 33525, June 30, 1981, as amended at 62 FR 41869, Aug. 4, 1997]

§ 52.2377 Review of new sources and modifications.

Regulation 5–501(3) entitled ''Default Permits'' is disapproved.

[45 FR 10782, Feb. 19, 1980]

§ 52.2378 Certification of no facilities.

On June 6, 1986, the Vermont Agency of Environmental Conservation submitted a letter certifying that there are no facilities within the State's boundaries subject to the Continuous Emissions Monitoring requirements of 40 CFR part 51, Appendix P. This negative declaration was submitted to EPA in accordance with 40 CFR 51.19(e).

[51 FR 42221, Nov. 24, 1986]

§ 52.2379 [Reserved]

§ 52.2380 Significant deterioration of air quality.

The program to review the construction and operation of new and modified major stationary sources in attainment areas is approved as meeting the requirements of Part C, except regulation 5–501(3) entitled ''Default permits'', and a portion of the SIP revision narrative from the first full paragraph on pages 9–11 through the first four lines of pages 9–12 inclusive, both of which were submitted on March 21, 1979 and which are disapproved.

[45 FR 6784, Jan. 30, 1980]

§ 52.2381 EPA-approved Vermont State regulations.

The following table identifies the state regulations which have been submitted to and adopted by EPA as revisions to the Vermont State Implementation Plan. This table is for informational purposes only and does not have any independent regulatory effect. To determine regulatory requirements for a specific situation consult the plan identified in § 52.2370. To the extent that this table conflicts with §§ 52.2370, 52.2370 governs.

TABLE 52.2381—EPA-APPROVED REGULATIONS

[Vermont SIP regulations 1972 to present]

State citation, title and subject	Date adopted by State	Date Approved by EPA	FEDERAL REGISTER citation	Section 52.2370	Comments and unapproved sections
Chapter 5 Air Pollution Control					
Subchapter I Definitions					
Section 5–101 Definitions	12/10/72	5/31/72	37 FR 10899	(b)	
	12/10/72	5/14/73	38 FR 12713	(c)(3).	
	11/19/73	3/22/76	41 FR 11819	(c)(5).	
	12/16/74	1/21/76	41 FR 3085	(c)(4).	
	1/25/78	12/21/78	43 FR 59496	(c)(8)	All of 5–101 (1–42) approved.
	8/12/78	4/16/82	47 FR 16331	(c)(16)	Related to wood-fired boilers.
	3/24/79	1/30/80	45 FR 6781	(c)(9)	Related to PSD.
	11/4/79	2/19/80	45 FR 10775	(c)(10)	All of 5–101 (1–62) approved.
	11/3/81	2/10/82	47 FR 6014	(c)(15).	
	9/17/86	7/17/87	52 FR 26982	(c)(19)	Related to visibility in Class I areas. 5–101(3), (14), (21), (59), and (76) approved.
	7/9/93	4/9/97	62 FR 17087	(c)(22)	Adds definition of reasonably available control technology (RACT).
	10/29/92 7/29/93	4/22/98	63 FR 19828	(c)(25)	Add definitions associated with VOC RACT rules.
Subchapter II Prohibitions					
Section 5–201 Open burning prohibited	12/10/72	5/31/72	37 FR 10899	(b).	
	1/25/78	12/21/78	43 FR 59496	(c)(8).	

TABLE 52.2381—EPA-APPROVED REGULATIONS—Continued

[Vermont SIP regulations 1972 to present]

State citation, title and subject	Date adopted by State	Date Approved by EPA	FEDERAL REGISTER citation	Section 52.2370	Comments and unapproved sections
Section 5–202 Permissible open burning ...	12/10/72	5/31/72	37 FR 10899	(b)	
	1/25/78	12/21/78	43 FR 59496	(c)(8).	
Section 5–203 Procedures for local authorities to burn natural wood.	12/10/72	5/31/72	37 FR 10899	(b)	
	1/25/78	12/21/78	43 FR 59496	(c)(8).	
Section 5–211 Prohibition of visible air contaminants.	12/10/72	5/31/72	37 FR 10899	(b)	
	1/25/78	12/21/78	43 FR 59496	(c)(8)	5–211 (1)(2) approved.
	8/12/78	4/16/82	47 FR 16331	(c)(16) ...	5–211 (3) not approved.
Section 5–221 Prohibition of potentially polluting materials in fuel.	12/10/72	5/31/72	37 FR 10899	(b)	
	3/16/75	1/8/82	47 FR 948	(c)(14) ...	Except 5–221(c) (i) and (ii). Includes Moran Sta. Bubble Approval.
	7/12/76	2/4/77	42 FR 6811	(c)(6).	
	1/25/78	12/21/78	43 FR 59496	(c)(8).	
Section 5–231 Prohibition of particulate matter.	12/10/72	5/31/72	37 FR 10899	(b)	
	12/10/72	5/14/73	38 FR 12713	(c)(3).	
	11/19/73	3/22/76	41 FR 11819	(c)(5)	Regarding incinerators.
	12/16/74	1/21/76	41 FR 3085	(c)(4)	Regarding combustion contaminants.
	7/12/76	2/4/77	42 FR 6811	(c)(6)	Regarding incinerators asphalt plants.
	3/14/77	8/2/78	43 FR 33918	(c)(7)	Regarding wood processing plants.
	1/25/78	12/21/78	43 FR 59496	(c)(8)	
	8/12/78	4/16/82	47 FR 16331	(c)(16) ...	Except Cersosimo Lumber, Rutland Plywood, Moran Sta.
	11/13/81	2/10/82	47 FR 6014	(c)(15) ...	Repealed 5–231 (4).
	.....	8/23/83	48 FR 38235	(c)(17) ...	Approved for Cersosimo Lumber.
	.....	2/26/85	50 FR 7767	(c)(18) ...	Approved for Rutland Plywood.
Section 5–241 Prohibition of nuisance and odor.	12/10/72	5/31/72	37 FR 10899	(b)	
	11/19/73	3/22/76	41 FR 11819	(c)(5).	
	1/25/78	12/21/78	43 FR 59496	(c)(8)	
Section 5–251 Control of nitrogen oxides emissions.	12/10/72	5/31/72	37 FR 10899	(b)	
	1/25/78	12/21/78	43 FR 59496	(c)(8).	
	3/25/79	2/19/80	45 FR 10775	(c)(10) ...	
	11/4/79	2/19/80	45 FR 10775	(c)(10) ...	
	7/9/93	4/9/97	62 FR 17087	(c)(22) ...	Requires RACT for major stationary sources of NO_X.
	1/4/95	4/9/97	62 FR 17087	(c)(22) ...	NO_X RACT for Simpson Paper Company's Gilman facility.
Section 5–252 Control of sulfur dioxide emissions.	7/12/76	2/4/77	42 FR 6811	(c)(6)	
	1/25/78	12/21/78	43 FR 59496	(c)(8).	
	3/24/79	2/19/80	45 FR 10775	(c)(10).	
	11/4/79	2/19/80	45 FR 10775	(c)(10).	
Section 5–253 Control of volatile organic compounds.	7/9/93	4/9/97	62 FR 17087	(c)(22) ...	Requires RACT at non-CTG VOC sources.
	1/4/95	4/9/97	62 FR 17087	(c)(22) ...	Non-CTG VOC RACT for U.S. Samaica Corporation's Rutland facility.
Section 5–253.1 Petroleum Liquid Storage in Fixed Roof Tanks..	10/29/92	4/22/98	63 FR 19829	(c)(25).	

TABLE 52.2381—EPA-APPROVED REGULATIONS—Continued

[Vermont SIP regulations 1972 to present]

State citation, title and subject	Date adopted by State	Date Approved by EPA	FEDERAL REGISTER citation	Section 52.2370	Comments and unapproved sections
Section 5–253.2 Bulk Gasoline Terminals	10/29/92	4/22/98	63 FR 19829	(c)(25).	
Section 5–253.3 Bulk Gasoline Plants.	10/29/92	4/22/98	63 FR 19829	(c)(25).	
Section 5–253.4 Gasoline Tank Trucks.	10/29/92	4/22/98	63 FR 19829	(c)(25).	
Section 5–253.5 Stage I vapor recovery controls at gasoline dispensing facilities..	10/29/92	4/22/98	63 FR 19829	(c)(25).	
Section 5–253.10 Paper Coating.	10/29/92	4/22/98	63 FR 19829	(c)(25).	
Section 5–253.12 Coating of Flatwood Paneling..	10/29/92	4/22/98	63 FR 19829	(c)(25).	
Section 5–253.13 Coating of Miscellaneous Metal Parts..	7/29/93	4/22/98	63 FR 19829	(c)(25).	
Section 5–253.14 Solvent Metal Cleaning.	7/29/93	4/22/98	63 FR 19829	(c)(25).	
Section 5–253.15 Cutback and Emulsified Asphalt..	8/2/94	4/22/98	63 FR 19829	(c)(25).	
Section 5–261 Control of hazardous air contaminants.	11/3/81	2/10/82	47 FR 6014	(c)(15).	
Subchapter III Ambient Air Quality Stds					
Section 5–301 Scope	12/10/72	5/31/72	37 FR 10899	(b).	
	3/24/79	2/19/80	45 FR 10775	(c)(10).	
	12/15/90	3/5/91	56 FR 9177	(c)(20).	
Section 5–302 Sulfur dioxide primary	12/10/72	5/31/72	37 FR 10899	(b).	
	7/12/76	2/4/77	42 FR 6811	(c)(6).	
	3/24/79	2/19/80	45 FR 10775	(c)(10).	
Section 5–303 Sulfur dioxide (secondary) ..	12/10/72	5/31/72	37 FR 10899	(b)	
	7/12/76	2/4/77	42 FR 6811	(c)(6).	
	3/24/79	2/19/80	45 FR 10775	(c)(10).	
Section 5–304: PM10 Primary Standards	11/90	8/1/97	62 FR 41282	(c)(23) ...	Removal of the TSP standard and establishment of the PM10 standard.
Section 5–305: PM10 Secondary Standards	11/90	8/1/97	62 FR 41282	(c)(23) ...	Removal of the TSP standard and establishment of the PM10 standard.
Section 5–306 Carbon monoxide primary/secondary.	12/10/72	5/31/72	37 FR 10899	(b)	
	11/19/73	3/22/76	41 FR 11819	(c)(5).	
	3/24/79	2/19/80	45 FR 10775	(c)(10) ...	
Section 5–307 Ozone primary/secondary ..	12/10/72	5/31/72	37 FR 10899	(b)	
	12/16/74	1/21/76	41 FR 3085	(c)(4).	
	3/24/79	2/19/80	45 FR 10775	(c)(10).	
Section 5–308 Lead (primary/secondary) ...	11/3/81	2/10/82	47 FR 6014	(c)(15).	
Section 5–309 Nitrogen dioxide primary/secondary.	12/15/90	3/5/91	56 FR 9177	(c)(20).	
Subchapter IV Operations/Procedures					
Section 5–401 Classification of air contaminant sources.	3/24/79	2/19/80	45 FR 10775	(c)(10).	
Section 5–402 Written reports when requested.	12/10/72	5/31/72	37 FR 10899	(b)	
	12/10/72	5/14/73	38 FR 12713	(c)(3).	
	11/19/73	3/22/76	41 FR 11819	(c)(5).	
	3/24/79	2/19/80	45 FR 10775	(c)(10) ...	5–402(1) only.
Section 5–403 Circumvention	12/10/72	5/31/72	37 FR 10899	(b).	
Section 5–404 Methods for sampling and testing of sources.	12/10/72	5/31/72	37 FR 10899	(b)	
	1/25/78	12/21/78	43 FR 59496	(c)(8).	
	3/24/78	2/19/80	45 FR 10775	(c)(10) ...	
Section 5–405 Required air monitoring	12/10/72	5/31/72	37 FR 10899	(b).	
	3/24/79	1/30/80	45 FR 6781	(c)(9)	For PSD Plan.
	3/24/79	2/19/80	45 FR 10775	(c)(10) ...	For NSR Plan.
Section 5–406 Required air modeling	3/24/79	1/30/80	45 FR 6781	(c)(9)	For PSD Plan.
	3/24/79	2/19/80	45 FR 10775	(c)(10) ...	For NSR Plan.
Subchapter V Review of New Air Contaminant Sources					
Section 5–501 Review of construction or modification of air contaminant sources.	12/10/72	5/31/72	37 FR 10899	(b)	
	12/10/72	5/14/73	38 FR 12713	(c)(3)	
	1/25/78	12/21/78	43 FR 59496	(c)(8).	
	3/24/79	1/30/80	45 FR 6781	(c)(9)	Except 5–501(3).
	11/04/79	2/19/80	45 FR 10775	(c)(10) ...	Except 5–501(3).
	11/03/81	2/10/82	47 FR 6014	(c)(15).	

TABLE 52.2381—EPA-APPROVED REGULATIONS—Continued

[Vermont SIP regulations 1972 to present]

State citation, title and subject	Date adopted by State	Date Approved by EPA	FEDERAL REGISTER citation	Section 52.2370	Comments and unapproved sections
	9/17/86	7/17/87	52 FR 26982	(c)(19) ...	Related to visibility in Class I areas. 5–501(4) approved.
Section 5–502 Major stationary sources and major modifications.	3/24/79	1/30/80	45 FR 6781	(c)(9)	Except 5–502(5).
	11/04/79	2/19/80	45 FR 10775	(c)(10) ...	Except 5–502(5).
	11/03/81	2/10/82	47 FR 6014	(c)(15).	
	9/17/86	7/17/87	52 FR 26982	(c)(19) ...	Related to visibility in Class I areas. 5–502 (4)(d) and (4)(e) approved.
	7/14/95	8/4/97	62 FR 41870	(c)(24).	
Subchapter VII Motor vehicle emissions					
Section 5–701 Removal of control devices	12/10/72	5/31/72	37 FR 10899	(b)	
	3/24/79	2/19/80	45 FR 10775	(c)(10).	
Section 5–702 Excessive smoke emissions from motor vehicles.	12/10/72	5/31/72	37 FR 10899	(b)	
	3/24/79	2/19/80	45 FR 10775	(c)(10).	
Section 5–801 Effective date	3/24/79	1/30/80	45 FR 6781	(c)(9).	
Table 1—Process weight standards	12/10/72	5/31/72	37 FR 10899	(b).	
	1/25/78	12/21/78	43 FR 59496	(c)(8).	
Figure 1—Fuel-burning equipment	12/10/72	5/31/72	37 FR 10899	(b).	
	7/12/76	2/4/77	42 FR 6811	(c)(6).	
	1/25/78	12/21/78	43 FR 59496	(c)(8).	
Table 2—PSD increments	3/24/79	1/30/80	45 FR 6781	(c)(9).	
	12/15/90	3/5/91	56 FR 9177	(c)(20) ...	Addition of NO_2 increments for Class I, II, and III areas.
Table 3—Levels of significant impact for nonattainment areas.	3/24/79	2/19/80	45 FR 10775	(c)(10) ...	
	11/4/79	2/19/80	45 FR 10775	(c)(10).	
	11/3/81	2/10/82	47 FR 6014	(c)(15).	
Definitions	4/20/88	1/10/95	60 FR 2527	(c)(21).	
Section 5–802, Requirement for Registration	4/20/88	1/10/95	60 FR 2527	(c)(21).	
Section 5–803, Registration Procedure	4/20/88	1/10/95	60 FR 2527	(c)(21).	
Section 5–804, False or Misleading Information.	4/20/88	1/10/95	60 FR 2527	(c)(21).	
Section 5–805, Commencement or Recommencement of Operation.	4/20/88	1/10/95	60 FR 2527	(c)(21).	
Sections 5–806, Transfer of Operation	4/20/88	1/10/95	60 FR 2527	(c)(21) ...	

[49 FR 46142, Nov. 23, 1984, as amended at 50 FR 7768, Feb. 26, 1985; 50 FR 23810, June 6, 1985; 52 FR 26982, July 17, 1987; 56 FR 9177, Mar. 5, 1991; 60 FR 2527, Jan. 10, 1995; 62 FR 17087, Apr. 9, 1997; 62 FR 41282, Aug. 1, 1997; 62 FR 41870, Aug. 4, 1997; 63 FR 19828, Apr. 22, 1998; 63 FR 23501, Apr. 29, 1998]

§ 52.2382 Rules and regulations.

(a) *Non-Part D—No Action*. EPA is neither approving or disapproving the following elements of the revisions:

(1) Permit fees.

(2) Intergovernmental consultation.

(3) Stack height requirements.

(4) Interstate pollution notification requirements.

(5) Conflict of interest requirements.

(b) *Regulation for visibility monitoring and new source review*. The provisions of §§ 52.26 and 52.27 are hereby incorporated and made a part of the applicable plan for the State of Vermont.

[45 FR 10782, Feb. 19, 1980, as amended at 45 FR 59315, Sept. 9, 1980; 46 FR 66789, Oct. 8, 1980; 46 FR 16897, Mar. 16, 1981; 50 FR 28553, July 12, 1985]

§ 52.2383 Visibility protection.

(a) The requirements of section 169A of the Clean Air Act are not met because the plan does not include approvable procedures meeting the requirements of 40 CFR 51.305 and 51.307 for protection of visibility in mandatory Class I Federal areas.

(b) Regulations for visibility monitoring and new source review. The provisions of §§ 52.26 and 52.27 are hereby incorporated and made part of the applicable plan for the State of Vermont.

[51 FR 5505, Feb. 13, 1986]

§ 52.2384 Stack height review.

The State of Vermont has declared to the satisfaction of EPA that no existing emission limitations have been affected by stack height credits greater than good engineering practice or any other prohibited dispersion techniques as defined in EPA's stack height regulations, as revised on July 8, 1985. This declaration was submitted to EPA on March 21, 1986. The State has further declared in a letter from Harold T. Garabedian, dated March 21, 1986, that, ''[T]he State concludes that our present rule 5–502(4)(d) is adequate to insure that new emission sources will not be able to use credits from modeling ambient impacts at greater than 'good engineering practice' stack height or from using 'other dispersion techniques.' '' Thus, Vermont has satisfactorily demonstrated that its regulations meet 40 CFR 51.118 and 51.164.

[52 FR 49407, Dec. 31, 1987]

§ 52.2385 Requirements for state implementation plan revisions relating to new motor vehicles.

Vermont must comply with the requirements of § 51.120.

[60 FR 4738, Jan. 24, 1995]

§ 52.2386 Original identification of plan section.

(a) This section identifies the original ''Air Implementation Plan for the State of Vermont'' and all revisions submitted by Vermont that were federally approved prior to August 14, 2000.

(b) The plan was officially submitted on January 29, 1972.

(c) The plan revisions listed below were submitted on the dates specified.

(1) Notice of public hearing submitted on February 3, 1972, by the Vermont Agency of Environmental Conservation.

(2) Miscellaneous non-regulatory revisions to the plan submitted on February 25, 1972, by the Vermont Agency of Environmental Conservation.

(3) Miscellaneous changes to regulations 5–412, 5–466, 5–467, 5–481, 5–486, 5–487, and 5–488 submitted on May 19, 1972, by the Vermont Agency of Environmental Conservation.

(4) Revision to the particulate emission limitation or Fuel Burning Equipment, revision to Rule 6, ''Rules of Practice,'' of the Air Quality Variance Board and miscellaneous non-regulatory revisions submitted on March 3, 1975, by the Vermont Agency of Environmental Conservation.

(5) Revision to Chapter 5, ''Incinerator Emissions'' submitted on November 30, 1973, by the Vermont Agency of Environmental Conservation.

(6) Revision to Vermont Regulations, Chapter 5, ''Air Pollution Control'', by letter submitted on July 19, 1976 by the Vermont Agency of Environmental Conservation.

(7) Revision to Regulation 5–231, Prohibition of Particulate Matter, section 1, Industrial Process Emissions, with respect to wood processing operations, submitted by the Vermont Secretary of Environmental Conservation on April 11, 1977.

(8) Revisions to Chapter 5 of the Vermont Air Pollution Control Regulations, submitted by the Secretary of Environmental Conservation on February 21, 1978.

(9) Plans to meet various requirements of the Clean Air Act, including Part C, were submitted on March 21 and November 21, 1979. Included in these revisions is a program for the review of construction and operation of new and modified major stationary sources of pollution in attainment areas.

(10) Attainment plans to meet the requirements of Part D and the Clean Air Act, as amended in 1977, were submitted on March 21, November 21, November 27 and December 19, 1979. Included are plans to attain: 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.

(11) A plan to provide for public, local and state involvement in federally funded air pollution control activities was submitted on March 28, 1980.

(12) A plan to attain and maintain the National Ambient Air Quality Standard for lead was submitted on June 24, 1980 by the Secretary of the Vermont Agency of Environmental Conservation. A letter further explaining the state procedures for review ofnew major sources of lead emissions was submitted on November 7, 1980 by the Director, Air & Solid Waste Programs, Vermont Agency of Environmental Conservation.

(13) A revision to the air quality monitoring network which meets the requirements of 40 CFR part 58, submitted on March 21, 1979 by the Governor of Vermont.

(14) A revision to regulation 5–221(1), ''Sulfur Limitation in Fuel,'' submitted by the Secretary of the Vermont Agency of Environmental Conservation on November 13, 1979.

(15) Revisions to amend Regulations 5–101 ''Definitions'', 5–501 ''Review of Construction or Modification of New Air Contaminant Sources'', 5–502 ''Major Stationary Sources'', and Section 9 of the non-regulatory portion of the SIP; to delete Regulations 5–253(1 ''Storage of Volatile Organic Compounds'', 5–253(3), ''Bulk Gasoline Terminals'', and 5–231(4) ''Potentially Hazardous Particulate Matter''; to add Regulation 5–261 ''Control of Hazardous Air Contaminants''; and to amend Table 3 of the Regulations ''Levels of Significant Impact for Nonattainment Areas''; submitted by the Secretary of the Vermont Agency of Environmental Conservation on August 24, 1981.

(16) A revision to Regulation 5–231, ''Prohibition of Particulate Matter,'' by the addition of subparagraph (3)(b) submitted by the Secretary of the Vermont Agency of Environmental Conservation for all but three stationary wood-fired combustion sources (excluded from submittal: Moran Generating Station, Burlington Electric Department; Rutland Plywood Company; and Cersosimo Lumber Company) on February 12, 1982.

(17) A revision to approve Regulation 5–231(3)(b) for Cersosimo Lumber Company submitted on March 23, 1983 by the Secretary of the Vermont Agency of Environmental Conservation. (Note: The Cersosimo Lumber Company was excluded from the original approval of Regulation 5–231(3)(b) into the Vermont SIP identified at subparagraph (c)(16) above.)

(18) A revision to approve Vermont Regulation 5–231(3)(b) for Rutland Plywood Corporation, submitted on October 19, 1984 by the Secretary of the Vermont Agency of Environmental Conservation.

NOTE: Rutland Plywood Corporation was excluded from the original approval of Regulation 5–231(3)(b) in the Vermont SIP, identified at paragraph (c)(16) above.

(19) A plan to protect visibility in the Lye Brook Wilderness, a mandatory Class I Federal area, from impairment caused by plume blight and to monitor visibility, in fulfillment of the requirements of 40 CFR part 51, subpart P. Submitted on April 15, 1986, the plan approves, only as they apply to mandatory Class I Federal areas, revisions to Vermont Regulations 5–101 (3), (14), (21), (59), and (76); 5–501(4); and 5–502 (4)(d) and (4)(e).

(i) Incorporation by reference.

(A) Amendments to Environmental Protection Regulations Chapter 5, Air Pollution Control, Subchapter I. Definitions, 5–101 at subsections (3), (14), (21), (59), and (76), filed in its adopted form on September 2, 1986.

(B) Amendments to Environmental Protection Regulations Chapter 5, Air Pollution Control, Subchapter V. Review of New Air Contaminant Sources, 5–501 at subsection (4) requiring responsiveness to comments and any analyses submitted by any Federal Land Manager, filed in its adopted form on September 2, 1986.

(C) Amendments to Environmental Protection Regulations Chapter 5, Air Pollution Control, Subchapter V. Review of New Air Contaminant Sources, 5–502 at subsection (4)(d) requiring a demonstration of no adverse impact on visibility in any Class I Federal area; and at subsection (4)(e) which reletters the former subsection (4)(d), filed in its adopted form on September 2, 1986.

(ii) Additional material.

(A) Narrative submittal consisting of two volumes entitled, ''Implementation Plan for the Protection of Visibility in the State of Vermont'' and ''Appendices'' describing procedures, notifications, and technical evaluations to fulfill the visibility protection requirements of 40 CFR part 51, subpart P.

(20) Revisions to the State Implementation Plan submitted by the Vermont Air Pollution Control Division on December 7, 1990 and January 10, 1991.

(i) Incorporation by reference.

(A) Letter dated December 7, 1990 and letter with attachments dated January 10, 1991 from the Vermont Air Pollution Control Division submitting revisions to the Vermont State Implementation Plan.

(B) Section 5–301 ''Scope,'' section 5–309 ''Nitrogen Dioxide—Primary and Secondary Ambient Air Quality Standards,'' and Table 2 ''Prevention of Significant Deterioration (PSD) Increments,'' of Chapter 5 ''Air Pollution Control'' of Vermont's Environmental Protection Regulations effective in the State of Vermont on December ?, 1990.

(ii) Additional materials.

(A) A state implementation plan narrative dated November, 1990 and entitled ''State of Vermont Air Quality Implementation Plan.

(B) Nonregulatory portions of the state submittal.

(21) Revisions to the State Implementation Plan submitted by the Vermont Air Pollution Control Division on August 9, 1993.

(i) Incorporation by reference.

(A) Letter dated August 9, 1993 from the Vermont Air Pollution Control Division submitting revisions to the Vermont State Implementation Plan. Vermont resubmitted Vermont's rule entitled ''Registration of Air Contaminant Sources,'' Sections 5–801 through 5–806 and the SIP narrative entitled ''State of Vermont Air Quality Implementation Plan, February 1993'' to meet the emission statement requirements of the Clean Air Act Amendments of 1990.

(B) Letter dated February 4, 1993 from the Vermont Air Pollution Control Division submitting revisions to the Vermont State Implementation Plan which included Vermont's rule entitled ''Registration of Air Contaminant Sources,'' Sections 5–801 through 5–806 and the SIP narrative entitled ''State of Vermont Air Quality Implementation Plan, February 1993'' to meet the emission statement requirements of the Clean Air Act Amendments of 1990. Sections 5–801 through 5–806 were previously adopted by Vermont and became effective on April 20, 1988.

(C) Section 5–801 ''Definitions,'' section 5–802 ''Requirement for Registration,'' section 5–803 ''Registration Procedure,'' section 5–804 ''False or Misleading Information,'' section 5–805 ''Commencement or Recommencement of Operation,'' and section 5–806 ''Transfer of Operation'' effective on April 20, 1988.

(ii) Additional materials.

(A) Vermont's SIP narrative entitled ''State of Vermont Air Quality Implementation Plan, February 1993'' which addresses emission statement requirements not covered by sections 5–801 through 5–806.

(B) Letter dated October 5, 1994 from the Vermont Air Pollution Control Division which clarifies Vermont procedures in developing the emission statement information.

(C) Nonregulatory portions of the submittal.

(22) Revisions to the State Implementation Plan submitted by the Vermont Air Pollution Control Division on August 9, 1993 and March 20, 1995.

(i) Incorporation by reference.

(A) Letters from the Vermont Air Pollution Control Division dated August 9, 1993 and March 20, 1995 submitting revisions to the Vermont State Implementation Plan.

(B) Regulations, including section 5–101, ''Definitions,'' subsection 5–251(2), ''Reasonably available control technology for large stationary sources,'' and, subsection 5–253.20, ''Other Sources That Emit Volatile Organic Compounds,'' adopted on July 9, 1993 and effective on August 13, 1993.

(C) Administrative orders for Simpson Paper Company, in Gilman, Vermont, and, U.S. Samaica Corporation, in Rutland, Vermont, both adopted and effective on January 4, 1995.

(23) Revisions to the State Implementation Plan submitted by the Vermont

Air Pollution Control Division in November, 1990, establishing a PM_{10} standard.

(i) Incorporation by reference.

(A) Letter from the Vermont Air Pollution Control Division dated December 10, 1990 submitting a revision to the Vermont State Implementation Plan.

(B) Section 5 of the Vermont air quality State Implementation Plan, dated November, 1990.

(24) Revision to the State Implementation Plan submitted by the Vermont Department of Environmental Conservation on March 7, 1996.

(i) Incorporation by reference.

(A) Letter from the Vermont Department of Environmental Conservation dated March 7, 1996 submitting a revision to the Vermont State Implementation Plan.

(B) Amendments to Table 2 ''Prevention of Significant Deterioration Increments'' referenced in Section 5–502(4)(c) of the Vermont Agency of Natural Resources Environmental Regulations (effective July 29, 1995).

(ii) Additional materials.

(A) Nonregulatory portions of the submittal.

(25) Revisions to the State Implementation Plan submitted by the Vermont Air Pollution Control Division on February 3, 1993, August 9, 1993, and August 10, 1994.

(i) Incorporation by reference.

(A) Letters from the Vermont Air Pollution Control Division dated February 4, 1993, August 9, 1993, and August 10, 1994 submitting revisions to the Vermont State Implementation Plan.

(B) Chapter 5 of the Agency of Natural Resources Environmental Protection Regulations, Subsection 5–253.1, entitled ''Petroleum Liquid Storage in Fixed Roof Tanks,'' effective in the State of Vermont on November 13, 1992.

(C) Chapter 5 of the Agency of Natural Resources Environmental Protection Regulations, Subsection 5–253.2, entitled ''Bulk Gasoline Terminals,'' effective in the State of Vermont on November 13, 1992.

(D) Chapter 5 of the Agency of Natural Resources Environmental Protection Regulations, Subsection 5–253.3, entitled ''Bulk Gasoline Plants,'' effective in the State of Vermont on November 13, 1992.

(E) Chapter 5 of the Agency of Natural Resources Environmental Protection Regulations, Subsection 5–253.4, entitled ''Gasoline Tank Trucks,'' effective in the State of Vermont on November 13, 1992.

(F) Chapter 5 of the Agency of Natural Resources Environmental Protection Regulations, Subsection 5–253.5, entitled ''Stage I Vapor Recovery Controls at Gasoline Dispensing Facilities,'' effective in the State of Vermont on November 13, 1992.

(G) Chapter 5 of the Agency of Natural Resources Environmental Protection Regulations, Subsection 5–253.10, entitled ''Paper Coating,'' effective in the State of Vermont on November 13, 1992.

(H) Chapter 5 of the Agency of Natural Resources Environmental Protection Regulations, Subsection 5–253.12, entitled ''Coating of Flat Wood Paneling,'' effective in the State of Vermont on November 13, 1992.

(I) Chapter 5 of the Agency of Natural Resources Environmental Protection Regulations, Subsection 5–253.13, entitled ''Coating of Miscellaneous Metal Parts,'' effective in the State of Vermont on August 13, 1993.

(J) Chapter 5 of the Agency of Natural Resources Environmental Protection Regulations, Subsection 5–253.14, entitled ''Solvent Metal Cleaning,'' effective in the State of Vermont on August 13, 1993.

(K) Chapter 5 of the Agency of Natural Resources Environmental Protection Regulations, Subsection 5–253.15, entitled ''Cutback and Emulsified Asphalt,'' effective in the State of Vermont on August 17, 1994.

(L) Chapter 5 of the Agency of Natural Resources Environmental Protection Regulations, Subsection 5–101, entitled ''Definitions,'' effective in the State of Vermont on November 13, 1992.

(M) Chapter 5 of the Agency of Natural Resources Environmental Protection Regulations, Subsection 5–101, entitled ''Definitions,'' effective in the State of Vermont on August 13, 1993.

(ii) Additional materials.

(A) Vermont Agency of Natural Resources document entitled ''State of

Vermont: Air Quality Implementation Plan'' dated August 1993.

(B) Letter from the Vermont Agency of Natural Resources dated September 30, 1996 submitting a negative declaration for the shipbuilding and repair Control Techniques Guideline (CTG) category.

(C) Letter from the Vermont Agency of Natural Resources dated April 20, 1994 submitting a negative declaration for the synthetic organic chemical manufacturing industry (SOCMI) distillation and reactor processes CTG categories.

(D) Letters from the Vermont agency of Natural Resources dated April 6, 1992 and August 28, 1992 submitting negative declarations for several pre-1990 CTG categories.

(E) Nonregulatory portions of the submittal.

(26) Revisions to the State Implementation Plan submitted by the Vermont Air Pollution Control Division on July 28, 1998.

(i) Additional materials.

(A) Letter from the Vermont Air Pollution Control Division dated July 28, 1998 stating a negative declaration for the aerospace coating operations Control Techniques Guideline category.

[37 FR 10898, May 31, 1972. Redesignated and amended at 65 FR 54415, Sept. 8, 2000]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.2386, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at *www.fdsys.gov*.

Subpart VV—Virginia

§ 52.2420 Identification of plan.

(a) *Purpose and scope*. This section sets forth the applicable State implementation plan for Virginia under section 110 of the Clean Air Act, 42 U.S.C. 7410 and 40 CFR part 51 to meet national ambient air quality standards.

(b) *Incorporation by reference*. (1) Material listed as incorporated by reference in paragraphs (c) and (d) of this section 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. The material incorporated is 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 on or after October 15, 2011 will be incorporated by reference in the next update to the SIP compilation.

(2)(i) EPA Region III certifies that the rules and regulations provided by EPA at the addresses in paragraph (b)(3) of this section are an exact duplicate of the officially promulgated State rules and regulations which have been approved as part of the State implementation plan as of October 15, 2011.

(ii) EPA Region III certifies that the source-specific requirements provided by EPA at the addresses in paragraph (b)(3) of this section are an exact duplicate of the officially promulgated source-specific requirements which have been approved in the notebook ''40 CFR 52.2420(d)—Source-Specific Requirements'' as part of the State implementation plan as of June 1, 2009. No additional revisions were made since between June 1, 2009 and October 15, 2011.

(3) Copies of the materials incorporated by reference may be inspected at the EPA Region III Office at 1650 Arch Street, Philadelphia, PA 19103. For further information, call (215) 814–2108; the EPA, Air and Radiation Docket and Information Center, Room Number 3334, EPA West Building, 1301 Constitution Avenue NW., Washington, DC 20460. For further information, call (202) 566–1742; or at the National Archives and Records Administration (NARA). 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 VIRGINIA REGULATIONS AND STATUTES

State citation	Title/subject	State effective date	EPA approval date	Explanation [former SIP citation]
9 VAC 5, Chapter 10 General Definitions [Part I]				
5–10–10	General	8/1/02	3/15/04, 69 FR 12074 ...	Revised paragraphs A, B, C.
5–10–20	Terms Defined—Definitions of Administrator, Federally Enforceable, Implementation Plan, Potential to Emit, State Enforceable, Volatile Organic Compound.	4/1/96	3/12/97, 62 FR 11334 ...	§ 52.2465(c)(113)(i)(B)(1).
5–10–20	Terms Defined—Added Terms—Department, Virginia Register Act, Revised Terms—Administrative Process Act, Director (replaces Executive Director), Virginia Air Pollution Control Law.	4/17/95	4/21/00, 65 FR 21315.	
5–10–20	Terms Defined [all other SIP-approved terms not listed above].	4/17/95	4/21/00, 65 FR 21315 ...	120–01–02.
5–10–20	Terms Defined	1/1/98	1/7/03, 68 FR 663	Terms Added—Public hearing; Regulations for the Control and Abatement of Air Pollution, Regulation of the Board, These regulations. Terms Revised—Good Engineering Practice, Person, Volatile organic compound. Terms Deleted (moved to 9 VAC 5–170–20)—Administrative Process Act, Air quality maintenance area, Confidential information, Consent agreement, Consent order, Emergency special order, Order, Special order, Variance.
5–10–30	Abbreviations	8/17/11	2/25/14, 79 FR 10377 ...	Revised.
9 VAC 5, Chapter 20 General Provisions				
Part I Administrative				
5–20–10A.–C.	Applicability	4/17/95	4/21/00, 65 FR 21315 ...	120–02–01.
5–20–70	Circumvention	4/17/95	4/21/00, 65 FR 21315 ...	120–02–07.
5–20–80	Relationship of state regulations to Federal regulations.	4/17/95	4/21/00, 65 FR 21315 ...	120–02–08.
5–20–121	Air Quality Program Policies and Procedures.	7/1/97	4/21/00, 65 FR 21315 ...	Appendix S.
Part II Air Quality Programs				
5–20–160	Registration	4/17/95	4/21/00, 65 FR 21315 ...	120–02–31.
5–20–170	Control Programs	4/17/95	4/21/00, 65 FR 21315 ...	120–02–32.
5–20–180	Facility and Control Equipment Maintenance or Malfunction.	4/17/95	4/21/00, 65 FR 21315 ...	120–02–34.
5–20–200	Air Quality Control Regions (AQCR)	7/1/97	4/21/00, 65 FR 21315 ...	Appendix B.
5–20–202	Metropolitan Statistical Areas	7/1/97	4/21/00, 65 FR 21315 ...	Appendix G.
5–20–203	Air Quality Maintenance Areas	12/12/07	10/29/08, 73 FR 64210	Richmond and Hampton Roads 8-Hour Ozone Areas are added.
5–20–204	Nonattainment Areas	11/21/12	6/11/13, 78 FR 34915 ...	The Northern Virginia 8-hour ozone nonattainment area is added.
5–20–205	Prevention of Significant Deterioration Areas	1/1/98, 4/1/98, 1/1/99, 8/25/04	8/18/06, 71 FR 47744.	

EPA-APPROVED VIRGINIA REGULATIONS AND STATUTES—Continued

State citation	Title/subject	State effective date	EPA approval date	Explanation [former SIP citation]
5–20–206	Volatile Organic Compound and Nitrogen Oxides Emissions Control Areas.	10/4/06	3/2/07, 72 FR 9441	Addition of new Fredericksburg Area and expansion of Richmond and Hampton Roads Emission Control Areas.
5–20–220	Shutdown of a stationary source	4/1/98	6/27/03, 68 FR 38191.	
5–20–230	Certification of Documents	4/1/98	6/27/03, 68 FR 38191.	
VR120, Part II General Provisions				
VR120–02–02.	Establishment of Regulations and Orders	2/1/85	2/25/93, 58 FR 11373 ...	EPA has informed VA that except for the Appeals rule, these provisions no longer need to be part of the SIP. VA has withdrawn 2/93 and 2/98 revisions to the Appeals rule from SIP review. Last substantive SIP change became State-effective on 8/6/79 [§ 52.2465(c)(55)].
VR120–02–04.	Hearings and Proceedings	2/1/85	2/25/93, 58 FR 11373.	
VR120–02–05A.	Variances—General	2/1/85	2/25/93, 58 FR 11373.	
VR 2.05(b) ..	Variances—Fuel Emergency	8/14/75	10/8/80, 45 FR 66792.	
VR120–02–09.	Appeals	2/1/85	2/25/93, 58 FR 11373.	
VR120–02–12.	Procedural information and guidance	2/1/85	2/25/93, 58 FR 11373.	
Appendix E	Public Participation Guidelines	2/1/85	2/25/93, 58 FR 11373.	
Appendix F ..	Delegation of Authority	2/1/85	2/25/93, 58 FR 11373.	
9 VAC 5, Chapter 30 Ambient Air Quality Standards [Part III]				
5–30–10	General	9/8/04	3/3/06, 71 FR 10842.	
5–30–15	Reference Conditions	5/22/13	10/25/13, 78 FR 63878	Revised to include Section 5–30–67.
5–30–30	Sulfur Oxides (Sulfur Dioxide)	5/25/11	2/3/12, 77 FR 5400	Addition of paragraphs A.2 through A.4; revisions to paragraphs A.1, C. and D.
5–30–40	Carbon Monoxide	9/8/04	3/3/06, 71 FR 10842.	
5–30–50	Ozone (1-hour)	9/8/04	3/3/06, 71 FR 10842.	
5–30–55	Ozone (8-hour, 0.08 ppm)	11/21/12	6/11/13, 78 FR 34915 ...	The 1997 8-hour ozone NAAQS for purposes of transportation conformity is revoked.
5–30–56	Ozone (8-hour, 0.075 ppm)	6/24/09	1/18/11, 76 FR 2829	Added section.
5–30–60	Particulate Matter (PM_{10})	8/1/07	12/28/10, 75 FR 81477	Removed PM_{10} annual standard.
5–30–65	Particulate Matter ($PM_{2.5}$)	8/1/07	12/28/10, 75 FR 81477	Removed PM_{10} standard.
5–30–66	Particulate Matter ($PM_{2.5}$)	8/1/07	12/28/10, 75 FR 81477	Added section.
5–30–67	Particulate Matter ($PM_{2.5}$)	5/22/13	10/25/13, 78 FR 63878	Added Section.
5–30–70	Oxides of nitrogen with nitrogen oxide as the indicator.	8/18/10	6/22/11, 76 FR 36326 ...	Sections A., D., and E. are modified. Sections B., C., F., and G. are added.
9 VAC 5, Chapter 40 Existing Stationary Sources [Part IV]				
Part I Special Provisions				
5–40–10	Applicability	8/1/02	3/15/04, 69 FR 12074.	
5–40–20 (except paragraph A.4.).	Compliance	12/12/07	2/24/10, 75 FR 8249	Revisions to paragraph A.3.
5–40–21	Compliance Schedules	7/1/97	4/21/00, 65 FR 21315 ...	Appendix N.
5–40–22	Interpretation of Emissions Standards Based on Process Weight-Rate Tables.	7/1/97	4/21/00, 65 FR 21315 ...	Appendix Q.
5–40–30	Emission Testing	8/1/02	3/15/04, 69 FR 12074.	

EPA-APPROVED VIRGINIA REGULATIONS AND STATUTES—Continued

State citation	Title/subject	State effective date	EPA approval date	Explanation [former SIP citation]
5–40–40	Monitoring	8/1/02	3/15/04, 69 FR 12074.	
5–40–41	Emission Monitoring Procedures for Existing Sources.	7/1/97	4/21/00, 65 FR 21315 ...	Appendix J.
5–40–50	Notification, Records and Reporting	8/1/02	3/15/04, 69 FR 12074.	
Part II Emission Standards				
Article 1 Visible Emissions and Fugitive Dust/Emissions (Rule 4–1)				
5–40–60	Applicability and Designation of Affected Facility.	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0101.
5–40–70	Definitions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0102.
5–40–80	Standard for Visible Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0103.
5–40–90	Standard for Fugitive Dust/Emissions	2/1/03	4/29/05, 70 FR 22263.	
5–40–100	Monitoring	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0105.
5–40–110	Test Methods and Procedures	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0106.
5–40–120	Waivers	2/1/03	4/29/05, 70 FR 22263.	
Article 4 General Process Operations (Rule 4–4)				
5–40–240	Applicability and Designation of Affected Facility.	1/2/02	2/28/08, 73 FR 10670.	
5–40–250	Definitions	12/15/06	1/19/11, 76 FR 3023	Removal of "Reasonably available control technology" from 5–40–250C.
5–40–260	Standard for Particulate Matter(AQCR 1–6).	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0403.
5–40–270	Standard for Particulate Matter (AQCR 7)	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0404.
5–40–280	Standard for Sulfur Dioxide	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0405.
5–40–320	Standard for Visible Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0409.
5–40–330	Standard for Fugitive Dust/Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0410.
5–40–360	Compliance	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0413.
5–40–370	Test Methods and Procedures	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0414.
5–40–380	Monitoring	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0415.
5–40–390	Notification, Records and Reporting	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0416.
5–40–400	Registration	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0417.
5–40–410	Facility and Control Equipment Maintenance or Malfunction.	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0418.
5–40–420	Permits	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0419.
Article 5 Emission Standards for Synthesized Pharmaceutical Products Manufacturing Operations (Rule 4–5)				
5–40–430	Applicability and Designation of Affected Facility.	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0501.
5–40–440	Definitions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0502.
4–40–450	Standard for Volatile Organic Compounds	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0503.
5–40–460	Control Technology Guidelines	2/1/02	3/3/06, 71 FR 10838.	
5–40–470	Standard for Visible Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0505.
5–40–480	Standard for Fugitive Dust/Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0506.
5–40–510	Compliance	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0509.
5–40–520	Test Methods and Procedures	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0510.
5–40–530	Monitoring	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0511.
5–40–540	Notification, Records and Reporting	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0512.
5–40–550	Registration	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0513.
5–40–560	Facility and Control Equipment Maintenance or Malfunction.	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0514.
5–40–570	Permits	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0515.
Article 6 Emission Standards for Rubber Tire Manufacturing Operations (Rule 4–6)				
5–40–580	Applicability and Designation of Affected Facility.	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0601.
5–40–590	Definitions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0602.
5–40–600	Standard for Volatile Organic Compounds	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0603.
5–40–610	Control Technology Guidelines	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0604.
5–40–620	Standard for Visible Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0605.
5–40–630	Standard for Fugitive Dust/Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0606.
5–40–660	Compliance	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0609.
5–40–670	Test Methods and Procedures	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0610.
5–40–680	Monitoring	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0611.

EPA-APPROVED VIRGINIA REGULATIONS AND STATUTES—Continued

State citation	Title/subject	State effective date	EPA approval date	Explanation [former SIP citation]
5–40–690	Notification, Records and Reporting	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0612.
5–40–700	Registration	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0613.
5–40–710	Facility and Control Equipment Maintenance or Malfunction.	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0614.
5–40–720	Permits	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0615.
Article 7 Emission Standards for Incinerators (Rule 4–7)				
5–40–730	Applicability and Designation of Affected Facility.	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0701.
5–40–740	Definitions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0702.
5–40–750	Standard for Particulate Matter	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0703.
5–40–760	Standard for Visible Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0704.
5–40–770	Standard for Fugitive Dust/Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0705.
5–40–800	Prohibition of Flue-Fed Incinerators	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0708.
5–40–810	Compliance	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0709.
5–40–820	Test Methods and Procedures	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0710.
5–40–830	Monitoring	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0711.
5–40–840	Notification, Records and Reporting	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0712.
5–40–850	Registration	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0713.
5–40–860	Facility and Control Equipment Maintenance or Malfunction.	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0714.
5–40–870	Permits	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0715.
Article 8 Emission Standards for Fuel Burning Equipment (Rule 4–8)				
5–40–880	Applicability and Designation of Affected Facility.	4/1/99	5/31/01, 66 FR 29495.	
5–40–890	Definitions	4/1/99	5/31/01, 66 FR 29495.	
5–40–900	Standard for Particulate Matter	4/1/99	5/31/01, 66 FR 29495.	
5–40–910	Emission Allocation System	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0804.
5–40–920	Determination of Collection Equipment Efficiency Factor.	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0805.
5–40–930	Standard for Sulfur Dioxide	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0806.
5–40–940	Standard for Visible Emissions	4/1/99	5/31/01, 66 FR 29495.	
5–40–950	Standard for Fugitive Dust/Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0808.
5–40–980	Compliance	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0811.
5–40–990	Test Methods and Procedures	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0812.
5–40–1000 ..	Monitoring	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0813.
5–40–1010 ..	Notification, Records and Reporting	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0814.
5–40–1020 ..	Registration	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0815.
5–40–1030 ..	Facility and Control Equipment Maintenance or Malfunction.	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0816.
5–40–1040 ..	Permits	4/1/99	5/31/01, 66 FR 29495.	
Article 9 Emission Standards for Coke Ovens (Rule 4–9)				
5–40–1050 ..	Applicability and Designation of Affected Facility.	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0901.
5–40–1060 ..	Definitions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0902.
5–40–1070 ..	Standard for Particulate Matter	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0903.
5–40–1080 ..	Standard for Sulfur Dioxide	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0904.
5–40–1090 ..	Standard for Visible Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0905.
5–40–1100 ..	Standard for Fugitive Dust/Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0906.
5–40–1130 ..	Compliance	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0909.
5–40–1140 ..	Test Methods and Procedures	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0910.
5–40–1150 ..	Monitoring	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0911.
5–40–1160 ..	Notification, Records and Reporting	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0912.
5–40–1170 ..	Registration	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0913.
5–40–1180 ..	Facility and Control Equipment Maintenance or Malfunction.	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0914.
5–40–1190 ..	Permits	4/17/95	4/21/00, 65 FR 21315 ...	120–04–0915.
Article 10 Emission Standards for Asphalt Concrete Plants (Rule 4–10)				
5–40–1200 ..	Applicability and Designation of Affected Facility.	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1001.
5–40–1210 ..	Definitions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1002.
5–40–1220 ..	Standard for Particulate Matter	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1003.
5–40–1230 ..	Standard for Visible Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1004.
5–40–1240 ..	Standard for Fugitive Dust/Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1005.

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5–40–1270 ..	Compliance	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1008.
5–40–1280 ..	Test Methods and Procedures	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1009.
5–40–1290 ..	Monitoring	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1010.
5–40–1300 ..	Notification, Records and Reporting	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1011.
5–40–1310 ..	Registration	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1012.
5–40–1320 ..	Facility and Control Equipment Maintenance or Malfunction.	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1013.
5–40–1330 ..	Permits	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1014.
Article 11 Emission Standards for Petroleum Refinery Operations (Rule 4–11)				
5–40–1340 ..	Applicability and Designation of Affected Facility.	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1101.
5–40–1350 ..	Definitions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1102.
5–40–1360 ..	Standard for Particulate Matter	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1103.
5–40–1370 ..	Standard for Sulfur Dioxide	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1104.
5–40–1390 ..	Standard for Volatile Organic Compounds	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1106.
5–40–1400 ..	Control Technology Guidelines	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1107.
5–40–1410 ..	Standard for Visible Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1108.
5–40–1420 ..	Standard for Fugitive Dust/Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1109.
5–40–1450 ..	Compliance	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1112.
5–40–1460 ..	Test Methods and Procedures	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1113.
5–40–1470 ..	Monitoring	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1114.
5–40–1480 ..	Notification, Records and Reporting	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1115.
5–40–1490 ..	Registration	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1116.
5–40–1500 ..	Facility and Control Equipment Maintenance or Malfunction.	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1117.
5–40–1510 ..	Permits	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1118.
Article 12 Emission Standards for Chemical Fertilizer Manufacturing Operations (Rule 4–12)				
5–40–1520 ..	Applicability and Designation of Affected Facility.	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1201.
5–40–1530 ..	Definitions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1202.
5–40–1540 ..	Standard for Particulate Matter	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1203.
5–40–1550 ..	Standard for Visible Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1204.
5–40–1560 ..	Standard for Fugitive Dust/Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1205.
5–40–1590 ..	Compliance	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1208.
5–40–1600 ..	Test Methods and Procedures	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1209.
5–40–1610 ..	Monitoring	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1210.
5–40–1620 ..	Notification, Records and Reporting	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1211.
5–40–1630 ..	Registration	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1212.
5–40–1640 ..	Facility and Control Equipment Maintenance or Malfunction.	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1213.
5–40–1650 ..	Permits	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1214.
Article 13 Emission Standards for Kraft Pulp and Paper Mills (Rule 4–13)				
5–40–1660 ..	Applicability and Designation of Affected Facility.	4/1/99	10/19/07, 72 FR 59207.	
5–40–1670 ..	Definitions of Cross recovery furnace, Kraft pulp mill, Lime kiln, Recovery furnace, Smelt dissolving tank.	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1302 Remaining definitions are federally enforceable as part of the Section 111(d) plan for kraft pulp mills (see, § 62.11610).
	Definitions	4/1/99	10/19/07, 72 FR 59207	Added: Neutral sulfite semi chemical pulping operation, New design recovery furnace, Pulp and paper mill, Semi chemical pulping process; Straight kraft recovery furnace. Revised: Cross recovery furnace.
5–40–1680 ..	Standard for Particulate Matter	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1303.
5–40–1700 ..	Control Technology Guidelines	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1305.
5–40–1710 ..	Standard for Visible Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1306.
5–40–1720 ..	Standard for Fugitive Dust/Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1307.
5–40–1750 ..	Compliance	4/1/99	10/19/07, 72 FR 59207.	

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5–40–1760 ..	Test Methods and Procedures	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1311.
5–40–1770A	Monitoring	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1312A. **Note**: Sections 5–40–1770B. and C. are Federally enforceable as part of the Section111(d) plan for kraft pulp mills (*see*, § 62.11610).
5–40–1780A	Notification, Records and Reporting	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1313A. **Note**: Sections 5–40–1780B. through D. are Federally enforceable as part of the Section 111(d) plan for kraft pulp mills (*see*, § 62.11610).
5–40–1790 ..	Registration	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1314.
5–40–1800 ..	Facility and Control Equipment Maintenance or Malfunction.	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1315.
5–40–1810 ..	Permits	4/1/99	10/19/07, 72 FR 59207.	
Article 14 Emission Standards for Sand and Gravel Processing Operations and Stone Quarrying and Processing Operations (Rule 4–14)				
5–40–1820 ..	Applicability and Designation of Affected Facility.	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1401.
5–40–1830 ..	Definitions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1402.
5–40–1840 ..	Standard for Particulate Matter	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1403.
5–40–1850 ..	Standard for Visible Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1404.
5–40–1860 ..	Standard for Fugitive Dust/Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1405.
5–40–1890 ..	Compliance	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1408.
5–40–1900 ..	Test Methods and Procedures	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1409.
5–40–1910 ..	Monitoring	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1410.
5–40–1920 ..	Notification, Records and Reporting	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1411.
5–40–1930 ..	Registration	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1412.
5–40–1940 ..	Facility and Control Equipment Maintenance or Malfunction.	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1413.
5–40–1950 ..	Permits	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1414.
Article 15 Emission Standards for Coal Preparation Plants (Rule 4–15)				
5–40–1960 ..	Applicability and Designation of Affected Facility.	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1501.
5–40–1970 ..	Definitions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1502.
5–40–1980 ..	Standard for Particulate Matter	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1503.
5–40–1990 ..	Standard for Visible Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1504.
5–40–2000 ..	Standard for Fugitive Dust/Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1505.
5–40–2030 ..	Compliance	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1508.
5–40–2040 ..	Test Methods and Procedures	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1509.
5–40–2050 ..	Monitoring	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1510.
5–40–2060 ..	Notification, Records and Reporting	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1511.
5–40–2070 ..	Registration	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1512.
5–40–2080 ..	Facility and Control Equipment Maintenance or Malfunction.	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1513.
5–40–2090 ..	Permits	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1514.
Article 16 Emission Standards for Portland Cement Plants (Rule 4–16)				
5–40–2100 ..	Applicability and Designation of Affected Facility.	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1601.
5–40–2110 ..	Definitions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1602.
5–40–2120 ..	Standard for Particulate Matter	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1603.
5–40–2130 ..	Standard for Sulfur Dioxide	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1604.
5–40–2140 ..	Standard for Visible Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1605.
5–40–2150 ..	Standard for Fugitive Dust/Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1606.
5–40–2180 ..	Compliance	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1609.
5–40–2190 ..	Test Methods and Procedures	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1610.
5–40–2200 ..	Monitoring	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1611.
5–40–2210 ..	Notification, Records and Reporting	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1612.
5–40–2220 ..	Registration	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1613.
5–40–2230 ..	Facility and Control Equipment Maintenance or Malfunction.	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1614.

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5–40–2240 ..	Permits	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1615.
Article 17 Emission Standards for Woodworking Operations (Rule 4–17)				
5–40–2250 ..	Applicability and Designation of Affected Facility.	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1701.
5–40–2260 ..	Definitions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1702.
5–40–2270 ..	Standard for Particulate Matter	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1703.
5–40–2280 ..	Standard for Visible Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1704.
5–40–2290 ..	Standard for Fugitive Dust/Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1705.
5–40–2320 ..	Compliance	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1708.
5–40–2330 ..	Test Methods and Procedures	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1709.
5–40–2340 ..	Monitoring	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1710.
5–40–2350 ..	Notification, Records and Reporting	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1711.
5–40–2360 ..	Registration	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1712.
5–40–2370 ..	Facility and Control Equipment Maintenance or Malfunction.	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1713.
5–40–2380 ..	Permits	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1714.
Article 18 Emission Standards for Primary and Secondary Metal Operations (Rule 4–18)				
5–40–2390 ..	Applicability and Designation of Affected Facility.	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1801.
5–40–2400 ..	Definitions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1802.
5–40–2410 ..	Standard for Particulate Matter	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1803.
5–40–2420 ..	Standard for Sulfur Oxides	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1804.
5–40–2430 ..	Standard for Visible Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1805.
5–40–2440 ..	Standard for Fugitive Dust/Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1806.
5–40–2470 ..	Compliance	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1809.
5–40–2480 ..	Test Methods and Procedures	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1810.
5–40–2490 ..	Monitoring	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1811.
5–40–2500 ..	Notification, Records and Reporting	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1812.
5–40–2510 ..	Registration	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1813.
5–40–2520 ..	Facility and Control Equipment Maintenance or Malfunction.	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1814.
5–40–2530 ..	Permits	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1815.
Article 19 Emission Standards for Lightweight Aggregate Process Operations (Rule 4–19)				
5–40–2540 ..	Applicability and Designation of Affected Facility.	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1901.
5–40–2550 ..	Definitions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1902.
5–40–2560 ..	Standard for Particulate Matter	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1903.
5–40–2570 ..	Standard for Sulfur Oxides	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1904.
5–40–2580 ..	Standard for Visible Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1905.
5–40–2590 ..	Standard for Fugitive Dust/Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1906.
5–40–2620 ..	Compliance	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1909.
5–40–2630 ..	Test Methods and Procedures	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1910.
5–40–2640 ..	Monitoring	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1911.
5–40–2650 ..	Notification, Records and Reporting	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1912.
5–40–2660 ..	Registration	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1913.
5–40–2670 ..	Facility and Control Equipment Maintenance or Malfunction.	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1914.
5–40–2680 ..	Permits	4/17/95	4/21/00, 65 FR 21315 ...	120–04–1915.
Article 20 Emission Standards for Feed Manufacturing Operations (Rule 4–20)				
5–40–2690 ..	Applicability and Designation of Affected Facility.	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2001.
5–40–2700 ..	Definitions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2002.
5–40–2710 ..	Standard for Particulate Matter	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2003.
5–40–2720 ..	Standard for Visible Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2004.
5–40–2730 ..	Standard for Fugitive Dust/Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2005.
5–40–2760 ..	Compliance	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2008.
5–40–2770 ..	Test Methods and Procedures	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2009.
5–40–2780 ..	Monitoring	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2010.
5–40–2790 ..	Notification, Records and Reporting	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2011.
5–40–2800 ..	Registration	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2012.
5–40–2810 ..	Facility and Control Equipment Maintenance or Malfunction.	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2013.

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5–40–2820 ..	Permits	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2014.
Article 21 Emission Standards for Sulfuric Acid Production Plants (Rule 4–21)				
5–40–2830 ..	Applicability and Designation of Affected Facility.	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2101.
5–40–2840 ..	Definitions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2102.
5–40–2850 ..	Standard for Sulfur Dioxide	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2103.
5–40–2870 ..	Standard for Visible Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2105.
5–40–2880 ..	Standard for Fugitive Dust/Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2106.
5–40–2910 ..	Compliance	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2109.
5–40–2920 ..	Test Methods and Procedures	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2110.
5–40–2930 ..	Monitoring	2/1/02	3/3/06, 71 FR 10838.	
5–40–2940 ..	Notification, Records and Reporting	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2112.
5–40–2950 ..	Registration	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2113.
5–40–2960 ..	Facility and Control Equipment Maintenance or Malfunction.	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2114.
5–40–2970 ..	Permits	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2115.
Article 22 Emission Standards for Sulfur Recovery Operations (Rule 4–22)				
5–40–2980 ..	Applicability and Designation of Affected Facility.	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2201.
5–40–2990 ..	Definitions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2202.
5–40–3000 ..	Standard for Sulfur Dioxide	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2203.
5–40–3010 ..	Standard for Visible Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2204.
5–40–3020 ..	Standard for Fugitive Dust/Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2205.
5–40–3050 ..	Compliance	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2208.
5–40–3060 ..	Test Methods and Procedures	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2209.
5–40–3070 ..	Monitoring	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2210.
5–40–3080 ..	Notification, Records and Reporting	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2211.
5–40–3090 ..	Registration	4/17/95	4/21/00, 65 FR 21315 ...	20–04–2212.
5–40–3100 ..	Facility and Control Equipment Maintenance or Malfunction.	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2213.
5–40–3110 ..	Permits	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2214.
Article 23 Emission Standards for Nitric Acid Production Units (Rule 4–23)				
5–40–3120 ..	Applicability and Designation of Affected Facility.	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2301.
5–40–3130 ..	Definitions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2302.
5–40–3140 ..	Standard for Nitrogen Oxides	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2303.
5–40–3150 ..	Standard for Visible Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2304.
5–40–3160 ..	Standard for Fugitive Dust/Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2305.
5–40–3190 ..	Compliance	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2308.
5–40–3200 ..	Test Methods and Procedures	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2309.
5–40–3210 ..	Monitoring	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2310.
5–40–3220 ..	Notification, Records and Reporting	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2311.
5–40–3230 ..	Registration	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2312.
5–40–3240 ..	Facility and Control Equipment Maintenance or Malfunction.	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2313.
5–40–3250 ..	Permits	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2314.
Article 24 Emission Standards for Solvent Metal Cleaning Operations Using Non-Halogenated Solvents (Rule 4–24)				
5–40–3260 ..	Applicability and Designation of Affected Facility.	3/24/04	5/17/05, 70 FR 28215.	
5–40–3270 ..	Definitions	4/1/97	11/3/99, 64 FR 59635.	
5–40–3280 ..	Standard for Volatile Organic Compounds	4/1/97	11/3/99, 64 FR 59635.	
5–40–3290 ..	Control Technology Guidelines	4/1/97	11/3/99, 64 FR 59635.	
5–40–3300 ..	Standard for Visible Emissions	4/1/97	11/3/99, 64 FR 59635.	
5–40–3310 ..	Standard for Fugitive Dust/Emissions	4/1/97	11/3/99, 64 FR 59635.	
5–40–3340 ..	Compliance	4/1/97	11/3/99, 64 FR 59635.	
5–40–3350 ..	Test Methods and Procedures	4/1/97	11/3/99, 64 FR 59635.	
5–40–3360 ..	Monitoring	4/1/97	11/3/99, 64 FR 59635.	
5–40–3370 ..	Notification, Records and Reporting	4/1/97	11/3/99, 64 FR 59635.	
5–40–3380 ..	Registration	4/1/97	11/3/99, 64 FR 59635.	
5–40–3390 ..	Facility and Control Equipment Maintenance or Malfunction.	4/1/97	11/3/99, 64 FR 59635.	
5–40–3400 ..	Permits	4/1/97	11/3/99, 64 FR 59635.	

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Article 25 Emission Standards for Volatile Organic Compound Storage and Transfer Operations (Rule 4–25)				
5–40–3410 ..	Applicability and Designation of Affected Facility.	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2501.
5–40–3420 ..	Definitions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2502.
5–40–3430 ..	Standard for Volatile Organic Compounds	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2503.
5–40–3440 ..	Control Technology Guidelines	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2504.
5–40–3450 ..	Standard for Visible Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2505.
5–40–3460 ..	Standard for Fugitive Dust/Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2506.
5–40–3490 ..	Compliance	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2509.
5–40–3500 ..	Test Methods and Procedures	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2510.
5–40–3510 ..	Monitoring	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2511.
5–40–3520 ..	Notification, Records and Reporting	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2512.
5–40–3530 ..	Registration	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2513.
5–40–3540 ..	Facility and Control Equipment Maintenance or Malfunction.	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2514.
5–40–3550 ..	Permits	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2515.
Article 26 Emission Standards for Large Coating Application Systems (Rule 4–26)				
5–40–3560 ..	Applicability and Designation of Affected Facility.	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2601.
5–40–3570 ..	Definitions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2602.
5–40–3580 ..	Standard for Volatile Organic Compounds	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2603.
5–40–3590 ..	Control Technology Guidelines	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2604.
5–40–3600 ..	Standard for Visible Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2605.
5–40–3610 ..	Standard for Fugitive Dust/Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2606.
5–40–3640 ..	Compliance	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2609.
5–40–3650 ..	Test Methods and Procedures	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2610.
5–40–3660 ..	Monitoring	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2611.
5–40–3670 ..	Notification, Records and Reporting	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2612.
5–40–3680 ..	Registration	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2613.
5–40–3690 ..	Facility and Control Equipment Maintenance or Malfunction.	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2614.
5–40–3700 ..	Permits	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2615.
Article 27 Emission Standards for Magnet Wire Coating Application Systems (Rule 4–27)				
5–40–3710 ..	Applicability and Designation of Affected Facility.	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2701.
5–40–3720 ..	Definitions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2702.
5–40–3730 ..	Standard for Volatile Organic Compounds	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2703.
5–40–3740 ..	Control Technology Guidelines	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2704.
5–40–3750 ..	Standard for Visible Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2705.
5–40–3760 ..	Standard for Fugitive Dust/Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2706.
5–40–3790 ..	Compliance	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2709.
5–40–3800 ..	Test Methods and Procedures	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2710.
5–40–3810 ..	Monitoring	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2711.
5–40–3820 ..	Notification, Records and Reporting	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2712.
5–40–3830 ..	Registration	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2713.
5–40–3840 ..	Facility and Control Equipment Maintenance or Malfunction.	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2714.
5–40–3850 ..	Permits	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2715.
Article 28 Emission Standards for Automobile and Light Duty Truck Coating Application Systems (Rule 4–28)				
5–40–3860 ..	Applicability and Designation of Affected Facility.	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2801.
5–40–3870 ..	Definitions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2802.
5–40–3880 ..	Standard for Volatile Organic Compounds	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2803.
5–40–3890 ..	Control Technology Guidelines	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2804.
5–40–3900 ..	Standard for Visible Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2805.
5–40–3910 ..	Standard for Fugitive Dust/Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2806.
5–40–3940 ..	Compliance	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2809.
5–40–3950 ..	Test Methods and Procedures	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2810.
5–40–3960 ..	Monitoring	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2811.
5–40–3970 ..	Notification, Records and Reporting	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2812.
5–40–3980 ..	Registration	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2813.
5–40–3990 ..	Facility and Control Equipment Maintenance or Malfunction.	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2814.

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5–40–4000 ..	Permits	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2815.
Article 29 Emission Standards for Can Coating Application Systems (Rule 4–29)				
5–40–4010 ..	Applicability and Designation of Affected Facility.	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2901.
5–40–4020 ..	Definitions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2902.
5–40–4030 ..	Standard for Volatile Organic Compounds	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2903.
5–40–4040 ..	Control Technology Guidelines	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2904.
5–40–4050 ..	Standard for Visible Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2905.
5–40–4060 ..	Standard for Fugitive Dust/Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2906.
5–40–4090 ..	Compliance	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2909.
5–40–4100 ..	Test Methods and Procedures	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2910.
5–40–4110 ..	Monitoring	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2911.
5–40–4120 ..	Notification, Records and Reporting	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2912.
5–40–4130 ..	Registration	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2913.
5–40–4140 ..	Facility and Control Equipment Maintenance or Malfunction.	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2914.
5–40–4150 ..	Permits	4/17/95	4/21/00, 65 FR 21315 ...	120–04–2915.
Article 30 Emission Standards for Metal Coil Coating Application Systems (Rule 4–30)				
5–40–4160 ..	Applicability and Designation of Affected Facility.	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3001.
5–40–4170 ..	Definitions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3002.
5–40–4180 ..	Standard for Volatile Organic Compounds	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3003.
5–40–4190 ..	Control Technology Guidelines	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3004.
5–40–4200 ..	Standard for Visible Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3005.
5–40–4210 ..	Standard for Fugitive Dust/Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3006.
5–40–4240 ..	Compliance	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3009.
5–40–4250 ..	Test Methods and Procedures	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3010.
5–40–4260 ..	Monitoring	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3011.
5–40–4270 ..	Notification, Records and Reporting	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3012.
5–40–4280 ..	Registration	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3013.
5–40–4290 ..	Facility and Control Equipment Maintenance or Malfunction.	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3014.
5–40–4300 ..	Permits	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3015.
Article 31 Emission Standards for Paper and Fabric Coating Application Systems (Rule 4–31)				
5–40–4310 ..	Applicability and Designation of Affected Facility.	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3101.
5–40–4320 ..	Definitions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3102.
5–40–4330 ..	Standard for Volatile Organic Compounds	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3103.
5–40–4340 ..	Control Technology Guidelines	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3104.
5–40–4350 ..	Standard for Visible Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3105.
5–40–4360 ..	Standard for Fugitive Dust/Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3106.
5–40–4390 ..	Compliance	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3109.
5–40–4400 ..	Test Methods and Procedures	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3110.
5–40–4410 ..	Monitoring	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3111.
5–40–4420 ..	Notification, Records and Reporting	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3112.
5–40–4430 ..	Registration	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3113.
5–40–4440 ..	Facility and Control Equipment Maintenance or Malfunction.	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3114.
5–40–4450 ..	Permits	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3115.
Article 32 Emission Standards for Vinyl Coating Application Systems (Rule 4–32)				
5–40–4460 ..	Applicability and Designation of Affected Facility.	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3201.
5–40–4470 ..	Definitions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3202.
5–40–4480 ..	Standard for Volatile Organic Compounds	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3203.
5–40–4490 ..	Control Technology Guidelines	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3204.
5–40–4500 ..	Standard for Visible Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3205.
5–40–4510 ..	Standard for Fugitive Dust/Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3206.
5–40–4540 ..	Compliance	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3209.
5–40–4550 ..	Test Methods and Procedures	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3210.
5–40–4560 ..	Monitoring	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3211.
5–40–4570 ..	Notification, Records and Reporting	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3212.
5–40–4580 ..	Registration	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3213.

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5–40–4590 ..	Facility and Control Equipment Maintenance or Malfunction.	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3214.
5–40–4600 ..	Permits	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3215.
Article 33 Emission Standards for Metal Furniture Coating Application Systems (Rule 4–33)				
5–40–4610 ..	Applicability and Designation of Affected Facility.	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3301.
5–40–4620 ..	Definitions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3302.
5–40–4630 ..	Standard for Volatile Organic Compounds	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3303.
5–40–4640 ..	Control Technology Guidelines	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3304.
5–40–4650 ..	Standard for Visible Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3305.
5–40–4660 ..	Standard for Fugitive Dust/Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3306.
5–40–4690 ..	Compliance	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3309.
5–40–4700 ..	Test Methods and Procedures	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3310.
5–40–4710 ..	Monitoring	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3311.
5–40–4720 ..	Notification, Records and Reporting	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3312.
5–40–4730 ..	Registration	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3313.
5–40–4740 ..	Facility and Control Equipment Maintenance or Malfunction.	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3314.
5–40–4750 ..	Permits	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3315.
Article 34 Emission Standards for Miscellaneous Metal Parts and Products Coating Application Systems (Rule 4–34)				
5–40–4760 ..	Applicability and Designation of Affected Facility.	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3401.
5–40–4770 ..	Definitions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3402.
5–40–4780 ..	Standard for Volatile Organic Compounds	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3403.
5–40–4790 ..	Control Technology Guidelines	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3404.
5–40–4800 ..	Standard for Visible Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3405.
5–40–4810 ..	Standard for Fugitive Dust/Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3406.
5–40–4840 ..	Compliance	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3409.
5–40–4850 ..	Test Methods and Procedures	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3410.
5–40–4860 ..	Monitoring	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3411.
5–40–4870 ..	Notification, Records and Reporting	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3412.
5–40–4880 ..	Registration	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3413.
5–40–4890 ..	Facility and Control Equipment Maintenance or Malfunction.	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3414.
5–40–4900 ..	Permits	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3415.
Article 35 Emission Standards for Flatwood Paneling Coating Application Systems (Rule 4–35)				
5–40–4910 ..	Applicability and Designation of Affected Facility.	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3501.
5–40–4920 ..	Definitions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3502.
5–40–4930 ..	Standard for Volatile Organic Compounds	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3503.
5–40–4940 ..	Control Technology Guidelines	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3504.
5–40–4950 ..	Standard for Visible Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3505.
5–40–4960 ..	Standard for Fugitive Dust/Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3506.
5–40–4990 ..	Compliance	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3509.
5–40–5000 ..	Test Methods and Procedures	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3510.
5–40–5010 ..	Monitoring	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3511.
5–40–5020 ..	Notification, Records and Reporting	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3512.
5–40–5030 ..	Registration	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3513.
5–40–5040 ..	Facility and Control Equipment Maintenance or Malfunction.	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3514.
5–40–5050 ..	Permits	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3515.
Article 36 Flexographic, Packaging Rotogravure, and Publication Rotogravure Printing Lines (Rule 4–36)				
5–40–5060 ..	Applicability and Designation of Affected Facility.	4/1/96 10/4/06	3/2/07, 72 FR 9441.	
5–40–5070 ..	Definitions	4/1/96	3/12/97, 62 FR 11334 ...	§ 52.2465(c)(113)(i)(B)(4).
5–40–5080 ..	Standard for Volatile Organic Compounds	4/1/96	3/12/97, 62 FR 11334.	
5–40–5090 ..	Standard for Visible Emissions	4/1/96	3/12/97, 62 FR 11334.	
5–40–5100 ..	Standard for Fugitive Dust/Emissions	4/1/96	3/12/97, 62 FR 11334.	
5–40–5130 ..	Compliance	4/1/96	3/12/97, 62 FR 11334.	
5–40–5140 ..	Test Methods and Procedures	4/1/96	3/12/97, 62 FR 11334.	
5–40–5150 ..	Monitoring	4/1/96	3/12/97, 62 FR 11334.	
5–40–5160 ..	Notification, Records and Reporting	4/1/96	3/12/97, 62 FR 11334.	
5–40–5170 ..	Registration	4/1/96	3/12/97, 62 FR 11334.	

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5–40–5180 ..	Facility and Control Equipment Maintenance or Malfunction.	4/1/96	3/12/97, 62 FR 11334.	
5–40–5190 ..	Permits	4/1/96	3/12/97, 62 FR 11334.	
Article 37 Emission Standards for Petroleum Liquid Storage and Transfer Operations (Rule 4–37)				
5–40–5200 ..	Applicability and Designation of Affected Facility.	4/1/96 10/4/06	3/2/07, 72 FR 9441.	
5–40–5210 ..	Definitions	2/1/02	3/3/06, 71 FR 10838.	
5–40–5220 ..	Standard for Volatile Organic Compounds	3/24/04	4/27/05, 70 FR 21625.	
5–40–5230 ..	Control Technology Guidelines	2/1/02	3/3/06, 71 FR 10838.	
5–40–5240 ..	Standard for Visible Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3705.
5–40–5250 ..	Standard for Fugitive Dust/Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3706.
5–40–5280 ..	Compliance	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3709.
5–40–5290 ..	Test Methods and Procedures	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3710.
5–40–5300 ..	Monitoring	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3711.
5–40–5310 ..	Notification, Records and Reporting	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3712.
5–40–5320 ..	Registration	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3713.
5–40–5330 ..	Facility and Control Equipment Maintenance or Malfunction.	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3714.
5–40–5340 ..	Permits	4/17/95	4/21/00, 65 FR 21315 ...	120–04–3715.
Article 41 Emission Standards for Mobile Sources (Rule 4–41)				
5–40–5650 ..	Applicability and Designation of Affected Facility.	4/17/95	4/21/00, 65 FR 21315 ...	120–04–4101.
5–40–5660 ..	Definitions	4/17/95	4/21/00, 65 FR 21315 ...	120–04–4102.
5–40–5670 ..	Motor Vehicles	4/17/95	4/21/00, 65 FR 21315 ...	120–04–4103.
5–40–5680 ..	Other Mobile Sources	4/17/95	4/21/00, 65 FR 21315 ...	120–04–4104.
5–40–5690 ..	Export/Import of Motor Vehicles	4/17/95	4/21/00, 65 FR 21315 ...	120–04–4105.
Article 43 Municipal Solid Waste Landfills (Rule 4–43)				
5–40–5800 ..	Applicability and Designation of Affected Facility.	1/29/04	12/29/04, 69 FR 77900.	
5–40–5810 ..	Definitions	8/17/11	6/1/12 by Letter Notice	The SIP effective date is 6/1/12.
5–40–5820 ..	Standard for air emissions	8/17/11	6/1/12 by Letter Notice	The SIP effective date is 6/1/12.
5–40–5822 ..	Operational standards for collection and control systems.	1/29/04	12/29/04, 69 FR 77900.	
5–40–5824 ..	Specifications for active collection systems	1/29/04	12/29/04, 69 FR 77900.	
5–40–5850 ..	Compliance	8/17/11	6/1/12 by Letter Notice	The SIP effective date is 6/1/12.
5–40–5855 ..	Compliance schedule	1/29/04	12/29/04, 69 FR 77900.	
5–40–5860 ..	Test methods and procedures	1/29/04	12/29/04, 69 FR 77900.	
5–40–5870 ..	Monitoring	1/29/04	12/29/04, 69 FR 77900.	
5–40–5880 ..	Reporting	8/17/11	6/1/12 by Letter Notice	The SIP effective date is 6/1/12.
5–40–5890 ..	Recordkeeping	1/29/04	12/29/04, 69 FR 77900.	
5–40–5900 ..	Registration	1/29/04	12/29/04, 69 FR 77900.	
5–40–5910 ..	Facility and control equipment Maintenance or Malfunction.	1/29/04	12/29/04, 69 FR 77900.	
5–40–5920 ..	Permits	8/17/11	6/1/12 by Letter Notice	The SIP effective date is 6/1/12.
Article 47 Emission Standards for Solvent Metal Cleaning Operations in the Northern Virginia Volatile Organic Compound Emissions Control Area (Rule 4–47)				
5–40–6820 ..	Applicability	3/24/04	6/9/04, 69 FR 32277.	
5–40–6830 ..	Definitions	3/24/04	6/9/04, 69 FR 32277.	
5–40–6840 ..	Standards for volatile organic compounds	3/24/04	6/9/04, 69 FR 32277.	
5–40–6850 ..	Standard for visible emissions	3/24/04	6/9/04, 69 FR 32277.	
5–40–6860 ..	Standard for fugitive dust/emissions	3/24/04	6/9/04, 69 FR 32277.	
5–40–6890 ..	Compliance	3/24/04	6/9/04, 69 FR 32277.	
5–40–6900 ..	Compliance schedules	3/24/04	6/9/04, 69 FR 32277.	
5–40–6910 ..	Test methods and procedures	3/24/04	6/9/04, 69 FR 32277.	
5–40–6920 ..	Monitoring	3/24/04	6/9/04, 69 FR 32277.	
5–40–6930 ..	Notification, records and reporting	3/24/04	6/9/04, 69 FR 32277.	
5–40–6940 ..	Registration	3/24/04	6/9/04, 69 FR 32277.	

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5–40–6950 ..	Facility and control equipment Maintenance or Malfunction.	3/24/04	6/9/04, 69 FR 32277.	
5–40–6960 ..	Permits	3/24/04	6/9/04, 69 FR 32277.	
Article 48 Emission Standards for Mobile Equipment Repairand Refinishing (Rule 4–48)				
5–40–6970 ..	Applicability and designation of affected facility.	10/4/06	12/5/07, 72 FR 68511	Revision extends the applicability to include the Fredericksburg VOC Emissions Control Area.
5–40–6980 ..	Definitions	3/24/04	6/24/04, 69 FR 35253.	
5–40–6990 ..	Standards for volatile organic compounds	3/24/04	6/24/04, 69 FR 35253.	
5–40–7000 ..	Standard for visible emissions	3/24/04	6/24/04, 69 FR 35253.	
5–40–7010 ..	Standard for fugitive dust/emissions	3/24/04	6/24/04, 69 FR 35253.	
5–40–7040 ..	Compliance	3/24/04	6/24/04, 69 FR 35253.	
5–40–7050 ..	Compliance schedule	10/4/06	12/5/07, 72 FR 68511.	
5–40–7060 ..	Test methods and procedures	3/24/04	6/24/04, 69 FR 35253.	
5–40–7070 ..	Monitoring	3/24/04	6/24/04, 69 FR 35253.	
5–40–7080 ..	Notification, records and reporting	3/24/04	6/24/04, 69 FR 35253.	
5–40–7090 ..	Registration	3/24/04	6/24/04, 69 FR 35253.	
5–40–7100 ..	Facility and control equipment Maintenance or Malfunction.	3/24/04	6/24/04, 69 FR 35253.	
5–40–7110 ..	Permits	3/24/04	6/24/04, 69 FR 35253.	
Article 51 Stationary Sources Subject to Case-by-Case Control Technology Determinations (Rule 4–51)				
5–40–7370 ..	Applicability and designation of affected facility.	12/15/06	1/19/11, 76 FR 3023	Added Regulation.
5–40–7380 ..	Definitions	12/15/06	1/19/11, 76 FR 3023	Added Regulation.
5–40–7390 ..	Standard for volatile organic compounds (1-hour ozone standard).	12/15/06	1/19/11, 76 FR 3023	Added Regulation.
5–40–7400 ..	Standard for volatile organic compounds (8-hour ozone standard).	12/15/06	1/19/11, 76 FR 3023	Added Regulation.
5–40–7410 ..	Standard for nitrogen oxides (1-hour ozone standard) Subsection F.	12/15/06 1/20/10	1/19/11, 76 FR 3023	Added Regulation.
5–40–7420 ..	Standard for nitrogen oxides (8-hour ozone standard).	12/15/06 1/20/10	1/19/11, 76 FR 3023	Added Regulation.
5–40–7430 ..	Presumptive reasonably available control technology guidelines for stationary sources of nitrogen oxides.	12/15/06	1/19/11, 76 FR 3023	Added Regulation.
5–40–7440 ..	Standard for visible emissions	12/15/06	1/19/11, 76 FR 3023	Added Regulation.
5–40–7450 ..	Standard for fugitive dust/emissions	12/15/06	1/19/11, 76 FR 3023	Added Regulation.
5–40–7480 ..	Compliance	12/15/06	1/19/11, 76 FR 3023	Added Regulation.
5–40–7490 ..	Test methods and procedures	12/15/06	1/19/11, 76 FR 3023	Added Regulation.
5–40–7500 ..	Monitoring	12/15/06	1/19/11 , 76 FR 3023	Added Regulation.
5–40–7510 ..	Notification	12/15/06	1/19/11, 76 FR 3023	Added Regulation.
5–40–7520 ..	Registration	12/15/06	1/19/11, 76 FR 3023	Added Regulation.
5–40–7530 ..	Facility and control equipment maintenance or malfunction.	12/15/06	1/19/11, 76 FR 3023	Added Regulation.
5–40–7540 ..	Permits	12/15/06	1/19/11, 76 FR 3023	Added Regulation
Article 53 Emission Standards for Lithographic Printing Processes (Rule 4–53) [Formerly Article 45]				
5–40–7800 ..	Applicability and designation of affected facility.	10/4/06	3/2/07, 72 FR 9441	Revised to include and exempt certain emission control areas.
5–40–7810 ..	Definitions of Alcohol, Cleaning solution, Fountain solution, Lithographic printing, Printing process.	4/1/96, 10/4/06	3/2/07, 72 FR 9441.	
5–40–7820 ..	Standard for Volatile Organic Compounds	4/1/96 10/4/06	3/2/07, 72 FR 9441.	
5–40–7840 ..	Standard for Visible Emissions	4/1/96 10/4/06	3/2/07, 72 FR 9441.	
5–40–7850 ..	Standard for Fugitive Dust Emissions	4/1/96 10/4/06	3/2/07, 72 FR 9441.	
5–40–7880 ..	Compliance	10/4/06	3/2/07, 72 FR 9441	Revisions to compliance dates.
5–40–7890 ..	Test Methods and Procedures	4/1/96 10/4/06	3/2/07, 72 FR 9441.	
5–40–7900 ..	Monitoring	4/1/96 10/4/06	3/2/07, 72 FR 9441.	

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5–40–7910 ..	Notification, Records and Reporting	4/1/96 10/4/06	3/2/07, 72 FR 9441.	
5–40–7920 ..	Registration	4/1/96 10/4/06	3/2/07, 72 FR 9441.	
5–40–7930 ..	Facility and Control Equipment Maintenance and Malfunction.	4/1/96 10/4/06	3/2/07, 72 FR 9441.	
5–40–7940 ..	Permits	4/1/96 10/4/06	3/2/07, 72 FR 9441.	
9 VAC 5, Chapter 45 Consumer and Commercial Products (applicable to the Northern Virginia and Fredericksburg VOC Emissions Control Areas)				
Part I Special Provisions				
5–45–10	Applicability	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–20	Compliance	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–30	Emission testing	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–40	Monitoring	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–50	Notification, records and reporting	3/17/10	1/26/2012, 77 FR 3928	Added.
Part II Emission Standards				
Article 1 Emission Standards For Portable Fuel Containers And Spouts Manufactured Before August 1, 2010				
5–45–60	Applicability	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–70	Exemptions	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–80	Definitions	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–90	Standard for volatile organic compounds ..	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–100	Administrative requirements	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–110	Compliance	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–120	Compliance schedules	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–130	Test methods and procedures	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–140	Monitoring	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–150	Notification, records and reporting	3/17/10	1/26/2012, 77 FR 3928	Added.
Article 2 Emission Standards For Portable Fuel Containers And Spouts Manufactured On Or After August 1, 2010				
5–45–160	Applicability	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–170	Exemptions	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–180	Definitions	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–190	Standard for volatile organic compounds ..	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–200	Certification procedures	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–210	Innovative products	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–220	Administrative requirements	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–230	Compliance	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–240	Compliance schedules	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–250	Test methods and procedures	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–260	Monitoring	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–270	Notification, records and reporting	3/17/10	1/26/2012, 77 FR 3928	Added.
Article 3 Emission Standards For Consumer Products Manufactured Before August 1, 2010				
5–45–280	Applicability	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–290	Exemptions	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–300	Definitions	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–310 (Except subsection B).	Standard for volatile organic compounds ..	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–320	Alternative control plan (ACP) for consumer products.	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–330	Innovative products	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–340	Administrative requirements	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–350	Compliance	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–360	Compliance schedules	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–370	Test methods and procedures	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–380	Monitoring	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–390	Notification, records and reporting	3/17/10	1/26/2012, 77 FR 3928	Added.
Article 4 Emission Standards For Consumer Products Manufactured On or After August 1, 2010				
5–45–400	Applicability	3/17/10	1/26/2012, 77 FR 3928	Added.

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5–45–410	Exemptions	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–420	Definitions	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–430 (Except subsection B).	Standard for volatile organic compounds	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–440	Alternative control plan (ACP) for consumer products.	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–450	Innovative products	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–460	Administrative requirements	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–470	Compliance	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–480	Compliance schedules	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–490	Test methods and procedures	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–500	Monitoring	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–510	Notification, records and reporting	3/17/10	1/26/2012, 77 FR 3928	Added.
Article 5 Emission Standards For Architectural And Industrial Maintenance Coatings				
5–45–520	Applicability	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–530	Exemptions	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–540	Definitions	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–550	Standard for volatile organic compounds	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–560	Administrative requirements	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–570	Compliance	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–580	Compliance schedules	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–590	Test methods and procedures	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–600	Monitoring	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–610	Notification, records and reporting	3/17/10	1/26/2012, 77 FR 3928	Added.
Article 6 Emission Standards For Adhesives And Sealants				
5–45–620	Applicability	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–630	Exemptions	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–640	Definitions	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–650	Standard for volatile organic compounds	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–660	Control technology guidelines	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–670	Standard for visible emissions	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–680	Administrative requirements	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–690	Compliance	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–700	Compliance schedules	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–710	Test methods and procedures	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–720	Monitoring	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–730	Notification, records and reporting	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–740	Registration	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–750	Facility and control equipment maintenance or malfunction.	3/17/10	1/26/2012, 77 FR 3928	Added.
Article 7 Emission Standards For Asphalt Paving Operations				
5–45–760	Applicability	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–770	Definitions	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–780	Standard for volatile organic compounds	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–790	Standard for visible emissions	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–800	Standard for fugitive dust/emissions	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–820	Compliance	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–830	Test methods and procedures	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–840	Monitoring	3/17/10	1/26/2012, 77 FR 3928	Added.
5–45–850	Notification, records and reporting	3/17/10	1/26/2012, 77 FR 3928	Added.
9 VAC 5, Chapter 50 New and Modified Stationary Sources [Part V]				
Part I Special Provisions				
5–50–10	Applicability	8/1/02	3/15/04, 69 FR 12074.	
5–50–20	Compliance	12/12/07	2/24/10, 75 FR 8249	Revisions to paragraph A.3 .
5–50–30	Performance Testing	8/1/02	3/15/04, 69 FR 12074.	
5–50–40	Monitoring	8/1/02	3/15/04, 69 FR 12074.	
5–50–50	Notification, Records and Reporting	8/1/02	3/15/04, 69 FR 12074.	

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Part II Emission Standards				
Article 1 Standards of Performance for Visible Emissions and Fugitive Dust/Emissions (Rule 5–1)				
5–50–60	Applicability and Designation of Affected Facility.	4/17/95	4/21/00, 65 FR 21315 ...	120–05–0101.
5–50–70	Definitions	4/17/95	4/21/00, 65 FR 21315 ...	120–05–0102.
5–50–80	Standard for Visible Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–05–0103.
5–50–90	Standard for Fugitive Dust/Emissions	2/1/03	4/29/05, 70 FR 22263.	
5–50–100	Monitoring	4/17/95	4/21/00, 65 FR 21315 ...	120–05–0105.
5–50–110	Test Methods and Procedures	4/17/95	4/21/00, 65 FR 21315 ...	120–05–0106.
5–50–120	Waivers	2/1/03	4/29/05, 70 FR 22263.	
Article 4 Standards of Performance for Stationary Sources (Rule 5–4)				
5–50–240	Applicability and Designation of Affected Facility.	4/17/95	4/21/00, 65 FR 21315 ...	120–05–0401.
5–50–250	Definitions	9/1/06	10/22/08, 73 FR 62897	Revised definition of New Source Review Program, Limited Approval.
5–50–260	Standard for Stationary Sources	4/17/95	4/21/00, 65 FR 21315 ...	120–05–0403.
5–50–270	Standard for Major Stationary Sources (Nonattainment Areas).	9/1/06	10/22/08, 73 FR 62893	Changes Qualifying pollutant to Regulated NSR pollutant, Limited Approval.
5–50–280	Standard for Major Stationary Sources (Prevention of Significant Deterioration Areas).	9/1/06	10/22/08, 73 FR 62897	Changes Pollutant subject to regulation under the Federal Clean Air Act to Regulated NSR pollutant, Limited Approval.
5–50–290	Standard for Visible Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–05–0406.
5–50–300	Standard for Fugitive Dust/Emissions	4/17/95	4/21/00, 65 FR 21315 ...	120–05–0407.
5–50–330	Compliance	4/17/95	4/21/00, 65 FR 21315 ...	120–05–0410.
5–50–340	Test Methods and Procedures	4/17/95	4/21/00, 65 FR 21315 ...	120–05–0411.
5–50–350	Monitoring	4/17/95	4/21/00, 65 FR 21315 ...	120–05–0412.
5–50–360	Notification, Records and Reporting	4/17/95	4/21/00, 65 FR 21315 ...	120–05–0413.
5–50–370	Registration	4/17/95	4/21/00, 65 FR 21315 ...	120–05–0414.
5–50–380	Facility and Control Equipment Maintenance or Malfunction.	4/17/95	4/21/00, 65 FR 21315 ...	120–05–0415.
5–50–390	Permits	4/17/95	4/21/00, 65 FR 21315 ...	120–05–0416.
9 VAC 5, Chapter 70 Air Pollution Episode Prevention [Part VII]				
5–70–10	Applicability	4/17/95	4/21/00, 65 FR 21315 ...	120–07–01.
5–70–20	Definitions	4/17/95	4/21/00, 65 FR 21315 ...	120–07–02.
5–70–30	General	4/17/95	4/21/00, 65 FR 21315 ...	120–07–03.
5–70–40	Episode Determination	4/1/99	10/19/0065 FR 62626 ...	References to TSP have been removed.
5–70–50	Standby Emission Reduction Plans	4/17/95	4/21/00, 65 FR 21315 ...	120–07–05.
5–70–60	Control Requirements	4/17/95	4/21/00, 65 FR 21315 ...	120–07–06.
5–70–70	Local Air Pollution Control Agency Participation.	4/17/95	4/21/00, 65 FR 21315 ...	120–07–07.
9 VAC 5, Chapter 80 Permits for Stationary Sources [Part VIII]				
5–80–10	New and Modified Stationary Sources	4/17/95	4/21/00, 65 FR 21315 ...	120–08–01.
10A	Applicability	4/17/95	4/21/00, 65 FR 21315 ...	01A.
10B	Definitions	4/17/95	4/21/00, 65 FR 21315 ...	01B.
10C (Exc.C1.b).	General	4/17/95	4/21/00, 65 FR 21315 ...	01C. (Exc.C.1.b)
10D	Applications	4/17/95	4/21/00, 65 FR 21315 ...	01D.
10E.	Information required	4/17/95	4/21/00, 65 FR 21315 ...	01E.
10F	Action on permit application	4/17/95	4/21/00, 65 FR 21315 ...	01F.
10G	Public participation	4/17/95	4/21/00, 65 FR 21315 ...	01G.; Exceptions: 10.G.1 and 10G.4.b.
VR120–08–01C.4.b., c.	Public Participation—public hearing requirements for major modifications.	7/31/81; recodified 2/1/85	5/4/82, 47 FR 19134; recodified 2/25/93, 58 FR 11373.	*See* § 52.2423(o).
10H.2. and 10H.3.	Standards for granting permits	4/17/95	4/21/00, 65 FR 21315 ...	01H.2. and 01H.3.

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10I.1. and 10I.3.	Application review and analysis	4/17/95	4/21/00, 65 FR 21315	01I.1. and 01I.3.
10J	Compliance determination and verification by performance testing.	4/17/95	4/21/00, 65 FR 21315	01J.
10K	Permit invalidation, revocation and enforcement.	4/17/95	4/21/00, 65 FR 21315	01K.
10L	Existence of permit no defense	4/17/95	4/21/00, 65 FR 21315	01L.
10M	Compliance with local zoning requirements	4/17/95	4/21/00, 65 FR 21315	01M.
10N	Reactivation and permanent shutdown	4/17/95	4/21/00, 65 FR 21315	01N.
10O	Transfer of permits	4/17/95	4/21/00, 65 FR 21315	01O.
10P	Circumvention	4/17/95	4/21/00, 65 FR 21315	01P.
5–80–11	Stationary source permit exemption levels	7/1/97	4/21/00, 65 FR 21315	Appendix R.
Article 5 State Operating Permits				
5–80–800	Applicability	4/1/98	6/27/03, 68 FR 38191.	
5–80–810	Definitions	4/1/98	6/27/03, 68 FR 38191.	
5–80–820	General	4/1/98	6/27/03, 68 FR 38191.	
5–80–830	Applications	4/1/98	6/27/03, 68 FR 38191.	
5–80–840	Application information required	4/1/98	6/27/03, 68 FR 38191.	
5–80–850	Standards and conditions for granting Permits.	4/1/98	6/27/03, 68 FR 38191.	
5–80–860	Action on permit application	4/1/98	6/27/03, 68 FR 38191.	
5–80–870	Application review and analysis	4/1/98	6/27/03, 68 FR 38191.	
5–80–880	Compliance determination and verification by testing.	4/1/98	6/27/03, 68 FR 38191.	
5–80–890	Monitoring requirements	4/1/98	6/27/03, 68 FR 38191.	
5–80–900	Reporting requirements	4/1/98	6/27/03, 68 FR 38191.	
5–80–910	Existence of permits no defense	4/1/98	6/27/03, 68 FR 38191.	
5–80–920	Circumvention	4/1/98	6/27/03, 68 FR 38191.	
5–80–930	Compliance with local zoning requirements	4/1/98	6/27/03, 68 FR 38191.	
5–80–940	Transfer of Permits	4/1/98	6/27/03, 68 FR 38191.	
5–80–950	Termination of Permits	4/1/98	6/27/03, 68 FR 38191.	
5–80–960	Changes to Permits	4/1/98	6/27/03, 68 FR 38191.	
5–80–970	Administrative permit amendments	4/1/98	6/27/03, 68 FR 38191.	
5–80–980	Minor permit amendments	4/1/98	6/27/03, 68 FR 38191.	
5–80–990	Significant permit amendments	4/1/98	6/27/03, 68 FR 38191.	
5–80–1000	Reopening for cause	4/1/98	6/27/03, 68 FR 38191.	
5–80–1010	Enforcement	4/1/98	6/27/03, 68 FR 38191.	
5–80–1020	Public participation	4/1/98	6/27/03, 68 FR 38191.	
5–80–1030	General Permits	4/1/98	6/27/03, 68 FR 38191.	
5–80–1040	Review and evaluation of article	4/1/98	6/27/03, 68 FR 38191.	
Article 8 Permits—Major Stationary Sources and Major Modifications Located in Prevention of Significant Deterioration Areas				
5–80–1605	Applicability	9/1/06	10/22/08, 73 FR 62897	5–80–1700, Limited Approval.
5–80–1615	Definitions	8/17/11	2/25/14, 79 FR 10377	Revised. Limited approval remains in effect.
5–80–1625	General	7/23/09	12/20/12, 77 FR 75380	Revised. Limited approval remains in effect.
5–80–1635	Ambient Air Increments	8/17/11	2/25/14, 79 FR 10377	Revised. Limited approval remains in effect.
5–80–1645	Ambient Air Ceilings	9/1/06	10/22/08, 73 FR 62897	5–80–1740, Limited Approval.
5–80–1655	Applications	9/1/06	10/22/08, 73 FR 62897	5–80–1750, Limited Approval.
5–80–1665	Compliance with local zoning requirements	9/1/06	10/22/08, 73 FR 62897	5–80–1760, Limited Approval.
5–80–1675	Compliance determination and verification by performance testing.	9/1/06	10/22/08, 73 FR 62897	5–80–1770, Limited Approval.
5–80–1685	Stack Heights	9/1/06	10/22/08, 73 FR 62897	5–80–1780, Limited Approval.
5–80–1695	Exemptions	8/17/11	2/25/14, 79 FR 10377	Revised. The portion of paragraph E(1) that relates to $PM_{2.5}$ is not in the SIP. Limited approval remains in effect.
5–80–1705	Control technology review	9/1/06	10/22/08, 73 FR 62897	5–80–1800, Limited Approval.

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State citation	Title/subject	State effective date	EPA approval date	Explanation [former SIP citation]
5–80–1715 (Except paragraph A(2)).	Source impact analysis	8/17/11	2/25/14, 79 FR 10377	Revised. Paragraph A(2) is not in the SIP. Limited approval remains in effect.
5–80–1725	Air quality models	9/1/06	10/22/08, 73 FR 62897	5–80–1820, Limited Approval.
5–80–1735	Air quality analysis	9/1/06	10/22/08, 73 FR 62897	5–80–1830, Limited Approval.
5–80–1745	Source Information	9/1/06	10/22/08, 73 FR 62897	5–80–1840, Limited Approval.
5–80–1755	Additional impact analysis	9/1/06	10/22/08, 73 FR 62897	5–80–1850, Limited Approval.
5–80–1765	Sources affecting Federal class I areas—additional requirements.	8/17/11	2/25/14, 79 FR 10377	Revised. Limited approval remains in effect.
5–80–1775	Public participation	9/1/06	10/22/08, 73 FR 62897	5–80–1870, Limited Approval.
5–80–1785	Source obligation	9/1/06	10/22/08, 73 FR 62897	5–80–1880, Limited Approval.
5–80–1795	Environmental impact statements	9/1/06	10/22/08, 73 FR 62897	5–80–1890, Limited Approval.
5–80–1805	Disputed permits	9/1/06	10/22/08, 73 FR 62897	5–80–1900, Limited Approval.
5–80–1815	Interstate pollution abatement	9/1/06	10/22/08, 73 FR 62897	5–80–1910, Limited Approval.
5–80–1825	Innovative control technology	9/1/06	10/22/08, 73 FR 62897	5–80–1920, Limited Approval.
5–80–1865	Actuals plantwide applicability (PAL)	9/1/06	10/22/08, 73 FR 62897	New, Limited Approval.
5–80–1915	Actions to combine permit terms and conditions.	7/23/09	12/20/12, 77 FR 75380	New. Limited approval.
5–80–1925	Actions to change permits	7/23/09	12/20/12, 77 FR 75380	Revised. Limited approval remains in effect.
5–80–1935	Administrative permit amendments	7/23/09	12/20/12, 77 FR 75380	Revised. Limited approval remains in effect.
5–80–1945	Minor permit amendments	7/23/09	12/20/12, 77 FR 75380	Revised. Limited approval remains in effect.
5–80–1955	Significant amendment procedures	7/23/09	12/20/12, 77 FR 75380	Revised. Limited approval remains in effect.
5–80–1965	Reopening for cause	7/23/09	12/20/12, 77 FR 75380	Revised. Limited approval remains in effect.
5–80–1975	Transfer of permits	9/1/06	10/22/08, 73 FR 62897	5–80–1940, Limited Approval.
5–80–1985	Permit invalidation, revocation, and enforcement.	9/1/06	10/22/08, 73 FR 62897	5–80–1950, Limited Approval.
5–80–1995	Existence of permit no defense	9/1/06	10/22/08, 73 FR 62897	New, Limited Approval.
Article 9 Permits—Major Stationary Sources and Major Modifications Located in Nonattainment Areas or the Ozone Transport Region				
5–80–2000	Applicability	5/1/02 9/1/06	10/22/08, 73 FR 62893	Limited Approval of 9/1/06 amendments.
5–80–2010	Definitions	8/17/11	2/25/14, 79 FR 10377	Revised. Limited approval of 9/1/06 and 8/17/11 amendments.
5–80–2020	General	7/23/09	12/20/12, 77 FR 75380	Revised. Limited approval remains in effect.
5–80–2020	General	7/23/09	12/20/12, 77 FR 75380	Revised.
5–80–2030	Applications	5/1/02 9/1/06	10/22/08, 73 FR 62893	Limited Approval of 9/1/06 amendments.
5–80–2040	Application information required	5/1/02 9/1/06	10/22/08, 73 FR 62893	Limited Approval of 9/1/06 amendments.
5–80–2050	Standards and conditions for granting permits.	5/1/02 9/1/06	10/22/08, 73 FR 62893	Limited Approval of 9/1/06 amendments.
5–80–2060	Action on permit applications	5/1/02 9/1/06	10/22/08, 73 FR 62893	Limited Approval of 9/1/06 amendments.
5–80–2070	Public participation	5/1/02 9/1/06	10/22/08, 73 FR 62893	Limited Approval of 9/1/06 amendments.
5–80–2080	Compliance determination and verification by performance testing.	5/1/02 9/1/06	10/22/08, 73 FR 62893	Limited Approval of 9/1/06 amendments.
5–80–2090	Application review and analysis	5/1/02 9/1/06	10/22/08, 73 FR 62893	Limited Approval of 9/1/06 amendments.

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State citation	Title/subject	State effective date	EPA approval date	Explanation [former SIP citation]
5–80–2091 ..	Source Obligation	9/1/06	10/22/08, 73 FR 62893	New, Limited Approval.
5–80–2110 ..	Interstate Pollution Abatement	5/1/02 9/1/06	10/22/08, 73 FR 62893	Limited Approval of 9/1/06 amendments.
5–80–2120 ..	Offsets	8/17/11	2/25/14, 79 FR 10377 ...	Revised. Limited approval of 9/1/06 and 8/17/11 amendments.
5–80–2130 ..	De minimis increases and stationary source modification alternatives for ozone nonattainment areas classified as serious or severe in 9 VAC 5–20–204.	5/1/02 9/1/06	10/22/08, 73 FR 62893	Limited Approval of 9/1/06 amendments.
5–80–2140 ..	Exemptions	7/23/09	12/20/12, 77 FR 75380	Revised. Limited approval remains in effect.
5–80–2144 ..	Actuals plantwide applicability limits (PALs).	9/1/06	10/22/08, 73 FR 62893	New, Limited Approval.
5–80–2150 ..	Compliance with local zoning requirements	5/1/02 9/1/06	10/22/08, 73 FR 62893	Limited Approval of 9/1/06 amendments.
5–80–2170 ..	Transfer of permits	5/1/02 9/1/06	10/22/08, 73 FR 62893	Limited Approval of 9/1/06 amendments.
5–80–2180 ..	Permit invalidation, revocation and enforcement.	5/1/02 9/1/06	10/22/08, 73 FR 62893	Limited Approval of 9/1/06 amendments.
5–80–2190 ..	Existence of permit no defense	5/1/02 9/1/06	10/22/08, 73 FR 62893	Limited Approval of 9/1/06 amendments.
5–80–2195 ..	Actions to combine permit terms and conditions.	7/23/09	12/20/12, 77 FR 75380	New. Limited approval.
5–80–2200 ..	Actions to change permits	7/23/09	12/20/12, 77 FR 75380	Revised. Limited approval remains in effect.
5–80–2210 ..	Administrative permit amendments	7/23/09	12/20/12, 77 FR 75380	Revised. Limited approval remains in effect.
5–80–2220 ..	Minor permit amendments	7/23/09	12/20/12, 77 FR 75380	Revised. Limited approval remains in effect.
5–80–2230 ..	Significant amendment procedures	7/23/09	12/20/12, 77 FR 75380	Revised. Limited approval remains in effect.
5–80–2240 ..	Reopening for cause	7/23/09	12/20/12, 77 FR 75380	Revised. Limited approval remains in effect.
9 VAC 5, Chapter 85 Permits for Stationary Sources of Pollutants Subject to Regulation				
Part I Applicability				
5–85–10	Applicability	1/2/11	5/13/11, 76 FR 27898.	
Part III Prevention of Significant Deterioration Permit Actions				
5–85–40	Prevention of Significant Deterioration Area Permit Actions.	1/2/11	5/13/11, 76 FR 27898.	
5–85–50	Definitions	11/9/11	10/30/12, 77 FR 65627	Revised definition of ''subject to regulation.''
Part IV State Operating Permit Actions				
5–85–60	State Operating Permit Actions	1/2/11	5/13/11, 76 FR 27898.	
5–85–70	Definitions	1/2/11	5/13/11, 76 FR 27898.	
9 VAC 5, Chapter 91 Regulations for the Control of Motor Vehicle Emissions in the Northern Virginia Area				
Part I Definitions				
5–91–10	General	1/24/97	9/1/99, 64 FR 47670.	
5–91–20	Terms defined	1/24/97 6/29/05	9/1/99, 64 FR 47670 ..... 4/22/08, 73 FR 21540.	Exception—''Northern Virginia program area'' does not include Fauquier County, Effective 1/1/98.
Part II General Provisions				
5–91–30	Applicability and authority of the department.	10/1/02	4/22/08, 73 FR 21540.	
5–91–50	Documents incorporated by reference	10/1/02	4/22/08, 73 FR 21540.	
5–91–70	Appeal of case decisions	10/1/02	4/22/08, 73 FR 21540.	

EPA-APPROVED VIRGINIA REGULATIONS AND STATUTES—Continued

State citation	Title/subject	State effective date	EPA approval date	Explanation [former SIP citation]
5–91–90	Right of entry	1/24/97	9/1/99, 64 FR 47670.	
5–91–100	Conditions on approvals	1/24/97	9/1/99, 64 FR 47670.	
5–91–120	Export and import of motor vehicles	10/1/02	4/22/08, 73 FR 21540.	
5–91–130	Relationship of state regulations to Federal regulations.	1/24/97	9/1/99, 64 FR 47670.	
5–91–140	Delegation of authority	1/24/97	9/1/99, 64 FR 47670.	
5–91–150	Availability of information	1/24/97	9/1/99, 64 FR 47670.	
Part III Emission Standards for Motor Vehicle Air Pollution				
5–91–160	Exhaust emission standards for two-speed idle testing in enhanced emissions inspection programs.	6/29/05	4/22/08, 73 FR 21540.	
5–91–170	Exhaust emission standards for ASM testing in enhanced emissions inspection programs.	10/1/02	4/22/08, 73 FR 21540.	
5–91–180	Exhaust emission standards for on-road testing through remote sensing.	6/29/05	4/22/08, 73 FR 21540.	
5–91–190	Emissions control system standards	10/1/02	4/22/08, 73 FR 21540.	
5–91–200	Evaporative emissions standards	10/1/02	4/22/08, 73 FR 21540.	
5–91–210	Visible emissions standards	10/1/02	4/22/08, 73 FR 21540.	
Part IV Permitting and Operation of Emissions Inspection Stations				
5–91–220	General provisions	10/1/02	4/22/08, 73 FR 21540.	
5–91–230	Applications	10/1/02	4/22/08, 73 FR 21540.	
5–91–240	Standards and conditions for permits	1/27/97	9/1/99, 64 FR 47670.	
5–91–250	Action on permit application	1/27/97	9/1/99, 64 FR 47670.	
5–91–260	Emissions inspection station permits, categories.	10/1/02	4/22/08, 73 FR 21540.	
5–91–270	Permit renewals	10/1/02	4/22/08, 73 FR 21540.	
5–91–280	Permit revocation, surrender of materials	1/24/97	9/1/99, 64 FR 47670.	
5–91–290	Emissions inspection station operations	10/1/02	4/22/08, 73 FR 21540.	
5–91–300	Emissions inspection station records	10/1/02	4/22/08, 73 FR 21540.	
5–91–310	Sign and permit posting	10/1/02	4/22/08, 73 FR 21540.	
5–91–320	Equipment and facility requirements	10/1/02	4/22/08, 73 FR 21540.	
5–91–330	Analyzer system operation	10/1/02	4/22/08, 73 FR 21540.	
5–91–340	Motor vehicle inspection report; certificate of emissions inspection.	10/1/02	4/22/08, 73 FR 21540.	
5–91–350	Data media	1/24/97	9/1/99, 64 FR 47670.	
5–91–360	Inspector identification number and access code usage.	10/1/02	4/22/08, 73 FR 21540	Retitled and amended.
5–91–370	Fleet emissions inspection stations; mobile fleet inspection stations.	10/1/02	4/22/08, 73 FR 21540.	
Part V Emissions Inspector Testing and Licensing				
5–91–380	Emissions inspector licenses and renewals.	10/21/02	4/22/08, 73 FR 21540.	
5–91–390	Qualification requirements for emissions inspector licenses.	1/24/97	9/1/99, 64 FR 47670.	
5–91–400	Conduct of emissions inspectors	1/24/97	9/1/99, 64 FR 47670.	
Part VI Inspection Procedures				
5–91–410	General	10/1/02	4/22/08, 73 FR 21540.	
5–91–420	Inspection procedure; rejection, pass, fail, waiver.	10/1/02	4/22/08, 73 FR 21540.	
5–91–430	ASM test procedure	10/1/02	4/22/08, 73 FR 21540.	
5–91–440	Two-speed idle test procedure	10/1/02	4/22/08, 73 FR 21540.	
5–91–450	Evaporative system pressure test and gas cap pressure test procedure.	10/1/02	4/22/08, 73 FR 21540	Retitled and amended.
5–91–480	Emissions related repairs	10/1/02	4/22/08, 73 FR 21540.	
5–91–490	Engine and fuel changes	10/1/02	4/22/08, 73 FR 21540.	
Part VII Vehicle Emissions Repair Facility Certification				
5–91–500	Applicability and authority	10/1/02	4/22/08, 73 FR 21540.	
5–90–510	Certification qualifications	10/1/02	4/22/08, 73 FR 21540.	
5–91–520	Expiration, reinstatement, renewal, and requalification.	10/1/02	4/22/08, 73 FR 21540.	

EPA-APPROVED VIRGINIA REGULATIONS AND STATUTES—Continued

State citation	Title/subject	State effective date	EPA approval date	Explanation [former SIP citation]
5–91–530	Emissions and repair facility operations	10/1/02	4/22/08, 73 FR 21540.	
5–91–540	Sign and certificate posting	10/1/02	4/22/08, 73 FR 21540 ...	Retitled and amended.
Part VIII Emissions Repair Technician Certification and Responsibilities				
5–91–550	Applicability and authority	10/1/02	4/22/08, 73 FR 21540.	
5–91–560	Certification qualifications for emissions repair technicians.	10/1/02	4/22/08, 73 FR 21540.	
5–91–570	Expiration, reinstatement, renewal and requalification.	10/1/02	4/22/08, 73 FR 21540.	
5–91–580	Certified emissions repair technician responsibilities.	10/1/02	4/22/08, 73 FR 21540.	
Part IX Enforcement Procedures				
5–91–590	Enforcement of regulations, permits, licenses, certifications and orders.	10/1/02	4/22/08, 73 FR 21540.	
5–91–600	General enforcement process	10/1/02	4/22/08, 73 FR 21540.	
5–91–610	Consent orders and penalties for violations.	10/1/02	4/22/08, 73 FR 21540.	
5–91–620	Major violations	10/1/02	4/22/08, 73 FR 21540.	
5–91–630	Minor violations	4/2/97	9/1/99, 64 FR 47670.	
Part X Analyzer System Certification and Specifications for Enhanced Emissions Inspections Programs				
5–91–640	Applicability	1/24/97	9/1/99, 64 FR 47670.	
5–91–650	Design goals	10/1/02	4/22/08, 73 FR 21540.	
5–91–660	Warranty; service contract	10/1/02	4/22/08, 73 FR 21540.	
5–91–670	Owner-provided services	10/1/02	4/22/08, 73 FR 21540.	
5–91–680	Certification of analyzer systems	10/1/02	4/22/08, 73 FR 21540.	
5–91–690	Span gases; gases for calibration purposes.	10/1/02	4/22/08, 73 FR 21540.	
5–91–700	Calibration of exhaust gas analyzers	10/1/02	4/22/08, 73 FR 21540.	
5–91–710	Upgrade of analyzer system	10/1/02	4/22/08, 73 FR 21540.	
Part XI Manufacturer Recall				
5–91–720	Vehicle manufacturers recall	10/1/02	4/22/08, 73 FR 21540.	
5–91–730	Exemptions; temporary extensions	1/24/97	9/1/99, 64 FR 47670.	
Part XII On-Road Testing				
5–91–740	General requirements	6/29/05	4/22/08, 73 FR 21540.	
5–91–750	Operating procedures; violation of standards.	6/29/05	4/22/08, 73 FR 21540.	
5–91–760	Schedule of civil charges	6/29/05	4/22/08, 73 FR 21540.	
Part XIV ASM Exhaust Emission Standards				
5–91–790	ASM start-up standards	10/1/02	4/22/08, 73 FR 21540.	
5–91–800	ASM final standards	10/1/02	4/22/08, 73 FR 21540.	
9 VAC 5, Chapter 130 Regulations for Open Burning [Formerly 9VAC5 Chapter 40, Part II, Article 40]				
Part I General Provisions				
5–130–10	Applicability	3/18/09	3/14/11, 76 FR 13511 ...	Formerly 5–40–5600—Provisions of this Chapter are applicable only in the Northern Virginia and Richmond Emissions Control Areas as defined in 9 VAC 5–20–206.
5–130–20	Definitions	8/17/11	6/1/12 by Letter Notice	The SIP effective date is 6/1/12.
5–130–30	Open Burning Prohibitions	3/18/09	3/14/11, 76 FR 13511 ...	Formerly 5–40–5620.
5–130–40	Permissible open burning	8/17/11	6/1/12 by Letter Notice	The SIP effective date is 6/1/12.
5–130–50	Forest Management and Agricultural Practices.	3/18/09	3/14/11, 76 FR 13511 ...	Formerly 5–40–5631.

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State citation	Title/subject	State effective date	EPA approval date	Explanation [former SIP citation]
9 VAC 5, Chapter 140 Regulations for Emissions Trading Programs				
Part I NO_X Budget Trading Program				
Article 1 NO_X Budget Trading Program General Provisions				
5–140–10	Purpose	7/17/02	7/8/03, 68 FR 40520.	
5–140–20	Definitions	7/17/02	7/8/03, 68 FR 40520.	
5–140–30	Measurements, abbreviations, and acronyms.	7/17/02	7/8/03, 68 FR 40520.	
5–140–31	Federal Regulations Incorporated by reference.	7/17/02	7/8/03, 68 FR 40520.	
5–140–40	Applicability	7/17/02	7/8/03, 68 FR 40520.	
5–140–50	Retired unit exemption	7/17/02	7/8/03, 68 FR 40520.	
5–140–60	Standard requirements	7/17/02	7/8/03, 68 FR 40520.	
5–140–70	Computation of time	7/17/02	7/8/03, 68 FR 40520.	
Article 2 NO_X Authorized Account Representative for NO_X Budget Sources				
5–140–100 ..	Authorization and responsibilities of the NO_X authorized account representative.	7/17/02	7/8/03, 68 FR 40520.	
5–140–110 ..	Alternate NO_X authorized account representative.	7/17/02	7/8/03, 68 FR 40520.	
5–140–120 ..	Changing the NO_X authorized account representative and alternate NO_X authorized account representative; changes in the owners and operators.	7/17/02	7/8/03, 68 FR 40520.	
5–140–130 ..	Account certificate of representation	7/17/02	7/8/03, 68 FR 40520.	
5–140–140 ..	Objections concerning the NO_X authorized account representative.	7/17/02	7/8/03, 68 FR 40520.	
Article 3 Permits				
5–140–200 ..	General NO_X Budget permit requirements	7/17/02	7/8/03, 68 FR 40520.	
5–140–210 ..	Submission of NO_X Budget permit applications.	7/17/02	7/8/03, 68 FR 40520.	
5–140–220 ..	Information requirements for NO_X Budget permit applications.	7/17/02	7/8/03, 68 FR 40520.	
5–140–230 ..	NO_X Budget permit contents	7/17/02	7/8/03, 68 FR 40520.	
5–140–240 ..	Effective date of initial NO_X Budget permit	7/17/02	7/8/03, 68 FR 40520.	
5–140–250 ..	NO_X Budget permit revisions	7/17/02	7/8/03, 68 FR 40520.	
Article 4 Compliance Certification				
5–140–300 ..	Compliance certification report	7/17/02	7/8/03, 68 FR 40520.	
5–140–310 ..	Permitting authority's and administrator's actionon compliance certifications.	7/17/02	7/8/03, 68 FR 40520.	
Article 5 NO_X Allowance Allocations				
5–140–400 ..	State trading program budget	7/17/02	7/8/03, 68 FR 40520.	
5–140–410 ..	Timing requirements for NO_X allowance allocations.	7/17/02	7/8/03, 68 FR 40520.	
5–140–420 ..	NO_X allowance allocations	7/17/02	7/8/03, 68 FR 40520.	
5–140–430 ..	Compliance Supplement Pool	7/17/02	7/8/03, 68 FR 40520.	
Article 6 NO_X Allowance Tracking System				
5–140–500 ..	NO_X Allowance Tracking System accounts	7/17/02	7/8/03, 68 FR 40520.	
5–140–510 ..	Establishment of accounts	7/17/02	7/8/03, 68 FR 40520.	
5–140–520 ..	NO_X Allowance Tracking System responsibilities of NO_X authorized account representative.	7/17/02	7/8/03, 68 FR 40520.	
5–140–530 ..	Recordation of NO_X allowance allocations	7/17/02	7/8/03, 68 FR 40520.	
5–140–540 ..	Compliance	7/17/02	7/8/03, 68 FR 40520.	
5–140–550 ..	Banking	3/24/04	8/25/04, 69 FR 52174.	
5–140–560 ..	Account error	7/17/02	7/8/03, 68 FR 40520.	
5–140–570 ..	Closing of general accounts	7/17/02	7/8/03, 68 FR 40520.	

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State citation	Title/subject	State effective date	EPA approval date	Explanation [former SIP citation]
Article 7 NO_X Allowance Transfers				
5–140–600 ..	Scope and submission of NO_X allowance transfers.	7/17/02	7/8/03, 68 FR 40520.	
5–140–610 ..	EPA recordation	7/17/02	7/8/03, 68 FR 40520.	
5–140–620 ..	Notification	7/17/02	7/8/03, 68 FR 40520.	
Article 8 Monitoring and Reporting				
5–140–700 ..	General Requirements	7/17/02	7/8/03, 68 FR 40520.	
5–140–710 ..	Initial certification and recertification procedures.	7/17/02	7/8/03, 68 FR 40520.	
5–140–720 ..	Out of control periods	7/17/02	7/8/03, 68 FR 40520.	
5–140–730 ..	Notifications	7/17/02	7/8/03, 68 FR 40520.	
5–140–740 ..	Recordkeeping and reporting	7/17/02	7/8/03, 68 FR 40520.	
5–140–750 ..	Petitions.	7/17/02	7/8/03, 68 FR 40520.	
5–140–760 ..	Additional requirements to provide heat input data for allocation purposes.	7/17/02	7/8/03, 68 FR 40520.	
Article 9 Individual Unit Opt-ins				
5–140–800 ..	Applicability	7/17/02	7/8/03, 68 FR 40520.	
5–140–810 ..	General	7/17/02	7/8/03, 68 FR 40520.	
5–140–820 ..	NO_X authorized account representative	7/17/02	7/8/03, 68 FR 40520.	
5–140–830 ..	Applying for NO_X Budget opt-in permit	7/17/02	7/8/03, 68 FR 40520.	
5–140–840 ..	Opt-in process	7/17/02	7/8/03, 68 FR 40520.	
5–140–850 ..	NO_X Budget opt-in permit contents	7/17/02	7/8/03, 68 FR 40520.	
5–140–860 ..	Withdrawal from NO_X Budget Trading Program.	7/17/02	7/8/03, 68 FR 40520.	
5–140–870 ..	Change in regulatory status	7/17/02	7/8/03, 68 FR 40520.	
5–140–880 ..	NO_X allowance allocations to opt-in units	7/17/02	7/8/03, 68 FR 40520.	
Article 10 State Trading Program Budget and Compliance Pool				
5–140–900 ..	State trading program budget	12/31/08	11/7/11, 76 FR 68638 ...	Revise applicable year to 2004 and each year thereafter.
5–140–910 ..	Compliance supplement pool budget	7/17/02	7/8/03, 68 FR 40520.	
5–140–920 ..	Total electric generating unit allocations	12/31/08	11/7/11, 76 FR 68638 ...	Add subsection B, which extends the NO_X budget beyond 2008.
5–140–930 ..	Total non-electric generating unit allocations.	12/31/08	11/7/11, 76 FR 68638 ...	Add subsection B, which extends the NO_X budget beyond 2008.
Part II NO_X Annual Trading Program				
Article 1 CAIR NO_X Annual Trading Program General Provisions				
5–140–1010	Purpose and Authority	3/18/09	8/22/11, 76 FR 52275.	
5–140–1020	Definitions	3/18/09	8/22/11, 76 FR 52275.	
5–140–1030	Measurements, abbreviations, and acronyms.	4/18/07	12/28/07, 72 FR 73602.	
5–140–1040	Applicability	4/18/07	12/28/07, 72 FR 73602.	
5–140–1050	Retired Unit Exemption	4/18/07	12/28/07, 72 FR 73602.	
5–140–1060	Standard Requirements	3/18/09	8/22/11, 76 FR 52275.	
5–140–1070	Computation of time	4/18/07	12/28/07, 72 FR 73602.	
5–140–1080	Appeal procedures	4/18/07	12/28/07, 72 FR 73602.	
Article 2 CAIR-designated Representative for CAIR NO_X Sources				
5–140–1100	Authorization and responsibilities of CAIR-designated representative.	4/18/07	12/28/07, 72 FR 73602.	
5–140–1110	Alternate CAIR-designated representative	4/18/07	12/28/07, 72 FR 73602.	
5–140–1120	Changing CAIR-designated representative and alternate CAIR-designated representative; changes in owners and operators.	4/18/07	12/28/07, 72 FR 73602.	
5–140–1130	Certificate of representation	4/18/07	12/28/07, 72 FR 73602.	
5–140–1140	Objections concerning CAIR-designated representative.	4/18/07	12/28/07, 72 FR 73602.	

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State citation	Title/subject	State effective date	EPA approval date	Explanation [former SIP citation]
5–140–1150	Delegation by CAIR-designated representative and alternate CAIR-designated representative.	4/18/07	12/28/07, 72 FR 73602.	
Article 3 Permits				
5–140–1200	General CAIR NO_X Annual Trading Program permit requirements.	4/18/07	12/28/07, 72 FR 73602.	
5–140–1210	Submission of CAIR permit applications	4/18/07	12/28/07, 72 FR 73602.	
5–140–1220	Information requirements for CAIR permit applications.	4/18/07	12/28/07, 72 FR 73602.	
5–140–1230	CAIR permit contents and term	4/18/07	12/28/07, 72 FR 73602.	
5–140–1240	CAIR permit revisions	4/18/07	12/28/07, 72 FR 73602.	
Article 5 CAIR NO_X Allowance Allocations				
5–140–1400	CAIR NO_X Annual trading budgets	4/18/07	12/28/07, 72 FR 73602.	
5–140–1410	Timing requirements for CAIR NO_X allowance allocations.	4/18/07	12/28/07, 72 FR 73602.	
5–140–1420	CAIR NO_X allowance allocations	4/18/07	12/28/07, 72 FR 73602.	
5–140–1430	Compliance supplement pool	4/18/07	12/28/07, 72 FR 73602.	
Article 6 CAIR NO_X Allowance Tracking System				
5–140–1510	Establishment of accounts	4/18/07	12/28/07, 72 FR 73602.	
5–140–1520	Responsibilities of CAIR-authorized account representative.	4/18/07	12/28/07, 72 FR 73602.	
5–140–1530	Recordation of CAIR NO_X allowance allocations.	4/18/07	12/28/07, 72 FR 73602.	
5–140–1540	Compliance with CAIR NO_X emissions limitation.	4/18/07	12/28/07, 72 FR 73602.	
5–140–1550	Banking	4/18/07	12/28/07, 72 FR 73602.	
5–140–1560	Account error	4/18/07	12/28/07, 72 FR 73602.	
5–140–1570	Closing of general accounts	4/18/07	12/28/07, 72 FR 73602.	
Article 7 CAIR NO_X Allowance Transfers				
5–140–1600	Submission of CAIR NO_X allowance transfers.	4/18/07	12/28/07, 72 FR 73602.	
5–140–1610	EPA recordation	4/18/07	12/28/07, 72 FR 73602.	
5–140–1620	Notification	4/18/07	12/28/07, 72 FR 73602.	
Article 8 Monitoring and Reporting				
5–140–1700	General requirements	4/18/07	12/28/07, 72 FR 73602.	
5–140–1710	Initial certification and recertification procedures.	4/18/07	12/28/07, 72 FR 73602.	
5–140–1720	Out of control periods	4/18/07	12/28/07, 72 FR 73602.	
5–140–1730	Notifications	4/18/07	12/28/07, 72 FR 73602.	
5–140–1740	Recordkeeping and reporting	4/18/07	12/28/07, 72 FR 73602.	
5–140–1750	Petitions	4/18/07	12/28/07, 72 FR 73602.	
Article 9 CAIR NO_X Opt-in Units				
5–140–1800	Applicability.	4/18/07	12/28/07, 72 FR 73602.	
5–140–1810	General	4/18/07	12/28/07, 72 FR 73602.	
5–140–1820	CAIR-designated representative	4/18/07	12/28/07, 72 FR 73602.	
5–140–1830	Applying for CAIR opt-in permit	4/18/07	12/28/07, 72 FR 73602.	
5–140–1840	Opt-in process	4/18/07	12/28/07, 72 FR 73602.	
5–140–1850	CAIR opt-in permit content	4/18/07	12/28/07, 72 FR 73602.	
5–140–1860	Withdrawal from CAIR NO_X Annual Trading Program.	4/18/07	12/28/07, 72 FR 73602.	
5–140–1870	Change in regulatory status	4/18/07	12/28/07, 72 FR 73602.	
5–140–1880	CAIR NO_X allowance allocations to CAIR NO_X opt-in units.	4/18/07	12/28/07, 72 FR 73602.	
Part III NO_X Ozone Season Trading Program				
Article 1 CAIR NO_X Ozone Season Trading Program General Provisions				
5–140–2010	Purpose and Authority	3/18/09	8/22/11, 76 FR 52275.	

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State citation	Title/subject	State effective date	EPA approval date	Explanation [former SIP citation]
5–140–2020	Definitions	3/18/09	8/22/11, 76 FR 52275.	
5–140–2030	Measurements, abbreviations, and acronyms.	4/18/07	12/28/07, 72 FR 73602.	
5–140–2040	Applicability	4/18/07	12/28/07, 72 FR 73602.	
5–140–2050	Retired unit exemption	4/18/07	12/28/07, 72 FR 73602.	
5–140–2060	Standard requirements	4/18/07	12/28/07, 72 FR 73602.	
5–140–2070	Computation of time	4/18/07	12/28/07, 72 FR 73602.	
5–140–2080	Appeal procedures	4/18/07	12/28/07, 72 FR 73602.	
Article 2 CAIR-Designated Representative for CAIR NO_X Ozone Season Sources				
5–140–2100	Authorization and responsibilities of CAIR-designated representative.	4/18/07	12/28/07, 72 FR 73602.	
5–140–2110	Alternate CAIR-designated representative	4/18/07	12/28/07, 72 FR 73602.	
5–140–2120	Changing CAIR-designated representative and alternate CAIR-designated representative; changes in owners and operators.	4/18/07	12/28/07, 72 FR 73602.	
5–140–2130	Certificate of representation	4/18/07	12/28/07, 72 FR 73602.	
5–140–2140	Objections concerning CAIR-designated representative.	4/18/07	12/28/07, 72 FR 73602.	
5–140–2150	Delegation by CAIR-designated representative and alternate CAIR-designated representative.	4/18/07	12/28/07, 72 FR 73602.	
Article 3 Permits				
5–140–2200	General CAIR NO_X Ozone Season Trading Program permit requirements.	4/18/07	12/28/07, 72 FR 73602.	
5–140–2210	Submission of CAIR permit applications	4/18/07	12/28/07, 72 FR 73602.	
5–140–2220	Information requirements for CAIR permit applications.	4/18/07	12/28/07, 72 FR 73602.	
5–140–2230	CAIR permit contents and term	4/18/07	12/28/07, 72 FR 73602.	
5–140–2240	CAIR permit revisions	4/18/07	12/28/07, 72 FR 73602.	
Article 5 CAIR NO_X Ozone Season Allowance Allocations				
5–140–2400	CAIR NO_X Ozone Season trading budgets	4/18/07	12/28/07, 72 FR 73602.	
5–140–2405	State trading budgets for nonelectric generating units.	4/18/07	12/28/07, 72 FR 73602.	
5–140–2410	Timing requirements for CAIR NO_X Ozone Season allowance allocations.	4/18/07	12/28/07, 72 FR 73602.	
5–140–2420	CAIR NO_X Ozone Season allowance allocations.	4/18/07	12/28/07, 72 FR 73602.	
5–140–2430	CAIR NO_X Ozone Season allowance allocations for individual existing nonelectric generating units.	4/18/07	12/28/07, 72 FR 73602.	
Article 6 CAIR NO_X Ozone Season Allowance Tracking System				
5–140–2510	Establishment of accounts	4/18/07	12/28/07, 72 FR 73602.	
5–140–2520	Responsibilities of CAIR-authorized account representative.	4/18/07	12/28/07, 72 FR 73602.	
5–140–2530	Recordation of CAIR NO_X Ozone Season allowance allocations.	4/18/07	12/28/07, 72 FR 73602.	
5–140–2540	Compliance with CAIR NO_X emissions limitation.	4/18/07	12/28/07, 72 FR 73602.	
5–140–2550	Banking	4/18/07	12/28/07, 72 FR 73602.	
5–140–2560	Account error	4/18/07	12/28/07, 72 FR 73602.	
5–140–2570	Closing of general accounts	4/18/07	12/28/07, 72 FR 73602.	
Article 7 CAIR NO_X Ozone Season Allowance Transfers				
5–140–2600	Submission of CAIR NO_X Ozone Season allowance transfers.	4/18/07	12/28/07, 72 FR 73602.	
5–140–2610	EPA recordation	4/18/07	12/28/07, 72 FR 73602.	
5–140–2620	Notification	4/18/07	12/28/07, 72 FR 73602.	
Article 8 Monitoring and Reporting				
5–140–2700	General requirements	4/18/07	12/28/07, 72 FR 73602.	

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State citation	Title/subject	State effective date	EPA approval date	Explanation [former SIP citation]
5–140–2710	Initial certification and recertification procedures.	4/18/07	12/28/07, 72 FR 73602.	
5–140–2720	Out of control periods	4/18/07	12/28/07, 72 FR 73602.	
5–140–2730	Notifications	4/18/07	12/28/07, 72 FR 73602.	
5–140–2740	Recordkeeping and reporting	4/18/07	12/28/07, 72 FR 73602.	
5–140–2750	Petitions	4/18/07	12/28/07, 72 FR 73602.	
Article 9 CAIR NO_X Ozone Season Opt-in Units				
5–140–2800	Applicability	4/18/07	12/28/07, 72 FR 73602.	
5–140–2810	General	4/18/07	12/28/07, 72 FR 73602.	
5–140–2820	CAIR-designated representative	4/18/07	12/28/07, 72 FR 73602.	
5–140–2830	Applying for CAIR opt-in permit	4/18/07	12/28/07, 72 FR 73602.	
5–140–2840	Opt-in process	4/18/07	12/28/07, 72 FR 73602.	
5–140–2850	CAIR opt-in permit contents	4/18/07	12/28/07, 72 FR 73602.	
5–140–2860	Withdrawal from CAIR NO_X Ozone Season Trading Program.	4/18/07	12/28/07, 72 FR 73602.	
5–140–2870	Change in regulatory status	4/18/07	12/28/07, 72 FR 73602.	
5–140–2880	CAIR NO_X Ozone Season allowance allocations to CAIR NO_X Ozone Season opt-in units.	4/18/07	12/28/07, 72 FR 73602.	
Part IV SO_2 Annual Trading Program				
Article 1 CAIR SO_2 Trading Program General Provisions				
5–140–3010	Purpose and Authority	3/18/09	8/22/11, 76 FR 52275.	
5–140–3020	Definitions	3/18/09	8/22/11, 76 FR 52275.	
5–140–3030	Measurements, abbreviations, and acronyms.	4/18/07	12/28/07, 72 FR 73602.	
5–140–3040	Applicability	4/18/07	12/28/07, 72 FR 73602.	
5–140–3050	Retired Unit Exemption	4/18/07	12/28/07, 72 FR 73602.	
5–140–3060	Standard requirements	4/18/07	12/28/07, 72 FR 73602.	
5–140–3070	Computation of time	4/18/07	12/28/07, 72 FR 73602.	
5–140–3080	Appeal procedures	4/18/07	12/28/07, 72 FR 73602.	
Article 2 CAIR-designated Representative for CAIR SO_2 Sources				
5–140–3100	Authorization and responsibilities of CAIR-designated representative.	4/18/07	12/28/07, 72 FR 73602.	
5–140–3110	Alternate CAIR-designated representative	4/18/07	12/28/07, 72 FR 73602.	
5–140–3120	Changing CAIR-designated representative and alternate CAIR-designated representative; changes in owners and operators.	4/18/07	12/28/07, 72 FR 73602.	
5–140–3130	Certificate of representation	4/18/07	12/28/07, 72 FR 73602.	
5–140–3140	Objections concerning CAIR-designated representative.	4/18/07	12/28/07, 72 FR 73602.	
5–140–3150	Delegation by CAIR-designated representative and alternate CAIR-designated representative.	4/18/07	12/28/07, 72 FR 73602.	
Article 3 Permits				
5–140–3200	General CAIR SO_2 Trading Program permit requirements.	4/18/07	12/28/07, 72 FR 73602.	
5–140–3210	Submission of CAIR permit applications	4/18/07	12/28/07, 72 FR 73602.	
5–140–3220	Information requirements for CAIR permit applications.	4/18/07	12/28/07, 72 FR 73602.	
5–140–3230	CAIR permit contents and term	4/18/07	12/28/07, 72 FR 73602.	
5–140–3240	CAIR permit revisions	4/18/07	12/28/07, 72 FR 73602.	
Article 5 CAIR SO_2 Allowance Allocations				
5–140–3400	CAIR SO_2 Annual trading budgets	12/12/07	3/12/10, 75 FR 11738	1. In section title, replace "State" with "CAIR SO_2 Annual" 2. In paragraph 1, replace 2009 with 2010.
5–140–3410	Timing requirements for CAIR SO_2 allowance allocations.	4/18/07	12/28/07, 72 FR 73602.	

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State citation	Title/subject	State effective date	EPA approval date	Explanation [former SIP citation]
5–140–3420	CAIR SO_2 allowance allocations	4/18/07	12/28/07, 72 FR 73602.	
Article 6 CAIR SO_2 Allowance Tracking System				
5–140–3510	Establishment of accounts	4/18/07	12/28/07, 72 FR 73602.	
5–140–3520	Responsibilities of CAIR-authorized account representative.	4/18/07	12/28/07, 72 FR 73602.	
5–140–3530	Recordation of CAIR SO_2 allowances	4/18/07	12/28/07, 72 FR 73602.	
5–140–3540	Compliance with CAIR SO_2 emissions limitation.	4/18/07	12/28/07, 72 FR 73602.	
5–140–3550	Banking	4/18/07	12/28/07, 72 FR 73602.	
5–140–3560	Account error	4/18/07	12/28/07, 72 FR 73602.	
5–140–3570	Closing of general accounts	4/18/07	12/28/07, 72 FR 73602.	
Article 7 CAIR SO_2 Allowance Transfers				
5–140–3600	Submission of CAIR SO_2 allowance transfers.	4/18/07	12/28/07, 72 FR 73602.	
5–140–3610	EPA recordation	4/18/07	12/28/07, 72 FR 73602.	
5–140–3620	Notification	4/18/07	12/28/07, 72 FR 73602.	
Article 8 Monitoring and Reporting				
5–140–3700	General requirements	4/18/07	12/28/07, 72 FR 73602.	
5–140–3710	Initial certification and recertification procedures.	4/18/07	12/28/07, 72 FR 73602.	
5–140–3720	Out of control periods	4/18/07	12/28/07, 72 FR 73602.	
5–140–3730	Notifications	4/18/07	12/28/07, 72 FR 73602.	
5–140–3740	Recordkeeping and reporting	4/18/07	12/28/07, 72 FR 73602.	
5–140–3750	Petitions	4/18/07	12/28/07, 72 FR 73602.	
Article 9 CAIR SO_2 Opt-in Units				
5–140–3800	Applicability	4/18/07	12/28/07, 72 FR 73602.	
5–140–3810	General	4/18/07	12/28/07, 72 FR 73602.	
5–140–3820	CAIR-designated representative	4/18/07	12/28/07, 72 FR 73602.	
5–140–3830	Applying for CAIR opt-in permit	4/18/07	12/28/07, 72 FR 73602.	
5–140–3840	Opt-in process	4/18/07	12/28/07, 72 FR 73602.	
5–140–3850	CAIR opt-in permit contents	4/18/07	12/28/07, 72 FR 73602.	
5–140–3860	Withdrawal from CAIR SO_2 Trading Program.	4/18/07	12/28/07, 72 FR 73602.	
5–140–3870	Change in regulatory status	4/18/07	12/28/07, 72 FR 73602.	
5–140–3880	CAIR SO_2 allowance allocations to CAIR SO_2 opt-in units.	4/18/07	12/28/07, 72 FR 73602.	
9 Vac 5, Chapter 151 Transportation Conformity				
Part I General Definitions				
5–151–10	Definitions	12/31/08	11/20/09, 74 FR 60194.	
Part II General Provisions				
5–151–20	Applicability	12/31/08	11/20/09, 74 FR 60194.	
5–151–30	Authority of Board and DEQ	12/31/08	11/20/09, 74 FR 60194.	
Part III Criteria and Procedures for Making Conformity Determinations				
5–151–40	General	8/15/12	4/1/13, 78 FR 19421.	
5–151–50	Designated provisions	12/31/08	11/20/09, 74 FR 60194.	
5–151–60	Word or phrase substitutions	12/31/08	11/20/09, 74 FR 60194.	
5–151–70	Consultation	8/15/12	4/1/13, 78 FR 19421	Section D.1.f. is amended.

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9 VAC 5, Chapter 160 General Conformity				
Part I General Definitions				
5–160–20	Terms defined	3/2/11	12/12/11, 76 FR 77150	Number of terms added—10. Number of terms revised—11. Number of Terms deleted—2.
Part II General Provisions				
5–160–30	Applicability	3/2/11	12/12/11, 76 FR 77150.	
5–160–40	Authority of board and department	1/1/97	10/21/97, 62 FR 54585.	
5–160–80	Relationship of state regulations to Federal regulations.	1/1/97	10/21/97, 62 FR 54585.	
Part III Criteria and Procedures for Making Conformity Determinations				
5–160–110 ..	General	3/2/11	12/12/2011, 76 FR 77150.	
5–160–120 ..	Federal agency conformity responsibility ...	3/2/11	12/12/11, 76 FR 77150.	
5–160–130 ..	Reporting requirements	3/2/11	12/12/11, 76 FR 77150.	
5–160–140 ..	Public participation	3/2/11	12/12/11, 76 FR 77150.	
5–160–150 ..	Reevaluation of conformity	3/2/11	12/12/11, 76 FR 77150.	
5–160–160 ..	Criteria for determining conformity of general conformity actions.	3/2/11	12/12/11, 76 FR 77150.	
5–160–170 ..	Procedures for conformity determinations	3/2/11	12/12/11, 76 FR 77150.	
5–160–180 ..	Mitigation of air quality impacts	3/2/11	12/12/11, 76 FR 77150.	
5–160–181 ..	Conformity evaluation for federal installations with facility-wide emission budgets.	3/2/11	12/12/11, 76 FR 77150.	
5–160–182 ..	Emissions beyond the time period covered by the applicable implementation plan.	3/2/11	12/12/11, 76 FR 77150.	
5–160–183 ..	Timing of offsets and mitigation measures	3/2/11	12/12/11, 76 FR 77150.	
5–160–184 ..	Inter-precursor mitigation measures and offsets.	3/2/11	12/12/11, 76 FR 77150.	
5–160–185 ..	Early emission reduction credit programs at federal facilities and installation subject to federal oversight.	3/2/11	12/12/11, 76 FR 77150.	
5–160–190 ..	Savings provision	1/1/97	10/21/97, 62 FR 54585.	
9 VAC 5, Chapter 170 Regulation for General Administration				
Part I Definitions				
5–170–10	Use of Terms	1/1/98	1/7/03, 68 FR 663	Split out from 9 VAC 5–10–10.
5–170–20	Terms Defined	1/1/98	1/7/03, 68 FR 663	Split out from 9 VAC 5–10–20 and 5–160–20. Terms Added-Public hearing, Regulation of the Board Terms Revised from 4/17/95 version-Consent agreement, Consent order, Emergency special order, Order, Owner, Person, Pollutant, Special Order, Source.
Part II General Provisions				
5–170–30	Applicability	1/1/98	1/7/03, 68 FR 663	Split out from 9 VAC 5–20–10.
5–170–60	Availability of Information	1/1/98	1/7/03, 68 FR 663	Replaces 9 VAC 5–20–150 and 5–160–100.

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State citation	Title/subject	State effective date	EPA approval date	Explanation [former SIP citation]
	Part V Enforcement			
5–170–120A.–C..	Enforcement of Regulations, Permits and Orders.	1/1/98	1/7/03, 68 FR 663	Replaces 9 VAC 5–20–30A. D. and 5–160–60.
5–170–130A.	Right of Entry	1/1/98	1/7/03, 68 FR 663	Replaces 9 VAC 5–20–100.
	Part VI Board Actions			
5–170–150 ..	Local Ordinances	1/1/98	1/7/03, 68 FR 663	Replaces 9 VAC 5–20–60.
5–170–160 ..	Conditions on Approvals	1/1/98	1/7/03, 68 FR 663	Replaces 9 VAC 5–20–110.
5–170–170 ..	Considerations for Approval Actions	1/1/98	1/7/03, 68 FR 663	Replaces 9 VAC 5–20–140.
	9 VAC 5 Chapter 220 Opacity Variance for Rocket Testing Operations Atlantic Research Corporation's Orange County Facility			
5–220–10	Applicability and designation of affected facility.	12/1/02	9/4/09, 74 FR 45766.	
5–220–20	Definitions	12/1/02	09/4/09, 74 FR 45766.	
5–220–30	Applicability of standard for visible emissions and standard for particulate matter.	12/1/02	9/4/09 , 74 FR 45766.	
5–220–40	Compliance determination, monitoring, recordkeeping, and reporting.	12/1/02	9/4/09, 74 FR 45766.	
5–220–50	Transfer of ownership	12/1/02	9/4/09, 74 FR 45766.	
5–220–60	Applicability of future regulations	12/1/02	9/4/09, 74 FR 45766.	
	9 VAC 5, Chapter 230 Variance for International Paper Franklin Paper Mill			
5–230–10	Applicability and designation of affected facility.	9/7/05	8/13/07, 72 FR 45165.	
5–230–20	Definitions	9/7/05	8/13/07, 72 FR 45165.	
5–230–30	Authority to operate under this chapter and FESOP.	9/7/05	8/13/07, 72 FR 45165.	
5–230–40 (Except A.7., A.9., A.10., and B.2.).	Sitewide Emissions Caps	9/7/05	8/13/07, 72 FR 45165.	
5–230–50	New Source Review program and registration requirements.	9/7/05	8/13/07, 72 FR 45165.	
5–230–60 (Except A.1.).	Other regulatory requirements	9/7/05	8/13/07, 72 FR 45165.	
5–230–70	Federal Operating Permits	9/7/05	8/13/07, 72 FR 45165.	
5–230–80	FESOP issuance and amendments	9/7/05	8/13/07, 72 FR 45165.	
5–230–90	Transfer of ownership	9/7/05	8/13/07, 72 FR 45165.	
5–230–110 ..	Termination of authority to operate under this chapter and FESOP.	9/7/05	8/13/07, 72 FR 45165.	
5–230–120 ..	Review and confirmation of this chapter by Board.	9/7/05	8/13/07, 72 FR 45165.	
	2 VAC 5, Chapter 480 Regulation Governing the Oxygenation of Gasoline			
5–480–10	Definitions	11/1/93	1/7/03, 68 FR 663	VR115–04–28, § 1.
5–480–20	Applicability	11/1/96	2/17/00, 65 FR 8051.	
5–480–30	Minimum oxygenate content	11/1/93	1/7/03, 68 FR 663	VR115–04–28, § 3.
5–480–40	Nature of oxygenates	11/1/93	1/7/03, 68 FR 663	VR115–04–28, § 4.
5–480–50	Record keeping and transfer requirements	11/1/93	1/7/03, 68 FR 663	VR115–04–28, § 5.
5–480–60	Gasoline pump labeling	11/1/93	1/7/03, 68 FR 663	VR115–04–28, § 6.
5–480–70	Sampling, testing and oxygen content calculations.	11/1/93	1/7/03, 68 FR 663	VR115–04–28, § 7.
5–480–80	Compliance and enforcement	11/1/93	1/7/03, 68 FR 663	VR115–04–28, § 8.

EPA-APPROVED VIRGINIA REGULATIONS AND STATUTES—Continued

State citation	Title/subject	State effective date	EPA approval date	Explanation [former SIP citation]
Code of Virginia				
Section 10.1–1316.1A. Through D.	Severe ozone nonattainment areas; fees ..	7/1/04	12/29/04, 69 FR 77909	Provision authorizes the Department of Environmental Quality (DEQ) to collect Federal penalty fees from major stationary sources if the nonattainment area does not attain the ozone standard by the statutory attainment date.

(d) *EPA-Approved State Source Specific Requirements*

EPA-APPROVED SOURCE SPECIFIC REQUIREMENTS

Source name	Permit/order or registration number	State effective date	EPA approval date	40 CFR part 52 citation
Norfolk Naval Base-Exchange Service Station.	[NONE]	8/6/79	8/17/81, 46 FR 41499	52.2465(c)(41).
Reynolds Metals Co.-Rolling Mill	DSE–597–87	9/30/87	8/20/90, 55 FR 33904	52.2465(c)(92).
Aqualon (Hercules) Company	50363	9/26/90	11/1/91, 56 FR 56159	52.2465(c)(93).
Nabisco Brands, Inc	DTE–179–91	4/24/91	3/6/92, 57 FR 8080	52.2465(c)(95).
Reynolds Metals Co.-Bellwood	DSE–413A–86	10/31/86	6/13/96, 61 FR 29963	52.2465(c)(110).
Reynolds Metals Co.-Richmond Foil Plant.	DSE–412A–86	10/31/86	6/13/96, 61 FR 29963	52.2465(c)(110).
Philip Morris, Inc.—Blended Leaf Facility.	50080	2/27/86	10/14/97, 62 FR 53277.	52.2465(c)(120).
Philip Morris, Inc.—Park 500 Facility	50722	3/26/97	10/14/97, 62 FR 53277.	52.2465(c)(120).
Philip Morris, Inc.—Richmond Manufacturing Center.	50076	7/13/96	10/14/97, 62 FR 53277.	52.2465(c)(120).
Virginia Electric and Power Co.—Innsbrook Technical Center.	50396	5/30/96	10/14/97, 62 FR 53277.	52.2465(c)(120).
Hercules, Inc.-Aqualon Division	V–0163–96	7/12/96	10/14/97, 62 FR 53277.	52.2465(c)(120).
City of Hopewell-Regional Wastewater Treatment Facility.	50735	5/30/96	10/14/97, 62 FR 53277.	52.2465(c)(120).
Allied Signal, Inc.-Hopewell Plant	50232	3/26/97	10/14/97, 62 FR 53277.	52.2465(c)(121).
Allied Signal, Inc.-Chesterfield Plant	V–0114–96	5/20/96	10/14/97, 62 FR 53277.	52.2465(c)(121).
Bear Island Paper Co. L.P	V–0135–96	7/12/96	10/14/97, 62 FR 53277.	52.2465(c)(121).
Stone Container Corp.—Hopewell Mill	50370	5/30/96	10/14/97, 62 FR 53277.	52.2465(c)(121).
E.I. Dupont de Nemours and Co.—Spruance Plant.	V–0117–96	5/30/96	10/14/97, 62 FR 53277.	52.2465(c)(121).
ICI Americas Inc.—Films Division-Hopewell Site.	50418	5/30/96	10/14/97, 62 FR 53277.	52.2465(c)(121).
Tuscarora, Inc	71814	6/5/96	1/22/99, 64 FR 3425	52.2465(c)(128).
Potomac Electric Power Company (PEPCO)–Potomac River Generating Station [Permit to Operate].	Registration No. 70228; County-Plant No. 510–0003.	9/18/00	12/14/00, 65 FR 78100.	52.2420(d)(2).
Virginia Power (VP)—(Possum Point Generating Station [Permit to Operate].	Registration No. 70225; County-Plant No. 153–0002.	9/26/00	12/14/00, 65 FR 78100.	52.2420(d)(2).
Cellofoam North America, Inc.—Falmouth Plant [Consent Agreement].	Registration No. 40696; FSO–193–98.	8/10/98	1/2/01, 66 FR 8.	52.2420(d)(3).
CNG Transmission Corporation—Leesburg Compressor Station [Permit to Operate].	Registration No. 71978; County-Plant No. 107–0101.	5/22/00	1/2/01, 66 FR 8.	52.2420(d)(3).
Columbia Gas Transmission Company—Loudoun County Compressor Station [Permit to Operate].	Registration No. 72265; County-Plant No. 107–0125.	5/23/00	1/2/01, 66 FR 8.	52.2420(d)(3).

EPA-APPROVED SOURCE SPECIFIC REQUIREMENTS—Continued

Source name	Permit/order or registration number	State effective date	EPA approval date	40 CFR part 52 citation
District of Columbia's Department of Corrections—Lorton Correctional Facility [Permit to Operate].	Registration No. 70028; County-Plant No. 0059–0024.	12/10/99	1/2/01, 66 FR 8.	52.2420(d)(3).
Michigan Cogeneration Systems, Inc.—Fairfax County I–95 Landfill [Permit to Operate].	Registration No. 71961; County-Plant No. 0059–0575.	5/10/00	1/2/01, 66 FR 8.	52.2420(d)(3)
Metropolitan Washington Airports Authority—Ronald Reagan Washington National Airport [Permit to Operate].	Registration No. 70005; County-Plant No. 0013–0015.	5/22/00	1/2/01, 66 FR 8.	52.2420(d)(3).
Noman M. Cole, Jr., Pollution Control Plant [Consent Agreement].	Registration No. 70714 ..	12/13/99	1/2/01, 66 FR 8.	52.2420(d)(3).
Ogden Martin Systems of Alexandria/Arlington, Inc. [Consent Agreement].	Registration No. 71895; NVRO–041–98.	7/31/98	1/2/01, 66 FR 8.	52.2420(d)(3).
Ogden Martin Systems of Fairfax, Inc. [Consent Agreement].	Registration No. 71920 ..	4/3/98	1/2/01, 66 FR 8.	52.2420(d)(3).
U.S. Department of Defense—Pentagon Reservation [Permit to Operate].	Registration No. 70030; County-Plant No. 0013–0188.	5/17/00	1/2/01, 66 FR 8.	52.2420(d)(3).
Potomac Electric Power Company (PEPCO)—Potomac River Generating Station [Consent Agreement].	Registration No. 70228; NVRO–106–98.	7/31/98	1/2/01, 66 FR 8.	52.2420(d)(3) NO_X RACT requirements.
Potomac Electric Power Company (PEPCO)—Potomac River Generating Station.	Registration No. 70228; County Plant No. 510–0003.	5/8/00	1/2/01, 66 FR 8.	52.2420(d)(3) VOC RACT requirements.
United States Marine Corps.—Quantico Base [Permit to Operate].	Registration No. 70267; County-Plant No. 153–0010..	5/24/00	1/2/01, 66 FR 8.	52.2420(d)(3).
Transcontinental Gas Pipeline Corporation—Compressor Station No.185 [Consent Agreement].	Registration No. 71958 ..	9/5/96	1/2/01, 66 FR 8.	52.2420(d)(3).
U.S. Army Garrison at Fort Belvoir [Permit to Operate].	Registration No. 70550; County-Plant No. 059–0018.	5/16/00	1/2/01, 66 FR 8.	52.2420(d)(3).
Virginia Power (VP)—Possum Point Generating Station [Permit containing NO_X RACT requirements].	Registration No. 70225; County-Plant No. 153–0002.	7/21/00	1/2/01, 66 FR 8.	52.2420(d)(3).
Virginia Electric and Power Company—Possum Point Generating Station [Consent Agreement containing VOC RACT requirements].	Registration No. 70225 ..	6/12/95	1/2/01, 66 FR 8.	52.2420(d)(3).
Washington Gas Light Company—Springfield Operations Center [Consent Agreement].	Registration No. 70151; NVRO–031–98.	4/3/98	1/2/01, 66 FR 8.	52.2420(d)(3).
Georgia Pacific—Jarratt Softboard Plant.	Registration No. 50253 ..	9/28/98	3/26/03, 68 FR 14542	40 CFR 52.2420(d)(4); *Note:* In Section E, Provision 1, the portion of the text which reads " * * * and during periods of start-up, shutdown, and malfunction." is not part of the SIP.
Prince William County Landfill	Registration No. 72340 ..	4/16/04	9/9/04, 69 FR 54581	52.2420(d)(5).
Washington Gas Company, Ravensworth Station.	Registration No. 72277 ..	4/16/04 8/11/04	10/6/04, 69 FR 59812	52.2420(d)(6).
Central Intelligence Agency (CIA), George Bush Center for Intelligence.	Registration No. 71757 ..	4/16/04	12/13/04, 69 FR 72115.	52.2420(d)(6).
National Reconnaissance Office, Boeing Service Center.	Registration No. 71988 ..	4/16/04	12/13/04, 69 FR 72115.	52.2420(d)(6).
Roanoke Electric Steel Corp	Registration No. 20131 ..	12/22/04	4/27/05, 70 FR 21621	52.2420(d)(7).
Roanoke Cement Company	Registration No. 20232 ..	12/22/04	4/27/05, 70 FR 21621	52.2420(d)(7).
Global Stone Chemstone Corporation	Registration No. 80504 ..	2/9/05	4/27/05, 70 FR 21621	52. 2420(d)(7).
Transcontinental Pipeline Station 165	Registration No. 30864 ..	1/24/07	10/30/08, 73 FR 64551.	52.2420(d)(9).
Transcontinental Pipeline Station 170	Registration No. 30863 ..	1/24/07	10/30/08, 73 FR 64551.	52.2420(d)(9).

EPA-APPROVED SOURCE SPECIFIC REQUIREMENTS—Continued

Source name	Permit/order or registration number	State effective date	EPA approval date	40 CFR part 52 citation
Transcontinental Pipeline Station 180	Registration No. 40782 ..	2/13/07	10/30/08, 73 FR 64551.	52.2420(d)(9).
Roanoke Cement Corporation	Registration No. 20232 ..	6/18/07	10/30/08, 73 FR 64551.	52.2420(d)(9).
Reynolds Consumer Products Company.	Registration No. 50534 ..	10/1/08	3/25/09, 74 FR 12572	52.2420(d)(12). The SIP effective date is 5/26/09.
GP Big Island, LLC	Registration No. 30389 ..	10/5/12	4/18/14, 79 FR 21855	52.2420(d); BART permit revised to reflect the unit shutdown; replaces permit dated 6/12/08.
MeadWestvaco Corporation	Registration No. 20328 ..	2/23/09 5/6/11	6/13/12 ..... 77 FR 35287	§ 52.2420(d); BART and Reasonable Progress determinations and permit.
O–N Minerals Facility	Registration No. 80252 ..	12/28/09 11/19/10	6/13/12 ..... 77 FR 35287	§ 52.2420(d); BART determination and permit.
Mondelēz Global LLC, Inc.—Richmond Bakery.	Registration No. 50703 ..	2/14/14	4/29/14, 79 FR 23917	52.2420(d)(13).

(e) *EPA-approved nonregulatory and quasi-regulatory material.*

Name of non-regulatory SIP revision	Applicable geographic area	State submittal date	EPA approval date	Additional explanation
Commitment Letter—Clean fuel fleet or alternative substitute program.	Northern Virginia Ozone nonattainment Area.	1/25/93	9/23/93, 58 FR 50846.	52.2423(j).
9 VAC 5–60–100 (adopts 40 CFR 63.460 through 63.469 by reference).	Statewide	10/9/98	11/3/99, 64 FR 59648.	52.2423(q).
Documents Incorporated by Reference.	Statewide	4/12/89	8/23/95, 60 FR 43714.	52.2423(m).
Documents Incorporated by Reference.	Statewide	2/12/93	8/23/95, 60 FR 43714.	52.2423(n).
Documents Incorporated by Reference (9 VAC 5–20–21, Section E).	Statewide	6/22/99	1/7/03, 68 FR 663.	52.2423(r).
Documents Incorporated by Reference (9 VAC 5–20–21, paragraph E.12).	Statewide	2/23/04	6/8/04, 69 FR 31893.	52.2423(s).
Documents Incorporated by Reference.	Northern Virginia VOC Emissions Control Area designated in 9 VAC 5–20–206.	3/24/04	5/12/05, 70 FR 24970.	9 VAC 5–20–21, Sections E.1.a.(7)., E.4.a.(12) through a.(17), E.10., E.11., E.13.a.(1), and E.13.a.(2).
Documents Incorporated by Reference (9 VAC 5–20–21, Sections D., E. (introductory sentence), E.2 (all paragraphs), E.3.b, E.4.a.(1) and (2), E.4.b., E.5. (all paragraphs), and E.7. (all paragraphs)).	Statewide	8/25/05	3/3/06, 71 FR 10838.	State effective date is 2/1/00.
Documents Incorporated by Reference (9 VAC 5–20–21, Section B.	Statewide	10/25/05	3/3/06, 71 FR 10838.	State effective date is 3/9/05; approval is for those provisions of the CFR which implement control programs for air pollutants related to the national ambient air quality standards (NAAQS) and regional haze.
Documents Incorporated by Reference (9 VAC 5–20–21, Sections B and E.1.).	Statewide	6/24/09	1/18/11, 76 FR 2829.	Revised sections.
Documents Incorporated by Reference (9 VAC 5–20–21, Sections E.1.a.(1)(q) and E.1.a.(1)(r)).	Statewide	9/27/10	4/25/11, 76 FR 22814.	Revised sections.

Name of non-regulatory SIP revision	Applicable geographic area	State submittal date	EPA approval date	Additional explanation
Documents Incorporated by Reference.	Northern Virginia VOC Emissions Control Area designated in 9 VAC 5–20–206.	10/25/05	1/30/07, 72 FR 4207.	State effective date is 3/9/05. 9 VAC 5–20–21, Sections E.1.a.(16)., E.4.a.(18) through a.(20), E.6.a, E.11.a.(3), E.12.a.(5) through a.(8), E.14.a. and E.14.b.
Documents Incorporated by Reference (9 VAC 5–20–21, Paragraphs E.4.a. (21) and (22)).	Fredericksburg VOC Emissions Control Area Designated in 9 VAC 5–20–206.	5/14/07	12/5/07, 72 FR 68511.	State effective date is 10/4/06.
Documents Incorporated by Reference (9 VAC 5-20-21, Section E.1.a.(1)(s)).	Statewide	3/14/11	6/22/11, 76 FR 36326.	Added section.
Motor vehicle emissions budgets.	Hampton Roads Ozone Maintenance Area.	8/29/96	6/26/97, 62 FR 34408.	52.2424(a).
Motor vehicle emissions budgets.	Richmond Ozone Maintenance Area.	7/30/96	11/17/97, 62 FR 61237.	52.2424(b).
1990 Base Year Emissions Inventory-Carbon Monoxide (CO).	Metropolitan Washington Area.	11/1/93 4/3/95 10/12/95	1/30/96, 61 FR 2931.	52.2425(a).
1990 Base Year Emissions Inventory-Carbon Monoxide (CO), oxides of nitrogen (NO_X), & volatile organic compounds (VOC).	Richmond-Petersburg, Norfolk-Virginia Beach, and Smyth County Ozone Areas.	11/11/92 11/18/92 11/1/93 12/15/94	9/16/96, 61 FR 48657.	52.2425(b).
1990 Base Year Emissions Inventory-Carbon Monoxide (CO), oxides of nitrogen (NO_X), & volatile organic compounds (VOC).	Northern Virginia (Metropolitan Washington) Ozone Nonattainment Area.	11/30/92 11/1/93 4/3/95	9/16/96, 61 FR 54656.	52.2425(c).
1990 Base Year Emissions Inventory-oxides of nitrogen (NO_X), & volatile organic compounds (VOC).	Northern Virginia (Metropolitan Washington) Ozone Nonattainment Area.	12/17/97	7/8/98, 63 FR 36854.	
Photochemical Assessment Monitoring Stations (PAMS) Program.	Northern Virginia (Metropolitan Washington) Ozone Nonattainment Area.	11/15/94	9/11/95, 60 FR 47081.	52.2426.
Attainment determination of the ozone NAAQS.	Richmond Ozone Nonattainment Area.	7/26/96	10/6/97, 62 FR 52029.	52.2428(a).
15% rate of progress plan	Northern Virginia (Metropolitan Washington) Ozone Nonattainment Area.	4/14/98	10/6/00, 65 FR 59727.	52.2428(b).
Small business stationary source technical and environmental assistance program.	Statewide	11/10/92	2/14/94, 59 FR 5327.	52.2460.
Establishment of Air Quality Monitoring Network.	Statewide	3/24/80	12/5/80, 45 FR 86530.	52.2465(c)(38).
Lead (Pb) SIP	Statewide	12/31/80	3/21/82, 45 FR 8566.	52.2465(c)(61).
Carbon Monoxide Maintenance Plan.	Arlington County & Alexandria City.	10/4/95	1/30/96, 61 FR 2931.	52.2465(c)(107).
		3/22/04	4/4/05, 70 FR 16958.	Revised Carbon Monoxide Maintenance Plan Base Year Emissions Inventory using MOBILE6.
Ozone Maintenance Plan, emissions inventory & contingency measures.	Hampton Roads Area	8/27/96	6/26/97, 62 FR 34408.	52.2465(c)(117).
Ozone Maintenance Plan, emissions inventory & contingency measures.	Richmond Area	7/26/96	11/17/97, 62 FR 61237.	52.2465(c)(119).
Non-Regulatory Voluntary Emission Reduction Program.	Washington, DC, severe 1-hour ozone nonattainment area.	2/25/04	5/12/05, 70 FR 24987.	The nonregulatory measures found in section 7.6 and Appendix J of the plan.

Name of non-regulatory SIP revision	Applicable geographic area	State submittal date	EPA approval date	Additional explanation
1996–1999 Rate-of-Progress Plan SIP and the Transportation Control Measures (TCMs) in Appendix H.	Washington 1-hour ozone nonattainment area.	12/29/03 5/25/99	5/16/05, 70 FR 25688.	Only the TCMs in Appendix H of the 5/25/1999 revision, 1999 motor vehicle emissions budgets of 128.5 tons per day (tpy) of VOC and 196.4 tpy of NO_X.
1990 Base Year Inventory Revisions.	Washington 1-hour ozone nonattainment area.	8/19/03 2/25/04	5/16/05, 70 FR 25688.	
1999–2005 Rate-of-Progress Plan SIP Revision and the Transportation Control Measures (TCMs) in Appendix J.	Washington 1-hour ozone nonattainment area.	8/19/03 2/25/04	5/16/05, 70 FR 25688.	Only the TCMs in Appendix J of the 2/25/2004 revision, 2002 motor vehicle emissions budgets (MVEBs) of 125.2 tons per day (tpy) for VOC and 290.3 tpy of NO_X, and, 2005 MVEBs of 97.4 tpy for VOC and 234.7 tpy of NO_X.
VMT Offset SIP Revision	Washington 1-hour ozone nonattainment area.	8/19/03 2/25/04	5/16/05, 70 FR 25688.	
Contingency Measure Plan	Washington 1-hour ozone nonattainment area.	8/19/03 2/25/04	5/16/05, 70 FR 25688.	
1-Hour Ozone Modeled Demonstration of Attainment and Attainment Plan.	Washington 1-hour ozone nonattainment area.	8/19/03 2/25/04	5/16/05, 70 FR 25688.	2005 motor vehicle emissions budgets of 97.4 tons per day (tpy) for VOC and 234.7 tpy of NO_X.
Attainment Demonstration and Early Action Plan for the Roanoke MSA Ozone Early Action Compact Area.	Botetourt County, Roanoke City, Roanoke County, and Salem City.	12/21/04 2/15/05	8/17/05, 70 FR 43277.	
Attainment Demonstration and Early Action Plan for the Northern Shenandoah Valley Ozone Early Action Compact Area.	City of Winchester and Frederick County.	12/20/04, 2/15/05	8/17/05, 70 FR 43280..	
8-Hour Ozone Maintenance Plan for the Fredericksburg Area.	City of Fredericksburg, Spotsylvania County, and Stafford County.	5/4/05	12/23/05, 70 FR 76165.	
	.....	9/26/11	12/20/12, 77 FR 75386.	Revised 2009 and 2015 motor vehicle emission budgets for NO_X.
8-Hour Ozone Maintenance Plan for the Madison & Page Cos. (Shenandoah NP), VA Area.	Madison County (part) and Page County (part).	9/23/05	1/3/05, 71 FR 24.	
8-Hour Ozone Maintenance Plan and 2002 Base Year Emissions Inventory.	Norfolk-Virginia Beach-Newport News (Hampton Roads), VA Area.	10/12/06 10/16/06 10/18/06 11/20/06 2/13/07	6/1/07, 72 FR 30490.	The SIP effective date is 6/1/07.
8-Hour Ozone Maintenance Plan and 2002 Base Year Emissions Inventory.	Richmond-Petersburg VA Area.	9/18/06 9/20/06 9/25/06 11/17/06 2/13/07	6/1/07, 72 FR 30485.	The SIP effective date is 6/18/07.
Ozone Maintenance Plan	White Top Mountain, Smyth County, VA 1-hour Ozone Nonattainment Area.	8/6/07	4/29/08, 73 FR 23103.	
RACT under the 8-Hour NAAQS.	Stafford County	4/21/08	12/22/08, 73 FR 78192.	
RACT under the 8-Hour ozone NAAQS.	Virginia portion of the Washington, DC-MD-VA area.	10/23/06	6/16/09, 74 FR 28444.	
Reasonable Further Progress Plan (RFP), Reasonably Available Control Measures, and Contingency Measures.	Washington DC-MD-VA 1997 8-hour ozone moderate nonattainment area.	6/12/07	9/20/11, 76 FR 58116.	
2002 Base Year Inventory for VOC, NOx, and CO.	Washington DC-MD-VA 1997 8-hour ozone moderate nonattainment area.	6/12/07	9/20/11, 76 FR 58116.	
2008 RFP Transportation Conformity Budgets.	Washington DC-MD-VA 1997 8-hour ozone moderate nonattainment area.	6/12/07	9/20/11, 76 FR 58116.	

Name of non-regulatory SIP revision	Applicable geographic area	State submittal date	EPA approval date	Additional explanation
Section 110(a)(2) Infrastructure Requirements for the 1997 8-Hour Ozone NAAQS.	Statewide	12/10/07, 12/13/07, 6/8/10, 6/9/10	10/11/11; 76 FR 62635.	This action addresses the following CAA elements or portions thereof: 110(a)(2)(A), (B), (C), (D)(ii), (E), (F), (G), (H), (J), (K), (L), and (M).
		11/13/07, 12/13/07, 8/25/11	2/25/14, 79 FR 10377,.	This action addresses the PSD related elements of the following CAA requirements: 110(a)(2)(D)(i) (II).
Section 110(a)(2) Infrastructure Requirements for the 1997 $PM_{2.5}$ NAAQS.	Statewide	7/10/08, 9/2/08, 6/8/10, 6/9/10, 4/1/08	10/11/11; 76 FR 62635.	This action addresses the following CAA elements or portions thereof: 110(a)(2)(A), (B), (C), (D)(ii), (E), (F), (G), (H), (J), (K), (L), and (M).
		11/13/07, 7/10/08, 9/2/08, 8/25/11	2/25/14, 79 FR 10377.	This action addresses the PSD related elements of the following CAA requirements: 110(a)(2)(C), (D)(i)(II), and (J).
Section 110(a)(2) Infrastructure Requirements for the 2006 $PM_{2.5}$ NAAQS.	Statewide	8/30/10, 4/1/11	10/11/11; 76 FR 62635.	This action addresses the following CAA elements or portions thereof: 110(a)(2)(A), (B), (C), (D)(ii), (E), (F), (G), (H), (J), (K), (L), and (M).
		4/1/11, 8/25/11	2/25/14, 79 FR 10377.	This action addresses the PSD related elements of the following CAA requirements: 110(a)(2)(C), (D)(i)(II), and (J).
Section 110(a)(2) Infrastructure Requirements for the 2008 Lead NAAQS.	Statewide	3/9/12	9/24/13, 78 FR 58462.	This action addresses the following CAA elements or portions thereof: 110(a)(2)(A), (B), (C) (for enforcement and regulation of minor sources), (D)(i)(I), (D)(i)(II) (for the visibility protection portion), (D)(ii), (E)(i), (E)(iii), (F), (G), (H), (J), (K), (L), and (M).
		8/25/11	2/25/14, 79 FR 10377.	This action addresses the PSD related elements of the following CAA requirements: 110(a)(2)(C), (D)(i)(II), and (J).
Documents Incorporated by Reference (9 VAC 5–20–21, Sections E.1.a.(2), (16)–(19), E.2.a.(3), E.2.b., E.4.a.(23)–(27), E.11.a.(4)–6), E.12.a.(3), (5) and (9)–(11)).	Northern Virginia and Fredericksburg VOC Emissions Control Areas.	3/17/10	1/26/2012, 77 FR 3928.	Added section.
Documents Incorporated by Reference (9 VAC 5–20–21, Section E.1.a.(1)).	Statewide	5/25/11	2/3/12, 77 FR 5400.	Addition of paragraphs (1)(a) and (1)(u). The citations of all other paragraphs are revised.
Regional Haze Plan	Statewide	10/4/10	6/13/12 77 FR 35287	§ 52.2452(d); Limited Approval
Regional Haze Plan Supplements and BART determinations:	Statewide		6/13/12 77 FR 35287	§ 52.2452(d); Limited Approval
1. Georgia Pacific Corporation;.		7/17/08		
2a. MeadWestvaco Corporation;.		5/6/11		
b. MeadWestvaco Corporation;.		3/6/09		
3. O–N Minerals Facility;		1/14/10		
4. Revision to the O–N Minerals Facility permit.		11/19/10		
2002 Base Year Emissions Inventory for the 1997 fine particulate matter ($PM_{2.5}$) standard.	Virginia portion of the Washington DC-MD-VA 1997 $PM_{2.5}$ nonattainment area.	4/4/08	10/4/12, 77 FR 60626.	§ 52.2425(f)

Name of non-regulatory SIP revision	Applicable geographic area	State submittal date	EPA approval date	Additional explanation
Section 110(a)(2) Infrastructure Requirements for the 2008 Lead NAAQS.	Statewide	3/9/12	9/24/13, 78 FR 58462.	This action addresses the following CAA elements or portions thereof: 110(a)(2)(A), (B), (C) (for enforcement and regulation of minor sources), (D)(i)(I), (D)(i)(II) (for the visibility protection portion), (D)(ii), (E)(i), (E)(iii), (F), (G), (H), (J), (K), (L), and (M).
Section 110(a)(2) Infrastructure Requirements for the 2010 Nitrogen Dioxide NAAQS.	Statewide	5/30/13	3/18/14, 79 FR 15012.	This action addresses the following CAA elements, or portions thereof: 110(a)(2) (A), (B), (C), (D)(i)(II), (D)(ii), (E)(i), (E)(iii), (F), (G), (H), (J), (K), (L), and (M) with the exception of PSD elements.
Section 110(a)(2) Infrastructure Requirements for the 2008 Ozone NAAQS.	Statewide	6/23/12	3/27/14, 79 FR 17043.	This action addresses the following CAA elements, or portions thereof: 110(a)(2) (A), (B), (C), (D)(i)(II), (D)(ii), (E)(i), (E)(iii), (F), (G), (H), (J), (K), (L), and (M) with the exception of PSD elements.
Regional Haze Five-Year Progress Report.	Statewide	11/8/13	5/2/14, 79 FR 25019.	

[69 FR 54218, Sept. 8, 2004]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.2420, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at *www.fdsys.gov*.

§ 52.2421 Classification of regions.

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

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
Eastern Tennessee-Southwestern Virginia Interstate	I	I	III	III	III
Valley of Virginia Intrastate	I	III	III	III	III
Central Virginia Intrastate	I	III	III	III	III
Northeastern Virginia Intrastate	IA	III	III	III	III
State Capital Intrastate	I	III	III	III	I
Hampton Roads Intrastate	I	II	III	III	I
National Capital Interstate	I	I	III	I	I

[37 FR 15090, July 27, 1972, as amended at 39 FR 16347, May 8, 1974]

§ 52.2422 [Reserved]

§ 52.2423 Approval status.

(a) With the exceptions set forth in this subpart, the Administrator approves Virginia's plan for the attainment and maintenance of the national standards.

(b)–(e) [Reserved]

(f) Section 9VAC 5–40–20.A.4. of the Virginia Regulations for the Control and Abatement of Air Pollution is not considered part of the applicable plan because it contradicts a previously approved section of the SIP.

(g) [Reserved]

(h) In an April 19, 1991 request submitted by the Virginia Department of Air Pollution Control, the source-specific emission limitation for James River Paper which EPA had approved on August 18, 1983 is deleted. James River Paper Co. (now known as Custom Papers Group—Richmond, Inc.) located

in Richmond, Virginia is now required to comply with the applicable Virginia SIP paper coating regulation.

(i) Pursuant to an October 31, 1991 request submitted by the Virginia Department of Air Pollution Control, the source-specific Alternate Control Program (bubble) for J.W. Fergusson & Sons, Inc. which EPA had approved on March 4, 1983, is removed from the plan. J.W. Fergusson & Sons, Inc. located in Richmond, Virginia is required to comply with the Virginia SIP graphic arts RACT regulation approved by EPA on January 25, 1984 (see 40 CFR 52.2420(c)(48) and (c)(74)).

(j)–(l) [Reserved]

(m) EPA approves as part of the Virginia State Implementation Plan the documents listed in Appendix M, Sections II.A. through II.E and Section II.G. (currently Regulation 5–20–21 E.1. through E.5 and E.7) of the Virginia Regulations for the Control and Abatement of Air Pollution submitted by the Virginia Department of Air Pollution Control on April 12, 1989.

(n) EPA approves as part of the Virginia State Implementation Plan the revised references to the documents listed in Appendix M, Sections II.A. and II.B. (currently Regulation 5–20–21E.1 and E.2) of the Virginia Regulations for the Control and Abatement of Air Pollution submitted by the Virginia Department of Air Pollution Control on February 12, 1993.

(o) EPA approves the revised confidentiality of information provisions of Sections 120–02–30, submitted by the Virginia Department of Air Pollution Control on March 18, 1993, as revisions to the Virginia SIP. However, should Virginia submit a SIP revision request on behalf of a source, which contains information that has been judged confidential under the provisions of Section 120–02–30, Virginia must request EPA to consider confidentiality according to the provisions of 40 CFR part 2. EPA is obligated to keep such information confidential only if the criteria of 40 CFR part 2 are met.

(p) EPA disapproves the revised public participation provisions of Sections 120–08–01G.1 and 120–08–01G.4.b, submitted by the Virginia Department of Air Pollution Control on March 29, 1993, as revisions to the Virginia SIP. These revised provisions do not meet the requirements of 40 CFR 51.160 and 51.161. In its place, EPA retains the SIP provisions of Section 120–08–01C.1.a and 01C.4.b through d. as originally approved at §§ 52.2420(c)(69) [SIP section 2.33(a)(5)(ii)] and subsequently revised, due to format changes, at §§ 52.2420(c)(89)(i)(B)(*7*) [SIP section 120–08–01C.4.b].

(q) EPA approves as part of the Virginia State Implementation Plan the following revisions to the Virginia Regulations for the Control and Abatement of Pollution submitted by the Virginia Department of Environmental Quality on October 9, 1998:

(1) Subpart T of 9 VAC 5–60–100 *Designated emission standards* of Rule 6–2 (9 VAC 5–60–90 *et seq.*) of 9 VAC 5 Chapter 60 amended to adopt 40 CFR 63.460 through 63.469 by reference. This amendment was adopted on January 8, 1997, published in the Virginia Register of Regulations on March 31, 1997 and effective on May 1, 1997.

(2) Revised date reference to 40 CFR part 63 (July 1, 1996) contained in 9 VAC 5–60–90 (General), as it pertains to the documents listed in 9 VAC 5–60–100, Subpart T.

(r) EPA approves as part of the Virginia State Implementation Plan the revised references to the documents listed in Chapter 20, Section 9 VAC 5–20–21 (formerly Appendix M), Sections E.4.a.(1), E.4.a.(2), and E.7.a.(1) through E.7.a.(3), of the Virginia Regulations for the Control and Abatement of Air Pollution submitted by the Virginia Department of Environmental Quality on June 22, 1999.

(s) EPA approves as part of the Virginia State Implementation Plan the references to the documents listed in 9 VAC 5 Chapter 20, Section 5–20–21, paragraph E.12 of the Virginia Regulations for the Control and Abatement of Air Pollution submitted by the Virginia Department of Environmental Quality on February 23, 2004.

[38 FR 33724, Dec. 6, 1973]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.2423, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at *www.fdsys.gov*.

§ 52.2424 Motor vehicle emissions budgets.

(a) Motor vehicle emissions budget for the Hampton Roads maintenance area adjusting the mobile emissions budget contained in the maintenance plan for the horizon years 2015 and beyond adopted on August 29, 1996 and submitted by the Virginia Department of Environmental Quality on August 29, 1996.

(b) Motor vehicle emissions budget for the Richmond maintenance area adjusting the mobile emissions budget contained in the maintenance plan for the horizon years 2015 and beyond adopted on July 30, 1996 and submitted by the Virginia Department of Environmental Quality on July 30, 1996.

(c) EPA approves the following revised 2009 and 2015 motor vehicle emissions budgets (MVEBs) for the Fredericksburg 8-Hour Ozone Maintenance Area submitted by the Virginia Department of Environmental Quality (VADEQ) on September 26, 2011:

Applicable geographic area	Year	Tons per day (TPD) NO_X
Fredericksburg Area (Spotsylvania and Stafford Counties and City of Fredericksburg)	2009	19.615
Fredericksburg Area (Spotsylvania and Stafford Counties and City of Fredericksburg)	2015	12.933

[62 FR 34412, June 26, 1997, as amended at 62 FR 61240, Nov. 17, 1997; 77 FR 65492, Oct. 29, 2012; 77 FR 75388, Dec. 20, 2012]

§ 52.2425 Base Year Emissions Inventory.

(a) EPA approves as a revision to the Virginia Implementation Plan the 1990 base year emission inventory for the Washington Metropolitan Statistical Area, submitted by Director, Virginia Department of Environmental Quality, on November 1, 1993, April 3, 1995 and October 12, 1995. This submittal consists of the 1990 base year stationary, area and off-road mobile and on-road mobile emission inventories in the Washington Statistical Area for the pollutant, carbon monoxide (CO).

(b) EPA approves as a revision to the Virginia State Implementation Plan the 1990 base year emission inventories for the Richmond-Petersburg, Norfolk-Virginia Beach, and Smyth County ozone nonattainment areas submitted by the Director, Virginia Department of Environmental Quality on November 11, 1992, November 18, 1992, November 1, 1993, and December 15, 1994. These submittals consist of the 1990 base year point, area, non-road mobile, biogenic and on-road mobile source emission inventories in each area for the following pollutants: volatile organic compounds (VOC), carbon monoxide (CO), and oxides of nitrogen (NO_X).

(c) EPA approves as a revision to the Virginia State Implementation Plan the 1990 base year emission inventories for the Northern Virginia ozone nonattainment areas submitted by the Director, Virginia Department Environmental Quality, on November 30, 1992, November 1, 1993, and April 3, 1995. These submittals consist of the 1990 base year point, area, non-road mobile, biogenic and on-road mobile source emission inventories in each area for the following pollutants: volatile organic compounds (VOC), carbon monoxide (CO), and oxides of nitrogen (NO_X).

(d) EPA approves as a revision to the Virginia State Implementation Plan amendments to the 1990 base year emission inventories for the Northern Virginia ozone nonattainment area submitted by the Director, Virginia Department Environmental Quality, on December 17, 1997. This submittal consists of amendments to the 1990 base year point, area, non-road mobile, and on-road mobile source emission inventories for the following pollutants: volatile organic compounds (VOC), and oxides of nitrogen (NO_X).

(e) EPA approves as a revision to the Virginia State Implementation Plan the 2002 base year emissions inventories for the Washington, DC-MD-VA 1997 8-hour ozone moderate nonattainment area submitted by the Director of the Virginia Department of Environment Quality on June 12, 2007. This submittal consists of the 2002 base year point, area, non-road mobile, and on-road mobile source inventories in area for the following pollutants: volatile

organic compounds (VOC), carbon monoxide (CO) and nitrogen oxides (NO_X).

(f) EPA approves as a revision to the Virginia State Implementation Plan the 2002 base year emissions inventory for the Virginia portion of the Washington DC–MD–VA 1997 fine particulate matter ($PM_{2.5}$) nonattainment area submitted by the Virginia Department of Environmental Quality on April 4, 2008. The 2002 base year emissions inventory includes emissions estimates that cover the general source categories of point sources, non-road mobile sources, area sources, on-road mobile sources, and biogenic sources. The pollutants that comprise the inventory are nitrogen oxides (NO_X), volatile organic compounds (VOCs), $PM_{2.5}$, coarse particles (PM_{10}), ammonia (NH_3), and sulfur dioxide (SO_2).

[61 FR 2937, Jan. 30, 1996, as amended at 61 FR 48632, 48635, Sept. 16, 1996; 63 FR 36858, July 8, 1998; 76 FR 58120, Sept. 20, 2011; 77 FR 60627, Oct. 4, 2012]

§ 52.2426 Photochemical Assessment Monitoring Stations (PAMS) Program.

On November 23, 1994 Virginia's Department of Environmental Quality submitted a plan for the establishment and implementation of a Photochemical Assessment Monitoring Stations (PAMS) Program as a state implementation plan (SIP) revision, as required by section 182(c)(1) of the Clean Air Act. EPA approved the Photochemical Assessment Monitoring Stations (PAMS) Program on September 11, 1995 and made it part of the Virginia SIP. As with all components of the SIP, Virginia must implement the program as submitted and approved by EPA.

[60 FR 47084, Sept. 11, 1995]

§ 52.2427 [Reserved]

§ 52.2428 Control Strategy: Carbon monoxide and ozone.

(a) Determination—EPA has determined that, as of November 5, 1997, the Richmond ozone nonattainment area, which consists of the counties of Chesterfield, Hanover, Henrico, and part of Charles City County, and of the cities of Richmonds, Colonial Heights and Hopewell, has attained the 1-hour .12 ppm ozone standard based on three years of air quality data for 1993, 1994 and 1995. EPA has further determined that the reasonable further progress and attainment demonstration requirements of section 182(b)(1) and related requirements of section 172(c)(9) of the Clean Air Act do not apply to the Richmond area for so long as the area does not monitor any violations of the 1-hour .12ppm ozone standard, or until the area is no longer designated nonattainment. If a violation of the ozone NAAQS is monitored in the Richmond ozone nonattainment area while the area is designated nonattainment, these determinations shall no longer apply.

(b) EPA approves the Commonwealth's 15 Percent Rate of Progress Plan for the Virginia portion of the Metropolitan Washington, D.C. ozone nonattainment area, submitted by the Acting Director of the Virginia Department of the Environmental Quality on April 14, 1998.

(c)–(d) [Reserved]

(e) Based upon EPA's review of the air quality data for the 3-year period 2003 to 2005, EPA has determined that the Washington, DC severe 1-hour ozone nonattainment area attained the 1-hour ozone NAAQS by the applicable attainment date of November 15, 2005. EPA also has determined that the Washington, DC severe 1-hour ozone nonattainment area is not subject to the imposition of the section 185 penalty fees.

(f) EPA approves revisions to the Virginia State Implementation Plan consisting of the 2008 reasonable further progress (RFP) plan, reasonably available control measures, and contingency measures for the Washington, DC-MD-VA 1997 8-hour ozone moderate nonattainment area submitted by the Director of the Virginia Department of Environment Quality on June 12, 2007.

(g) EPA approves the following 2008 RFP motor vehicle emissions budgets (MVEBs) for the Washington, DC-MD-VA 1997 8-hour ozone moderate nonattainment area submitted by the Director of the Virginia Department of Environment Quality on June 12, 2007:

TRANSPORTATION CONFORMITY EMISSIONS BUDGETS FOR THE WASHINGTON, DC-MD-VA AREA

Type of control strategy SIP	Year	VOC (TPD)	NO_X (TPD)	Effective date of adequacy determination or SIP approval
Rate of Progress Plan	2008	70.8	159.8	September 21, 2009 (74 FR 45853), published September 4, 2009.

(h) *Determination of attainment*. EPA has determined, as of February 28, 2012, that based on 2007 to 2009 and 2008 to 2010 ambient air quality data, the Washington, DC-MD-VA moderate nonattainment area has attained the 1997 8-hour ozone National Ambient Air Quality Standard (NAAQS). This determination, in accordance with 40 CFR 51.918, 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 8-hour ozone NAAQS.

[62 FR 52032, Oct. 6, 1997, as amended at 65 FR 59731, Oct. 6, 2000; 66 FR 632, Jan. 3, 2001; 69 FR 43522, July 21, 2004; 73 FR 43362, July 25, 2008; 76 FR 58120, Sept. 20, 2011; 77 FR 11741, Feb. 28, 2012]

§ 52.2429 Control strategy: Particulate matter.

Determination of Attainment. EPA has determined, as of January 12, 2009, the Virginia portion of the Metropolitan Washington, DC–MD–VA nonattainment area for the 1997 $PM_{2.5}$ NAAQS has attained the 1997 $PM_{2.5}$ NAAQS. This determination, in accordance with 40 CFR 52.1004(c), suspends the requirements for this area to submit an attainment demonstration and 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 the area continues to attain the 1997 $PM_{2.5}$ NAAQS.

[74 FR 1148, Jan. 12, 2009]

§ 52.2430 Determinations of attainment.

(a) Based upon EPA's review of the air quality data for the 3-year period 2007 to 2009, EPA determined that the Metropolitan Washington, District of Columbia-Maryland-Virginia (DC-MD-VA) fine particle ($PM_{2.5}$) nonattainment area attained the 1997 annual $PM_{2.5}$ National Ambient Air Quality Standard (NAAQS) by the applicable attainment date of April 5, 2010. Therefore, EPA has met the requirement pursuant to CAA section 179(c) to determine, based on the area's air quality as of the attainment date, whether the area attained the standard. EPA also determined that the Metropolitan Washington, DC-MD-VA $PM_{2.5}$ nonattainment area is not subject to the consequences of failing to attain pursuant to section 179(d).

(b) Based upon EPA's review of the air quality data for the 3-year period 2007 to 2009, Washington, DC-MD-VA moderate nonattainment area has attained the 1997 8-hour ozone NAAQS by the applicable attainment date of June 15, 2010. Therefore, EPA has met the requirement pursuant to CAA section 181(b)(2)(A) to determine, based on the area's air quality as of the attainment date, whether the area attained the standard. EPA also determined that the Washington, DC-MD-VA moderate nonattainment area will not be reclassified for failure to attain by its applicable attainment date pursuant to section 181(b)(2)(A).

[77 FR 1414, Jan. 10, 2012, as amended at 77 FR 11741, Feb. 28, 2012]

§§ 52.2431–52.2439 [Reserved]

§ 52.2440 Interstate pollutant transport provisions; What are the FIP requirements for decreases in emissions of nitrogen oxides?

(a)(1) The owner and operator of each source and each unit located in the State of Virginia and for which requirements are set forth under the TR NO_X Annual Trading Program in subpart AAAAA of part 97 of this chapter

must comply with such requirements. The obligation to comply with such requirements will be eliminated by the promulgation of an approval by the Administrator of a revision to Virginia's State Implementation Plan (SIP) as correcting the SIP's deficiency that is the basis for the TR Federal Implementation Plan under § 52.38(a), except to the extent the Administrator's approval is partial or conditional.

(2) Notwithstanding the provisions of paragraph (a)(1) of this section, if, at the time of the approval of Virginia's SIP revision described in paragraph (a)(1) of this section, the Administrator has already started recording any allocations of TR NO_X Annual allowances under subpart AAAAA of part 97 of this chapter to units in the State for a control period in any year, the provisions of subpart AAAAA of part 97 of this chapter authorizing the Administrator to complete the allocation and recordation of TR NO_X Annual allowances to units in the State for each such control period shall continue to apply, unless provided otherwise by such approval of the State's SIP revision.

(b)(1) The owner and operator of each source and each unit located in the State of Virginia and for which requirements are set forth under the TR NO_X Ozone Season Trading Program in subpart BBBBB of part 97 of this chapter must comply with such requirements. The obligation to comply with such requirements will be eliminated by the promulgation of an approval by the Administrator of a revision to Virginia's State Implementation Plan (SIP) as correcting the SIP's deficiency that is the basis for the TR Federal Implementation Plan under § 52.38(b), except to the extent the Administrator's approval is partial or conditional.

(2) Notwithstanding the provisions of paragraph (b)(1) of this section, if, at the time of the approval of Virginia's SIP revision described in paragraph (b)(1) of this section, the Administrator has already started recording any allocations of TR NO_X Ozone Season allowances under subpart BBBBB of part 97 of this chapter to units in the State for a control period in any year, the provisions of subpart BBBBB of part 97 of this chapter authorizing the Administrator to complete the allocation and recordation of TR NO_X Ozone Season allowances to units in the State for each such control period shall continue to apply, unless provided otherwise by such approval of the State's SIP revision.

[76 FR 48376, Aug. 8, 2011]

§ 52.2441 Interstate pollutant transport provisions; What are the FIP requirements for decreases in emissions of sulfur dioxide?

(a) The owner and operator of each source and each unit located in the State of Virginia and for which requirements are set forth under the TR SO_2 Group 1 Trading Program in subpart CCCCC of part 97 of this chapter must comply with such requirements. The obligation to comply with such requirements will be eliminated by the promulgation of an approval by the Administrator of a revision to Virginia's State Implementation Plan (SIP) as correcting the SIP's deficiency that is the basis for the TR Federal Implementation Plan under § 52.39, except to the extent the Administrator's approval is partial or conditional.

(b) Notwithstanding the provisions of paragraph (a) of this section, if, at the time of the approval of Virginia's SIP revision described in paragraph (a) of this section, the Administrator has already started recording any allocations of TR SO_2 Group 1 allowances under subpart CCCCC of part 97 of this chapter to units in the State for a control period in any year, the provisions of subpart CCCCC of part 97 of this chapter authorizing the Administrator to complete the allocation and recordation of TR SO_2 Group 1 allowances to units in the State for each such control period shall continue to apply, unless provided otherwise by such approval of the State's SIP revision.

[76 FR 48376, Aug. 8, 2011, as amended at 77 FR 10334, Feb. 21, 2012]

§§ 52.2442–52.2450 [Reserved]

§ 52.2451 Significant deterioration of air quality.

(a) The requirements of sections 160 through 165 of the Clean Air Act are met since the plan includes approvable procedures for the Prevention of Significant Air Quality Deterioration.

(b) Regulations for preventing significant deterioration of air quality. The provisions of § 52.21 (b) through (w) are hereby removed from the applicable state plan for the Commonwealth of Virginia.

[63 FR 13798, Mar. 23, 1998]

§ 52.2452 Visibility protection.

(a) *Reasonably Attributable Visibility Impairment*. The requirements of section 169A of the Clean Air Act are not met because the plan does not include approvable measures for meeting the requirements of 40 CFR 51.305 and 51.306 for protection of visibility in mandatory Class I Federal areas.

(b) Regulation for visibility monitoring. The provisions of § 52.26 are hereby incorporated and made a part of the applicable plan for the State of Virginia.

(c) *Long-term strategy*. The provisions of § 52.29 are hereby incorporated and made part of the applicable plan for the State of Virginia.

(d) Limited approval of the Regional Haze Plan submitted by the Commonwealth of Virginia on July 17, 2008, March 6, 2009, January 14, 2010, October 4, 2010, November 19, 2010, and May 6, 2011.

(e) *Measures Addressing Limited Disapproval Associated with NO_X*. The deficiencies associated with NO_X identified in EPA's limited disapproval of the regional haze plan submitted by Virginia on July 17, 2008, March 6, 2009, January 14, 2010, October 4, 2010, November 19, 2010, and May 6, 2011, are satisfied by § 52.2440.

(f) *Measures Addressing Limited Disapproval Associated with SO_2*. The deficiencies associated with SO_2 identified in EPA's limited disapproval of the regional haze plan submitted by Virginia on July 17, 2008, March 6, 2009, January 14, 2010, October 4, 2010, November 19, 2010, and May 6, 2011, are satisfied by § 52.2441.

[50 FR 28553, July 12, 1985, as amended at 52 FR 45137, Nov. 24, 1987; 77 FR 33659, June 7, 2012; 77 FR 35291, June 13, 2012]

EDITORIAL NOTE: At 77 FR 33659, June 7, 2012, § 52.2452 was amended by adding (d); however, the amendment could not be incorporated because (d) already existed.

§ 52.2453 [Reserved]

§ 52.2454 Prevention of significant deterioration of air quality for Merck & Co., Inc.'s Stonewall Plant in Elkton, VA.

(a) *Applicability*. (1) This section applies only to the pharmaceutical manufacturing facility, commonly referred to as the Stonewall Plant, located at Route 340 South, in Elkton, Virginia (''site'').

(2) This section sets forth the prevention of significant deterioration of air quality preconstruction review requirements for the following pollutants only: carbon monoxide, nitrogen oxides, ozone (using volatile organic compounds as surrogate), particulate matter with an aerodynamic diameter less than 10 microns (PM_{10}), and sulfur dioxide. This section applies in lieu of § 52.21 for the pollutants identified in this paragraph as well as particulate matter, but not for particulate matter with an aerodynamic diameter less than or equal to a nominal 2.5 microns ($PM_{2.5}$) regulated as $PM_{2.5}$; however, the preconstruction review requirements of § 52.21, or other preconstruction review requirements that the Administrator approves as part of the plan, shall remain in effect for any pollutant which is not specifically identified in this paragraph and is subject to regulation under the Act.

(b) *Definitions*. For the purposes of this section:

12-month rolling total for an individual pollutant or the total criteria pollutants, as specified in paragraph (d) of this section, is calculated on a monthly basis as the sum of all actual emissions of the respective pollutant(s) from the previous 12 months.

Act means the Clean Air Act, as amended, 42 U.S.C. 7401, *et seq*.

Completion of the powerhouse conversion means the date upon which the new boilers, installed pursuant to paragraph (g) of this section, are operational. This determination shall be made by the site based on the boiler manufacturer's installation, startup and shakedown specifications.

Permitting authority means either of the following:

(1) The Administrator, in the case of an EPA-implemented program; or

(2) The State air pollution control agency, or other agency delegated by the Administrator, pursuant to paragraph (o) of this section, to carry out this permit program.

Process unit means:

(1) Manufacturing equipment assembled to produce a single intermediate or final product; and

(2) Any combustion device.

Responsible official means:

(1) The president, secretary, treasurer, or vice-president of the business entity in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the business entity; or

(2) A duly authorized representative of such business entity if the representative is responsible for the overall operation of one or more manufacturing, production, or operating facilities applying for or subject to a permit and either:

(i) The facilities employ more than 250 persons or have gross annual sales or expenditures exceeding $25 million (in second quarter 1980 dollars); or

(ii) The authority to sign documents has been assigned or delegated to such representative in accordance with procedures of the business entity.

Site means the contiguous property at Route 340 South, Elkton, Virginia, under common control by Merck & Co., Inc., and its successors in ownership, known as the Stonewall site.

(c) *Authority to issue permit.* The permitting authority may issue to the site a permit which complies with the requirements of paragraphs (d) through (n) of this section. The Administrator may delegate, in whole or in part, pursuant to paragraph (o) of this section, the authority to administer the requirements of this section to a State air pollution control agency, or other agency authorized by the Administrator.

(d) *Site-wide emissions caps.* The permit shall establish site-wide emissions caps as provided in this paragraph.

(1) *Initial site-wide emissions caps.* The initial site-wide emissions caps shall be based on the site's actual emissions during a time period, within five years of the date of permit issuance, which represents normal site operation. The permitting authority may allow the use of a different time period upon a determination that it is more representative of normal source operation. Actual site-wide emissions shall be calculated using the actual operating hours, production rates, and types of materials processed, stored, or combusted during the selected time period.

(i) *Total criteria pollutant emissions cap.* The permit shall establish a total criteria pollutant emissions cap (total emissions cap). The criteria pollutants included in the total emissions cap are the following: carbon monoxide, nitrogen oxides, ozone (using volatile organic compounds as surrogate), particulate matter with an aerodynamic diameter less than 10 microns, and sulfur dioxide.

(ii) *Individual pollutant caps.* The permit shall establish individual pollutant caps for sulfur dioxide, nitrogen oxides and PM_{10}.

(2) *Adjustments to the site-wide emissions caps.* (i) The permit shall require that upon completion of the powerhouse conversion, the site shall reduce the site-wide emissions caps as follows:

(A) The total emissions cap shall be reduced by 20 percent from the initial site-wide emissions cap established pursuant to paragraph (d)(1)(i) of this section.

(B) The sulfur dioxide cap shall be reduced by 25 percent from the initial site-wide emissions cap established pursuant to paragraph (d)(1)(ii) of this section.

(C) The nitrogen oxide cap shall be reduced by 10 percent from the initial site-wide emissions cap established pursuant to paragraph (d)(1)(ii) of this section.

(ii) The permit may specify other reasons for adjustment of the site-wide emissions caps.

(e) *Operating under the site-wide emissions caps.* (1) The permit shall require that the site's actual emissions of criteria pollutants shall not exceed the total emissions cap established pursuant to paragraph (d) of this section.

(2) The permit shall require that the site's actual emissions of sulfur dioxide, nitrogen oxides and PM_{10} shall not exceed the respective individual pollutant cap established pursuant to paragraph (d) of this section.

(3) Compliance with the total emissions cap and individual pollutant caps shall be determined by comparing the respective cap to the 12-month rolling total for that cap. Compliance with the total emissions cap and individual pollutant caps shall be determined within one month of the end of each month based on the prior 12 months. The permit shall set forth the emission calculation techniques which the site shall use to calculate site-wide actual criteria pollutant emissions.

(4) *Installation of controls for significant modifications and significant new installations.* (i) This paragraph applies to significant modifications and significant new installations. Significant modifications for the purposes of this section are defined as changes to an existing process unit that result in an increase of the potential emissions of the process unit, after consideration of existing controls, of more than the significance levels listed in paragraph (e)(4)(ii) of this section. Significant new installations for the purposes of this section are defined as new process units with potential emissions before controls that exceed the significance levels listed in paragraph (e)(4)(ii) of this section. For purposes of this section, potential emissions means process unit point source emissions that would be generated by the process unit operating at its maximum capacity.

(ii) The significance levels for determining significant modifications and significant new installations are: 100 tons per year of carbon monoxide; 40 tons per year of nitrogen oxides; 40 tons per year of sulfur dioxide; 40 tons per year of volatile organic compounds; and 15 tons per year of PM_{10}.

(iii) For any significant modification or significant new installation, the permit shall require that the site install, at the process unit, emission controls, pollution prevention or other technology that represents good environmental engineering practice in the pharmaceutical or batch processing industry, based on the emission characteristics (such as flow, variability, pollutant properties) of the process unit.

(f) *Operation of control equipment.* The permit shall require that the site shall continue to operate the emissions control equipment that was previously subject to permit requirements at the time of issuance of a permit pursuant to this section. This equipment shall be operated in a manner which minimizes emissions, considering the technical and physical operational aspects of the equipment and associated processes. This operation shall include an operation and maintenance program based on manufacturers' specifications and good engineering practice.

(g) *Powerhouse conversion.* The permit shall require that the site convert the steam-generating powerhouse from burning coal as the primary fuel to burning natural gas as the primary fuel and either No. 2 fuel oil or propane as backup fuel.

(1) The new boilers shall be equipped with low nitrogen oxides technology.

(2) The site shall complete the powerhouse conversion (completion of the powerhouse conversion) no later than 30 months after the effective date of the permit.

(h) *Monitoring, recordkeeping and reporting.* (1) The permit shall set forth monitoring, recordkeeping, and reporting requirements sufficient to demonstrate compliance with the site-wide emissions caps. The monitoring, recordkeeping and reporting requirements shall be structured in a tiered system, such that the requirements become more stringent as the site's emissions approach the total emissions cap.

(2) At a minimum, the permit shall require that the site submit to the permitting authority semi-annual reports of the site-wide criteria pollutant emissions (expressed as a 12-month rolling total) for each month covered by the report. These reports shall include a calculation of the total emissions cap, as well as, the emissions of sulfur dioxide, nitrogen oxides, carbon monoxide, volatile organic compounds and PM_{10}.

(3) Any reports required by the permit to be submitted on an annual or semi-annual basis shall contain a certification by the site's responsible official that to his belief, based on reasonable inquiry, the information submitted in the report is true, accurate, and complete.

(4) Any records required by the permit shall be retained on site for at least five years.

(i) *Air quality analysis*. The permittee shall demonstrate, prior to permit issuance and on a periodic basis which shall be specified in the permit, that emissions from construction or operation of the site will not cause or contribute to air pollution in excess of any:

(1) Maximum allowable increase or maximum allowable concentration for any pollutant, pursuant to section 165 of the Act;

(2) National ambient air quality standard or;

(3) Other applicable emission standard or standard of performance under the Act.

(j) *Termination*. (1) The permit may be terminated as provided in this paragraph for reasons which shall include the following, as well as any other termination provisions specified in the permit:

(i) If the Administrator or the permitting authority determines that continuation of the permit is an imminent and substantial endangerment to public health or welfare, or the environment;

(ii) If the permittee knowingly falsifies emissions data;

(iii) If the permittee fails to implement the powerhouse conversion pursuant to paragraph (g) of this section;

(iv) If the permittee receives four consent orders or two judgments adverse to the site arising from non-compliance with this permit in a five year period that are deemed material by the Administrator or the permitting authority; or

(v) If the total emissions cap is exceeded.

(2) In the event of termination, the Administrator or the permitting authority shall provide the permittee with written notice of its intent to terminate the permit. Within 30 calendar days of the site's receipt of this notice, the site may take corrective action to remedy the cause of the termination. If this remedy, which may include a corrective action plan and schedule, is deemed acceptable by the Administrator or the permitting authority (whichever agency provided written notice of its intent to terminate the permit), the action to terminate the permit shall be withdrawn. Otherwise, the permit shall be terminated in accordance with procedures specified in the permit.

(3) Termination of the permit does not waive the site's obligation to complete any corrective actions relating to non-compliance under the permit.

(k) *Inspection and entry*. (1) Upon presentation of credentials and other documents as may be required by law, the site shall allow authorized representatives of the Administrator and the permitting authority to perform the following:

(i) Enter upon the site;

(ii) Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;

(iii) Have access at reasonable times to batch and other plant records needed to verify emissions.

(iv) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations required under the permit;

(v) Sample or monitor any substances or parameters at any location, during operating hours, for the purpose of assuring permit compliance or as otherwise authorized by the Act.

(2) No person shall obstruct, hamper, or interfere with any such authorized representative while in the process of carrying out his official duties. Refusal of entry or access may constitute grounds for permit violation and assessment of civil penalties.

(3) Such site, facility and equipment access, and sampling and monitoring shall be subject to the site's safety and industrial hygiene procedures, and Food and Drug Administration Good Manufacturing Practice requirements (21 CFR parts 210 and 211) in force at the site.

(l) *Transfer of ownership*. The terms of the permit are transferable to a new owner upon sale of the site, in accordance with provisions specified by the permit.

(m) *Permit issuance*. The permitting authority shall provide for public participation prior to issuing a permit pursuant to this section. At a minimum, the permitting authority shall:

(1) Make available for public inspection, in at least one location in the

area of the site, the information submitted by the permittee, the permitting authority's analysis of the effect on air quality including the preliminary determination, and a copy or summary of any other materials considered in making the preliminary determination;

(2) Notify the public, by advertisement in a newspaper of general circulation in the area of the site, of the application, the preliminary determination, and of the opportunity for comment at a public hearing as well as written public comment;

(3) Provide a 30-day period for submittal of public comment;

(4) Send a copy of the notice of public comment to the following: the Administrator, through the appropriate Regional Office; any other State or local air pollution control agencies, the chief executives of the city and county where the site is located; any State, Federal Land Manager, or other governing body whose lands may be affected by emissions from the site.

(5) Provide opportunity for a public hearing for interested persons to appear and submit written or oral comments on the air quality impact of the site, the control technology required, and other appropriate considerations.

(n) *Permit modifications.* The permit shall specify the conditions under which the permit may be modified by the permitting authority. The permitting authority shall modify the permit in accordance with the procedures set forth in this paragraph.

(1) *Permit modifications that require public participation.* For any change that does not meet the criteria for an administrative permit modification established in paragraph (n)(2)(i) of this section, the permitting authority shall provide an opportunity for public participation, consistent with the provisions of paragraph (m) of this section, prior to processing the permit modification.

(2) *Administrative permit modification.* (i) An administrative permit modification is a permit revision that:

(A) Corrects typographical errors;

(B) Identifies a change in the name, address, or phone number of any person identified in the permit, or provides a similar minor administrative change at the site;

(C) Requires more frequent monitoring, recordkeeping, or reporting by the permittee;

(D) Allows for a change in ownership or operational control of a source where the permitting authority determines that no other change in the permit is necessary, provided that a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new permittee has been submitted to the permitting authority.

(E) Updates the emission calculation methods specified in the permit, provided that the change does not also involve a change to any site-wide emissions cap.

(F) Changes the monitoring, recordkeeping or reporting requirements for equipment that has been shutdown or is no longer in service.

(G) Any other change that is stipulated in the permit as qualifying as an administrative permit modification, provided that the permit condition which includes such stipulation has already undergone public participation in accordance with paragraph (m) of this section.

(ii) An administrative permit modification may be made by the permitting authority consistent with the following procedures:

(A) The permitting authority shall take final action on any request for an administrative permit modification within 60 days from receipt of the request, and may incorporate such changes without providing notice to the public, provided that the permitting authority designates any such permit revisions as having been made pursuant to this paragraph.

(B) The permitting authority shall submit a copy of the revised permit to the Administrator.

(C) The site may implement the changes addressed in the request for an administrative permit modification immediately upon submittal of the request to the permitting authority.

(o) *Delegation of authority.* (1) The Administrator shall have the authority to

delegate the responsibility to implement this section in accordance with the provisions of this paragraph.

(2) Where the Administrator delegates the responsibility for implementing this section to any agency other than a Regional Office of the Environmental Protection Agency, the following provisions shall apply:

(i) Where the delegate agency is not an air pollution control agency, it shall consult with the appropriate State and local air pollution control agency prior to making any determination under this section. Similarly, where the delegate agency does not have continuing responsibility for managing land use, it shall consult with the appropriate State and local agency primarily responsible for managing land use prior to making any determination under this section.

(ii) The delegate agency shall send a copy of any public comment notice required under paragraph (n) of this section to the Administrator through the appropriate Regional Office.

[62 FR 52638, Oct. 8, 1997]

§ 52.2460 Small business stationary source technical and environmental compliance assistance program.

On November 10, 1992, the Executive Director of the Virginia Department of Air Pollution Control submitted a plan for the establishment and implementation of a Small Business Stationary Source Technical and Environmental Compliance Assistance Program as a State Implementation Plan revision, as required by title V of the Clean Air Act. EPA approved the Small Business Stationary Source Technical and Environmental Compliance Assistance Program on February 4, 1994, and made it a part of the Virginia SIP. As with all components of the SIP, Virginia must implement the program as submitted and approved by EPA.

[59 FR 5329, Feb. 4, 1994]

§ 52.2465 Original identification of plan section.

(a) This section identifies the original ''Air Implementation Plan for the Commonwealth of Virginia'' and all revisions submitted by Virginia that were federally approved prior to March 1, 2000. The information in this section is available in the 40 CFR, part 52, Volume 2 of 2 (§§ 52.1019 to the end of part 52) editions revised as of July 1, 2000 through July 1, 2011, and the 40 CFR, part 52, Volume 3 of 3 (§§ 52.2020 to the end of part 52) edition revised as of July 1, 2012.

(b) [Reserved]

[78 FR 33985, June 6, 2013]

Subpart WW—Washington

§ 52.2470 Identification of plan.

(a) *Purpose and scope.* This section sets forth the applicable State implementation plan for the State of Washington 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 paragraphs (c) and (d) of this section with an EPA approval date prior to December 7, 2012, 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 December 7, 2012, will be incorporated by reference in the next update to the SIP compilation.

(2) EPA Region 10 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 December 7, 2012.

(3) Copies of the materials incorporated by reference may be inspected at the Region 10 EPA Office at 1200 Sixth Avenue, Seattle WA, 98101; the EPA, Air and Radiation Docket and Information Center, EPA Headquarters Library, Infoterra Room (Room Number 3334), EPA West Building, 1301 Constitution Ave. NW., Washington, DC; or the National Archives and Records Administration (NARA). For information

on the availability of this material at NARA, call (202) 741–6030, or go to: *http://www.archives.gov/federal-register/cfr/ibr-locations.html*.

(c) *EPA approved regulations and statutes*.

TABLE 1—WASHINGTON DEPARTMENT OF ECOLOGY REGULATIONS

State citation	Title/Subject	State effective date	EPA Approval date	Explanations
Washington Administrative Code, Chapter 173–400—General Regulations for Air Pollution Sources				
173–400–010	Policy and Purpose	3/22/91	6/2/95, 60 FR 28726	
173–400–020	Applicability	3/22/91	6/2/95, 60 FR 28726	
173–400–030	Definitions	3/22/91	6/2/95, 60 FR 28726	
173–400–040	General Standards for Maximum Emissions	3/22/91	6/2/95, 60 FR 28726	except (1)(c), and (1)(d), (2), (4), and the 2nd paragraph of (6).
173–400–050	Emission Standards for Combustion and Incineration Units	3/22/91	6/2/95, 60 FR 28726	except the exception provision in (3).
173–400–060	Emission Standards for General Process Units	3/22/91	6/2/95, 60 FR 28726	
173–400–070	Emission Standards for Certain Source Categories	3/22/91	6/2/95, 60 FR 28726	except (7).
173–400–081	Startup and Shutdown	9/20/93	6/2/95, 60 FR 28726	
173–400–091	Voluntary Limits on Emissions	9/20/93	6/2/95, 60 FR 28726	including all regulatory orders issued pursuant to this section.
173–400–100	Registration	9/20/93	6/2/95, 60 FR 28726	
173–400–105	Records, Monitoring and Reporting	9/20/93	6/2/95, 60 FR 28726	
173–400–107	Excess Emissions	9/20/93	6/2/95, 60 FR 28726	
173–400–110	New Source Review (NSR)	9/20/93	6/2/95, 60 FR 28726	
173–400–112	Requirements for New Sources in Nonattainment Areas	9/20/93	6/2/95, 60 FR 28726	except (8).
173–400–113	Requirements for New Sources in Attainment or Unclassifiable Areas.	9/20/93	6/2/95, 60 FR 28726	except (5).
173–400–151	Retrofit Requirements for Visibility Protection	3/22/91	6/2/95, 60 FR 28726	
173–400–161	Compliance Schedules	3/22/91	6/2/95, 60 FR 28726	
173–400–171	Public Involvement	9/20/93	6/2/95, 60 FR 28726	
173–400–190	Requirements for Nonattainment Areas	3/22/91	6/2/95, 60 FR 28726	
173–400–200	Creditable Stack Height & Dispersion Techniques	3/22/91	6/2/95, 60 FR 28726	
173–400–205	Adjustment for Atmospheric Conditions	3/22/91	6/2/95, 60 FR 28726	
173–400–210	Emission Requirements of Prior Jurisdictions	3/22/91	6/2/95, 60 FR 28726	
173–400–220	Requirements for Board Members	3/22/91	6/2/95, 60 FR 28726	
173–400–230	Regulatory Actions	3/20/93	6/2/95, 60 FR 28726	
173–400–240	Criminal Penalties	3/22/91	6/2/95, 60 FR 28726	
173–400–250	Appeals	9/20/93	6/2/95, 60 FR 28726	
173–400–260	Conflict of Interest	3/22/91	6/2/95, 60 FR 28726	
Washington Administrative Code, Chapter 173–405—Kraft Pulp Mills				
173–405–012	Statement of Purpose	3/22/91	1/15/93, 58 FR 4578	
173–405–021	Definitions	3/22/91	1/15/93, 58 FR 4578	
173–405–040	Emissions Standards	3/22/91	1/15/93, 58 FR 4578	except for sections (1)(b), (1)(c), (3)(b), (3)(c), (4), (7), (8) & (9).
173–405–045	Creditable Stack Height & Dispersion Techniques	3/22/91	1/15/93, 58 FR 4578	
173–405–061	More Restrictive Emission Standards	3/22/91	1/15/93, 58 FR 4578	
173–405–072	Monitoring Requirements	3/22/91	1/15/93, 58 FR 4578	except section (2).
173–405–077	Report of Startup, Shutdown, Breakdown or Upset Conditions	3/22/91	1/15/93, 58 FR 4578	
173–405–078	Emission Inventory	3/22/91	1/15/93, 58 FR 4578	
173–405–086	New Source Review (NSR)	3/22/91	1/15/93, 58 FR 4578	

173–405–087	Prevention of Significant Deterioration (PSD)	3/22/91	1/15/93, 58 FR 4578	
173–405–091	Special Studies	3/22/91	1/15/93, 58 FR 4578	
Washington Administrative Code, Chapter 173–410—Sulfite Pulping Mills				
173–410–012	Statement of Purpose	3/22/91	1/15/93, 58 FR 4578	
173–410–021	Definitions	3/22/91	1/15/93, 58 FR 4578	
173–410–040	Emissions Standards	3/22/91	1/15/93, 58 FR 4578	except the exception provision in (3) & section (5).
173–410–045	Creditable Stack Height & Dispersion Techniques	3/22/91	1/15/93, 58 FR 4578	
173–410–062	Monitoring Requirements	3/22/91	1/15/93, 58 FR 4578	
173–410–067	Report of Startup, Shutdown, Breakdown or Upset Conditions	3/22/91	1/15/93, 58 FR 4578	
173–410–071	Emission Inventory	3/22/91	1/15/93, 58 FR 4578	
173–410–086	New Source Review (NSR)	3/22/91	1/15/93, 58 FR 4578	
173–410–087	Prevention of Significant Deterioration (PSD)	3/22/91	1/15/93, 58 FR 4578	
173–410–100	Special Studies	3/22/91	1/15/93, 58 FR 4578	
Washington Administrative Code, Chapter 173–415—Primary Aluminum Plants				
173–415–010	Statement of Purpose	3/22/91	1/15/93, 58 FR 4578	
173–415–020	Definitions	3/22/91	1/15/93, 58 FR 4578	except sections (1) & (2).
173–415–030	Emissions Standards	3/22/91	1/15/93, 58 FR 4578	except sections (1) & (3)(b).
173–415–045	Creditable Stack Height & Dispersion Techniques	3/22/91	1/15/93, 58 FR 4578	
173–415–050	New Source Review (NSR)	3/22/91	1/15/93, 58 FR 4578	
173–415–051	Prevention of Significant Deterioration (PSD)	3/22/91	1/15/93, 58 FR 4578	
173–415–060	Monitoring and Reporting	3/22/91	1/15/93, 58 FR 4578	except sections (1)(a), (b), & (d).
173–415–070	Report of Startup, Shutdown, Breakdown or Upset Conditions	3/22/91	1/15/93, 58 FR 4578	
173–415–080	Emission Inventory	3/22/91	1/15/93, 58 FR 4578	
Washington Administrative Code, Chapter 173–422—Motor Vehicle Emission Inspection				
173–422–010	Purpose	6/3/93	9/25/96, 61 FR 50235	
173–422–020	Definitions	3/31/95	9/25/96, 61 FR 50235	
173–422–030	Vehicle Emission Inspection Requirement	11/9/96	5/19/97, 62 FR 27204	
173–422–031	Vehicle Emission Inspection Schedules	12/2/00	5/12/05, 70 FR 24491	
173–422–035	Registration Requirements	3/31/95	9/25/96, 61 FR 50235	
173–422–040	Noncompliance Areas	6/3/93	9/25/96, 61 FR 50235	
173–422–050	Emission Contributing Areas	11/9/96	5/19/97, 62 FR 27204	
173–422–060	Gasoline Vehicle Emission Standards	11/9/96	5/19/97, 62 FR 27204	
173–422–065	Diesel Vehicle Exhaust Emission Standards	3/31/95	9/25/96, 61 FR 50235	
173–422–070	Gasoline Vehicle Exhaust Emission Testing Procedures	11/9/96	5/19/97, 62 FR 27204	
173–422–075	Diesel Vehicle Inspection Procedure	3/11/94	9/25/96, 61 FR 50235	
173–422–090	Exhaust Gas Analyzer Specifications	3/31/95	9/25/96, 61 FR 50235	
173–422–095	Exhaust Opacity Testing Equipment	3/11/94	9/25/96, 61 FR 50235	
173–422–100	Testing Equipment Maintenance and Calibration	3/31/95	9/25/96, 61 FR 50235	
173–422–120	Quality Assurance	3/31/95	9/25/96, 61 FR 50235	
173–422–130	Inspection Fees	3/11/94	9/25/96, 61 FR 50235	
173–422–145	Fraudulent Certificates of Compliance/Acceptance	4/6/90	9/25/96, 61 FR 50235	
173–422–160	Fleet and Diesel Owner Vehicle Testing Requirements	3/31/95	9/25/96, 61 FR 50235	
173–422–170	Exemptions	12/2/00	5/12/05, 70 FR 24491	
173–422–175	Fraudulent Exemptions	1/2/84	9/25/96, 61 FR 50235	

TABLE 1—WASHINGTON DEPARTMENT OF ECOLOGY REGULATIONS—Continued

State citation	Title/Subject	State effective date	EPA Approval date	Explanations
173–422–190	Emission Specialist Authorization	11/9/96	5/19/97, 62 FR 27204	
173–422–195	Listing of Authorized Emission Specialists	3/31/95	9/25/96, 61 FR 50235	
Washington Administrative Code, Chapter 173–425—Open Burning				
173–425–010	Purpose	10/18/90	1/15/93, 58 FR 4578	
173–425–020	Applicability	10/18/90	1/15/93, 58 FR 4578	
173–425–030	Definitions	10/18/90	1/15/93, 58 FR 4578	
173–425–036	Curtailment During Episodes or Impaired Air Quality	10/18/90	1/15/93, 58 FR 4578	
173–425–045	Prohibited Materials	1/3/89	1/15/93, 58 FR 4578	
173–425–055	Exceptions	10/18/90	1/15/93, 58 FR 4578	
173–425–065	Residential Open Burning	10/18/90	1/15/93, 58 FR 4578	
173–425–075	Commercial Open Burning	10/18/90	1/15/93, 58 FR 4578	
173–425–085	Agricultural Open Burning	10/18/90	1/15/93, 58 FR 4578	
173–425–095	No Burn Area Designation	10/18/90	1/15/93, 58 FR 4578	
173–425–100	Delegation of Agricultural Open Burning Program	10/18/90	1/15/93, 58 FR 4578	
173–425–115	Land Clearing Projects	10/18/90	1/15/93, 58 FR 4578	
173–425–120	Department of Natural Resources Smoke Management Plan	10/18/90	1/15/93, 58 FR 4578	
173–425–130	Notice of Violation	10/18/90	1/15/93, 58 FR 4578	
173–425–140	Remedies	10/18/90	1/15/93, 58 FR 4578	
Washington Administrative Code, Chapter 173–430—Burning of Field and Forage and Turf Grasses Grown for Seed Open Burning				
173–430–010	Purpose	10/18/90	1/15/93, 58 FR 4578	
173–430–020	Definitions	10/18/90	1/15/93, 58 FR 4578	
173–430–030	Permits, Conditions, and Restrictions	10/18/90	1/15/93, 58 FR 4578	
173–430–040	Mobile Field Burners	10/18/90	1/15/93, 58 FR 4578	
173–430–050	Other Approvals	10/18/90	1/15/93, 58 FR 4578	
173–430–060	Study of Alternatives	10/18/90	1/15/93, 58 FR 4578	
173–430–070	Fees	10/18/90	1/15/93, 58 FR 4578	
173–430–080	Certification of Alternatives	10/18/90	1/15/93, 58 FR 4578	
Washington Administrative Code, Chapter 173–433—Solid Fuel Burning Devices				
173–433–010	Purpose	02/23/14	05/09/14, 79 FR 26628.	
173–433–020	Applicability	02/23/14	05/09/14, 79 FR 26628.	
173–433–030	Definitions	02/23/14	05/09/14, 79 FR 26628.	
173–433–100	Emission Performance Standards	02/23/14	05/09/14, 79 FR 26628.	
173–433–110	Opacity Standards	02/23/14	05/09/14, 79 FR 26628.	
173–433–120	Prohibited Fuel Types	02/23/14	05/09/14, 79 FR 26628.	
173–433–140	Criteria for Impaired Air Quality Burn Bans	02/23/14	05/09/14, 79 FR 26628.	
173–433–150	Restrictions on the Operation of Solid Fuel Burning Devices	02/23/14	05/09/14, 79 FR 26628.	
173–433–155	Criteria for Prohibiting the Use of Solid Fuel Burning Devices that Are Not Certified.	02/23/14	05/09/14, 79 FR 26628.	

Washington Administrative Code, Chapter 173–434—Solid Waste Incinerator Facilities				
173–434–010	Purpose	10/18/90	1/15/93, 58 FR 4578	
173–434–020	Applicability and Compliance	1/22/04	8/4/05, 70 FR 44855	
173–434–030	Definitions	1/22/04	8/4/05, 70 FR 44855	
173–434–090	Operation and Maintenance Plan	10/18/90	1/15/93, 58 FR 4578	
173–434–110	Standards of Performance	1/22/04	8/4/05, 70 FR 44855	except section (1)(a).
173–434–130	Emission Standards	1/22/04	8/4/05, 70 FR 44855	except section (2).
173–434–160	Design and Operation	1/22/04	8/4/05, 70 FR 44855	
173–434–170	Monitoring and Reporting	1/22/04	8/4/05, 70 FR 44855	
173–434–190	Changes in Operation	1/22/04	8/4/05, 70 FR 44855	
173–434–200	Emission Inventory	1/22/04	8/4/05, 70 FR 44855	
173–434–210	Special Studies	10/18/90	1/15/93, 58 FR 4578	
Washington Administrative Code, Chapter 173–435—Emergency Episode Plan				
173–435–010	Purpose	1/3/89	1/15/93, 58 FR 4578	
173–435–015	Significant Harm Levels	1/3/89	1/15/93, 58 FR 4578	
173–435–020	Definitions	1/3/89	1/15/93, 58 FR 4578	
173–435–030	Episode Stage Criteria	1/3/89	1/15/93, 58 FR 4578	
173–435–040	Source Emission Reduction Plans	1/3/89	1/15/93, 58 FR 4578	
173–435–050	Action Procedures	1/3/89	1/15/93, 58 FR 4578	
173–435–060	Enforcement	1/3/89	1/15/93, 58 FR 4578	
173–435–070	Sampling Sites, Equipment and Methods	1/3/89	1/15/93, 58 FR 4578	except section (1).
Washington Administrative Code, Chapter 173–476—Ambient Air Quality Standards				
173–476–010	Purpose	12/22/13	3/4/14, 79 FR 12077.	
173–476–020	Applicability	12/22/13	3/4/14, 79 FR 12077.	
173–476–030	Definitions	12/22/13	3/4/14, 79 FR 12077.	
173–476–100	Ambient Air Quality Standard for PM–10	12/22/13	3/4/14, 79 FR 12077.	
173–476–110	Ambient Air Quality Standards for PM–2.5	12/22/13	3/4/14, 79 FR 12077.	
173–476–120	Ambient Air Quality Standard for Lead (Pb)	12/22/13	3/4/14, 79 FR 12077.	
173–476–130	Ambient Air Quality Standards for Sulfur Oxides (Sulfur Dioxide)	12/22/13	3/4/14, 79 FR 12077.	
173–476–140	Ambient Air Quality Standards for Nitrogen Oxides (Nitrogen Dioxide).	12/22/13	3/4/14, 79 FR 12077.	
173–476–150	Ambient Air Quality Standard for Ozone	12/22/13	3/4/14, 79 FR 12077.	
173–476–160	Ambient Air Quality Standards for Carbon Monoxide	12/22/13	3/4/14, 79 FR 12077.	
173–476–170	Monitor Siting Criteria	12/22/13	3/4/14, 79 FR 12077.	
173–476–180	Reference Conditions	12/22/13	3/4/14, 79 FR 12077.	
173–476–900	Table of Standards	12/22/13	3/4/14, 79 FR 12077.	
Washington Administrative Code, Chapter 173–490—Emission Standards and Controls for Sources Emitting Volatile Organic Compounds				
173–490–010	Policy and Purpose	3/22/91	7/12/93, 58 FR 37426	
173–490–020	Definitions	3/22/91	7/12/93, 58 FR 37426	
173–490–025	General Applicability	3/22/91	7/12/93, 58 FR 37426	
173–490–030	Registration and Reporting	3/22/91	7/12/93, 58 FR 37426	
173–490–040	Requirements	3/22/91	7/12/93, 58 FR 37426	
173–490–080	Exceptions and Alternative Methods	3/22/91	7/12/93, 58 FR 37426	
173–490–090	New Source Review (NSR)	3/22/91	7/12/93, 58 FR 37426	

TABLE 1—WASHINGTON DEPARTMENT OF ECOLOGY REGULATIONS—Continued

State citation	Title/Subject	State effective date	EPA Approval date	Explanations
173–490–200	Petroleum Refinery Equipment Leaks	3/22/91	7/12/93, 58 FR 37426	
173–490–201	Petroleum Liquid Storage in External Floating Roof Tanks	3/22/91	7/12/93, 58 FR 37426	
173–490–202	Leaks from Gasoline Transport Tanks and Vapor Collection System.	3/22/91	7/12/93, 58 FR 37426	
173–490–203	Perchloroethylene Dry Cleaning Systems	3/22/91	7/12/93, 58 FR 37426	
173–490–204	Graphic Arts System	3/22/91	7/12/93, 58 FR 37426	
173–490–205	Surface Coating of Miscellaneous Metal Parts and Products	3/22/91	7/12/93, 58 FR 37426	
173–490–207	Surface Coating of Flatwood Paneling	3/22/91	7/12/93, 58 FR 37426	
173–490–208	Aerospace Assembly and Component Coating Operations	3/22/91	7/12/93, 58 FR 37426	
Washington Administrative Code, Chapter 173–492—Motor Fuel Specifications for Oxygenated Gasoline				
173–492–010	Policy and Purpose	10/19/96	4/30/97, 62 FR 23363	
173–492–020	Applicability	12/1/92	4/30/97, 62 FR 23363	
173–492–030	Definitions	12/1/92	4/30/97, 62 FR 23363	
173–492–040	Compliance Requirements	12/1/92	4/30/97, 62 FR 23363	
173–492–050	Registration Requirements	10/19/96	4/30/97, 62 FR 23363	
173–492–060	Labeling Requirements	12/1/92	4/30/97, 62 FR 23363	
173–492–070	Control Areas and Control Periods	10/19/96	4/30/97, 62 FR 23363	
173–492–080	Enforcement and Compliance	12/1/92	4/30/97, 62 FR 23363	
173–492–090	Unplanned Conditions	12/1/92	4/30/97, 62 FR 23363	
173–492–100	Severability	12/1/92	4/30/97, 62 FR 23363	

TABLE 2—ENERGY FACILITIES SITE EVALUATION COUNCIL REGULATIONS

State citation	Title/Subject	State effective date	EPA Approval date	Explanations
Washington Administrative Code, Chapter 463–39—General Regulations for Air Pollution Sources				
463–39–005	Adoption by Reference	9/21/95	5/23/96, 61 FR 25791	except sections (2), (3) & (4).
463–39–010	Purpose	5/3/92	5/23/96, 61 FR 25791	
463–39–020	Applicability	9/21/95	5/23/96, 61 FR 25791	
463–39–030	Additional Definitions	9/21/95	5/23/96, 61 FR 25791	
463–39–095	Permit Issuance	9/21/95	5/23/96, 61 FR 25791	
463–39–100	Registration	12/11/93	5/23/96, 61 FR 25791	
463–39–120	Monitoring and Special Report	9/21/95	5/23/96, 61 FR 25791	
463–39–135	Criminal Penalties	8/6/79	5/23/96, 61 FR 25791	
463–39–170	Conflict of Interest	8/6/79	5/23/96, 61 FR 25791	
463–39–230	Regulatory Actions	8/26/94	5/23/96, 61 FR 25791	

TABLE 3—NORTHWEST CLEAN AIR AGENCY REGULATIONS

State citation	Title/Subject	State effective date	EPA Approval date	Explanations
	General Provisions			
100	Name of Authority	9/8/93	2/22/95, 60 FR 9778	
101	Short Title	9/8/93	2/22/95, 60 FR 9778	
102	Policy	9/8/93	2/22/95, 60 FR 9778	
103	Duties & Powers	9/8/93	2/22/95, 60 FR 9778	
104	Adoption of State/Federal Laws and Rules	11/13/94	10/24/95, 60 FR 54439	except section 104.2.
105	Separability	9/8/93	2/22/95, 60 FR 9778	
106	Public Records	9/8/93	2/22/95, 60 FR 9778	
110	Investigation and Studies	9/8/93	2/22/95, 60 FR 9778	
111	Interference or Obstruction	9/8/93	2/22/95, 60 FR 9778	
112	False and Misleading Oral Statements	9/8/93	2/22/95, 60 FR 9778	
113	Service of Notice	9/8/93	2/22/95, 60 FR 9778	
114	Confidential Information	9/8/93	2/22/95, 60 FR 9778	
120	Hearings	9/8/93	2/22/95, 60 FR 9778	
121	Orders	9/8/93	2/22/95, 60 FR 9778	
122	Appeals from Orders or Violations	9/8/93	2/22/95, 60 FR 9778	
123	Status of Orders on Appeal	9/8/93	2/22/95, 60 FR 9778	
124	Display of Orders	9/8/93	2/22/95, 60 FR 9778	
130	Citations—Notices	9/8/93	2/22/95, 60 FR 9778	
131	Violations—Notices	9/8/93	2/22/95, 60 FR 9778	
132	Criminal Penalty	11/13/94	10/24/95, 60 FR 54439	
133	Civil Penalty	11/13/94	10/24/95, 60 FR 54439	
134	Restraining Orders—Injunction	9/8/93	2/22/95, 60 FR 9778	
135	Additional Enforcement—Compliance Schedules	9/8/93	2/22/95, 60 FR 9778	
140	Reporting by Government Agencies	9/8/93	2/22/95, 60 FR 9778	
145	Motor Vehicle Owner Responsibility	9/8/93	2/22/95, 60 FR 9778	
150	Pollutant Disclosure—Reporting by Air Containment Sources	9/8/93	2/22/95, 60 FR 9778	
180	Sampling and Analytical Methods/References	9/8/93	2/22/95, 60 FR 9778	
	Definitions			
200	Definitions	11/13/94	10/24/95, 60 FR 54439	
	Control Procedures			
300	Notice of Construction When Required	11/13/94	10/24/95, 60 FR 54439	
301	Information Required for Notice of Construction & Application for Approval, Public Notice, Public Hearing.	11/13/94	10/24/95, 60 FR 54439	
302	Issuance of Approval or Order	11/13/94	10/24/95, 60 FR 54439	
303	Notice of Completion—Notice of Violation	9/8/93	2/22/95, 60 FR 9778	
310	Approval to Operate Required	9/8/93	2/22/95, 60 FR 9778	
320	Registration Required	9/8/93	2/22/95, 60 FR 9778	
321	General Requirements for Registration	9/8/93	2/22/95, 60 FR 9778	
322	Exemptions from Registration	11/13/94	10/24/95, 60 FR 54439	

TABLE 3—NORTHWEST CLEAN AIR AGENCY REGULATIONS—Continued

State citation	Title/Subject	State effective date	EPA Approval date	Explanations
323	Classes of Registration	9/8/93	2/22/95, 60 FR 9778	
324	Fees	11/13/94	10/24/95, 60 FR 54439	except section 324.121.
325	Transfer	9/8/93	2/22/95, 60 FR 9778	
340	Report of Breakdown and Upset	11/13/94	10/24/95, 60 FR 54439	
341	Schedule Report of Shutdown or Start-Up	9/8/93	2/22/95, 60 FR 9778	
342	Operation and Maintenance	9/8/93	2/22/95, 60 FR 9778	
360	Testing and Sampling	9/8/93	2/22/95, 60 FR 9778	
365	Monitoring	9/8/93	2/22/95, 60 FR 9778	
366	Instrument Calibration	9/8/93	2/22/95, 60 FR 9778	
Standards				
400	Ambient Air Standards—Forward	9/8/93	2/22/95, 60 FR 9778	
401	Suspended Particulate Standards (PM–10)	9/8/93	2/22/95, 60 FR 9778	
410	Sulfur Oxide Standards	9/8/93	2/22/95, 60 FR 9778	
420	Carbon Monoxide Standards	9/8/93	2/22/95, 60 FR 9778	
422	Nitrogen Oxide Standards	9/8/93	2/22/95, 60 FR 9778	
424	Ozone Standards	9/8/93	2/22/95, 60 FR 9778	
450	Emission Standards—Forward	9/8/93	2/22/95, 60 FR 9778	
451	Emission of Air Contaminant—Visual Standards	11/13/94	10/24/95, 60 FR 54439	
452	Motor Vehicle Visual Standards	9/8/93	2/22/95, 60 FR 9778	except section 452.5.
455	Emission of Particulate Matter	9/8/93	2/22/95, 60 FR 9778	
458	Incinerators—Wood Waste Burners	9/8/93	2/22/95, 60 FR 9778	
460	Weight/Heat Rate Standard—Emission of Sulfur Compounds	9/8/93	2/22/95, 60 FR 9778	
462	Emission of Sulfur Compounds	11/13/94	10/24/95, 60 FR 54439	
466	Portland Cement Plants	9/8/93	2/22/95, 60 FR 9778	
Regulated Activities and Prohibitions				
510	Incinerator Burning	9/8/93	2/22/95, 60 FR 9778	
520	Sulfur Compounds in Fuel	9/8/93	2/22/95, 60 FR 9778	
550	Particulate Matter from Becoming Airborne	9/8/93	2/22/95, 60 FR 9778	
560	Storage of Organic Liquids	9/8/93	2/22/95, 60 FR 9778	
580	Volatile Organic Compound Control (VOC)	11/13/94	10/24/95, 60 FR 54439	

TABLE 4—PUGET SOUND CLEAN AIR AGENCY REGULATIONS

State citation	Title/Subject	State adopted date	EPA Approval date	Explanations
Regulation I—Article 1: Policy, Short Title, and Definitions				
1.01	Policy	9/9/99	8/31/04, 69 FR 53007	
1.03	Name of Agency	9/9/99	8/31/04, 69 FR 53007	

1.05	Short Title	9/9/99	8/31/04, 69 FR 53007	
1.07	Definitions	4/14/94	6/29/95, 60 FR 33734	
	Regulation I—Article 3: General Provisions			
3.04	Reasonably Available Control Technology	3/11/99	8/31/04, 69 FR 53007	except (e).
3.06	Credible Evidence	10/8/98	8/31/04, 69 FR 53007	
	Regulation I—Article 5: Registration			
5.02	Applicability and Purpose of the Registration Program	9/12/96	8/6/97, 62 FR 42216	
5.03	Registration Required	7/8/99	8/31/04, 69 FR 53007	except (a)(5).
5.05	General Reporting Requirements for Registration	9/10/98	8/31/04, 69 FR 53007	
	Regulation I—Article 6: New Source Review			
6.03	Notice of Construction	9/12/96	8/6/97, 62 FR 42216	
6.04	Notice of Construction Review Fees	9/11/97	4/21/98, 63 FR 19658	
6.06	Public Notice	4/14/94	6/29/95, 60 FR 33734	
6.07	Order of Approval—Order to Prevent Construction	4/14/94	6/29/95, 60 FR 33734	
6.08	Emission Reduction Credit Banking	11/19/92	8/29/94, 59 FR 44324	
6.09	Notice of Completion	4/14/94	6/29/95, 60 FR 33734	
6.10	Work Done without an Approval	9/11/97	4/21/98, 63 FR 19658	
	Regulation I—Article 7: Operating Permits			
7.09	General Reporting Requirements for Operating Permits	9/10/98	8/31/04, 69 FR 53007	
	Regulation I—Article 8: Outdoor Burning			
8.04	General Conditions for Outdoor Burning	11/9/00	8/31/04, 69 FR 53007	
8.05	Agricultural Burning	11/9/00	8/31/04, 69 FR 53007	
8.06	Outdoor Burning Ozone Contingency Measure	12/19/02	8/5/04, 69 FR 47364	
8.09	Description of King County No-Burn Area	11/9/00	8/31/04, 69 FR 53007	
8.10	Description of Pierce County No-Burn Area	11/9/00	8/31/04, 69 FR 53007	
8.11	Description of Snohomish County No-Burn Area	11/9/00	8/31/04, 69 FR 53007	
8.12	Description of Kitsap County No-Burn Area	10/24/02	8/31/04, 69 FR 53007	
	Regulation I—Article 9: Emission Standards			
9.03	Emission of Air Contaminant: Visual Standard	3/11/99	8/31/04, 69 FR 53007	except (e).
9.04	Opacity Standards for Equipment with Continuous Opacity Monitoring Systems	4/9/98	8/31/04, 69 FR 53007	except (d)(2) & (f).
9.05	Refuse Burning	12/9/93	6/29/95, 60 FR 33734	
9.07	Sulfur Dioxide Emission Standard	4/14/94	6/29/95, 60 FR 33734	
9.08	Fuel Oil Standards	4/14/94	6/29/95, 60 FR 33734	
9.09	Particulate Matter Emission Standards	4/9/98	8/31/04, 69 FR 53007	
9.15	Fugitive Dust Control Measures	3/11/99	8/31/04, 69 FR 53007	
9.16	Spray-Coating Operations	7/12/01	8/31/04, 69 FR 53007	
9.20	Maintenance of Equipment	6/9/88	8/29/94, 59 FR 44324	

TABLE 4—PUGET SOUND CLEAN AIR AGENCY REGULATIONS—Continued

State citation	Title/Subject	State adopted date	EPA Approval date	Explanations
Regulation I—Article 12: Standards of Performance for Continuous Emission Monitoring Systems				
12.01	Applicability	4/9/98	8/31/04, 69 FR 53007	
12.03	Continuous Emission Monitoring Systems	9/23/04	9/17/13, 78 FR 57073.	
Regulation I—Article 13: Solid Fuel Burning Device Standards				
13.01	Policy and Purpose	10/25/12	5/29/13, 78 FR 32131.	
13.02	Definitions	10/25/12	5/29/13, 78 FR 32131.	
13.03	Opacity Standards	10/25/12	5/29/13, 78 FR 32131.	
13.04	Allowed and Prohibited Fuel Types	10/25/12	5/29/13,78 FR 32131.	
13.05	Restrictions on Operation of Solid Fuel Burning Devices	10/25/12	5/29/13, 78 FR 32131.	
13.06	Emission Performance Standards	10/25/12	5/29/13, 78 FR 32131.	
13.07	Prohibitions on Wood Stoves that are not Certified Wood Stoves	10/25/12	5/29/13, 78 FR 32131.	
Regulation II—Article 1: Purpose, Policy, Short Title, and Definitions				
1.01	Purpose	9/9/99	8/31/04, 69 FR 53007	
1.02	Policy	9/9/99	8/31/04, 69 FR 53007	
1.03	Short Title	9/9/99	8/31/04, 69 FR 53007	
1.04	General Definitions	12/11/80	2/28/83, 48 FR 8273	
1.05	Special Definitions	7/24/03	9/17/13, 78 FR 57073.	
Regulation II—Article 2: Gasoline Marketing Emission Standards				
2.01	Definitions	7/8/99	8/31/04, 69 FR 53007	
2.03	Petroleum Refineries	6/13/91	8/29/94, 59 FR 44324	
2.05	Gasoline Loading Terminals	12/9/93	6/29/95, 60 FR 33734	
2.06	Bulk Gasoline Plants	6/13/91	8/29/94, 59 FR 44324	
2.07	Gasoline Stations	12/9/99	8/31/04, 69 FR 53007	
2.08	Gasoline Transport Tanks	7/8/99	8/31/04, 69 FR 53007	
2.09	Oxygenated Gasoline Carbon Monoxide Contingency Measure and Fee Schedule	12/19/02	8/5/04, 69 FR 47365	
2.10	Gasoline Station Ozone Contingency Measure	12/19/02	8/5/04, 69 FR 47365	
Regulation II—Article 3: Miscellaneous Volatile Organic Compound Emission Standards				
3.01	Cutback Asphalt Paving	6/13/91	8/29/94, 59 FR 44324	
3.02	Volatile Organic Compound Storage Tanks	7/8/99	8/31/04, 69 FR 53007	
3.03	Can and Paper Coating Operations	2/10/94	6/29/95, 60 FR 33734	
3.04	Motor Vehicle and Mobile Equipment Coating Operations	7/24/03	9/17/13, 78 FR 57073.	
3.05	Graphic Arts Systems	12/9/93	6/29/95, 60 FR 33734	
3.08	Polyester, Vinylester, Gelcoat, and Resin Operations	12/9/93	6/29/95, 60 FR 33734	
3.09	Aerospace Component Coating Operations	12/9/93	6/29/95, 60 FR 33734	

TABLE 5—SPOKANE REGIONAL CLEAN AIR AGENCY REGULATIONS

State citation	Title/Subject	State effective date	EPA Approval date	Explanations
Regulation I—Article VI—Emissions Prohibited				
6.05	Particulate Matter & Preventing Particulate Matter from becoming Airborne	11/12/93	1/27/97, 62 FR 3800	
6.14	Standards for Control of Particulate Matter on Paved Surfaces	2/13/99	4/12/99, 64 FR 17545	
6.15	Standards for Control of Particulate Matter on Unpaved Roads	2/13/99	4/12/99, 64 FR 17545	
6.16	Motor Fuel Specifications for Oxygenated Gasoline	7/6/95	9/22/97, 62 FR 49442 *	* correction: 12/31/97, 62 FR 68187.
Regulation I—Article VIII—Solid Fuel Burning Device Standards				
8.01	Purpose	9/10/94	1/27/97, 62 FR 3800	
8.02	Applicability	9/10/94	1/27/97, 62 FR 3800	
8.03	Definitions	9/10/94	1/27/97, 62 FR 3800	
8.04	Emission Performance Standards	9/10/94	1/27/97, 62 FR 3800	
8.05	Opacity Standards	9/10/94	1/27/97, 62 FR 3800	
8.06	Prohibited Fuel Types	9/10/94	1/27/97, 62 FR 3800	
8.07	Curtailment	9/10/94	1/27/97, 62 FR 3800	
8.08	Exemptions	9/10/94	1/27/97, 62 FR 3800	
8.09	Procedure to Geographically Limit Solid Fuel Burning Devices	9/10/94	1/27/97, 62 FR 3800	
8.10	Restrictions on Installation of Solid Fuel Burning Devices	9/10/94	1/27/97, 62 FR 3800	
8.11	Regulatory Actions and Penalties	9/10/94	1/27/97, 62 FR 3800	
Regulation II—Article IV—Emissions Prohibited				
4.01	Particulate Emissions—Grain Loading Restrictions	4/26/79	6/5/80, 45 FR 37821	

TABLE 6—SOUTHWEST CLEAN AIR AGENCY REGULATIONS

State citation	Title/Subject	State effective date	EPA Approval date	Explanations
General Regulations for Air Pollution Sources				
400–010	Policy and Purpose	9/21/95	2/26/97, 62 FR 8624	
400–020	Applicability	9/21/95	2/26/97, 62 FR 8624	
400–030	Definitions	11/21/96	5/19/97, 62 FR 27204	except 2nd sentence in two subsections (14) & (49), subsection (84).
400–040	General Standards for Maximum Emissions	9/21/95	2/26/97, 62 FR 8624	except (1)(c), and (1)(d), (2), (4), and the exception provision of (6)(a).
400–050	Emission Standards for Combustion and Incineration Units	9/21/95	2/26/97, 62 FR 8624	except the exception provision in (3).
400–052	Stack Sampling of Major Combustion Sources	9/21/95	2/26/97, 62 FR 8624	
400–060	Emission Standards for General Process Units	9/21/95	2/26/97, 62 FR 8624	
400–070	Emission Standards for Certain Source Categories	9/21/95	2/26/97, 62 FR 8624	except (5).
400–074	Gasoline Transport Tankers	9/21/95	2/26/97, 62 FR 8624	

TABLE 6—SOUTHWEST CLEAN AIR AGENCY REGULATIONS—Continued

State citation	Title/Subject	State effective date	EPA Approval date	Explanations
400–081	Startup and Shutdown	9/21/95	2/26/97, 62 FR 8624	
400–090	Voluntary Limits on Emissions	11/8/93	5/3/95, 60 FR 21703	
400–091	Voluntary Limits on Emissions	9/21/95	2/26/97, 62 FR 8624	
400–100	Registration and Operating Permits	9/21/95	2/26/97, 62 FR 8624	except the first sentence of (3)(a)(iv) & (4).
400–101	Sources Exempt from Registration Requirements	11/21/96	5/19/97, 62 FR 27204	
400–105	Records, Monitoring and Reporting	9/21/95	2/26/97, 62 FR 8624	
400–107	Excess Emissions	9/21/95	2/26/97, 62 FR 8624	
400–109	Notice of Construction Application	11/21/96	5/19/97, 62 FR 27204	except subsections (3)(b), (3)(c), (3)(g), (3)(h), (3)(i).
400–110	New Source Review	11/21/96	5/19/97, 62 FR 27204	
400–111	Requirements for Sources in a Maintenance Plan Area	11/21/96	5/19/97, 62 FR 27204	
400–112	Requirements for New Sources in Nonattainment Areas	11/21/96	5/19/97, 62 FR 27204	
400–113	Requirements for New Sources in Attainment or Nonclassifiable Areas.	11/21/96	5/19/97, 62 FR 27204	
400–114	Requirements for Replacement or Substantial Alteration for Emission Control Technology at an Existing Stationary Source.	11/21/96	5/19/97, 62 FR 27204	
400–116	Maintenance of Equipment	11/21/96	5/19/97, 62 FR 27204	
400–151	Retrofit Requirements for Visibility Protection	9/21/95	2/26/97, 62 FR 8624	
400–161	Compliance Schedules	9/21/95	2/26/97, 62 FR 8624	
400–171	Public Involvement	9/21/95	2/26/97, 62 FR 8624	
400–190	Requirements for Nonattainment Areas	11/21/96	5/19/97, 62 FR 27204	
400–200	Creditable Stack Height & Dispersion Techniques	9/21/95	2/26/97, 62 FR 8624	
400–205	Adjustment for Atmospheric Conditions	9/21/95	2/26/97, 62 FR 8624	
400–210	Emission Requirements of Prior Jurisdictions	9/21/95	2/26/97, 62 FR 8624	
400–220	Requirements for Board Members	9/21/95	2/26/97, 62 FR 8624	
400–230	Regulatory Actions & Civil Penalties	9/21/95	2/26/97, 62 FR 8624	
400–240	Criminal Penalties	9/21/95	2/26/97, 62 FR 8624	
400–250	Appeals	9/21/95	2/26/97, 62 FR 8624	
400–260	Conflict of Interest	9/21/95	2/26/97, 62 FR 8624	
400–270	Confidentiality of Records & Information	9/21/95	2/26/97, 62 FR 8624	
400–280	Powers of Authority	9/21/95	2/26/97, 62 FR 8624	
Emission Standards and Controls for Sources Emitting Volatile Organic Compounds				
490–010	Policy and Purpose	11/21/96	5/19/97, 62 FR 27204	
490–020	Definitions	11/21/96	5/19/97, 62 FR 27204	
490–025	General Applicability	11/21/96	5/19/97, 62 FR 27204	
490–030	Registration and Reporting	11/21/96	5/19/97, 62 FR 27204	
490–040	Requirements	11/21/96	5/19/97, 62 FR 27204	
490–080	Exceptions & Alternative Methods	11/21/96	5/19/97, 62 FR 27204	
490–090	New Source Review	11/21/96	5/19/97, 62 FR 27204	
490–200	Petroleum Refinery Equipment Leaks	11/21/96	5/19/97, 62 FR 27204	
490–201	Petroleum Liquid Storage in External Floating Roof Tanks	11/21/96	5/19/97, 62 FR 27204	
490–202	Leaks from Gasoline Transport Tanks and Vapor Collection Systems.	11/21/96	5/19/97, 62 FR 27204	

490–203	Perchloroethylene Dry Cleaning Systems	11/21/96	5/19/97, 62 FR 27204	
490–204	Graphic Arts Systems	11/21/96	5/19/97, 62 FR 27204	
490–205	Surface Coating of Miscellaneous Metal Parts and Products	11/21/96	5/19/97, 62 FR 27204	
490–207	Surface Coating of Flatwood Paneling	11/21/96	5/19/97, 62 FR 27204	
490–208	Aerospace Assembly & Component Coating Operations	11/21/96	5/19/97, 62 FR 27204	
Emissions Standards and Controls for Sources Emitting Gasoline Vapors				
491–010	Policy and Purpose	11/21/96	5/19/97, 62 FR 27204	
491–015	Applicability	11/21/96	5/19/97, 62 FR 27204	
491–020	Definitions	11/21/96	5/19/97, 62 FR 27204	
491–030	Registration	11/21/96	5/19/97, 62 FR 27204	
491–040	Gasoline Vapor Control Requirements	11/21/96	5/19/97, 62 FR 27204	
491–050	Failures, Certification, Testing & Recordkeeping	11/21/96	5/19/97, 62 FR 27204	
491–060	Severability	11/21/96	5/19/97, 62 FR 27204	
Oxygenated Fuels				
492–010	Policy and Purpose	11/21/96	4/30/97, 62 FR 23363	
492–020	Applicability	11/21/96	4/30/97, 62 FR 23363	
492–030	Definitions	11/21/96	4/30/97, 62 FR 23363	
492–040	Compliance Requirements	11/21/96	4/30/97, 62 FR 23363	
492–050	Registration Requirements	11/21/96	4/30/97, 62 FR 23363	
492–060	Labeling Requirements	11/21/96	4/30/97, 62 FR 23363	
492–070	Control Area and Control Period	11/21/96	4/30/97, 62 FR 23363	
492–080	Enforcement and Compliance	11/21/96	4/30/97, 62 FR 23363	
492–090	Unplanned Conditions	11/21/96	4/30/97, 62 FR 23363	
492–100	Severability	11/21/96	4/30/97, 62 FR 23363	
VOC Area Source Rules				
493–100	Consumer Products (Reserved)	05/26/96	5/19/97, 62 FR 27204	
493–200–010	Applicability	05/26/96	5/19/97, 62 FR 27204	
493–200–020	Definitions	05/26/96	5/19/97, 62 FR 27204	
493–200–030	Spray Paint Standards & Exemptions	05/26/96	5/19/97, 62 FR 27204	
493–200–040	Requirements for Manufacture, Sale and Use of Spray Paint	05/26/96	5/19/97, 62 FR 27204	
493–200–050	Recordkeeping & Reporting Requirements	05/26/96	5/19/97, 62 FR 27204	
493–200–060	Inspection and Testing Requirements	05/26/96	5/19/97, 62 FR 27204	
493–300–010	Applicability	5/26/96	5/19/97, 62 FR 27204	
493–300–020	Definitions	5/26/96	5/19/97, 62 FR 27204	
493–300–030	Standards	5/26/96	5/19/97, 62 FR 27204	
493–300–040	Requirements for Manufacture, Sale and Use of Architectural Coatings.	5/26/96	5/19/97, 62 FR 27204	
493–300–050	Recordkeeping & Reporting Requirements	5/26/96	5/19/97, 62 FR 27204	
493–300–060	Inspection and Testing Requirements	5/26/96	5/19/97, 62 FR 27204	
493–400–010	Applicability	05/26/96	5/19/97, 62 FR 27204	
493–400–020	Definitions	05/26/96	5/19/97, 62 FR 27204	
493–400–030	Coating Standards & Exemptions	05/26/96	5/19/97, 62 FR 27204	
493–400–040	Requirements for Manufacture & Sale of Coating	05/26/96	5/19/97, 62 FR 27204	
493–400–050	Requirements for Motor Vehicle Refinishing in Vancouver AQMA.	05/26/96	5/19/97, 62 FR 27204	

TABLE 6—SOUTHWEST CLEAN AIR AGENCY REGULATIONS—Continued

State citation	Title/Subject	State effective date	EPA Approval date	Explanations
493–400–060	Recordkeeping and Reporting Requirements	05/26/96	5/19/97, 62 FR 27204	
493–400–070	Inspection & Testing Requirements	05/26/96	5/19/97, 62 FR 27204	
493–500–010	Applicability	05/26/96	5/19/97, 62 FR 27204	
493–500–020	Compliance Extensions	05/26/96	5/19/97, 62 FR 27204	
493–500–030	Exemption from Disclosure to the Public	05/26/96	5/19/97, 62 FR 27204	
493–500–040	Future Review	05/26/96	5/19/97, 62 FR 27204	

TABLE 7—YAKIMA REGIONAL CLEAN AIR AGENCY REGULATIONS

State citation	Title/Subject	State effective date	EPA Approval date	Explanations
Article I—Policy, Short Title and Definitions				
1.01	Policy	12/15/95	2/2/98, 63 FR 5269	
1.02	Short Title	11/18/93	2/2/98, 63 FR 5269	
1.03	Definitions	12/15/95	2/2/98, 63 FR 5269	
Article II—General Provisions				
2.02	Control Officer—Powers & Duties.	11/18/93	2/2/98, 63 FR 5269	
2.03	Miscellaneous Provisions.	11/18/93	2/2/98, 63 FR 5269	
2.04	Confidentiality	11/18/93	2/2/98, 63 FR 5269	
2.05	Advisory Council	11/18/93	2/2/98, 63 FR 5269	
Article III—Violations—Orders and Hearings				
3.01	Notice of Violation—Corrective Action Hearings.	11/18/93	2/2/98, 63 FR 5269	
3.02	Finality of Order	11/18/93	2/2/98, 63 FR 5269	
3.03	Stay of Order Pending Appeal.	11/18/93	2/2/98, 63 FR 5269	
3.04	Voluntary Compliance	11/18/93	2/2/98, 63 FR 5269	
Article IV—Registration and Notice of Construction				
4.01	Registration	12/15/95	2/2/98, 63 FR 5269	
4.02	Notice of Construction.	12/15/95	2/2/98, 63 FR 5269	
4.03	Exceptions to Article 4.	11/18/93	2/2/98, 63 FR 5269	
Article V—Emissions Standards and Preventative Measures				
5.01	Outdoor Burning	12/15/95	2/2/98, 63 FR 5269	
5.02	Regulations Applicable to all Outdoor Burning.	12/15/95	2/2/98, 63 FR 5269	
5.03	Regulations Applicable to all Outdoor Burning within Jurisdiction of the Yakima County Clean Air Authority, Local Cities, Towns, Fire Protection Districts and Conservation Districts.	12/15/95	2/2/98, 63 FR 5269	
5.04	Regulations Applicable to Permits Issued by the Yakima County Clean Air Authority for all Other Outdoor Burning.	12/15/95	2/2/98, 63 FR 5269	
5.05	Additional Restrictions on Outdoor Burning.	12/15/95	2/2/98, 63 FR 5269	
5.06	General Standards for Maximum Permissible Emissions.	12/15/95	2/2/98, 63 FR 5269	
5.07	Minimum Emission Standards for Combustion and Incineration Sources.	12/15/95	2/2/98, 63 FR 5269	
5.08	Minimum Emissions Standards for General Process Sources.	12/15/95	2/2/98, 63 FR 5269	

TABLE 7—YAKIMA REGIONAL CLEAN AIR AGENCY REGULATIONS—Continued

State citation	Title/Subject	State effective date	EPA Approval date	Explanations
5.10	Sensitive Area Designation.	6/20/94	2/2/98, 63 FR 5269	
5.11	Monitoring and Special Reporting.	12/15/95	2/2/98, 63 FR 5269	
5.12	Preventive Measures	11/18/93	2/2/98, 63 FR 5269	
Article VIII—Penalty and Severability				
8.01	Penalty for Violation	11/18/93	2/2/98, 63 FR 5269	
8.02	Additional/Alternative Penalties.	12/15/95	2/2/98, 63 FR 5269	
8.03	Assurance of Discontinuance.	11/18/93	2/2/98, 63 FR 5269	
8.04	Restraining Order—Injunctions.	11/18/93	2/2/98, 63 FR 5269	
8.05	Severability	12/15/95	2/2/98, 63 FR 5269	
Article IX—Woodstoves and Fireplaces				
9.01	Policy	11/18/93	2/2/98, 63 FR 5269	
9.02	Opacity	11/18/93	2/2/98, 63 FR 5269	
9.03	Prohibitive Fuel Types.	11/18/93	2/2/98, 63 FR 5269	
9.04	Limitations of Sales of Solid Fuel Burning Devices.	11/18/93	2/2/98, 63 FR 5269	
9.05	Prohibition of Visible Emissions During Air Pollution Episodes.	12/15/95	2/2/98, 63 FR 5269	
Article XII—Adoption of State and Federal Regulations				
12.01	State Regulations	12/15/95	2/2/98, 63 FR 5269	
Article XIII—Fee Schedules and Other Charges				
13.01	Registration and Fee Schedule.	1/13/94	2/2/98, 63 FR 5269	
13.02	Notice of Construction Fee Schedule.	6/20/94	2/2/98, 63 FR 5269	
13.03	Outdoor Burning Permit Fees.	6/20/94	2/2/98, 63 FR 5269	

TABLE 8—OLYMPIC REGION CLEAN AIR AGENCY REGULATIONS

State citation	Title/subject	State effective date	EPA approval date	Explanations
Rule 6.2 Outdoor Burning				
6.2.3	No Residential or Land Clearing Burning.	2/4/12	10/3/13, 78 FR 61188	Only as it applies to the cities of Olympia, Lacey, and Tumwater.
6.2.6	Curtailment	3/18/11	10/3/13, 78 FR 61188.	
6.2.7	Recreational Burning	3/18/11	10/3/13, 78 FR 61188.	
Rule 8.1 Wood Heating				
8.1.1	Definitions	5/22/10	10/3/13, 78 FR 61188.	
8.1.2 (b) and (c)	General Emission Standards.	5/22/10	10/3/13, 78 FR 61188.	
8.1.3	Prohibited Fuel Types	5/22/10	10/3/13, 78 FR 61188.	
8.1.4	Curtailment	5/22/10	10/3/13, 78 FR 61188.	
8.1.5	Exceptions	5/22/10	10/3/13, 78 FR 61188.	
8.1.7	Sale and Installation of Uncertified Woodstoves.	5/22/10	10/3/13, 78 FR 61188.	
8.1.8	Disposal of uncertified woodstoves.	5/22/10	10/3/13, 78 FR 61188.	

(d) *EPA-Approved State Source-Specific Requirements.*

EPA-APPROVED STATE OF WASHINGTON SOURCE-SPECIFIC REQUIREMENTS

Name of source	Order/Permit number	State effective date	EPA Approval date	Explanation
IBP (now known as Tyson Foods, Inc.)	02AQER–5074	12/6/02	5/2/05 70 FR 22597	except finding number 4 (T–BACT) & 3.3 of approval condition #3 (Emission Limits & Test Methods).
Boise White Paper LLC Permit	000369–7	12/1/04	5/2/05 70 FR 22597	following condition only: 1.Q.1 of item Q.
Boise Cascade, Wallula Mill	1614–AQ04	9/15/04	5/2/05 70 FR 22597	following conditions only: No. 1 (Approval Conditions) & Appendix A.
Fugitive Dust Control Plan for Simplot Feeders Limited Partnership.		12/1/03	5/2/05 70 FR 22597.	
Emission Limits for Significant Stack Sources	various orders	various dates	10/26/95 60 FR 54812	
Honam, Inc., Ideal Division (now known as LaFarge North America, Inc.).	#5183	2/9/94	8/31/04 69 FR 53007	
Saint Gobain Containers LLC	#8244	9/9/99	8/31/04 69 FR 53007	
Kaiser Order—Alternate Opacity Limit	91–01	12/12/91	1/27/97 62 FR 3800	
Kaiser Order—Limiting Potential-to-Emit	96–03	10/4/00	7/1/05 70 FR 38029	
Kaiser Order—Limiting Potential-to-Emit	96–04	4/24/96	1/27/97 62 FR 3800	
Kaiser Order—Limiting Potential-to-Emit	96–05	10/4/00	7/1/05 70 FR 38029	
Kaiser Order—Limiting Potential-to-Emit	96–06	10/19/00	7/1/05 70 FR 38029	
Kaiser Order	DE 01 AQIS–3285	10/24/01	5/12/05 70 FR 24991	
Kaiser Order Amendment #1	DE 01 AQIS–3285	4/9/03	5/12/05 70 FR 24991	
RACT Limits for Centralia Power Plant	#97–2057R1	2/26/98	6/11/03 68 FR 34821	
TransAlta Centralia BART	#6426	12/13/11	12/6/12 77 FR 72742	except the undesignated introductory text, the section titled ''Findings,'' and the undesignated text following condition 13.

(e) *EPA Approved Nonregulatory Provisions and Quasi-Regulatory Measures.*

TABLE 1—APPROVED BUT NOT INCORPORATED BY REFERENCE STATUTES AND REGULATIONS

State citation	Title/subject	State effective date	EPA approval date	Explanations
Washington Department of Ecology Regulations				
173–433–200	Regulatory Actions and Penalties.	10/18/90	1/15/93, 58 FR 4578.	
Olympic Region Clean Air Agency Regulations				
8.1.6	Penalties	5/22/10	10/3/13, 78 FR 61188.	

TABLE 2—ATTAINMENT, MAINTENANCE, AND OTHER PLANS

Name of SIP provision	Applicable geographic or nonattainment area	State submittal date	EPA approval date	Comments
Attainment and Maintenance Planning—Carbon Monoxide				
Carbon Monoxide Attainment Plan	Yakima	4/27/79	6/5/80 45 FR 37821	
Carbon Monoxide Attainment Plan	Puget Sound	1/22/93	1/20/94 59 FR 2994	
Carbon Monoxide Attainment Plan	Spokane	1/22/93	1/20/94 59 FR 2994	
Carbon Monoxide Attainment Plan	Vancouver	1/22/93	1/20/94 59 FR 2994	
Carbon Monoxide Attainment Plan—Contingency Measure.	Vancouver	11/10/93	10/31/94 59 FR 54419	
Carbon Monoxide Attainment Plan—VMT Supplement.	Puget Sound	1/22/93	8/23/95 60 FR 43710	
Carbon Monoxide Maintenance Plan	Puget Sound	2/29/96	10/11/96 61 FR 53323	
Carbon Monoxide Maintenance Plan	Vancouver	3/19/96	10/21/96 61 FR 54560	
Carbon Monoxide Attainment Plan—Revisions.	Spokane	9/14/93 and 4/30/96.	9/22/97 62 FR 49442	
Carbon Monoxide Attainment Plan—Correction.	Spokane		12/31/97 62 FR 68187	
Carbon Monoxide Maintenance Plan	Yakima	9/26/01	11/01/02 67 FR 66555	
Carbon Monoxide Maintenance Plan 10-Year Update.	Puget Sound	12/17/03	8/5/04 69 FR 47365	
Carbon Monoxide Attainment Plan—Including Kaiser Orders.	Spokane	9/20/01 and 11/22/04.	5/12/05 70 FR 24991	
Carbon Monoxide Maintenance Plan	Spokane	11/29/04	6/29/05 70 FR 37269	
Carbon Monoxide Maintenance Plan 10-Year Update.	Vancouver	4/25/07	6/27/08 73 FR 36439	
Attainment and Maintenance Planning—Lead (Pb)				
Lead Attainment Plan	Seattle	9/27/84	1/29/85 50 FR 3907	
Attainment and Maintenance Planning—Ozone				
Ozone Attainment Plan	Vancouver	7/16/82	12/17/82 47 FR 56497	
Ozone Attainment Plan	Seattle-Tacoma	7/16/82	2/28/83 48 FR 8273	
Ozone Attainment Plan—VOC RACT	Seattle-Tacoma	5/14/91	7/12/93 58 FR 37426	
Ozone Attainment Plan—VOC RACT	Vancouver	5/14/91	7/12/93 58 FR 37426	
Ozone Attainment Plan—Emission Statement Program.	Seattle-Tacoma	1/28/93	9/12/94 59 FR 46764	
Ozone Attainment Plan—Emission Statement Program.	Vancouver	1/28/93	9/12/94 59 FR 46764	

TABLE 2—ATTAINMENT, MAINTENANCE, AND OTHER PLANS—Continued

Name of SIP provision	Applicable geographic or nonattainment area	State submittal date	EPA approval date	Comments
Ozone Maintenance Plan	Seattle-Tacoma	3/4/96	9/26/96 21 FR 50438	
Ozone Maintenance Plan	Vancouver	6/13/96	5/19/97 62 FR 27204	
Ozone Maintenance Plan 10-Year Update.	Seattle-Tacoma	12/17/03	8/5/04 69 FR 47365	
8-Hour Ozone 110(a)(1) Maintenance Plan.	Seattle-Tacoma	2/5/08	5/2/14, 79 FR 25010.	
Attainment and Maintenance Planning—Particulate Matter				
Particulate Matter (PM_{10}) Attainment Plan.	Kent	11/15/91	7/27/93 58 FR 40059	
Particulate Matter (PM_{10}) Attainment Plan.	Thurston County	2/17/89 and 11/15/91.	7/27/93 58 FR 40056	
Particulate Matter (PM_{10}) Attainment Plan.	Tacoma	5/2/95	10/25/95 60 FR 54559	
Particulate Matter (PM_{10}) Attainment Plan.	Seattle	2/21/95	10/26/95 60 FR 54812	
Particulate Matter (PM_{10}) Attainment Plan.	Spokane	12/9/94	1/27/97 62 FR 3800	
Particulate Matter (PM_{10}) Attainment Plan.	Wallula	11/13/91	1/27/97 62 FR 3800	
Particulate Matter (PM_{10}) Attainment Plan.	Yakima	3/24/89	2/2/98 63 FR 5269	
Particulate Matter (PM_{10}) Maintenance Plan.	Thurston County	8/16/99	10/4/00 65 FR 59128	
Particulate Matter (PM_{10}) Maintenance Plan.	Kent	8/23/99	3/13/01 66 FR 14492	
Particulate Matter (PM_{10}) Maintenance Plan.	Seattle	8/23/99	3/13/01 66 FR 14492	
Particulate Matter (PM_{10}) Maintenance Plan.	Tacoma	8/23/99	3/13/01 66 FR 14492	
Particulate Matter (PM_{10}) Maintenance Plan.	Yakima	7/8/04	2/8/05 70 FR 6591	
Particulate Matter (PM_{10}) Attainment Plan—Revision.	Wallula	11/30/04	5/2/05 70 FR 22597	
Particulate Matter (PM_{10}) Maintenance Plan.	Spokane	11/30/04	7/1/05 70 FR 38029	
Particulate Matter (PM_{10}) Maintenance Plan.	Wallula	3/29/05	8/26/05 70 FR 50212	
Particulate Matter ($PM_{2.5}$) Clean Data Determination.	Tacoma, Pierce County.	05/22/12	09/04/12 77 FR 53772	
Particulate Matter ($PM_{2.5}$) 2008 Baseline Emissions Inventory and SIP Strengthening Rules.	Tacoma, Pierce County.	11/28/12	5/29/13, 78 FR 32131.	
Approval of Motor Vehicle Emission Budgets and Determination of Attainment for the 2006 24-Hour Fine Particulate Standard.	Tacoma, Pierce County.	11/28/12	9/19/13, 78 FR 57503.	
Particulate Matter (PM_{10}) 2nd 10-year Limited Maintenance Plan.	Thurston County	7/1/13	10/3/13, 78 FR 61188.	
Visibility and Regional Haze Plans				
Visibility New Source Review (NSR) for non-attainment areas for Washington.	Statewide		6/26/86 51 FR 23228	
Washington State Visibility Protection Program.	Statewide	11/5/99	6/11/03 68 FR 34821	
Regional Haze State Implementation Plan—TransAlta BART.	Statewide	12/29/11	12/6/12 77 FR 72742	
110(a)(2) Infrastructure and Interstate Transport				
Interstate Transport for the 1997 8-Hour Ozone and $PM_{2.5}$ NAAQS.	Statewide	1/17/07	1/13/09 74 FR 1591	
110(a)(2) Infrastructure Requirements—1997 ozone standard.	Statewide	1/24/12	5/24/12 77 FR 30902	

TABLE 2—ATTAINMENT, MAINTENANCE, AND OTHER PLANS—Continued

Name of SIP provision	Applicable geographic or nonattainment area	State submittal date	EPA approval date	Comments
Other Federally Mandated Plans				
Oxygenated Gasoline Program		1/22/93	1/20/94 59 FR 2994	
Business Assistance Program		11/16/92	3/8/95 60 FR 12685	
Motor Vehicle Inspection & Maintenance Program.		8/21/95	9/25/96 61 FR 50235	
Supplementary Documents				
Air Quality Monitoring, Data Reporting and Surveillance Provisions.		4/15/81		
Energy Facilities Site Evaluation Council (EFSEC) Memorandum of Agreement.		2/23/82		

[78 FR 17110, Mar. 20, 2013, as amended at 78 FR 32134, May 29, 2013; 78 FR 57075, Sept. 17, 2013; 78 FR 57504, Sept. 19, 2013; 78 FR 61189, Oct. 3, 2013; 79 FR 12078, Mar. 4, 2014; 79 FR 26630, May 9, 2014; 79 FR 25014, May 2, 2014]

EFFECTIVE DATE NOTE: At 79 FR 33452, June 11, 2014, § 52.2470 was amended in paragraph (d) by adding footnote 1 to the table and adding six entries to the end of the table and in paragraph (e) by adding in TABLE 2—ATTAINMENT, MAINTENANCE, AND OTHER PLANS an entry ''Regional Haze SIP'' at the end of the section with the heading ''Visibility and Regional Haze Plans.'', effective July 11, 2014. For the convenience of the user, the added text is set forth as follows:

§ 52.2470 Identification of plan.

* * * * *

(d) * * *

EPA-APPROVED WASHINGTON SOURCE-SPECIFIC REQUIREMENTS [1]

Name of source	Order/permit number	State effective date	EPA approval date	Explanation
*	*	*	*	*
BP Cherry Point Refinery.	Administrative Order No. 7836.	7/7/2010	6/11/2014 [Insert page number where the document begins].	The following conditions: 1.2, 1.2.1, 1.3, 1.3.2, 1.3.3, 2.2, 2.2.1,2.2.2,2.2.3, 2.2.4, 2.2.5, 2.3, 2,3,1, 2.3.2, 2.4, 2.4.1, 2.4.2, 2.5, 2.5.1, 2.5.2, 2.5.2.1, 2.6, 2.6.1, 2.6.1.1., 2.6.1.2, 2.6.2, 2.6.3, 2.6.4, 2.7, 2.7.1, 2.7.2, 2.7.3, 2.8, 2.8.1, 2.8.2, 2.8.3, 2.8.4, 2.9, 2.9.1, 2.9.2, 2.9.3, 2.9.4, 2.9.5, 2.9.6, 3., 3.2, 3.2.1, 3.2.2, 3.3, 3.3.1, 3.3.1.1, 3.3.2, 3.3.3, 3.3.4, 4, 4.1, 4.1.1, 4.1.1.1, 4.1.1.2, 4.1.1.3, 4.1.1.4, 5., 6, 6.2, 6.3, 6.4, 7.
Alcoa Intalco Works	Administrative Order No. 7837, Revision 1.	11/15/10	6/11/14 [Insert page number where the document begins].	The following conditions: 1, 2., 2.1, 3., 4., 4.1, Attachment A conditions: A1, A2, A3, A4, A5, A6, A7, A8, A9, A10, A11, A12, A13, A14.

EPA-APPROVED WASHINGTON SOURCE-SPECIFIC REQUIREMENTS [1]—Continued

Name of source	Order/permit number	State effective date	EPA approval date	Explanation
Tesoro Refining and Marketing Company.	Administrative Order 7838.	7/7/10	6/11/14 [Insert page number where the document begins].	The following conditions: 1., 1.1, 1.1.1, 1.1.2, 1.2, 1.3, 1.4, 1.5, 1.5.1, 1.5.1.1,1.5.1.2, 1.5.1.3, 1.5.2, 1.5.3, 1.5.4, 1.5.5, 1.5.6, 2., 2.1, 2.1.1, 2.1.1.1, 2.1.2, 2.1.3, 2.2, 2.2.1, 3. 3.1, 3.1.1, 3.1.2, 3.1.2.1, 3.1.2.2, 3.1.2.3, 3.2, 3.2.1, 3.2.1.1, 3.2.1.2, 3.2.1.3, 3.2.1.4, 3.2.1.4.1, 3.2.1.4.2, 3.2.1.4.3, 3.2.1.4.4, 3.2.1.4.5, 3.3, 3.3.1, 3.4, 3.4.1, 3.4.2, 4., 4.1, 5., 5.1, 6., 6.1, 6.1.1, 6.1.2, 6.1.3, 6.1.4, 7., 7.1, 7.1.1, 7.1.2, 7.1.3, 7.1.4, 7.1.5, 7.2, 7.2.1, 7.2.2, 7.2.3, 7.2.4, 8. 8.1, 8.1.1, 8.1.2, 8.2, 8.2.1, 8.2.2, 8.2.3, 8.3, 8.3.1, 8.3.2, 9., 9.1, 9.1.1, 9.1.2, 9.2, 9.2.1, 9.39.3.1, 9.3.2, 9.3.3,9.4, 9.4.1, 9.4.2, 9.4.3, 9.4.5, 9.4.6, 9.5, 10, 11, 12, 13, 13.1, 13.2, 13.3, 13.4, 13.5, 13.6.
Port Townsend Paper Corporation.	Administrative Order No. 7839, Revision 1.	10/20/10	6/11/14 [Insert page number where the document begins].	The following Conditions:1, 1.1, 1.2, 1.3, 2, 2.1, 3, 3.1, 4.
Lafarge North America, Inc. Seattle, Wa.	Administrative Revised Order No. 7841.	7/28/10	6/11/14 [Insert page number where the document begins].	The following Conditions: 1, 1.1, 1.2, 2, 2.1, 2.1.1, 2.1.2, 2.2, 2.3, 3, 3.1, 3.1.1, 3.1.2, 3.1.3, 3.2, 3.3, 4, 4.1, 5, 5.1, 5.1.1, 5.1.2, 5.2, 5.3, 6, 6.1, 7, 7.1, 7.2, 7.3, 7.4, 7.5, 8, 8.1, 8.2, 8.3, 8.4, 8.5, 9, 10, 11, 12.
Weyerhaeuser Corporation, Longview, Wa.	Administrative Order No. 7840.	7/7/10	6/11/14 [Insert page number where the document begins].	The following Conditions: 1, 1.1, 1.1.1, 1.1.2, 1.1.3, 1.2, 1.2.1, 1.2.2, 1.2.3, 1.3, 1.3.1, 1.4, 2, 2.1, 3, 3.1, 4, 4.1.

[1] The EPA does not have the authority to remove these source-specific requirements in the absence of a demonstration that their removal would not interfere with attainment or maintenance of the NAAQS, violate any prevention of significant deterioration increment or result in visibility impairment. Washington Department of Ecology may require removal by submitting such a demonstration to the EPA as a SIP revision.

(e) * * *

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TABLE 2—ATTAINMENT, MAINTENANCE, AND OTHER PLANS

Name of SIP provision	Applicable geographic or nonattainment area	State submittal date	EPA approval date	Comments
*	*	*	*	* * *
Visibility and Regional Haze Plans				

TABLE 2—ATTAINMENT, MAINTENANCE, AND OTHER PLANS—Continued

Name of SIP provision	Applicable geographic or nonattainment area	State submittal date	EPA approval date	Comments
* * *	*	*	*	*
Regional Haze SIP	State-wide	12/22/10	6/11/14 [Insert page number where the document begins].	The Regional Haze SIP including those provisions relating to BART incorporated by reference in §52.2470 'Identification of plan' with the exception of the BART provisions that are replaced with a BART FIP in §52.2498 Visibility protection., §52.2500 Best available retrofit technology requirements for the Intalco Aluminum Corporation (Intalco Works) primary aluminum plant—Better than BART Alternative., §52.2501 Best available retrofit technology (BART) requirement for the Tesoro Refining and Marketing Company oil refinery—Better than BART Alternative., §52.2502 Best available retrofit technology requirements for the Alcoa Inc.—Wenatchee Works primary aluminum smelter.
* * *	*	*	*	*

§52.2471 Classification of regions.

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

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Ozone
Eastern Washington-Northern Idaho Interstate	I	IA	III	I	III
Northern Washington Intrastate	II	III	III	III	III
Olympic-Northwest Washington Intrastate	II	II	III	III	III
Portland Interstate	I	IA	III	I	I
Puget Sound Intrastate	I	IA	III	I	I
South Central Washington Intrastate	I	III	III	III	III

[37 FR 10900, May 31, 1972, as amended at 39 FR 16347, May 8, 1974; 45 FR 37836, June 5, 1980]

§52.2472 Extensions.

The Administrator, by authority delegated under section 188(d) of the Clean Air Act, as amended in 1990, extends for one year (until December 31, 1995) the attainment date for the Spokane, Washington, PM–10 nonattainment area and the Wallula, Washington, PM–10 nonattainment area.

[60 FR 47280, Sept. 12, 1995]

§52.2473 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Washington's plan for the attainment and maintenance of National Standards under section 110 of the Clean Air Act. The regulations included in the SIP (See Table 52.2479) are applicable statewide unless otherwise noted in the regulation itself. Furthermore, the Administrator finds that the plan as identified in §52.2470 satisfies requirements of Part D, Title 1, of the Clean Air act as amended in 1977, except as noted in the following sections. Continued satisfaction of the requirements of Part D for the ozone portion of the SIP depends on the adoption and submittal of RACT requirements by July 1, 1980 for the sources covered by CTGs issued between January 1978 and January 1979 and adoption and submittal by each subsequent January of additional RACT requirements for sources covered

by CTGs issued by the previous January. New source review permits pursuant to section 173 of CAA will not be deemed valid by EPA unless the provisions of Section V of the emission offset interpretive rule published on January 16, 1979 (44 FR 3274) are met.

[45 FR 37836, June 5, 1980, as amended at 46 FR 45609, Sept. 14, 1981; 47 FR 7840, Feb. 23, 1982]

§ 52.2474 General requirements.

(a) *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.

[40 FR 55334, Nov. 28, 1975]

§ 52.2475 Approval of plans.

(a) *Carbon Monoxide.*

(1) Yakima.

(i) EPA approves as a revision to the Washington State Implementation Plan, the Yakima Carbon Monoxide maintenance plan submitted by the State on August 31, 2001.

(ii) [Reserved]

(2) Spokane.

(i) EPA approves as a revision to the Washington State Implementation Plan, A Plan for Attaining Carbon Monoxide National Ambient Air Quality Standards in the Spokane Serious Nonattainment Area submitted by the Washington Department of Ecology on September 20, 2001 and November 22, 2004.

(ii) EPA approves as a revision to the Washington State Implementation Plan, the Spokane Carbon Monoxide Maintenance Plan, adopted April 27, 2004 effective June 24, 2004, submitted by the Washington Department of Ecology on November 29, 2004.

(3) Central Puget Sound.

(i) EPA approves as a revision to the Washington State Implementation Plan, the Central Puget Sound Carbon Monoxide and Ozone Second 10-Year Maintenance Plans submitted by the State on December 17, 2003.

(ii) [Reserved]

(4) Vancouver.

(i) EPA approves as a revision to the Washington State Implementation Plan, the Vancouver Air Quality Maintenance Area Second 10-year Carbon Monoxide Maintenance Plan submitted by the Washington Department of Ecology on April 25, 2007.

(ii) [Reserved]

(b) *Lead*. [Reserved]

(c) *Nitrogen Dioxide*. [Reserved]

(d) *Ozone*. [Reserved]

(e) *Particulate Matter*.

(1) Yakima.

(i) EPA approves as a revision to the Washington State Implementation Plan, the Yakima County PM–10 Nonattainment Area Limited Maintenance Plan adopted by the Yakima Regional Clean Air Authority on June 9, 2004, and adopted and submitted by the Washington Department of Ecology on July 8, 2004.

(ii) [Reserved]

(2) Wallula.

(i) EPA approves as a revision to the Washington State Implementation Plan, the Wallula Serious Area Plan for PM_{10} adopted by the State on November 17, 2004 and submitted to EPA on November 30, 2004.

(ii) EPA approves, as a revision to the Washington State Implementation Plan, the Wallula PM_{10} maintenance plan, adopted by the Washington Department of Ecology on March 29, 2005 and submitted to EPA.

(3) Spokane.

(i) EPA approves as a revision to the Washington State Implementation Plan, the Spokane County PM10 Nonattainment Area Limited Maintenance Plan adopted by the Spokane Regional Clean Air Authority on November 17, 2004, and adopted and submitted by the Washington Department of Ecology on November 30, 2004.

(4) Tacoma

(i) *Determination of Clean Data*. EPA has determined, as of *September 4, 2012*, that based on 2009 to 2011 ambient air quality data the Tacoma, Pierce County nonattainment area has attained the 24-hour 2006 $PM_{2.5}$ NAAQS. This determination, in accordance with 40 CFR 51.1004(c), suspends the requirements for the 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 the area continues to meet the 24-hour 2006 $PM_{2.5}$ NAAQS.

(ii) [Reserved]

(f) *Sulfur dioxide*. [Reserved]

(g) *Visibility*. (1) EPA approves as a revision to the Washington State Implementation Plan, the November 5, 1999, Visibility SIP revision, except that EPA is taking no action on Section VIII. Identification and Analysis for Best Available Retrofit Technology (BART), and Section X, New Source Review of the November 5, 1999, Visibility SIP revision.

(2) EPA approves the Best Available Retrofit Technology (BART) determination for the TransAlta Centralia Generating LLC facility in Centralia Washington submitted by the Washington State Department of Ecology on December 29, 2011.

[67 FR 66560, Nov. 1, 2002, as amended at 68 FR 34825, June 11, 2003; 69 FR 47366, Aug. 5, 2004; 70 FR 6592, Feb. 8, 2005; 70 FR 22599, May 2, 2005; 70 FR 24992, May 12, 2005; 70 FR 37272, June 29, 2005; 70 FR 38038, July 1, 2005; 70 FR 39927, July 12, 2005; 70 FR 50213, Aug. 26, 2005; 73 FR 36443, June 27, 2008; 77 FR 53773, Sept. 4, 2012; 77 FR 72744, Dec. 6, 2012]

EFFECTIVE DATE NOTE: At 79 FR 33453, June 11, 2014, § 52.2475 was amended by revising the heading of paragraph (g) and paragraph (g)(1), effective July 11, 2014. For the convenience of the user, the revised text is set forth as follows:

§ 52.2475 Approval of plans.

* * * * *

(g) *Visibility protection*. (1) The EPA approves portions of a Regional Haze SIP submitted by the Washington Department of Ecology on December 22, 2010, as meeting the requirements of Clean Air Act section 169A and 169B and 40 CFR 51.308, with the exception of certain BART requirements for the Alcoa Intalco Works, the Alcoa Wenatchee Works, and the Tesoro Refining and Marketing Company.

* * * * *

§ 52.2476 Discretionary authority.

(a) This section applies to any variance, exception, exemption, alternative emission limitation, bubble, alternative sampling or testing method, compliance schedule revision, alternative compliance schedule, or any other substantial change to a provision of the state implementation plan, granted by the Department of Ecology, the Department of Natural Resources, the Energy Facility Site Evaluation

Council, or a local air pollution control agency in accordance with any discretionary authority granted under its statutes or regulations, regardless of whether such statutes or regulations are part of the state implementation plan.

(b) Any change to a provision of the state implementation plan described in paragraph (a) of this section must be submitted by the state for approval by EPA in accordance with the requirements of 40 CFR 51.104.

(c) Any change to a provision of the state implementation plan described in paragraph (a) of this section does not modify the requirements of the federally-approved state implementation plan or a federally-promulgated implementation plan until approved by EPA as a revision to the state implementation plan in accordance with section 110 of the Clean Air Act.

[56 FR 24136, May 29, 1991]

§ 52.2477 .Original identification of plan section.

(a) This section identified the original ''Air Quality Implementation Plan for the State of Washington'' and all revisions submitted by Washington that were federally approved prior to December 7, 2012.

(b) The plan was officially submitted on January 28, 1972.

(c) The plan revisions listed below were submitted on the dates specified.

(1) Contingency request for a two year extension for carbon monoxide and nitrogen dioxide in the Puget Sound Intrastate Region and for carbon monoxide in the Eastern Washington-Northern Idaho Interstate Region submitted on January 28, 1972, by the Governor.

(2) Request for a two year extension, delegation of legal authority and amendments to the implementation plan submitted on May 5, 1972, by the Governor.

(3) Notices of public hearings and certifications that hearings were held regarding implementation plan matters submitted on July 18, 1972, by the Department of Ecology.

(4) Clarifying submission (Non-regulatory) to the implementation plan submitted on September 11, 1972, by the Governor.

(5) Compliance schedules submitted on December 12, 1972, by the Washington Department of Ecology.

(6) Compliance schedules, revisions to WAC 18–04, 18–12 and 18–40, and a new regulation WAC 18–06 submitted on February 15, 1973, by the Governor.

(7) Transportation control plan submitted on April 13, 1973, by the Governor.

(8) Revisions to the transportation control plan submitted on May 31, 1973, by the Governor.

(9) Compliance schedules submitted on July 25, 1973, by the Department of Ecology.

(10) Indirect source plan submitted on October 11, 1973, by the Department of Ecology.

(11) Indirect source regulation (WAC 18–24) submitted on June 14, 1974, by the Governor.

(12) Air quality maintenance area designation submitted on May 31, 1974, by the Washington Department of Ecology.

(13) Revisions to the State and local agency open burning regulations submitted on September 10, 1973, by the Department of Ecology.

(14) Information regarding the approval of the revised open burning regulations submitted on May 23, 1975, by the Department of Ecology.

(15) Revision to section 9.05(c) of Regulation I of the Olympic Air Pollution Control Authority submitted November 6, 1975 by the Governor.

(16) On April 4, 1979 the State of Washington Department of Ecology submitted a request to extend for eighteen months the date for plan submission for all secondary total suspended particulate nonattainment areas.

(17) On June 26, 1975 the Governor submitted amendments to WAC 18–24 ''State jurisdiction over Motor Vehicles'' which repealed the program for preconstruction review and approval of indirect sources, leaving only Sections 020—Definitions and 030—Assumption of Jurisdiction. On April 27, 1979 the Governor submitted revisions required by Part D of the Clean Air Act as amended in 1977, specifically: plans for the Seattle primary total suspended particulate (TSP) nonattainment area,

the Tacoma primary TSP nonattainment area, the Seattle-Tacoma carbon monoxide (CO) and ozone nonattainment areas (along with a request for an extension of the attainment dates to beyond December 31, 1982), the Spokane primary TSP nonattainment area, the Clarkston primary TSP nonattainment area, the Vancouver primary TSP nonattainment area, and the Yakima CO nonattainment area; revisions to State and local regulations for nonattainment areas (WAC 173–400–010, 173–400–020, 173–400–030, 173–400–040 (except (13)), 173–400–050, 173–400–060, 173–400–070, 173–400–090, 173–400–100, 173–400–110, and 173–400–120; WAC 173–420; WAC 173–425, WAC 173–490 (except 173–150); Puget Sound Air Pollution Control Agency Regulation I, Articles 1, 3, 6, 9 (Sections 9.02, 9.02A, 9.03, 9.04, 9.05, 9.06, 9.07(d), 9.07(e), and 9.09); Northwest Air Pollution Control Authority Regulation Section 455.11; and Spokane County Air Pollution Control Authority Regulation Article IV, Section 4.01); and the rescission of State and local agency regulations which duplicated applicable Federal or State regulations for nonattainment areas (WAC 18–04–010, 18–04–020, 18–04–030, 18–04–040, 18–04–050, 18–04–060, 18–04–070, 18–04–090, 18–04–100, 18–04–110, and 18–04–120; WAC 18–06; WAC 18–12; WAC 18–20; WAC 18–24; WAC 18–28; WAC 18–32; WAC 18–40; WAC 18–44; WAC 18–46; WAC 18–48; WAC 18–56; WAC 18–60; Puget Sound Air Pollution Control Agency Regulation I, Articles 5, 9 (Sections 9.07(a), 9.07(b), 9.11, 9.12, 9.13, 9.15, and 9.16), and 11; Spokane County Air Pollution Control Authority Regulations I and II (except Article IV, Section 4.01); Northwest Air Pollution Authority Regulations 1 and 2 and Section 501 Southwest Air Pollution Control Agency Regulations 1 and 2; Olympic Air Pollution Control Agency Regulation I; Yakima County Clean Air Authority Regulation 1; Grant County Clean Air Authority Regulation; Benton-Franklin-Walla Walla Air Pollution Control Agency Regulation; and Douglas County Air Pollution Control Commission Article V, Section 5.01). On May 18, 1979 the State of Washington Department of Ecology submitted corrections to the Puget Sound area emission inventory in the April 27, 1979 submittal. On June 20, 1979 the Governor submitted the plan for the Vancouver ozone nonattainment area including a request for an extension of the attainment date to beyond December 31, 1982. On December 21, 1979 the State of Washington Department of Ecology submitted statutory authority for an automobile inspection and maintenance program and a detailed schedule for its implementation. On May 1, 1980 the State of Washington Department of Ecology submitted revised statutory language pertaining to State legal authority.

(18) On April 1, 1980 the State of Washington Department of Ecology submitted revisions to the regulations for Kraft Pulping Mills (WAC 173–405–011; 173–405–021; 173–405–031(1), (4), (5) and (6); 173–405–036(1), (2) and (4); 173–405–061; 173–405–071(2), (3), (4)(d), (4)(e) and (5); 173–405–077; 173–405–078; 173–405–086; and 173–405–101), Sulfite Pulping Mills (WAC 173–410–011; 173–410–021; 173–410–031; 173–410–036(1), (2) and (4); 173–410–041; 173–410–061 (1) through (8); 173–410–067; 173–410–071; 173–410–086; and 173–410–091), and Primary Aluminum Plants (WAC 18–52–010; 18–52–016; 18–52–021; 18–52–031 (2) and (4); 18–52–036(1); 18–52–056; 18–52–061; 18–52–071(1)(c), (1)(f), and (2); 18–52–077; and 18–52–086) and rescission of old regulations (WAC 18–36–010, 18–36–020, 18–36–030, 18–36–040, 18–36–050, 18–36–060, 18–36–070, 18–36–080, 18–36–090 and 18–36–100; WAC 18–38–010, 18–38–020, 18–38–030, 18–38–040, 18–38–050, 18–38–060, 18–38–070, 18–38–080 and 18–38–090; and WAC 18–52–015, 18–52–020, 18–52–030 (except (3)), 18–52–040, 18–52–060, 18–52–070 and 18–52–080) to satisfy the requirements of Part D of the Clean Air Act.

(19) On April 27, 1979 the Governor submitted the plan for the Spokane carbon monoxide (CO) nonattainment area. On September 10, 1980 the State of Washington Department of Ecology submitted a revised transportation control plan for the Spokane CO nonattainment area.

(20) On March 5, 1980 the State of Washington Department of Ecology submitted a plan revision to meet the requirements of 40 CFR part 58, subpart C, § 58.20 Air Quality Monitoring.

(21) On April 27, 1979 the Governor submitted a provision for maintenance of pay (WAC 173–400–160).

(22) On June 24, 1980 the State of Washington Department of Ecology submitted a new regulation WAC 173–402 ''Civil Sanctions Under Washington Clean Air Act''. On July 30, 1980 the State of Washington Department of Ecology submitted revisions to WAC 173–400 (specifically 173–020; 173–030; 173–040 (except (13)); 173–050; 173–060; 173–070; 173–090; 173–100; 173–110; and 173–120), WAC 173–405 (specifically 173–012; 173–021; 173–040 (1), (2), (3), (4), (5), (6) and (17); 173–072(1), (4) and (5); 173–077, 173–086; and 173–101; and rescission of 173–011; 173–031 (1), (4), (5) and (6); 173–036 (1), (2) and (4); 173–061; 173–071 (2), (3), (4)(d), (4)(e) and (5); and 173–078), WAC 173–410 (specifically 173–012; 173–021; 173–040 (1), (2), (3), (5) and (16); 173–062 (1), (2) and (3); 173–067; 173–086; 173–090; and 173–091; and rescission of 173–011; 173–031; 173–036 (1), (2) and (4); 173–041; 173–061 (1) through (8); and 173–071), WAC 173–415 (specifically 173–010; 173–020; 173–030(2)(b), (4), (5), (7) and (11); 173–050; 173–060(1)(c) and (2); 173–070; and 173–090), WAC 173–490 (specifically 173–010; 173–020; 173–025; 173–030; 173–040; 173–070; 173–071; and 173–080), rescission of old WAC 18–52 (specifically 18–010; 18–016; 18–021; 18–030(3); 18–031 (2) and (4); 18–036(1); 18–056; 18–061; 18–071(1)(c), (1)(f) and (2); 18–077; and 18–086), and revisions to the Seattle-Tacoma carbon monoxide, Seattle-Tacoma ozone, Vancouver ozone, Seattle primary total suspended particulate (TSP), Tacoma primary TSP, Vancouver primary TSP, Spokane primary TSP and Clarkston primary TSP nonattainment area plans, in order to satisfy the conditions of approval published on June 5, 1980 and July 31, 1980. On November 7, 1980 the State of Washington Department of Ecology submitted clarifying information, including the designated ''no burn'' areas for the Seattle, Tacoma and Spokane TSP nonattainment areas to satisfy the conditions of approval published on June 5, 1980. On January 13, 1981 the State of Washington Department of Ecology submitted further revisions to WAC 173–400–110 and WAC 173–490–020 and 173–490–040 in order to satisfy the conditions of approval published on June 5, 1980.

(23) On August 17, 1979 and July 30, 1980 the Governor submitted revisions to the State of Washington Implementation Plan to provide authority to the Energy Facility Site Evaluation Council to implement the plan required by section 110 of the Clean Air Act for energy facilities, specifically, statutory authority (80.50 RCW), applicable regulations (WAC 463–39–010; 463–39–020; 463–39–030 (except (4), (7), (10), (24), (25), (30), (35) and (36)); 463–39–040 (except introductory paragraph); 463–39–050; 463–39–060; 463–39–080; 463–39–100; 463–39–110 (except (1), first two sentences of (3)(b), (3)(c), (3)(d) and (3)(e)); 463–39–120; 463–39–130; 463–39–135; 463–39–150; and 463–39–170), and a Memorandum of Agreement between the Energy Facility Site Evaluation Council and the State of Washington Department of Ecology describing program implementation. On May 28, 1981, the Energy Facility Site Evaluation Council submitted an Attorney General's opinion certifying that 80.50 RCW provided sufficient enabling authority to meet the requirements of the Clean Air Act.

(24) On November 17, 1981 the State of Washington Department of Ecology submitted a revision to the plan for the Spokane carbon monoxide nonattainment area, including a schedule for the implementation of an expanded transit service to satisfy the condition of approval published on December 24, 1980.

(25) On July 30, 1980 the State of Washington Department of Ecology submitted revisions to the regulations for sources of volatile organic compounds (VOC), specifically WAC 173–490–200, 173–490–201, 173–490–202, 173–490–203, 173–490–204, 173–490–205 (except (d)), 173–490–206 and 173–490–207. On January 13, 1981 the State of Washington Department of Ecology submitted a further revision to WAC 173–490–203. On June 25, 1981 the State of Washington Department of Ecology submitted VOC source test methods. On November 13, 1981 the State of Washington Department of Ecology submitted clarifying information on the regulations for sources of VOC.

(26) On July 16, 1982 the State of Washington Department of Ecology submitted an attainment plan for the Vancouver ozone nonattainment area and amendments to the regulations for sources of volatile organic compounds (WAC–490–020, 490–025, 490–9040, 490–080,

490–203, 490–204, 490–205 and 490–208, and rescission of 490–206).

(27) On July 16, 1982 the State of Washington Department of Ecology submitted attainment plans for the Seattle-Tacoma ozone nonattainment area and the Seattle carbon monoxide (CO) nonattainment area, including regulations for motor vehicle emission inspection (WAC 173–422) and the Puget Sound Air Pollution Control Agency regulation for sources of volatile organic compounds (Regulation II). On December 1, 1982 the State of Washington Department of Ecology submitted procedures by which conformity of Federal projects with the Seattle-Tacoma ozone and Seattle CO plans will be determined.

(28) Amendments to page III–D–2 (TABLE 8—DEPARTMENT OF ECOLOGY SOURCE TEST METHODS WHICH ARE USED FOR COMPLIANCE) of the Washington State Implementation Plan, submitted by the State Department of Ecology on July 23, 1984.

(29) On September 13, 1983 the State of Washington Department of Ecology submitted a revision to add a lead strategy to the Washington Implementation Plan.

(30) On June 15, 1984 the Washington Department of Ecology submitted a demonstration of attainment of the lead standard for the area around a primary copper smelter in Tacoma, Washington.

(31) On June 16, 1983, the State of Washington Department of Ecology submitted to EPA, the Tacoma carbon monoxide attainment plan as an official SIP revision. This plan builds upon the July 16, 1982, Ozone SIP for the Puget Sound area.

(32) On September 27, 1984 the State of Washington Department of Ecology submitted a revision to the approved lead SIP which revised the demonstration of attainment for the secondary lead smelter in Seattle.

(33) On January 16, 1984 the Washington Department of Ecology submitted revisions to the approved SIP which added the PSAPCA emission offset and banking program to the approved SIP regulations. The revisions consisted of new section 1.07(s), 1.07(rr), 1.07(xx), 6.07(b)(7) and 6.08 of PSAPCA Regulation I.

(34) A revision to the Washington State Implementation Plan was submitted by the Director of the Washington Department of Ecology on September 27, 1984. The revision adds a mandatory Vehicle Inspection and Maintenance program to the Spokane Carbon Monoxide Plan.

(i) Incorporation by reference.

(a) Amendments to Chapter 173–422 Washington Administrative Code, Motor Vehicle Emission Inspection, which was published on April 18, 1984.

(ii) Additional material. (*a*) Technical Support Document as prepared by the Washington State Department of Ecology in support of approval dated January 11, 1985.

(35) On February 21, 1985 the State of Washington Department of Ecology submitted revisions to Regulation II, specifically, §§1.02, 2.13, 3.11 and 4.02, and ''Monitoring and Reporting Procedures for VOC Sources'' as adopted in Puget Sound Air Pollution Control Agency Resolution 568.

(i) Incorporation by reference.

(A) Letter dated February 21, 1985 from the Washington Department of Ecology to EPA Region 10.

(B) Resolution 568—Revisions to Regulation II and ''Monitoring and Reporting Procedures for VOC Sources'' as adopted by the Puget Sound Air Pollution Control Agency on December 13, 1984.

(36) Washington State's Visibility Protection Program, except Section V. B. New Source Review, Appendix A—Proposed Best Available Retrofit Technology Regulation and Appendix B—Proposed New Source Review Regulations, submitted by the Director of the Washington Department of Ecology on January 5, 1984; certain provisions of 173–403 WAC Implementation of Regulations for Air Contaminant Sources, specifically, WAC 173–403–030(2), (9), (11), (24), (25), (31), (42), (46), (51), and (52), submitted by the Director of the Washington Department of Ecology on April 1, 1985; WAC 173–403–090, submitted by the Director of the Washington Department of Ecology on September 6, 1983; and the State of Washington Department of Natural Resources Smoke Management Program,

submitted by the Director of the Washington Department of Ecology on April 27, 1979, and January 5, 1984.

(i) Incorporation by reference.

(A) Letter dated April 1, 1985, from the Director of the State of Washington Department of Ecology to EPA. Provisions of WAC 173–403–030 (Definitions) introductory text, (2), (9), (11), (24), (25), (31), (42), (46), (51), and (52), adopted by the State of Washington Department of Ecology on February 14, 1985.

(B) Letter dated September 6, 1983, from the Director of the State of Washington Department of Ecology to EPA. WAC 173–403–090 (''Retrofit Requirements for Visibility Protection''), adopted by the State of Washington Department of Ecology on August 25, 1983.

(C) Letter dated January 5, 1984, from the Director of the State of Washington Department of Ecology to EPA. ''Washington State's Visibility Protection Program (10/3/83),'' except Section V. B. ''New Source Review,'' Appendix A—''Proposed Best Available Retrofit Technology Regulation'' and Appendix B—''Proposed New Source Review Regulations'' adopted by the State of Washington Department of Ecology on January 5, 1984;

(D) Appendix K (''The State of Washington Department of Natural Resources Air Quality-Prescribed Burning Smoke Management Program'') revised June 1975.

(37) On April 28, 1983, the State of Washington Department of Ecology submitted amendments to the State of Washington sulfur dioxide emission limitation. These amendments clarify the averaging time for the sulfur dioxide emission limitation in WAC 173–400–040(6).

(i) Incorporation by reference.

(A) Letter dated April 28, 1983, from the Director of the Department of Ecology to EPA Region 10 amending the State of Washington State Implementation Plan.

(B) Washington Administrative Code [WAC] Chapter 173–400 [General Regulations for Air Pollution Sources], –040 [General Standard for Maximum Emissions], (6) [Sulfur Dioxide] introductory sentence adopted into state law by the State of Washington Department of Ecology on March 30, 1983 and became effective on May 11, 1983.

(38) On January 23, 1989 and May 14, 1991 the Director of the Department of Ecology submitted amended regulations as revisions to the Washington state implementation plan. EPA has approved the following as revisions to the implementation plan: WAC 173–400 (except for –040(1) (c) and (d); –040(2); –040(4); the second paragraph of –040(6); the exception provision in –050(3); –070(7); –075; –115; –120; –131; –136; –141; and –180) as in effect on March 22, 1991; the repeal of WAC 173–403 as in effect on March 22, 1991; WAC 173–405 (except for –033; –035; –040(1)(b); –040(1)(c); –040(3)(b); –040(3)(c); –040(4); –040(7); –040(8); –040(9); and –072(2)) as in effect on March 22, 1991; WAC 173–410 (except for –035; the exception provision in –040(3); and –040(5)) as in effect on March 22, 1991; WAC 173–415 (except for –020(1); –020(2); –030(1); –030(3)(b); –040; and –060(1) (a), (b), and (d)) as in effect on March 22, 1991; WAC 173–425 as in effect on October 18, 1990; WAC 173–430 as in effect on October 18, 1990; WAC 173–433 as in effect on October 18, 1990; WAC 173–434 (except for –110, –120, and –130(2)) as in effect on October 18, 1990; WAC 173–435 (except for –070(1)); as in effect on January 3, 1989; WAC 173–440 as in effect on October 18, 1990; WAC 173–470 (except for –110 and –150) as in effect on January 3, 1989.

(i) Incorporation by reference.

(A) January 23, 1989, letter from the Director of the Department of Ecology to EPA Region 10 submitting amendments to the Washington state implementation plan.

(B) May 14, 1991, letter from the Director of the Department of Ecology to EPA Region 10 submitting amendments to the Washington state implementation plan.

(C) Washington Administrative Code, Chapter 173–400 (General Regulations for Air Pollution Sources) (except for –040(1) (c) and (d), –040(2), –040(4), the second paragraph of –040(6), the exception provision in –050(3), –070(7), –075, –115, –120, –131, –136, –141, and –180) as in effect 3/22/91; Washington Administrative Code, Chapter 173–405 (Kraft Pulp Mills) (except for –033; –035; –040(1)(b), (1)(c), (3)(b), (3)(c), and (4); –040 (7), (8), and (9); and –072(2)) as in effect 3/22/91;

Washington Administrative Code Chapter 173–410 (Sulfite Pulping Mills) (except for 035; the exception provision in –040(3); and –040(5)) as in effect 3/22/91; Washington Administrative Code Chapter 173–415 (Primary Aluminum Plants) (except for –020 (1) and (2); –030(1); –030(3)(b); –040; and –060(1) (a), (b), and (d)) as in effect 3/22/91; Washington Administrative Code Chapter 173–425 (Open Burning) as in effect 10/18/90; Washington Administrative Code Chapter 173–430 (Burning of Field and Forage and Turf Grasses Grown for Seed) as in effect 10/18/90; Washington Administrative Code Chapter 173–433 (Solid Fuel Burning Device Standards) as in effect 10/18/90; Washington Administrative Code Chapter 173–434 (except for –110, –120, and –130(2)) as in effect 10/18/90; Washington Administrative Code Chapter 173–435 (Emergency Episode Plan) (except for–070(1)) as in effect 1/3/89; Washington Administrative Code Chapter 173–440 (Sensitive Areas) as in effect 10/18/90; and Washington Administrative Code Chapter 173–470 (Ambient Air Quality Standards for Particulate Matter) (except for –110 and –150) as in effect 1/3/89.

(39) On May 14, 1991, the Director of the Department of Ecology submitted revisions to the State of Washington Implementation plans for volatile organic compound emissions (WAC 173–490 ''Emission Standards and Controls for Sources Emitting Volatile Compounds'') attainment from stationary sources in ozone nonattainment areas.

(i) Incorporation by reference.

(A) May 14, 1991, letter from Washington Department of Ecology to EPA Region 10 submitting the VOC nonattainment area state implementation plan for Washington.

(B) WAC 173–490 ''Emission Standards and Controls for Sources Emitting Volatile Compounds'' as adopted on February 19, 1991, and became effective on March 22, 1991.

(40) On November 15, 1991, EPA received the Washington Department of Ecology submission for a PM_{10} nonattainment area state implementation plan for Kent, Washington.

(i) Incorporation by reference.

(A) November 5, 1990, letter from Washington Department of Ecology to EPA Region 10 submitting the PM_{10} nonattainment area state implementation plan for Kent, Washington.

(B) The PM_{10} nonattainment area state implementation plan for Kent, Washington as adopted by the Washington Department of Ecology on November 3, 1990, and effective on November 3, 1991.

(C) December 27, 1990, letter from Washington Department of Ecology to EPA Region 10 submitting an addendum to the PM_{10} nonattainment area state implementation plan for Kent, Washington.

(D) PM_{10} SIP addendum, dated June 5, 1990, to the PM_{10} Kent, Washington state implementation plan.

(E) November 15, 1991, letter from Washington Department of Ecology to EPA Region 10 submitting a supplement to the PM_{10} nonattainment area state implementation plan for Kent, Washington.

(F) PM_{10} SIP supplement, dated November 1991, to the PM_{10} Kent, Washington state implementation plan.

(41) On February 17, 1989, and November 15, 1991, the State of Washington Department of Ecology submitted PM_{10} nonattainment area state implementation plan revisions for Thurston County, Washington.

(i) Incorporation by reference.

(A) February 17, 1989, letter from Washington Department of Ecology to EPA Region 10 submitting the PM_{10} nonattainment area state implementation plan for Thurston County, Washington.

(B) The PM_{10} nonattainment area state implementation plan for Thurston County, Washington, as adopted by the Washington Department of Ecology on February 8, 1989.

(C) November 15, 1991, letter from Washington Department of Ecology to EPA Region 10 submitting revisions to the PM_{10} nonattainment area state implementation plan for Thurston County, Washington.

(D) Revision to the PM_{10} nonattainment area state implementation plan for Thurston County, Washington, as adopted by the Washington Department of Ecology on November 14, 1991.

(42) On January 22, 1993, the State of Washington Department of Ecology

submitted revisions to the State Implementation Plan for the State of Washington addressing the attainment and maintenance of the National Ambient Air Quality Standards for carbon monoxide in the King, Pierce, Snohomish, Clark and Spokane Counties.

(i) Incorporation by reference.

(A) January 22, 1993, letters from the State of Washington Department of Ecology to EPA Region 10 submitting amendments to the Washington State Implementation Plan for Carbon Monoxide in the King, Pierce, Snohomish, Clark, and Spokane Counties.

(B) Supplements to the State Implementation Plan for Washington State—a plan for attaining and maintaining National Ambient Air Quality Standards (NAAQS) for the Spokane Carbon Monoxide Nonattainment Area, Vancouver Air Quality Maintenance Area, and Puget Sound Carbon Monoxide Nonattainment Area, adopted on January 22, 1993.

(C) State Regulations Appendix B-Part 2, ''Motor Fuel Specifications for Oxygenated Gasoline, Chapter 173–492 WAC,'' of the Washington State SIP appendices, adopted October 6, 1992.

(D) State Policies and Guidelines Appendix D, ''Oxygenated Gasoline Program, Implementation Guidelines, Washington State Department of Ecology, September 1992.''

(43) On September 11, 1992 and October 8, 1993 the Director of the WDOE submitted revisions to PSAPCA's rules for the control of air pollution in Pierce, King, Snohomish, and Kitsap Counties, Washington as revisions to the Washington SIP. These revisions superseded and replaced previously submitted rules by PSAPCA.

(i) Incorporation by reference.

(A) September 11, 1992 letter from the Director of WDOE to EPA Region 10 submitting revisions to PSAPCA's rules for the control of air pollution in King, Pierce, Snohomish, and Kitsap Counties, Washington, for inclusion into the Washington SIP.

(B) Regulations I, II, and III as adopted by the Board of Directors, PSAPCA, and submitted through the WDOE to EPA Region 10, as a revision to the SIP, with a WDOE adopted date of September 16, 1992.

(C) October 8, 1993 letter from the Director of WDOE to EPA Region 10 submitting revisions to PSAPCA's rules for the control of air pollution in King, Pierce, Snohomish, and Kitsap Counties, Washington, for inclusion into the Washington SIP.

(D) Regulations I, II, and III as adopted by the Board of Directors, PSAPCA, and submitted through WDOE to EPA Region 10, as a revision to the SIP, with a WDOE adopted date of October 18, 1993.

(44) On September 22, 1993, the state of Washington, through the Washington State Department of Ecology, submitted a request to redesignate Tacoma to attainment for sulfur dioxide (SO_2).

(i) Incorporation by reference.

(A) September 22, 1993 letter from Washington State Department of Ecology to EPA Region 10 submitting a redesignation request for the Tacoma SO_2 Air Quality Maintenance Area (AQMA).

(45) On November 16, 1992 the Director of the Washington State Department of Ecology submitted ''State Implementation Plan for the Washington State Business Assistance Program,'' adopted November 13, 1992, as a revision to the Washington SIP.

(i) Incorporation by reference.

(A) November 13, 1992 letter from the Director of the Washington State Department of Ecology submitting ''State Implementation Plan for the Washington State Business Assistance Program'' to EPA.

(B) *State Implementation Plan for the Washington State Business Assistance Program,* including Appendix B, Revised Code of Washington (RCW) 70.94.035; Appendix D, Washington Administrative Code 173–400–180; Appendix E, RCW 70.94.181; and Appendix F, Business Assistance Program Guidelines (and exluding Appendices A, C, and G), dated November 1992, and adopted November 13, 1992.

(46) On January 28, 1993 the State of Washington submitted a SIP revision for the purpose of implementing an emission statement program for stationary sources within the Vancouver Air Quality Maintenance Area and the Central Puget Sound Ozone Nonattainment Area. The implementation plan

was submitted by the State to satisfy the Federal requirements for an emission statement program as part of the SIP for Washington State.

(i) Incorporation by reference.

(A) Letters dated January 22, 1993 from the Director of the Washington Department of Ecology to EPA Region 10 amending the Washington SIP for both the Vancouver and Central Puget Sound areas.

(B) ''Supplement to the SIP for Washington State, A Plan for Attaining and Maintaining National Ambient Air Quality Standards for Ozone in Central Puget Sound,'' sections 6.0, 6.1, and 6.2, adopted January 22, 1993.

(C) ''Supplement to the SIP for Washington State, A Plan for Attaining and Maintaining National Ambient Air Quality Standards for Ozone in the Vancouver Air Quality Maintenance Area,'' sections 7.0, 7.1, 7.2, and 7.3, adopted January 22, 1993.

(47) On November 5, 1990, December 27, 1990, November 15, 1991 and May 11, 1994 the Director of WDOE submitted to EPA SIP revisions for the purpose of bringing about attainment of the National ambient air quality standards (NAAQS) for particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers (PM–10). The implementation plan was submitted by the State to satisfy certain Federal Clean Air Act requirements for an approvable moderate nonattainment area PM–10 SIP for Seattle, Washington.

(i) Incorporation by reference.

(A) Letters dated November 5, 1990, December 27, 1990, November 13, 1991 and May 2, 1994, from WDOE to EPA submitting the revisions to the SIP for the State of Washington.

(B) Revisions to the Washington SIP for the purpose of bringing about attainment of the National ambient air quality standards (NAAQS) for particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers (PM–10):

(*1*) A Plan for Attaining and Maintaining the National Ambient Air Quality Standard for PM–10 in the Seattle Duwamish Valley, September 1989, adopted November 3, 1990;

(*2*) Resolution No. 639 (amendments to the PM–10 attainment and maintenance strategy), adopted December 8, 1988;

(*3*) State Implementation Plan for Particulate Matter in the Seattle Duwamish Valley, Supplement, dated November 1991, adopted November 14, 1991; and

(*4*) State Implementation Plan for Particulate Matter in the Seattle Duwamish Valley, Supplement, dated January 1, 1994, adopted May 4, 1994.

(48) On November 15, 1991, the Director of WDOE submitted to EPA a PM–10 nonattainment area SIP revision for the purpose of bringing about attainment of the National ambient air quality standards (NAAQS) for particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers (PM–10). The implementation plan was submitted by the State to satisfy certain Federal Clean Air Act requirements for an approvable moderate nonattainment area PM–10 SIP for Tacoma, Washington.

(i) Incorporation by reference.

(A) Letters dated November 13, 1991 and June 30, 1994 from WDOE to EPA submitting revisions to the State of Washington SIP.

(B) *State Implementation Plan for Particulate Matter in the Tacoma Tideflats, Pierce County,* including appendices A-F, dated November 1991, and adopted November 14, 1991.

(49) On November 10, 1993, the State of Washington Department of Ecology submitted a CO State Implementation Plan for Clark County, Washington.

(i) Incorporation by reference.

(A) November 10, 1993 letter from the State of Washington Department of Ecology to EPA Region 10 submitting the CO State Implementation Plan for Clark County, Washington.

(B) Supplement to a Plan for Attaining and Maintaining National Ambient Air Quality Standards for Carbon Monoxide in the Vancouver Air Quality Maintenance Area, Replacement Pages, as adopted by the Washington State Department of Ecology on November 15, 1993.

(50) By a letter dated December 29, 1993, the Director of WDOE submitted to the Regional Administrator of EPA a revision to the Washington SIP updating the regulations from the Northwest Air Pollution Authority.

(i) Incorporation by reference.

(A) The December 29, 1993 letter from the Director of the Washington State Department of Ecology submitting the Northwest Air Pollution Authority Regulations as a revision to the Washington SIP.

(B) Regulations of the Northwest Air Pollution Authority—sections 100, 101, 102, 103, 104.1, 105, 106, 110, 111, 112, 113, 114, 120, 121, 122, 123, 124, 130, 131, 132, 133, 134, 135, 140, 145, 150, 180, 200, 300, 301, 302, 303, 310, 320, 321, 322, 323, 324, 325, 340, 341, 342, 360, 365, 366, 400, 401, 410, 420, 421, 424, 450, 451, 452 (except for 452.5.), 455, 458, 460, 462, 466, 510, 520, 550, 560, and 580, effective on September 8, 1993.

(51) On April 11, 1994 the Washington Department of Ecology (WDOE) submitted the Southwest Air Pollution Control Authority (SWAPCA) 400 General Regulations for Air Pollution Sources as a revision to the Washington State Implementation Plan (SIP).

(i) Incorporation by reference.

(A) April 11, 1994 letter from the Director of WDOE to EPA Region 10 submitting the Southwest Air Pollution Control Authority SWAPCA 400 Regulation, General Regulations for Air Pollution Sources.

(B) Regulations of the Southwest Air Pollution Control Authority—Sections 010; 020; 030 except the second sentences of (14) and (43); 040 except (1)(c) and (1)(d) (2) (4) and the exception provision of (6)(a); 050 except the exception provision of (3); 052; 060; 070 except (7); 081; 090; 100 except the first sentence of (3)(a)(iv) and (5); 101; 105; 107; 110; 112; 113; 114; 151; 161; 171; 190; 200; 205; 210; 220; 230; 240; 250; and 260, effective on November 8, 1993.

(52) On December 6, 1994, the Director of WDOE submitted to EPA a contingency measure SIP revision for the Puget Sound Carbon Monoxide Nonattainment Area to satisfy certain applicable requirements of the Act.

(i) Incorporation by reference.

(A) Letter dated November 30, 1994 from WDOE to EPA submitting the CO revision for the Puget Sound area and, ''A Plan for Attaining and Maintaining National Ambient Air Quality Standards for the Puget Sound Carbon Monoxide Nonattainment Area,'' replacement pages 10–1 through 10–3, dated November 16, 1994, adopted November 29, 1994, and Attachment B of Addendum E, ''Contingency Measure Plan Element for the Central Puget Sound Region Carbon Monoxide State Implementation Plan—Final Plan,'' pages 1–15, dated May 26, 1994, and adopted November 29, 1994.

(53) Various minor revisions consisting of amended regulations affecting a local air agency, the Puget Sound Air Pollution Control Agency, and a recodified Table of Contents for the SIP were submitted to EPA from WDOE for inclusion into the Washington SIP.

(i) Incorporation by reference.

(A) Letters dated April 28, May 25, and December 5, 1994 from the Director of the Washington State Department of Ecology to the EPA Regional Administrator submitting minor revisions to PSAPCA's regulations for inclusion into the SIP: Puget Sound Air Pollution Control Agency, Regulations I, II, and III, adopted on May 4, 1994; Puget Sound Air Pollution Control Agency, Regulations I, II, and III, adopted on May 25, 1994; and Puget Sound Air Pollution Control Agency, Regulations I, II, and III, adopted on December 8, 1994.

(B) Letter dated January 26, 1995 from the Director of the Washington State Department of Ecology to the EPA Regional Administrator submitting the Recodified SIP Table of Contents, dated January 1995, and adopted on February 1, 1995.

(54) On March 8, 1994, the Director of WDOE submitted to the Regional Administrator of EPA numerous revisions to the State of Washington Implementation Plan which included updated new source review regulations and provisions for voluntary limits on a source's potential to emit. The revisions were submitted in accordance with the requirements of section 110 and Part D of the Clean Air Act (hereinafter the Act).

(i) Incorporation by reference.

(A) March 8, 1994 and May 8, 1995 letters from WDOE to EPA submitting requests for revisions to the Washington SIP consisting of an amended state regulation; Chapter 173–400 Washington Administrative Code General Regulations for Air Pollution Sources, adopted on August 20, 1993, in its entirety

with the exception of the following sections: –040(1)(c) and (d); –040(2); –040(4); the second paragraph of –040(6); the exception provision in –050(3); –070(7); –075; –112(8); –113(5); –114; –115; –120; –131; –136; –141; and –180.

(55) On January 22, 1993 the Director of the Washington State Department of Ecology (WDOE) submitted the amendment to the Washington SIP for Carbon Monoxide (CO) in the King, Pierce, and Snohomish Counties' Urbanized Areas.

(i) Incorporation by reference.

(A) The January 22, 1993 letter from the Director of the WDOE submitting the Amendment to the Washington SIP for Carbon Monoxide in the King, Pierce, and Snohomish Counties' Urbanized Areas to EPA, ''Supplement to the SIP for Washington State, Puget Sound Carbon Monoxide Nonattainment Area, January 1993,'' Section 6.0 Vehicle Miles Traveled Forecasting and Tracking, adopted on January 22, 1993.

(ii) Additional material.

(A) VMT supplements to include the VMT Tracking Report data required for the Puget Sound CO Nonattainment Areas, dated October 13, 1994 and September 19, 1994.

(56) On February 14, 1995, the Director for the Washington State Department of Ecology (WDOE) submitted amended regulations for the Northwest Air Pollution Authority (NWAPA) as a revision to the Washington State Implementation Plan (SIP).

(i) Incorporation by reference.

(A) The February 7, 1995 letter from the Director of WDOE submitting the amended NWAPA regulations to the Environmental Protection Agency (EPA); the Northwest Air Pollution Authority Regulations (approving sections 104.1, 132, 133, 200, 300, 301, 302, 322, 324 (except for 324.121), 340, 451, 462, 580) adopted on February 10, 1995.

(57) On May 2, 1995, WDOE submitted to EPA revisions to the Washington SIP addressing the conditional approval of the State Implementation Plan (SIP) for particulate matter (PM10) in the Tacoma TIdeflats PM10 Nonattainment Area.

(i) Incorporation by reference.

(A) May 2, 1995 letter from WDOE to EPA Region submitting the SIP revision for Particulate Matter in the Tacoma Tideflats, A Plan for Attaining and Maintaining the National Ambient Air Quality Standard for PM10, Supplement May 1995, adopted on May 4, 1995.

(58) On February 21, 1995 and May 11, 1994, WDOE submitted to EPA revisions to the Washington SIP addressing the contingency measures for the Seattle and Kent PM–10 nonattainment plans.

(i) Incorporation by reference.

(A) February 21, 1995 letter from the Washington Department of Ecology to EPA Region 10 submitting PSAPCA Section 13.07—Contingency Plan, adopted December 8, 1994, as a revision to the Seattle PM–10 attainment plan and the Washington SIP.

(B) May 11, 1994 letter from WDOE to EPA Region 10 submitting clarifying documentation to the contingency measure for Kent Valley PM–10 attainment plan.

(59) Various minor revisions consisting of amended regulations affecting a local air agency, PSAPCA, were submitted to EPA from the WDOE for inclusion into the Washington SIP.

(i) Incorporation by reference.

(A) Letters dated May 17, and September 7, 1995 from the Director of the WDOE to the EPA Regional Administrator submitting minor revisions to PSAPCA's regulations for inclusion into the SIP: PSAPCA, Regulation I adopted on May 22, 1995; PSAPCA, Regulation III adopted on September 11, 1995.

(60) On November 29, 1995 the Director of WDOE submitted to the Regional Administrator of EPA the Energy Facility Site Evaluation Council Regulations (EFSEC) as a revision to the Washington State Implementation Plan (SIP).

(i) Incorporation by reference.

(A) The November 29, 1995 letter from WDOE to EPA submitting requests for revisions to the Washington SIP to include the Energy Facility Site Evaluation Council Regulations; EFSEC Regulation Chapter 463–39 Washington Administrative Code General and Operating Permit Regulations for Air Pollution Sources, (excluding the following sections: 005 (2) through (4); –070; –090; –105; –115; –140; those portions of –005(1), –020, –030, –095, –100, and –120

containing any reference to regulations or provisions of regulations in Chapters 173–400, 173–401, 173–406, 173–460, or 463–58a) adopted on November 16, 1995.

(61) SIP revisions received from WDOE on August 21, 1995, requiring vehicle owners to comply with its I/M program in the two Washington ozone nonattainment areas classified as ''marginal'' and in the three carbon monoxide nonattainment areas classified as ''moderate''. This revision applies to the Washington counties of Clark, King, Pierce, Snohomish, and Spokane.

(i) Incorporation by reference.

(A) July 26, 1995 letter from Director of WDOE to the Regional Administrator of EPA submitting revisions to WDOE's SIP consisting of the July 1995 *Washington State Implementation Plan for the Motor Vehicle Inspection and Maintenance Program* (including Appendices A through F), adopted August 1, 1995, and a supplement letter and ''Tools and Resources'' table dated May 10, 1996.

(62) On September 30, 1994, the Director of WDOE submitted to the Regional Administrator of EPA a revision to the Carbon Monoxide State Implementation Plan for, among other things, the CO attainment demonstration for the Central Puget Sound carbon monoxide nonattainment area. This was submitted to satisfy federal requirements under section 187(a)(7) of the Clean Air Act, as amended in 1990, as a revision to the carbon monoxide State Implementation Plan.

(i) Incorporation by reference.

(A) September 30, 1994, letter from WDOE to EPA submitting an attainment demonstration revision for the Central Puget Sound CO nonattainment area (adopted on September 30, 1994); a supplement letter and document from WDOE, ''Reexamination of Carbon Monoxide Attainment Demonstration for the Tacoma Carbon Monoxide Monitoring Site for the Supplement to the State Implementation Plan for Washington State, A Plan for Attaining and Maintaining National Ambient Air Quality Standards for Carbon Monoxide in the Puget Sound Nonattainment Area,'' dated May 10, 1996; and a supplement letter and document from WDOE, ''Revisions to the May 1996 Reexamination of Carbon Monoxide Attainment Demonstration for the Tacoma Carbon Monoxide Monitoring Site'', dated September 12, 1996.

(63) On September 30, 1994, the Director of WDOE submitted to the Regional Administrator of EPA a revision to the carbon monoxide State Implementation Plan for, among other things, the 1990 and 1995 Emission Inventories for Area, Nonhighway Mobile, and On-Road Mobile Sources.

(i) Incorporation by reference.

(A) September 30, 1994, letter from WDOE to EPA submitting emission inventories for the Puget Sound CO nonattainment area (adopted on September 30, 1994); NonHighway Mobile Sources Emission Inventory for Carbon Monoxide and Precursors of Ozone for King, Pierce and Snohomish Counties Base Year 1990, dated December 1993; Stationary Area Sources Emission Inventory for Carbon Monoxide and Precursors of Ozone for King, Pierce and Snohomish Counties Base Year 1990, dated December 1993; Stationary Area Sources Emission Inventory for Carbon Monoxide and Precursors of Ozone for King, Pierce and Snohomish Counties Projection Year 1995, dated September 1994; Supplement to the SIP, ''Puget Sound Carbon Monoxide Nonattainment Area,'' Replacement Pages, dated September 1994; Non-Road Mobile Sources Emission Inventory for Carbon Monoxide and Precursors of Ozone for King, Pierce and Snohomish Counties, Base Year 1990, dated September 1994; Non-Highway Mobile Sources Projections for 1995 Emission Inventory for Carbon Monoxide and Precursors of Ozone for King, Pierce and Snohomish Counties, dated September 1994; Seattle-Tacoma Urban Carbon Monoxide Nonattainment Area 1990 Base Year On Road Mobile Source Emissions Inventory, dated August 1994; and Seattle-Tacoma Urban Carbon Monoxide Nonattainment Area 1995 Projected Year On Road Mobile Source Emissions Inventory, dated August 1994.

(64) Minor revisions consisting of amended regulations affecting WDOE and a local air agency, PSAPCA, were submitted to EPA from WDOE for inclusion into the Washington SIP.

(i) Incorporation by reference.

(A) Letters dated January 26, 1995 and December 27, 1995 from the Director of the WDOE to the EPA Regional Administrator which included deletion of two regulations from the Washington SIP (Chapter 173–402 WAC Civil Sanctions under Washington Clean Air Act, and Chapter 173–440 WAC Sensitive Areas), adopted on February 1, 1995, and the following revisions to PSAPCA's regulations for inclusion into the SIP: Regulation I, Section 3.11 Civil Penalties, Section 5.07 Registration Fees, and Section 5.11 Registration of Oxygenated Gasoline Blenders; and Regulation III, Section 1.01 Policy, all adopted on September 14, 1995.

(65) Several minor revisions consisting of amended regulations affecting a local air agency, the Puget Sound Air Pollution Control Agency, were submitted to EPA from the Washington State Department of Ecology for inclusion into the Washington State Implementation Plan.

(i) Incorporation by reference.

(A) Letter dated May 24, 1996 from the Director of the Washington State Department of Ecology to the EPA Regional Administrator submitting revisions to the Puget Sound Air Pollution Control Agency regulations for inclusion into the State Implementation Plan: Puget Sound Air Pollution Control Agency, Regulation I, Article 8, Outdoor Fires, sections 8.02, Outdoor Fires-Prohibited Types, and 8.05, Agricultural Burning, effective 3/14/96; Puget Sound Air Pollution Control Agency, Regulation III, Article 3, Source-Specific Emission Standards, section 3.03, Perchloroethylene Dry Cleaners, effective 12/14/95.

(66) On March 4, 1996 the Director of WDOE submitted to the Regional Administrator of EPA a revision to the Ozone State Implementation Plan for the Puget Sound area requesting the Puget Sound Nonattainment Area be reclassified to attainment and containing a maintenance plan that demonstrates continued attainment of the NAAQS for ozone. The emission inventory projections are included in the maintenance plan.

(i) Incorporation by reference.

(A) Letter submitted on March 4, 1996 from the Washington State Department of Ecology requesting the redesignation and submitting the maintenance plan; Central Puget Sound Region Redesignation Request and Maintenance Plan for the National Ambient Ozone Standard adopted on Febuary 6, 1996.

(ii) Additional material.

(A) Appendices to the Central Puget Sound Region Redesignation Request and Maintenance Plan for the National Ambient Ozone Standard, November 1995: Appendix A, Technical Analysis Protocol; Appendix B, Ozone Air Quality Monitoring Site Network; Appendix C, Ambient Ozone Monitoring Data; Appendix D, Historical and Projected Puget Sound Region VMT and Employment; Appendix E, 1993–2010 Emission Inventory Projection; Appendix F, Transportation Conformity Process; Appendix G, Outline of Puget Sound Tropospheric Ozone Research Plan; and Appendix H, Prospective Vehicle Inspection and Maintenance (Vehicle I/M) Program Evaluation Outline.

(67) On February 29, 1996 the Director of WDOE submitted to the Regional Administrator of EPA a revision to the Carbon Monoxide State Implementation Plan for the Central Puget Sound area containing a maintenance plan that demonstrated continued attainment of the NAAQS for carbon monoxide through the year 2010 and also containing an oxygenated fuels program as a contingency measure to be implemented if the area violates the CO NAAQS.

(i) Incorporation by reference.

(A) The February 29, 1996 letter from WDOE to EPA requesting the redesignation of the Puget Sound carbon monoxide nonattainment area to attainment and submitting the maintenance plan; the Central Puget Sound Region Redesignation Request and Maintenance Plan for the National Ambient Carbon Monoxide Standard dated January 1996.

(ii) Additional material.

(A) Letter dated May 2, 1996, to EPA from the Puget Sound Air Pollution Control Agency, subject ''Carbon Monoxide SIP Applicability on Indian Lands;'' and Appendices to the Puget Sound Region Redesignation Request and Maintenance Plan for the National Ambient Carbon Monoxide Standard

dated January 1996: Appendix A, Technical Analysis Protocol; Appendix B, Carbon Monoxide Air Quality Data Monitoring Network; Appendix C, Ambient Carbon Monoxide Monitoring Data; Appendix D, Historical and Projected Puget Sound Region VMT and Employment; Appendix E, Emission Inventory Projection; Appendix F, Analysis of the Probability of Continued CO Attainment in Puget Sound; and Appendix G, Transportation Conformity Process.

(68) On March 19, 1996, the Director of Washington State Department of Ecology (Washington) submitted to the Regional Administrator of EPA a revision to the Carbon Monoxide State Implementation Plan for the Vancouver area containing a maintenance plan that demonstrated continued attainment of the NAAQS for carbon monoxide through the year 2006 and also containing an oxygenated fuels program as a contingency measure to be implemented if the area violates the CO NAAQS.

(i) Incorporation by reference.

(A) Letter dated March 19, 1996 from Washington to EPA requesting the redesignation of the Vancouver carbon monoxide nonattainment area to attainment and submitting the maintenance plan; the ''Supplement to the State Implementation Plan for Carbon Monoxide (CO) in Vancouver, WA—Redesignation Request for Vancouver, WA as Attainment for CO,'' dated December 19, 1995, and adopted on February 29, 1996.

(B) Letters dated January 22, 1993 and April 22, 1994 from Washington to EPA submitting a revision and replacement pages to the State Implementation Plan; enclosure dated November 1992 entitled ''Portland-Vancouver Carbon Monoxide Non-attainment Area (Washington State Portion), 1990 Base Year Emissions Inventory,'' together with the emission inventory replacement pages for carbon monoxide in Vancouver, dated December 1993.

(ii) Additional material.

(A) Appendices to the Vancouver Area Redesignation Request and Maintenance Plan for the National Ambient Carbon Monoxide Standard dated December 1995: Appendix A, Technical Analysis Protocol; Appendix B, Carbon Monoxide Air Quality Data Monitoring Network; Appendix C, Carbon Monoxide Saturation Study; Appendix D, Carbon Monoxide Air Quality Monitoring Data; Appendix E, Emission Inventory; Appendix F, Conformity Process; Appendix G, Historical and Projected Population, Employment and Households; Appendix H, Portland/Vancouver Carbon Monoxide Nonattainment Area Separation Documentation; Appendix I, Washington Department of Ecology Vancouver Carbon Monoxide Study; and Appendix J, Maintenance Planning Process.

(69) EPA received from the Washington Department of Ecology PM_{10} nonattainment area plans for Wallula and Spokane, Washington, as revisions to the Washington state implementation plan.

(i) Incorporation by reference.

(A) November 13, 1991 letter from Washington Department of Ecology (WDOE) to EPA Region 10 submitting the *State Implementation Plan for Particulate Matter in the Wallula Study Area, A Plan for Attaining and Maintaining the National Ambient Air Quality Standard for* PM_{10} (including Appendices ''D'' (Exceptional Events Analysis), ''E'' (Reasonably Available Control Measure Analysis), ''F'' (Reasonably Available Control Technical Analysis of Boise Cascade, Wallula), and ''H'' (Discussion of Modified Attainment Demonstration)), adopted November 14, 1991; May 18, 1993 letter from WDOE forwarding a report titled, ''Addendum to the State Implementation Plan for the Wallula PM–10 Nonattainment Area, Reasonably Available Control Measure Analysis'', further describing the control measures being implemented in the area; June 23, 1994 letter from WDOE providing additional information describing the status of the control measures and forwarding an analysis of windblown dust in the area; April 28 and May 18, 1995, letters from WDOE to EPA Region 10, providing additional information on the allowable and fugitive emissions for point sources and air quality dispersion modeling; June 1, 1995, letter from WDOE providing information on allowable emissions; and a September 6, 1995, letter from WDOE

forwarding a revised emission inventory for point sources within the Wallula nonattainment area.

(B) December 9, 1994, letter from WDOE submitting the Spokane PM_{10} Attainment Plan (including Appendices ''C'' (Analysis of PM_{10} Data/Exceedances of the 24-Hour Standard), ''E'' (Detailed Analysis of Dust Storms/Analysis of the Impact of Biogenic PM_{10} Sources), ''F'' (Analysis of PM_{10} Data/Exceedances of the 24–Hour Standard, Excluding Dust Storms), ''I'' (Reasonable Available Control Measures Analysis), ''J,'' (Additional Controls/Contingency Measures), ''K,'' (Dispersion Modelling and Attainment Demonstration), and ''L,'' (Demonstration of Attainment of the Annual Standard)), dated December 1994, and adopted December 12, 1994;

(C) Spokane County Air Pollution Control Authority (SCAPCA) Order No. 91–01 providing for an alternate opacity limit for the Kaiser Aluminum and Chemical Corporation, Trentwood aluminum facility; SCAPCA Orders 96–03, 96–04, 96–05 and 96–06 (all dated April 24, 1996) lowering the potential to emit for the Kaiser Aluminum—Trentwood facility; and

(D) SCAPCA regulations: Article VI, section 6.05, ''Particulate Matter and Preventing Particulate Matter from Becoming Airborne,'' section 6.14, ''Standards for Control of Particulate Matter on Paved Surfaces,'' and section 6.15, ''Standards for Control of Particulate Matter on Unpaved Roads;'' (effective November 12, 1993); and Article VIII, ''Solid Fuel Burning Device Standards,'' (adopted April 7, 1988).

(ii) Additional material.

(A) SCAPCA's zoning ordinance provisions requiring the paving of new parking lots (4.17.059 and 4.802.080 of the Zoning Code of Spokane County, dated 5/24/90).

(70) On January 24, 1996 the Director of WDOE submitted to the Regional Administrator of EPA regulations of the SWAPCA for the control of air pollution in Clark, Cowlitz, Lewis, Skamania and Wahkiakum Counties, Washington (SWAPCA 400—General Regulation for Air Pollution Sources).

(i) Incorporation by reference.

(A) The January 24, 1996, letter from WDOE to EPA submitting requests for revisions to the Washington SIP to include regulations of the SWAPCA for the control air of pollution in Clark, Cowlitz, Lewis, Skamania and Wahkiakum Counties, Washington, as revisions to the Washington SIP, State-effective September 21, 1995. EPA is approving the following sections of SWAPCA 400—General Regulation for Air Pollution Sources: 010; 020; 030 except the second sentence of (14), (45) and (80); 040 except (1)(c), (1)(d), (2), (4) and (6)(a); 050 except the exception provision of (3); 052; 060; 070 except (5); 074; 081; 091; 100 except the first sentence of (3)(a)(iv) and (4); 101; 105; 107; 109 except for (3)(b), (3)(c), (3)(g), (3)(h), and (3)(i), 110; 112; 113; 114; 151; 161; 171; 190; 200; 205; 210; 220; 230; 240; 250; 260; 270; and 280.

(71) On March 6, 1996, the Director of the Washington State Department of Ecology (Ecology) submitted to the Regional Administrator of EPA a revision to the Puget Sound Air Pollution Control Agency Regulations, Regulations I, II, and III.

(i) Incorporation by reference.

(A) Letter dated August 6, 1996 from the Department of Ecology to EPA revising the Puget Sound Air Pollution Control Agency Regulations; Regulation II Section 3.11 (Coatings and Ink Manufacturing), effective on May 16, 1996; and Regulation III Section 3.01 (Hard and Decorative Chromium Electroplating and Chromium Anodizing), effective on July 18, 1996.

(72) On November 26, December 3, and December 11, 1996, the Director of the Washington State Department of Ecology (Washington) submitted to the Regional Administrator of EPA revisions to the State Implementation Plan consisting of amendments to Washington regulations which remove the requirement for oxygenated gasoline in the Vancouver and Central Puget Sound areas.

(i) Incorporation by reference.

(A) Chapter 173–492, Washington Administrative Code (WAC), Motor Fuel Specifications for Oxygenated Gasoline, adopted December 5, 1996; Southwest Air Pollution Control Authority (SWAPCA) 492, Oxygenated Fuels, effective November 21, 1996; and Puget

Sound Air Pollution Control Agency, Regulation II, Section 2.09, Oxygenated Gasoline Contingency Measure and Fee Schedule, revised July 11, 1996.

(73) The Washington Department of Ecology (WDOE) and the Oregon Department of Environmental Quality (ODEQ) submitted Maintenance Plans that demonstrate continued attainment of the NAAQS for O_3 and requested redesignation of the Pdx/Van interstate nonattainment area from nonattainment to attainment for O_3. The SIP revision requests were submitted by the WDOE on June 13, 1996, and by ODEQ on August 30, 1996. A number of other O_3 supporting revisions are included in this submittal they are: the 1990 O_3 Emission Inventories; changes to the NSR programs; regulations implementing the hybrid low enhanced I/M programs; an expanded vehicle inspection boundary; minor RACT rule changes (Vancouver only); Employee Commute Options rule (Portland only); Voluntary Parking Ratio rule (Portland only); PSEL management rules (Portland only); and local area source supporting rules.

(i) Incorporation by reference.

(A) Vancouver, Washington Ozone Maintenance Plan and Redesignation Request—state adopted June, 17, 1996.

(B) Washington Inspection and Maintenance SIP revision WAC 173 422–030, –050, –060, –070, –170, –190—State adopted November 9, 1996.

(C) NSR: SWAPCA 400–030 (except for the second sentence of subsections (14) and (49), and subsection (84)), 101, 109 (except subsections (3)(b), (3)(c), (3)(g), (3)(h), and (3)(i)), 110, 111, 112, 113, 114, 116, and 190, effective November 21, 1996.

(D) Supporting Rules.

(*1*) SWAPCA 491–010, –015, –020, –030, –040, –050, –060,—State-effective on November 1, 1996.

(*2*) SWAPCA 490–010, –020, –025, –030, –040, –080, –090, –200, –201, –202, –203, –204, –205, –207, –208—State effective November 21, 1996.

(*3*) SWAPCA 493–100, 493–200–010, –020, –030, –040, –050, –060, 493–300–010, –020, –030, –040, –050, –060, 493–400–010, –020, –030, –040, –050, –060, –070, 493–500–010, –020, –030, –040,—State effective May 26, 1996.

EDITORIAL NOTE: At 62 FR 42217, Aug. 6, 1997, the following paragraph (c)(73) was added to § 52.2470; however, paragraph (c)(73) already exists in the 1997 edition.

(73) On November 26, 1996 and April 7, 1997, the Director of the Washington State Department of Ecology (Washington) submitted to the Regional Administration of EPA revisions to the State Implementation Plan consisting of minor amendments to Puget Sound Air Pollution Control Agency (PSAPCA) Regulations I and III.

(i) Incorporation by reference.

(A) PSAPC Regulations approved—Regulation I, Sections 3.11, 3.23, 5.02, 5.05, 5.07, 6.03, 7.09—State-adopted 9/12/96. Regulation III, Section 4.03—State-adopted 9/12/96. Regulation I, Sections 5.03 and 6.04—State-adopted 12/12/96. Regulation III, Sections 1.11, 2.01, and 2.05—State-adopted 12/12/96.

(74) On November 26, 1996 and April 7, 1997, the Director of the Washington State Department of Ecology (Washington) submitted to the Regional Administration of EPA revisions to the State Implementation Plan consisting of minor amendments to Puget Sound Air Pollution Control Agency (PSAPCA) Regulations I and III.

(i) Incorporation by reference.

(A) PSAPCA Regulations approved—Regulation I, Sections 3.11, 3.23, 5.02, 5.05, 5.07, 6.03, 7.09—State-adopted 9/12/96. Regulation III, Section 4.03—State-adopted 9/12/96. Regulation I, Sections 5.03 and 6.04—State-adopted 12/12/96. Regulation III, Sections 1.11, 2.01 and 2.05—State-adopted 12/12/96.

(75) On January 22, 1993, September 14, 1993, and April 30, 1996, the Director of the Washington Department of Ecology submitted to the Regional Administrator of EPA four revisions to the SIP consisting of amendments to the Spokane CO SIP.

(i) Incorporation by reference.

(A) Letter dated January 22, 1993, from Washington to EPA requesting approval of revisions to the Spokane CO portion of the Washington State Implementation Plan; the ''Supplement to the State Implementation Plan for Washington State, Spokane Carbon Monoxide Nonattainment Area,'' dated January 1993, Sections 6.0, 6.1, 6.3, and 6.4.

(B) Letter dated September 14, 1993, from Washington to EPA providing

supplementary information to that submitted on January 22, 1993; ''Spokane County Carbon Monoxide Non-attainment Area 1990 Base Year Emissions Inventory,'' dated November 1992.

(C) Two letters dated April 30, 1996, from Washington to EPA submitting two revisions to the SIP; ''Supplement to A Plan for Attaining and Maintaining National Ambient Air Quality Standards for the Spokane Carbon Monoxide Nonattainment Area,'' dated March 1995; and ''Supplement to the State Implementation Plan for Washington State, Spokane County Carbon Monoxide Nonattainment Area, Supplement 1 of 2,'' replacement pages for Sections 2.5 and 6.2 of Section 4.5.2.CO.1 of the State Implementation Plan, dated January 1996; ''Supplement to the State Implementation Plan for Washington State, Spokane County Carbon Monoxide Nonattainment Area, Supplement 2 of 2,'' new Section 10.0, Contingency Measures, of Section 4.5.2.CO.1 of the State Implementation Plan, dated January 1996; and Spokane County Air Pollution Control Authority Motor Fuel Specifications for Oxygenated Gasoline, Regulation I, Article VI, Section 6.16, adopted July 6, 1995.

(ii) Additional material.

(A) Letter of September 29, 1995, submitting CO Periodic Emission Inventory Reports; ''Spokane County Carbon Monoxide Nonattainment Area, 1993 Periodic Update Emissions Inventory,'' dated September 1995.

(76) On March 24, 1989, the Washington Department of Ecology submitted a plan for attaining and maintaining the NAAQS for PM10 in the Yakima PM10 moderate nonattainment area requesting EPA's review and approval. The plan was amended with additional submittals between 1992 and 1995.

(i) Incorporation by reference.

(A) The attainment plan is contained in the following documents: a submittal of March 24, 1989, adopted that same date, from Washington State Department of Ecology, titled, *State Implementation Plan for Particulate Matter—Yakima Area A Plan for Attaining and Maintaining the National Ambient Air Quality Standard for PM10*; a supplement to the plan adopted August 19, 1992, titled, *Supplement State Implementation Plan for Particulate Matter (PM10) in Yakima, WA* and an addendum adopted February 3, 1994 on contingency measures.

(B) Portions of Restated Regulation I of the Yakima County Clean Air Authority, effective December 15, 1995, including Article I; Article II except Section 2.01; Article III; Article IV; Article V except Section 5.09; Article VIII; Article IX; Article XI; Article XII except Section 12.02; and, Article XIII except Sections 13.04 and 13.05.

(ii) Additional material:

(A) August 19, 1992: A modeling and inventory supplement to the original plan.

(B) March 10, 1995: A supplemental information package primarily on emissions and modeling.

(C) June 27, 1995: A supplemental letter on monitoring, public notice and emissions.

(D) August 17, 1995: A supplemental emissions analysis.

(E) November 3, 1995: More emissions analysis and the maintenance demonstration.

(77) On December 30, 1997, the Director of the Washington State Department of Ecology submitted to the Regional Administration of EPA revisions to the State Implementation Plan consisting of minor amendments to Puget Sound Air Pollution Control Agency (PSAPCA) Regulation I.

(i) Incorporation by reference.

(A) PSAPCA Regulations approved—Regulation I, Sections 3.11, 5.05, 5.07, 6.04, 6.10—State-adopted 9/11/97.

(78) EPA approves a minor revision to the SIP dated January 8, 1998 to include a variance to a permit issued to the U.S. Army for the operation of three heat recovery incinerators located at Fort Lewis by local air pollution control agency, the Puget Sound Air Pollution Control Agency.

(i) Incorporation by reference.

(A) Puget Sound Air Pollution Control Agency, Notice of Construction No. 7216, Date: Nov 25, 1997.

(79) February 22, 1999, letter from WDOE submitting a revision and replacement pages to the State Implementation Plan for the Spokane PM–10 Attainment Plan that will preserve the applicability of Section 6.14 Standards

for Control of Particulate Matter on Paved Surfaces, and Section 6.15 Standards for Control of Particulate Matter on Unpaved Roads, should the area be redesignated as attainment or the preexisting PM–10 standard is revoked for Spokane.

(i) Incorporation by reference.

(A) Spokane County Air Pollution Control Authority's Regulation I., Article VI: Section 6.14 Standards for Control of Particulate Matter on Paved Surfaces and; Section 6.15 Standards for Control of Particulate Matter on Unpaved Roads, effective February 13, 1999.

(80) On August 16, 1999, the Washington State Department of Ecology submitted a maintenance plan and redesignation request for the Thurston County PM–10 nonattainment area (dated June 11, 1997). EPA approves the Thurston County, Washington PM–10 area maintenance plan and the redesignation to attainment.

(81) On August 23, 1999, the Washington State Department of Ecology requested the redesignation of Kent, Seattle, and Tacoma PM–10 nonattainment areas to attainment of the National Ambient Air Quality Standard for particulate matter. EPA approves the State's PM–10 maintenance plan for Kent, Seattle, and Tacoma and request for redesignation to attainment.

(i) Incorporation by reference.

(A) Revised Code of Washington (RCW) 70.94.477(2), dated 1995.

(B) RCW 70.94.457, dated 1995.

(ii) Additional Material.

(A) August 23, 1999, letter from Washington State Department of Ecology to EPA Region 10 submitting the PM–10 maintenance plan for Kent, Seattle, and Tacoma nonattainment areas of Washington.

(82) On November 5, 1999, the State of Washington, Department of Ecology submitted a revision to the Visibility SIP. EPA approves all provisions to the November 5, 1999 Visibility SIP revision including, but not limited to the 1998 Smoke Management Plan, and South West Air Pollution Control Agency, Reasonably Available Control Technology order on the Centralia Power plant. EPA is taking no action on Section VIII. Identification and Analysis for Best Available Retrofit Technology (BART) and Section X, New Source Review, of the November 5, 1999, Visibility SIP revision.

(i) Incorporation by reference.

(A) South West Air Pollution Control Agency (SWAPCA) regulatory order, SWAPCA 97–2057R1, Regulatory Order to Establish RACT Limits and Order of Approval, Adopted February 26, 1998.

(B) [Reserved]

(83) On December 17, 2003, the Washington Department of Ecology submitted carbon monoxide and ozone second 10-year maintenance plans. The State's maintenance plans, meet the requirements of the Clean Air Act.

(i) Incorporation by reference.

(A) Puget Sound Clean Air Agency, Regulation I, Section 8.06, Outdoor Burning Ozone Contingency Measure, as in effect December 19, 2002.

(B) Puget Sound Clean Air Agency, Regulation II, Section 2.09, Oxygenated Gasoline Carbon Monoxide Contingency Measures and Fee Schedule, as in effect December 19, 2002.

(C) Puget Sound Clean Air Agency, Regulation II, Section 2.10, Gasoline Station Ozone Contingency Measure, as in effect December 19, 2002.

(84) On September 24, 2001 and February 9, 2004, the Washington State Department of Ecology submitted amendments to Puget Sound Clean Air Agency's regulations (Regulation I, II, and III) as revisions to the Washington State implementation plan.

(i) Incorporation by reference.

(A) The following new and revised sections of Puget Sound Clean Air Agency's Regulations: *Regulation I*, Sections 1.01, Policy; 1.03, Name of Agency; and 1.05, Short Title, adopted September 9, 1999; 3.04, Reasonably Available Control Technology [except (e)], adopted March 11, 1999; 3.06 Credible Evidence, adopted October 8, 1998; 5.03, Registration Required [except (a)(5)], adopted July 8, 1999; 5.05 General Reporting Requirements for Registration, adopted September 10, 1998; 7.09, General Reporting Requirements for Operating Permits, adopted September 10, 1998; 8.04, General Conditions for Outdoor Burning; 8.05, Agricultural Burning; 8.09, Description of King County No-Burn Area; 8.10, Description of Pierce County No-Burn

Area; and 8.11, Description of Snohomish County No-Burn Area, adopted November 9, 2000; and 8.12, Description of Kitsap County No-Burn Area, adopted October 24, 2002; 9.03, Emission of Air Contaminant: Visual Standard [except (e)], adopted March 11, 1999; 9.04, Opacity Standards for Equipment with Continuous Opacity Monitoring Systems [except (d)(2) and (f)], adopted April 9, 1998; 9.09, Particulate Matter Emission Standards, adopted April 9, 1998; 9.15, Fugitive Dust Control Measures, adopted March 11, 1999; 9.16, Spray-Coating Operations, adopted July 12, 2001; 12.01, Applicability and 12.03, Continuous Emission Monitoring Systems [except (b)(2)], adopted April 9, 1998; 13.01, Policy and Purpose, adopted September 9, 1999; and 13.02, Definitions, adopted October 8, 1998; *Regulation II*, Sections 1.01, Purpose; 1.02, Policy; 1.03, Short Title; and 1.05, Special Definitions, adopted September 9, 1999; 2.01, Definitions, adopted July 8, 1999; 2.07, Gasoline Stations, adopted December 9, 1999; 2.08, Gasoline Transport Tanks, adopted July 8, 1999; and 3.02, Volatile Organic Compound Storage Tanks, adopted July 8, 1999.

(B) The following Puget Sound Clean Air Agency Notice of Construction (NOC) Order of Approvals: Holnam, Inc., Ideal Division (now known as LaFarge North America, Inc.) NOC Order of Approval No. 5183, effective date February 9, 1994; and Saint-Gobain Containers LLC, NOC Order of Approval No. 8244, effective date September 30, 2004.

(C) Remove the following provisions from the current incorporation by reference: *Regulation I*, Sections 3.01, Duties and Powers of the Control Officer; 3.05, Investigations by the Control Officer; 3.07, Compliance Tests; 3.09, Violations—Notice; 3.11, Civil Penalties; 3.13, Criminal Penalties; 3.15, Additional Enforcement; 3.17, Appeal of Orders; 3.19, Confidential Information; 3.21, Separability; 3.23, Alternate Means of Compliance; 5.07, Registration Fees; 8.02, Outdoor Fires-Prohibited Types; 8.03, Outdoor Fires-Prohibited Areas; 9.03(e), Emission of Air Contaminant: Visual Standard; 9.09(c), Particulate Matter Emission Standards; 9.11, Emission of Air Contaminant: Detriment to Person or Property; 9.13, Emission of Air Contaminant: Concealment and Masking Restricted; 11.01, Ambient Air Quality Standards; 11.02, Ambient Air Monitoring; 12.02, Continuous Emission Monitoring Requirements; and 12.04, Recordkeeping and Report Requirements; *Regulation II*, Sections 2.04, Volatile Organic Compound Storage Tanks; and 3.07, Petroleum Solvent Dry Cleaning Systems; and *Regulation III*.

(ii) Additional Material.

(A) The following sections of Puget Sound Clean Air Agency *Regulation I*: Sections 3.01, Duties and Powers of the Control Officer, adopted September 9, 1999; 3.05, Investigations by the Control Officer, adopted February 10, 1994; 3.07, Compliance Tests, adopted February 9, 1995; 3.09, Violations—Notice, adopted August 8, 1991; 3.11, Civil Penalties, adopted September 26, 2002; 3.13, Criminal Penalties, adopted August 8, 1991; 3.15, Additional Enforcement, adopted August 8, 1991; 3.17, Appeal of Orders, adopted October 8, 1998; 3.19, Confidential Information, adopted August 8, 1991; and 3.21, Separability, adopted August 8, 1991.

(85) On November 15, 2004, the Washington State Department of Ecology submitted a PM10 Limited Maintenance Plan and requested the redesignation of the Spokane County PM10 Nonattainment area to attainment for PM10. The State's Limited Maintenance Plan, attainment year emissions inventory, and the redesignation request meet the requirements of the Clean Air Act. EPA approves the State's Limited Maintenance Plan and Moderate Area Plan requirements for the Spokane PM10 nonattainment area and request for redesignation to attainment.

(i) Incorporation by reference.

(A) Spokane County Air Pollution Control Authority (SCAPCA) orders #96–03 (modified October 4, 2000), #96–05 (modified October 4, 2000) and #96–06 (modified October 19, 2000) to regulate particulate matter emissions from the specific emission units of the Kaiser Aluminum and Chemical Corporation, Trentwood aluminum facility.

(86) On November 30, 2004, the Washington Department of Ecology (Ecology) submitted a serious area plan for

the Wallula serious nonattainment area for PM_{10}.

(i) Incorporation by reference.

(A) The following terms and conditions limiting particulate matter emissions in the following permits or administrative orders:

(1) Washington Department of Ecology Administrative Order No. 02AQER–5074 for IBP, Inc. (now known as Tyson Foods Inc.) dated December 6, 2002 except for the following: Finding number 4 (''T-BACT''), found on page 5 of document and item 3.3 of Approval Condition number 3 (''Emission Limits and Test Methods'') found on page 7 of the document.

(2) Washington State Department of Ecology Air Operating Permit for Boise White Paper, L.L.C. Permit No. 000369–7, dated December 1, 2004, the following condition only: 1.Q.1 (''Particulate-fugitive dust'') of item Q (''Landfill/Compost Operation'').

(3) Washington State Department of Ecology Administrative Order for Boise Cascade Corporation, Wallula Mill, Order No. 1614–AQ04, dated August 19, 2004 and effective September 15, 2004, the following condition only: No. 1 (''Approval Conditions'') and Appendix A (''Dust Control Plan'' for Boise Paper—Wallula Mill, ''Landfill and Composting Areas'') dated February 18, 2004.

(4) Fugitive Dust Control Plan for Simplot Feeders Limited Partnership, dated December 1, 2003.

(B) [Reserved]

(ii) Additional Material.

(A) Washington State Department of Ecology Columbia Plateau Windblown Dust Natural Events Action Plan, dated 2003.

(B) Washington State Department of Ecology Fugitive Dust Control Guidelines for Beef Cattle Feedlots and Best Management Practices, dated December 13, 1995.

(87) On September 20, 2001, and November 22, 2004, the Washington State Department of Ecology submitted revisions to the Washington State Implementation Plan consisting of A Plan for Attaining Carbon Monoxide National Ambient Air Quality Standards in the Spokane Serious Nonattainment Area. On September 26, 2001, the Washington State Department of Ecology submitted minor revisions to the Washington State Inspection and Maintenance Program.

(i) Incorporation by reference.

(A) Kaiser Aluminum and Chemical Corporation Administrative Order No. DE 01AQIS–3285 dated October 24, 2001, and Kaiser Aluminum and Chemical Corporation Administrative Order No. DE 01AQIS–3285, Amendment #1 dated April 9, 2003.

(B) Washington Administrative Code 173–422–031, ''Vehicle emission inspection schedules,'' and Washington Administrative Code 173–422–170, ''Exemptions,'' as effective 12/2/2000.

(ii) Additional material. A Plan for Attaining Carbon Monoxide National Ambient Air Quality Standards in the Spokane Serious Nonattainment Area, adopted September 19, 2001, and November 17, 2004.

(88) On March 1, 2004, the Washington State Department of Ecology submitted amendments to WAC Ch. 173–434, Solid Waste Incinerator Facilities, as revisions to the Washington State implementation plan.

(i) Incorporation by reference.

(A) The following new and revised sections of WAC Ch. 173–434, Solid Waste Incinerator Facilities: WAC 173–434–020, Applicability and Compliance; –030, Definitions; –110, Standards of Performance [except (1)(a)]; –130, Emission Standards [except (2)]; –160, Design and Operation; –170, Monitoring and Reporting; –190, Changes in Operation; and –200, Emission Inventory, State effective January 22, 2004.

(B) Remove the following provisions from the current incorporation by reference: WAC 173–434–050, New Source Review (NSR);–070, Prevention of Significant Deterioration (PSD); and –100, Requirement of BACT, State effective October 18, 1990.

(89) On December 29, 2011, the Washington State Department of Ecology submitted a Best Available Retrofit Technology (BART) determination and revised BART Order 6426 for the TransAlta Centralia Generating LLC facility in Centralia, Washington.

(i) Incorporation by reference.

(A) State of Washington, Department of Ecology, Order 6426, first revision, ''BART Emission Limitations,'' issued to TransAlta Centralia Generation,

LLC, dated December 13, 2011, except the undesignated introductory text, the section titled ''Findings,'' and the undesignated text following condition 13.

[37 FR 10900, May 31, 1972, as amended at 77 FR 72744, Dec. 6, 2012. Redesignated and amended at 78 FR 17110, 17123, Mar. 20, 2013]

§§ 52.2478–52.2494 [Reserved]

§ 52.2495 Voluntary limits on potential to emit

Terms and conditions of regulatory orders issued pursuant to WAC 173–400–091 ''Voluntary limits on emissions'' and in accordance with the provisions of WAC 173–400–091, WAC 173–400–105 ''Records, monitoring, and reporting,'' and WAC 173–400–171 ''Public involvement,'' shall be applicable requirements of the federally-approved Washington SIP and Section 112(l) program for the purposes of section 113 of the Clean Air Act and shall be enforceable by EPA and by any person in the same manner as other requirements of the SIP and Section 112(l) program. Regulatory orders issued pursuant to WAC 173–400–091 are part of the Washington SIP and shall be submitted to EPA Region 10 in accordance with the requirements of §§ 51.104(e) and 51.326.

[60 FR 28728, June 2, 1995]

§ 52.2496 [Reserved]

§ 52.2497 Significant deterioration of air quality.

(a) The requirements of sections 160 through 165 of the Clean Air Act are not met, since the plan does not include approvable procedures for preventing the significant deterioration of air quality.

(b) Regulations for preventing significant deterioration of air quality. The provisions of § 52.21 except paragraph (a)(1) are hereby incorporated and made a part of the applicable State plan for the State of Washington.

(c) In accordance with section 164 of the Clean Air Act and the provisions of 40 CFR 52.21(g), the Spokane Indian Reservation is designated as a Class I area for the purposes of preventing significant deterioration of air quality.

[43 FR 26410, June 19, 1978, as amended at 45 FR 52741, Aug. 7, 1980; 56 FR 14862, Apr. 12, 1991; 68 FR 11324, Mar. 10, 2003; 68 FR 74490, Dec. 24, 2003]

§ 52.2498 Visibility protection.

(a) The requirements of section 169A of the Clean Air Act are not met, because the plan does not include approvable procedures for protection of visibility in mandatory Class I Federal areas.

(b) Regulations for visibility new source review. The provisions of § 52.28 are hereby incorporated and made a part of the applicable plan for the State of Washington.

[51 FR 23228, June 26, 1986]

EFFECTIVE DATE NOTE: At 79 FR 33453, June 11, 2014, § 52.2498 was amended by adding paragraph (c) to read as follows:, effective July 11, 2014. For the convenience of the user, the added text is set forth as follows:

§ 52.2498 Visibility protection.

* * * * *

(c) The requirements of sections 169A and 169B of the Clean Air Act are not met because the plan does not include approvable provisions for protection of visibility in mandatory Class I Federal areas, specifically the Best Available Retrofit Technology (BART) requirement for regional haze visibility impairment (§ 51.308(e)). The EPA BART requirements are found in §§ 52.2500, 52.2501, and 52.2502.

§ 52.2499 [Reserved]

§ 52.2500 Best available retrofit technology requirements for the Intalco Aluminum Corporation (Intalco Works) primary aluminum plant—Better than BART Alternative.

(a) *Applicability*. This section applies to the Intalco Aluminum Corporation (Intalco) primary aluminum plant located in Ferndale, Washington and to its successors and/or assignees.

(b) *Better than BART Alternative—Sulfur dioxide* (SO_2) *emission limit for potlines*. Starting January 1, 2015, SO_2 emissions from all potlines in aggregate must not exceed a total of 5,240 tons for any calendar year.

(c) *Compliance demonstration*. (1) Intalco must determine on a calendar

month basis, SO_2 emissions using the following formula:

SO_2 emissions in tons per calendar month = (carbon consumption ratio) × (% sulfur in baked anodes/100) × (% sulfur converted to SO_2/100) × (2 pounds of SO_2 per pound of sulfur) × (tons of aluminum production per calendar month)

(i) Carbon consumption ratio is the calendar month average of tons of baked anodes consumed per ton of aluminum produced as determined using the baked anode consumption and production records required in paragraph (e)(2) of this section.

(ii) % sulfur in baked anodes is the calendar month average sulfur content as determined in paragraph (d) of this section.

(iii) % sulfur converted to SO_2 is 95%.

(2) Calendar year SO_2 emissions shall be calculated by summing the 12 calendar month SO_2 emissions for the calendar year.

(d) *Emission monitoring*. (1) Intalco must determine the % sulfur of baked anodes using ASTM Method D6376 or an alternative method approved by the EPA Region 10.

(2) Intalco must collect at least four anode core samples during each calendar week.

(3) Calendar month average sulfur content shall be determined by averaging the sulfur content of all samples collected during the calendar month.

(e) *Recordkeeping*. (1) Intalco must record the calendar month SO_2 emissions and the calendar year SO_2 emissions determined in paragraphs (c)(1) and (c)(2) of this section.

(2) Intalco must maintain records of the baked anode consumption and aluminum production data used to develop the carbon consumption ratio used in paragraph (c)(1)(i) of this section.

(3) Intalco must retain a copy of all calendar month carbon consumption ratio and potline SO_2 emission calculations.

(4) Intalco must record the calendar month net production of aluminum and tons of aluminum produced each calendar month. Net production of aluminum is the total mass of molten metal produced from tapping all pots in all of the potlines that operated at any time in the calendar month, measured at the casthouse scales and the rod shop scales.

(5) Intalco must record the calendar month average sulfur content of the baked anodes.

(6) Records are to be retained at the facility for at least five years and be made available to the EPA Region 10 upon request.

(f) *Reporting*. (1) Intalco must report the calendar month SO_2 emissions and the calendar year SO_2 emissions to the EPA Region 10 at the same time as the annual compliance certification required by the Part 70 operating permit for the Intalco facility is submitted to the Title V permitting authority.

(2) All documents and reports must be sent to the EPA Region 10 electronically, in a format approved by the EPA Region 10, to the following email address: *R10-AirPermitReports@epa.gov*.

EFFECTIVE DATE NOTE: At 79 FR 33453, June 11, 2014, § 52.2500 was added, effective July 11, 2014.

§ 52.2501 Best available retrofit technology (BART) requirement for the Tesoro Refining and Marketing Company oil refinery—Better than BART Alternative.

(a) *Applicability*. This section applies to the Tesoro Refining and Marketing Company oil refinery (Tesoro) located in Anacortes, Washington and to its successors and/or assignees.

(b) *Better than BART Alternative*. The sulfur dioxide (SO_2) emission limitation for non-BART eligible process heaters and boilers (Units F–101, F–102, F–201, F–301, F–652, F–751, and F–752) follows.

(1) *Compliance Date*. Starting no later November 10, 2014, Units F–101, F–102, F–201, F–301, F–652, F–751, and F–752 shall only fire refinery gas meeting the criteria in paragraph (b)(2) of this section or pipeline quality natural gas.

(2) *Refinery fuel gas requirements*. In order to limit SO_2 emissions, refinery fuel gas used in the units from blend drum V–213 must not contain greater than 0.10 percent by volume hydrogen sulfide (H_2S), 365-day rolling average, measured according to paragraph (d) of this section.

(c) *Compliance demonstration*. Compliance with the H_2S emission limitation

must be demonstrated using a continuous emissions monitoring system as required in paragraph (d) of this section.

(d) *Emission monitoring*. (1) A continuous emissions monitoring system (CEMS) for H_2S concentration must be installed, calibrated, maintained and operated measuring the outlet stream of the fuel gas blend drum subsequent to all unmonitored incoming sources of sulfur compounds to the system and prior to any fuel gas combustion device. The monitor must be certified in accordance with 40 CFR part 60 appendix B and operated in accordance with 40 CFR part 60 appendix F.

(2) Tesoro must record the calendar day average H_2S concentration of the refinery fuel gas as measured by the CEMS required in paragraph (d)(1) of this section. The daily averages must be used to calculate the 365-day rolling average.

(e) *Recordkeeping*. Records of the daily average H_2S concentration and 365-day rolling averages must be retained at the facility for at least five years and be made available to the EPA Region 10 upon request.

(f) *Reporting*. (1) Calendar day and 365-day rolling average refinery fuel gas H_2S concentrations must be reported to the EPA Region 10 at the same time that the semi-annual monitoring reports required by the Part 70 operating permit for the Tesoro oil refinery are submitted to the Title V permitting authority.

(2) All documents and reports must be sent to the EPA Region 10 electronically, in a format approved by the EPA Region 10, to the following email address: *R10-AirPermitReports@epa.gov*.

EFFECTIVE DATE NOTE: At 79 FR 33454, June 11, 2014, § 52.2501 was added, effective July 11, 2014.

§ 52.2502 Best available retrofit technology requirements for the Alcoa Inc.—Wenatchee Works primary aluminum smelter.

(a) *Applicability*. This section applies to the Alcoa Inc.—Wenatchee Works primary aluminum smelter (Wenatchee Works) located near Wenatchee, Washington and to its successors and/or assignees.

(b) *Best available retrofit technology (BART) emission limitations for Potline 5*—(1) *Sulfur dioxide* (SO_2) *emission limit*. Starting November 10, 2014, SO_2 emissions from Potline 5 must not exceed 46 pounds per ton of aluminum produced during any calendar month as calculated in paragraph (b)(1)(i) of this section.

(i) *Compliance demonstration*. Alcoa must determine SO_2 emissions, on a calendar month basis using the following formulas:

SO_2 emissions in pounds = (carbon ratio) × (tons of aluminum produced during the calendar month) × (% sulfur in baked anodes/100) × (% sulfur converted to SO_2/100) × (2 pounds of SO_2 per pound of sulfur)

SO_2 emissions in pounds per ton of aluminum produced = (SO_2 emissions in pounds during the calendar month)/(tons of aluminum produced during the calendar month)

(A) The carbon ratio is the calendar month average of tons of baked anodes consumed per ton of aluminum produced as determined using the baked anode consumption and aluminum production records required in paragraph (h)(2) of this section.

(B) The % sulfur in baked anodes is the calendar month average sulfur content as determined in paragraph (b)(1)(ii) of this section.

(C) The % sulfur converted to SO_2 is 90%.

(ii) *Emission monitoring*. The % sulfur of baked anodes must be determined using ASTM Method D6376 or an alternative method approved by the EPA Region 10.

(A) At a minimum, Alcoa must collect no less than four baked anode core samples during each calendar week.

(B) Calendar month average sulfur content must be determined by averaging the sulfur content of all samples collected during the calendar month.

(2) *Particulate matter (PM) emission limit*. Starting November 10, 2014, PM emissions from the Potline 5 Gas Treatment Center stack must not exceed 0.005 grains per dry standard cubic foot of exhaust gas.

(3) *Nitrogen oxides (NO_X) emission limit*. Starting January 7, 2015, NO_X emissions from Potline 5 must not exceed,

in tons per calendar month, the emission limit determined under paragraph (b)(3)(iii) of this section.

(i) *Compliance demonstration.* Alcoa must determine NO_X emissions, on a calendar month basis using the following formula:

NO_X emissions in tons per calendar month = (the emission factor determined under paragraph (b)(3)(ii) of this section, in pounds of NO_X per ton of aluminum produced) × (number of tons of aluminum produced in the calendar month)/(2000 pounds per ton).

(ii) *NO_X emission factor development.* By September 9, 2014, Alcoa must submit to the EPA a plan for testing NO_X emissions from Potline 5 and developing an emission factor in terms of pounds of NO_X per ton of aluminum produced. This plan must include testing NO_X emissions from both the Gas Treatment Center stack and the potline roof vents along with measurements of volumetric flow and aluminum production such that mass emissions can be determined and correlated with aluminum production. Within 90 days after the EPA approval of the plan, Alcoa shall conduct the testing and submit the resultant emission factor to the EPA at the address listed in paragraph (i)(5) of this section.

(iii) *NO_X emission limit.* NO_X emission limit in tons per calendar month = (the emission factor determined under paragraph (b)(3)(ii) of this section, in pounds of NO_X per ton of aluminum produced) × (5546.2 tons of aluminum per month)/(2000 pounds per ton).

(c) *Best available retrofit technology (BART) emission limitations for Anode Bake Furnace #62*—(1) *Sulfur dioxide (SO_2) emission limit.* Starting November 10, 2014, the sulfur content of the coke used in anode manufacturing must not exceed a weighted average of 3.0 percent during any calendar month as calculated in paragraph (c)(1)(i) of this section.

(i) *Compliance demonstration.* The weighted monthly average sulfur content of coke used in manufacturing shall be calculated as follows:

Weighted average percent sulfur = $\Sigma(C_{1\text{-}n} \times SC_{1\text{-}n}/100)/\Sigma C_{1\text{-}n} * 100$

Where:

C_n is the quantity of coke in shipment n in tons

SC_n is the percent sulfur content by weight of the coke in shipment n

n is the number of shipments of coke in the calendar month

(ii) *Emission monitoring.* Alcoa must test each shipment of coke for sulfur content using ASTM Method D6376 or an alternative method approved by the EPA Region 10. Written documentation from the coke supplier certifying the sulfur content is an approved alternative method.

(2) *Particulate matter (PM) emission limit.* Starting November 10, 2014, the PM emissions from the anode bake furnaces stack must not exceed 0.01 grains per dry standard cubic foot of exhaust gas.

(3) *Nitrogen oxides (NO_X) emission limit.* Starting November 10, 2014, the anode bake furnaces must only combust natural gas.

(i) *Compliance demonstration.* Compliance shall be demonstrated through fuel purchase records.

(ii) *Best Available Retrofit Technology (BART) Nitrogen oxides (NO_X) emission limit for an approved alternative fuel.* Compliance with a Best Available Control Technology (BACT) emission limit for NO_X for the anode bake furnaces, established in a Prevention of Significant Deterioration (PSD) permit issued pursuant to 40 CFR 52.21 or pursuant to an EPA-approved PSD program that meets the requirements of 40 CFR 51.166, shall be deemed to be compliance with BART for a fuel other than natural gas.

(d) *Best available retrofit technology (BART) emission limitations for Ingot Furnace 1 (IP–1), Ingot Furnace 2 (IP–2), and Ingot Furnace 11 (IP–11)*—(1) *Particulate matter (PM) emission limits.* Starting November 10, 2014, the PM emissions from each of ingot furnaces IP–1, IP–2, and IP–11 must not exceed 0.1 grains per dry standard cubic foot of exhaust gas.

(2) *Nitrogen oxides (NO_X) emission limit.* Starting November 10, 2014, each of the ingot furnaces IP–1, IP–2, and IP–11 must only combust natural gas.

(3) *Sulfur dioxide (SO_X) emission limit.* Starting November 10, 2014, each of the

ingot furnaces IP–1, IP–2, and IP–11 must only combust natural gas.

(i) *Compliance demonstration.* Alcoa must demonstrate compliance through fuel purchase records.

(ii) [Reserved]

(e) *Best available retrofit technology (BART) particulate matter (PM) emission limitations for the Green Mill.* (1) Starting November 10, 2014, the PM emissions from the Green Mill Dry Coke Scrubber must not exceed 0.005 grains per dry standard cubic foot of exhaust gas.

(2) Starting November 10, 2014, the PM emissions from the Green Mill Dust Collector 2 must not exceed 0.01 grains per dry standard cubic foot of exhaust gas.

(f) *Best available retrofit technology (BART) particulate matter (PM) emission limitations for alumina handling operations.* (1) Starting November 10, 2014, the opacity from the alumina handling fabric filters (21M and 19C) must not exceed 20 percent.

(2) Starting November 10, 2014, the PM emissions from the alumina rail car unloading baghouse (43E) must not exceed 0.005 grains per dry standard cubic foot of exhaust gas.

(g) *Source testing.* (1) Alcoa must perform source testing to demonstrate compliance with emission limits established in this section upon request by the EPA Region 10 Administrator.

(2) The reference test method for measuring PM emissions is EPA Method 5 (40 CFR part 60, appendix A).

(3) The reference test method for measuring opacity from the alumina handling fabric filters (21M and 19C) is EPA Method 9 (40 CFR part 60, appendix A).

(4) The EPA Region 10 may approve the use of an alternative to a reference test method upon an adequate demonstration by Alcoa that such alternative provides results equivalent to that of the reference method.

(h) *Recordkeeping.* Except as provided in paragraph (h)(6) of this section, starting November 10, 2014, Alcoa must keep the following records:

(1) Alcoa must retain a copy of all calendar month Potline 5 SO_2 emissions calculations.

(2) Alcoa must maintain records of the baked anode consumption and aluminum production data used to develop the carbon ratio.

(3) Alcoa must retain a copy of all calendar month carbon ratio and potline SO_2 emission calculations.

(4) Alcoa must record the calendar day and calendar month production of aluminum.

(5) Alcoa must record the calendar month average sulfur content of the baked anodes.

(6) Starting January 7, 2015, Alcoa must retain a copy of all calendar month potline NO_X emission calculations.

(7) Alcoa must record the sulfur content of each shipment of coke and the quantity of each shipment of coke.

(8) Alcoa must keep fuel purchase records showing the type(s) of fuel combusted in the anode bake furnaces.

(9) Alcoa must keep fuel purchase records showing the type(s) of fuel combusted in the ingot furnaces.

(10) Records must be retained at the facility for at least five years and be made available to the EPA Region 10 upon request.

(i) *Reporting.* (1) Alcoa must report SO_2 emissions by calendar month to the EPA Region 10 on an annual basis at the same time as the annual compliance certification required by the Part 70 operating permit for the Wenatchee Works is submitted to the Title V permitting authority.

(2) Alcoa must report NO_X emissions by calendar month to the EPA Region 10 on an annual basis at the same time as the annual compliance certification required by the Part 70 operating permit for the Wenatchee Works is submitted to the Title V permitting authority.

(3) Alcoa must report the monthly weighted average sulfur content of coke received at the facility for each calendar month during the compliance period to the EPA Region 10 at the same time as the annual compliance certification required by the Part 70 operating permit for the Wenatchee Works is submitted to the Title V permitting authority.

(4) Alcoa must report the fuel purchase records for the anode bake furnaces and the ingot furnaces during the compliance period to the EPA Region

10 at the same time as the annual compliance certification required by the Part 70 operating permit for the Wenatchee Works is submitted to the Title V permitting authority.

(5) All documents and reports must be sent to the EPA Region 10 electronically, in a format approved by the EPA Region 10, to the following email address: *R10-AirPermitReports@epa.gov*.

EFFECTIVE DATE NOTE: At 79 FR 33454, June 11, 2014, § 52.2502 was added, effective July 11, 2014.

Subpart XX—West Virginia

§ 52.2520 Identification of plan.

(a) *Purpose and scope*. This section sets forth the applicable State implementation plan for West Virginia under section 110 of the Clean Air Act, 42 U.S.C. 7410, and 40 CFR part 51 to meet national ambient air quality standards.

(b) *Incorporation by reference*.

(1) Material listed as incorporated by reference in paragraphs (c) and (d) of this section with an EPA approved date of April 1, 2013 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. The material incorporated is 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 on or after April 1, 2013 will be incorporated by reference in the next update to the SIP compilation.

(2)(i) EPA Region III certifies that the rules and regulations provided by EPA at the addresses in paragraph (b)(3) of this section are an exact duplicate of the officially promulgated State rules and regulations which have been approved as part of the State implementation plan as of April 1, 2013.

(ii) EPA Region III certifies that the following source-specific requirements provided by EPA at the addresses in paragraph (b)(3) of this section are an exact duplicate of the officially promulgated State source-specific requirements which have been approved as part of the State implementation plan as of November 1, 2010. No additional revisions were made between November 1, 2010 and April 1, 2013.

(3) Copies of the materials incorporated by reference may be inspected at the EPA Region III Office at 1650 Arch Street, Philadelphia, PA 19103. For further information, call (215) 814–2108; the EPA, Air and Radiation Docket and Information Center, Room Number 3334, EPA West Building, 1301 Constitution Avenue NW., Washington, DC 20460. For further information, call (202) 566–1742; or at the National Archives and Records Administration (NARA). 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 and Statutes*.

EPA-APPROVED REGULATIONS IN THE WEST VIRGINIA SIP

State citation [Chapter 16–20 or 45 CSR]	Title/subject	State effective date	EPA approval date	Additional explanation/ citation at 40 CFR 52.2565
[45 CSR] Series 2 To Prevent and Control Particulate Air Pollution From Combustion of Fuel in Indirect Heat Exchangers				
Section 45–2–1	General	8/31/00	8/11/03; 68 FR 47473.	(c)(56).
Section 45–2–2	Definitions	8/31/00	8/11/03; 68 FR 47473.	(c)(56).
Section 45–2–3	Visible Emissions of Smoke And/Or Particulate Matter Prohibited And Standards of Measurement.	8/31/00	8/11/03; 68 FR 47473.	(c)(56).
Section 45–2–4	Weight Emission Standards	8/31/00	8/11/03; 68 FR 47473.	(c)(56).
Section 45–2–5	Control of Fugitive Particulate Matter	8/31/00	8/11/03; 68 FR 47473.	(c)(56).
Section 45–2–6	Registration	8/31/00	8/11/03; 68 FR 47473.	(c)(56).

EPA-APPROVED REGULATIONS IN THE WEST VIRGINIA SIP—Continued

State citation [Chapter 16–20 or 45 CSR]	Title/subject	State effective date	EPA approval date	Additional explanation/ citation at 40 CFR 52.2565
Section 45–2–7	Permits	8/31/00	8/11/03; 68 FR 47473.	(c)(56).
Section 45–2–8	Testing, Monitoring, Recordkeeping, and Reporting.	8/31/00	8/11/03; 68 FR 47473.	(c)(56).
Section 45–2–9	Start-ups, Shutdowns, and Malfunctions.	8/31/00	8/11/03; 68 FR 47473.	(c)(56).
Section 45–2–10	Variances	8/31/00	8/11/03; 68 FR 47473.	(c)(56).
Section 45–2–11	Exemptions	8/31/00	8/11/03; 68 FR 47473.	(c)(56).
Section 45–2–12	Inconsistency Between Rules	8/31/00	8/11/03; 68 FR 47473.	(c)(56).
Table 45–2A	[Total Allowable Particulate Matter Emission Rate for All Type ''c'' Fuel Burning Units Located at One Plant].	8/31/00	8/11/03; 68 FR 47473.	(c)(56).
45 CSR 2 Appendix Compliance Test Procedures for 45 CSR 2				
Section 1	General	8/31/00	8/11/03; 68 FR 47473.	(c)(56).
Section 3	Symbols	8/31/00	8/11/03; 68 FR 47473.	(c)(56).
Section 4	Adoption of Test Methods	8/31/00	8/11/03; 68 FR 47473.	(c)(56).
Section 5	Unit Load and Fuel Quality Requirements.	8/31/00	8/11/03; 68 FR 47473.	(c)(56).
Section 6	Minor Exceptions	8/31/00	8/11/03; 68 FR 47473.	(c)(56).
Section 7	Pretest and Post Test General Requirements.	8/31/00	8/11/03; 68 FR 47473.	(c)(56).
Section 8	Heat Input Data Measurements	8/31/00	8/11/03; 68 FR 47473.	(c)(56).
Section 9	Computations and Data Analysis	8/31/00	8/11/03; 68 FR 47473.	(c)(56).
[45 CSR] Series 3 To Prevent and Control Air Pollution From the Operation of Hot Mix Asphalt Plants				
Section 45–3–1	General	8/31/00	10/11/02; 67 FR 63270.	(c)(48).
Section 45–3–2	Definitions	8/31/00	10/11/02; 67 FR 63270.	(c)(48).
Section 45–3–3	Emission of Smoke and/or Particulate Matter Prohibited and Standards of Measurement—Visible.	8/31/00	10/11/02; 67 FR 63270.	(c)(48).
Section 45–3–4	Emission of Smoke and/or Particulate Matter Prohibited and Standards of Measurement—Weight Emissions.	8/31/00	10/11/02; 67 FR 63270.	(c)(48).
Section 45–3–5	Permits	8/31/00	10/11/02; 67 FR 63270.	(c)(48).
Section 45–3–6	Reports and Testing	8/31/00	10/11/02; 67 FR 63270.	(c)(48).
Section 45–3–7	Variance	8/31/00	10/11/02; 67 FR 63270.	(c)(48).
Section 45–3–8	Circumvention	8/31/00	10/11/02; 67 FR 63270.	(c)(48).
Section 45–3–9	Inconsistency Between Rules	8/31/00	10/11/02; 67 FR 63270.	(c)(48).
[45 CSR] Series 5 To Prevent and Control Air Pollution From the Operation of Coal Preparation Plants and Coal Handling Operations				
Section 45–5–1	General	8/31/00	10/7/02; 67 FR 62379.	(c)(47).
Section 45–5–2	Definitions	8/31/00	10/7/02; 67 FR 62379.	(c)(47).
Section 45–5–3	Emission of Particulate Matter Prohibited and Standards of Measurement.	8/31/00	10/7/02; 67 FR 62379.	(c)(47).

EPA-APPROVED REGULATIONS IN THE WEST VIRGINIA SIP—Continued

State citation [Chapter 16–20 or 45 CSR]	Title/subject	State effective date	EPA approval date	Additional explanation/ citation at 40 CFR 52.2565
Section 45–5–4	Control and Prohibition of Particulate Emissions from Coal Thermal Drying Operations of a Coal Preparation Plant.	8/31/00	10/7/02; 67 FR 62379.	(c)(47).
Section 45–5–5	Control and Prohibition of Particulate Emissions From an Air Table Operation of a Coal Preparation Plant.	10/22/93	7/13/99; 64 FR 37681.	(c)(42).
Section 45–5–6	Control and Prohibition of Fugitive Dust Emissions From Coal Handling Operations and Preparation Plants.	8/31/00	10/7/02; 67 FR 62379.	(c)(47).
Section 45–5–7	Standards for Coal Refuse Disposal Areas.	8/31/00	10/7/02; 67 FR 62379.	(c)(47).
Section 45–5–8	Burning Coal Refuse Disposal Areas	8/31/00	10/7/02; 67 FR 62379.	(c)(47).
Section 45–5–9	Monitoring of Operations	8/31/00	10/7/02; 67 FR 62379.	(c)(47).
Section 45–5–10	Construction, Modification, and Relocation Permits.	8/31/00	10/7/02; 67 FR 62379.	(c)(47).
Section 45–5–11	Operating Permits	8/31/00	10/7/02; 67 FR 62379.	(c)(47).
Section 45–5–12	Reporting and Testing	8/31/00	10/7/02; 67 FR 62379.	(c)(47).
Section 45–5–13	Variance	8/31/00	10/7/02; 67 FR 62379.	(c)(47).
Section 45–5–14	Transfer of Permits	8/31/00	10/7/02; 67 FR 62379.	(c)(47).
Section 45–5–15	Inconsistency Between Rules	8/31/00	10/7/02; 67 FR 62379.	(c)(47).
Appendix	Particulate Emission Limitations and Operational monitoring Requirements Applicable to Thermal Dryers Installed Before October 24, 1974.	8/31/00	10/7/02; 67 FR 62379.	(c)(47).
[45 CSR] Series 6 To Prevent and Control Air Pollution From Combustion of Refuse				
Section 45–6–1	General	6/1/08	3/25/09, 74 FR 12560.	
Section 45–6–2	Definitions	6/1/08	3/25/09, 74 FR 12560.	
Section 45–6–3	Open Burning Prohibited	6/1/08	3/25/09, 74 FR 12560.	
Section 45–6–4	Emission Standards for Incinerators and Incineration.	6/1/08	3/25/09, 74 FR 12560.	Deleted paragraphs 4.8, and 4.8.a through 4.8.d; Added paragraphs 4.9 and 4.10.
Section 45–6–5	Registration	6/1/08	3/25/09, 74 FR 12560.	
Section 45–6–6	Permits	6/1/08	3/25/09, 74 FR 12560.	Added paragraph 6.2.
Section 45–6–7	Reports and Testing	6/1/08	3/25/09, 74 FR 12560.	
Section 45–6–8	Variances	6/1/08	3/25/09, 74 FR 12560.	
Section 45–6–9	Emergencies and Natural Disasters	6/1/08	3/25/09, 74 FR 12560.	Added paragraphs 9.1.c, 9.2, and 9.2.a through 9.2.c.
Section 45–6–10	Exemptions	6/1/08	3/25/09, 74 FR 12560.	New Section.
Section 45–6–11	Effect of the Rule	6/1/08	3/25/09, 74 FR 12560.	Recodified—formerly section 45–6–10.
Section 45–6–12	Inconsistency Between Rules	6/1/08	3/25/09, 74 FR 12560.	Recodified—formerly section 45–6–11.

EPA-APPROVED REGULATIONS IN THE WEST VIRGINIA SIP—Continued

State citation [Chapter 16–20 or 45 CSR]	Title/subject	State effective date	EPA approval date	Additional explanation/ citation at 40 CFR 52.2565
[45 CSR] Series 7 To Prevent and Control Particulate Matter Air Pollution From Manufacturing Process Operations				
Section 45–7–1	General	8/31/00	6/03/03, 68 FR 33010.	(c)(55).
Section 45–7–2	Definitions	8/31/00	6/03/03, 68 FR 33010.	(c)(55).
Section 45–7–3	Emission of Smoke and/or Particulate Matter Prohibited and Standards of Measurement.	8/31/00	6/03/03, 68 FR 33010.	(c)(55).
Section 45–7–4	Control and Prohibition of Particulate Emissions by Weight from Manufacturing Process Source Operations.	8/31/00	6/03/03, 68 FR 33010.	(c)(55).
Section 45–7–5	Control of Fugitive Particulate Matter	8/31/00	6/03/03, 68 FR 33010.	(c)(55).
Section 45–7–6	Registration	8/31/00	6/03/03, 68 FR 33010.	(c)(55).
Section 45–7–7	Permits	8/31/00	6/03/03, 68 FR 33010.	(c)(55).
Section 45–7–8	Reporting and Testing	8/31/00	6/03/03, 68 FR 33010.	(c)(55).
Section 45–7–9	Variance	8/31/00	6/03/03, 68 FR 33010.	(c)(55).
Section 45–7–10	Exemptions	8/31/00	6/03/03, 68 FR 33010.	(c)(55).
Section 45–7–11	Alternative Emission Limits for Duplicate Source Operations.	8/31/00	6/03/03, 68 FR 33010.	(c)(55).
Section 45–7–12	Inconsistency Between Rules.	8/31/00	6/03/03, 68 FR 33010.	(c)(55).
TABLE 45–7A, TABLE 45–7B.	[Maximum Allowable Emission Rates From Sources Governed by 45 CFR Series 7].	8/31/00	6/03/03, 68 FR 33010.	(c)(55).
[Ch. 16–20] TP–4 Compliance Test Procedures for Regulation VII—''To Prevent and Control Particulate Air Pollution From Manufacturing Process Operations''				
Section 1	General	2/23/84	6/28/85; 45 FR 26732.	no (c) number.
Section 2	Visible Emission Test Procedure	2/23/84	6/28/85; 45 FR 26732.	no (c) number.
Section 3	Mass Emission Test Procedures	2/23/84	6/28/85; 45 FR 26732.	no (c) number.
[45 CSR] Series 8 Ambient Air Quality Standards				
Section 45–8–1	General	6/1/12	10/29/12, 77 FR 65493.	Filing and effective dates are revised.
Section 45–8–2	Definitions	6/1/12	10/29/12, 77 FR 65493.	
Section 45–8–3	Adoption of Standards	6/1/12	10/29/12, 77 FR 65493.	Effective date is revised.
Section 45–8–4	Inconsistency Between Rules	6/1/12	10/29/12, 77 FR 65493.	
[45 CSR] Series 10 To Prevent and Control Air Pollution from the Emission of Sulfur Oxides				
Section 45–10–1	General	8/31/00	6/3/03; 68 FR 33002.	(c)(53).
Section 45–10–2	Definitions	8/31/00	6/3/03; 68 FR 33002.	(c)(53).
Section 45–10–3	Sulfur Dioxide Weight Emission Standards for Fuel Burning Units.	8/31/00	6/3/03; 68 FR 33002.	(c)(53).
Section 45–10–4	Standards for Manufacturing Process Source Operations.	8/31/00	6/3/03; 68 FR 33002.	(c)(53).
Section 45–10–5	Combustion of Refinery or Process Gas Streams.	8/31/00	6/3/03; 68 FR 33002.	(c)(53).
Section 45–10–6	Registration	8/31/00	6/3/03; 68 FR 33002.	(c)(53).
Section 45–10–7	Permits	8/31/00	6/3/03; 68 FR 33002.	(c)(53).

EPA-APPROVED REGULATIONS IN THE WEST VIRGINIA SIP—Continued

State citation [Chapter 16–20 or 45 CSR]	Title/subject	State effective date	EPA approval date	Additional explanation/ citation at 40 CFR 52.2565
Section 45–10–8	Testing, Monitoring, Recordkeeping and Reporting.	8/31/00	6/3/03; 68 FR 33002.	(c)(53).
Section 45–10–9	Variance	8/31/00	6/3/03; 68 FR 33002.	(c)(53).
Section 45–10–10	Exemptions and Recommendations	8/31/00	6/3/03; 68 FR 33002.	(c)(53).
Section 45–10–11	Circumvention	8/31/00	6/3/03; 68 FR 33002.	(c)(53).
Section 45–10–12	Inconsistency Between Rules	8/31/00	6/3/03; 68 FR 33002.	(c)(53).
TABLE 45–10A	[Priority Classifications]	8/31/00	6/3/03; 68 FR 33002.	(c)(53).
TABLE 45–10B	[Allowable Percent Sulfur Content of Fuels].	8/31/00	6/3/03; 68 FR 33002.	(c)(53).
[45 CSR] Series 11 Prevention of Air Pollution Emergency Episodes				
Section 45–11–1	General	4/25/90	6/28/93; 58 FR 34526.	(c)(28).
Section 45–11–2	Definitions	4/25/90	6/28/93; 58 FR 34526.	(c)(28).
Section 45–11–3	Episode Criteria	4/25/90	6/28/93; 58 FR 34526.	(c)(28).
Section 45–11–4	Methods of Measurement	4/25/90	6/28/93; 58 FR 34526.	(c)(28).
Section 45–11–5	Preplanned Reduction Strategies	4/25/90	6/28/93; 58 FR 34526.	(c)(28).
Section 45–11–6	Emission Reduction Plans	4/25/90	6/28/93; 58 FR 34526.	(c)(28).
TABLE I	Emission Reduction Plans-Alert Level	4/25/90	6/28/93; 58 FR 34526.	(c)(28).
TABLE II	Emission Reduction Plans-Warning Level.	4/25/90	6/28/93; 58 FR 34526.	(c)(28).
TABLE III	Emission Reduction Plans-Emergency Level.	4/25/90	6/28/93; 58 FR 34526.	(c)(28).
Section 45–11–7	Air Pollution Emergencies; Contents of Order; Hearings; Appeals.	4/25/90	6/28/93; 58 FR 34526.	(c)(28).
Section 45–11–8	Inconsistency Between Regulations	4/25/90	6/28/93; 58 FR 34526.	(c)(28).
[45 CSR] Series 13 Permits for Construction, Modification, Relocation and Operation of Stationary Sources of Air Pollutants, Notification Requirements, Temporary Permits, General Permits, and Procedures for Evaluation				
Section 45–13–1	General	6/1/03	2/8/07; 72 FR 5932.	
Section 45–13–2	Definitions	6/1/03	2/8/07; 72 FR 5932.	
Section 45–13–3	Reporting Requirements for Stationary Sources.	6/1/03	2/8/07; 72 FR 5932.	
Section 45–13–4	Administrative Updates to Existing Permits and General Permit Registrations.	6/1/03	2/8/07; 72 FR 5932.	
Section 45–13–5	Permit Application and Reporting Requirements for Construction of and Modifications to Stationary Sources.	6/1/03	2/8/07; 72 FR 5932.	
Section 45–13–6	Determination of Compliance of Stationary Sources.	6/1/03	2/8/07; 72 FR 5932.	
Section 45–13–7	Modeling	6/1/03	2/8/07; 72 FR 5932.	
Section 45–13–8	Public Review Procedures	6/1/03	2/8/07; 72 FR 5932.	
Section 45–13–9	Public Meetings	6/1/03	2/8/07; 72 FR 5932.	
Section 45–13–10	Permit Transfer, Suspension, Revocation and Responsibility.	6/1/03	2/8/07; 72 FR 5932.	
Section 45–13–11	Temporary Construction or Modification Permits.	6/1/03	2/8/07; 72 FR 5932.	
Section 45–13–12	Permit Application Fees	6/1/03	2/8/07; 72 FR 5932.	

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State citation [Chapter 16–20 or 45 CSR]	Title/subject	State effective date	EPA approval date	Additional explanation/ citation at 40 CFR 52.2565
Section 45–13–13	Inconsistency Between Rules	6/1/03	2/8/07; 72 FR 5932.	
Section 45–13–14	Statutory Air Pollution	6/1/03	2/8/07; 72 FR 5932.	
Section 45–13–15	Hazardous Air Pollutants	6/1/03	2/8/07; 72 FR 5932.	
TABLE 45–13A	Potential Emission Rate	6/1/00	2/28/03; 68 FR 9559.	(c)(52).
TABLE 45–13B	De Minimis Sources	6/1/03	2/8/07; 72 FR 5932.	
[45CSR] Series 14 Permits for Construction and Major Modification of Major Stationary Sources of Air Pollution for the Prevention of Significant Deterioration				
Section 45–14–1	General	6/16/11	10/17/12, 77 FR 63736.	
Section 45–14–2	Definitions	6/16/11	10/17/12, 77 FR 63736.	1. Inclusion of $PM_{2.5}$ significant emissions rates and precursors and GHG provisions. 2. Taking no action on the definition of ''regulated NSR pollutant'' found at 45CSR14 section 2.66. only as it relates to the requirement to include condensable emissions of particulate matter in that definition. See § 52.2522(i).
Section 45–14–3	Applicability	6/16/11	10/17/12, 77 FR 63736.	
Section 45–14–4	Ambient Air Quality Increments and Ceilings.	6/16/11	10/17/12, 77 FR 63736.	
Section 45–14–5	Area Classification	6/16/11	10/17/12, 77 FR 63736.	
Section 45–14–6	Prohibition of Dispersion Enhancement Techniques.	6/16/11	10/17/12, 77 FR 63736.	
Section 45–14–7	Registration, Report and Permit Requirements for Major Stationary Sources and Major Modifications.	6/16/11	10/17/12, 77 FR 63736.	
Section 45–14–8	Requirements Relating to Control Technology.	6/16/11	10/17/12, 77 FR 63736.	
Section 45–14–9	Requirements Relating to the Source's Impact on Air Quality.	6/16/11	10/17/12, 77 FR 63736.	
Section 45–14–10	Modeling Requirements	6/16/11	10/17/12, 77 FR 63736.	
Section 45–14–11	Air Quality Monitoring Requirements	6/16/11	10/17/12, 77 FR 63736.	
Section 45–14–12	Additional Impacts Analysis Requirements.	6/16/11	10/17/12, 77 FR 63736.	
Section 45–14–13	Additional Requirements and Variances for Source Impacting Federal Class 1 Areas.	6/16/11	10/17/12, 77 FR 63736.	
Section 45–14–14	Procedures for Sources Employing Innovative Control Technology.	6/16/11	10/17/12, 77 FR 63736.	
Section 45–14–15	Exclusions From Increment Consumption.	6/16/11	10/17/12, 77 FR 63736.	
Section 45–14–16	Specific Exemptions	6/16/11	10/17/12, 77 FR 63736.	
Section 45–14–17	Public Review Procedures	6/16/11	10/17/12, 77 FR 63736.	

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State citation [Chapter 16–20 or 45 CSR]	Title/subject	State effective date	EPA approval date	Additional explanation/ citation at 40 CFR 52.2565
Section 45–14–18	Public Meetings	6/16/11	10/17/12, 77 FR 63736.	
Section 45–14–19	Permit Transfer, Cancellation and Responsibility.	6/16/11	10/17/12, 77 FR 63736.	
Section 45–14–20	Disposition of Permits	6/16/11	10/17/12, 77 FR 63736.	
Section 45–14–21	Conflict with Other Permitting Rules	6/16/11	10/17/12, 77 FR 63736.	
Section 45–14–25	Actual PALs	6/16/11	10/17/12, 77 FR 63736.	
Section 45–14–26	Inconsistency Between Rules	6/16/11	10/17/12, 77 FR 63736.	
[45 CSR] Series 19 Permits for Construction and Major Modification of Major Stationary Sources of Air Pollution Which Cause or Contribute to Nonattainment				
Section 45–19–1	General	6/1/05	11/2/06; 71 FR 64468.	
Section 45–19–2 (Except: 19–2.16, 19–2.33.c.8, 19–2.39.b.2.C, 19–2.39.b.5, and 19–2.53).	Definitions	6/1/05	11/2/06; 71 FR 64468.	
Section 45–19–3 (Except: 19–3.4.e, 19–3.4.f (part), and 19–3.6).	Applicability	6/1/05	11/2/06; 71 FR 64468.	
Section 45–19–4	Conditions for a Permit Approval for Proposed Major Sources that Would Contribute to a Violation of NAAQS.	6/1/05	11/2/06; 71 FR 64468.	
Section 45–19–5	Conditions for Permit Approval for Sources Locating In Attainment or Unclassifiable Areas that Would Cause a New Violation of a NAAQS.	6/1/05	11/2/06; 71 FR 64468.	
Section 45–19–7	Baseline for Determining Credit for Emission Offsets.	6/1/05	11/2/06; 71 FR 64468.	
Section 45–19–8	Location of Emissions Offsets	6/1/05	11/2/06; 71 FR 64468.	
Section 45–19–9	Administrative Procedures for Emission Offset Proposals.	6/1/05	11/2/06; 71 FR 64468.	
Section 45–19–12	Reasonable Further Progress	6/1/05	11/2/06; 71 FR 64468.	
Section 45–19–13	Source Impact Analysis	6/1/05	11/2/06; 71 FR 64468.	
Section 45–19–14	Permit Requirements for Major Stationary Sources and Major Modifications.	6/1/05	11/2/06; 71 FR 64468.	
Section 45–19–15	Public Review Procedures	6/1/05	11/2/06; 71 FR 64468.	
Section 45–19–16	Public Meetings	6/1/05	11/2/06; 71 FR 64468.	
Section 45–19–17 (Except part of 19–17.4).	Permit Transfer, Cancellation and Responsibility.	6/1/05	11/2/06; 71 FR 64468.	
Section 45–19–18	Disposition of Permits	6/1/05	11/2/06; 71 FR 64468.	
Section 45–19–19	Requirements for Air Quality Models	6/1/05	11/2/06; 71 FR 64468.	
Section 45–19–23	Actuals PAL	6/1/05	11/2/06; 71 FR 64468.	
Section 45–19–24	Conflict with Other Permitting Rules	6/1/05	11/2/06; 71 FR 64468.	
Section 45–19–25	Inconsistency Between Rules	6/1/05	11/2/06; 71 FR 64468.	
Table 45–19A	No Title [Table of Significance Levels]	6/1/05	11/2/06; 71 FR 64468.	
Table 45–19B	Averaging Time (hours)	6/1/05	11/2/06; 71 FR 64468.	
[45 CSR] Series 20 Good Engineering Practice as Applicable to Stack Heights				
Section 45–20–1	General	7/14/89	4/19/94; 59 FR 18489.	(c)(27).

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State citation [Chapter 16–20 or 45 CSR]	Title/subject	State effective date	EPA approval date	Additional explanation/ citation at 40 CFR 52.2565
Section 45–20–2	Definitions	7/14/89	4/19/94; 59 FR 18489.	(c)(27).
Section 45–20–3	Standards	7/14/89	4/19/94; 59 FR 18489.	(c)(27).
Section 45–20–4	Public Review Procedures	7/14/89	4/19/94; 59 FR 18489.	(c)(27).
Section 45–20–5	Inconsistency Between Regulations	7/14/89	4/19/94; 59 FR 18489.	(c)(27).
[45 CSR] Series 21 Regulation To Prevent and Control Air Pollution From the Emission of Volatile Organic Compounds				
Section 45–21–1	General	7/7/93	2/1/95; 60 FR 6022	(c)(33).
Section 45–21–2	Definitions	7/7/93	2/1/95; 60 FR 6022	(c)(33).
Section 45–21–3	Applicability	7/7/93	2/1/95; 60 FR 6022	(c)(33).
Section 45–21–4	Compliance Certification, Recordkeeping, and Reporting Procedures for Coating Sources.	7/7/93	2/1/95; 60 FR 6022	(c)(33).
Section 45–21–5	Compliance Certification, Recordkeeping, and Reporting Requirements for Non-Coating Sources.	7/7/93	2/1/95; 60 FR 6022	(c)(33).
Section 45–21–6	Requirements for Sources Complying by Use of Control Devices.	7/7/93	2/1/95; 60 FR 6022	(c)(33).
Section 45–21–7	Circumvention	7/7/93	2/1/95; 60 FR 6022	(c)(33).
Section 45–21–8	Handling, Storage, and Disposal of Volatile Organic Compounds (VOCs).	7/7/93	2/1/95; 60 FR 6022	(c)(33).
Section 45–21–9	Compliance Programs, Registration, Variance, Permits, Enforceability.	7/7/93	2/1/95; 60 FR 6022	(c)(33).
Section 45–21–11	Can Coating	7/7/93	2/1/95; 60 FR 6022	(c)(33).
Section 45–21–12	Coil Coating	7/7/93	2/1/95; 60 FR 6022	(c)(33).
Section 45–21–14	Fabric Coating	7/7/93	2/1/95; 60 FR 6022	(c)(33).
Section 45–21–15	Vinyl Coating	7/7/93	2/1/95; 60 FR 6022	(c)(33).
Section 45–21–16	Coating of Metal Furniture	7/7/93	2/1/95; 60 FR 6022	(c)(33).
Section 45–21–17	Coating of Large Appliances	7/7/93	2/1/95; 60 FR 6022	(c)(33).
Section 45–21–18	Coating of Magnet Wire	7/7/93	2/1/95; 60 FR 6022	(c)(33).
Section 45–21–19	Coating of Miscellaneous Metal Parts	7/7/93	2/1/95; 60 FR 6022	(c)(33).
Section 45–21–21	Bulk Gasoline Plants	7/7/93	2/1/95; 60 FR 6022	(c)(33).
Section 45–21–22	Bulk Gasoline Terminals	7/7/93	2/1/95; 60 FR 6022	(c)(33).
Section 45–21–23	Gasoline Dispensing Facility—Stage I Vapor Recovery.	7/7/93	2/1/95; 60 FR 6022	(c)(33).
Section 45–21–24	Leaks from Gasoline Tank Trucks	7/7/93	2/1/95; 60 FR 6022	(c)(33).
Section 45–21–25	Petroleum Refinery Sources	7/7/93	2/1/95; 60 FR 6022	(c)(33).
Section 45–21–26	Leaks from Petroleum Refinery Equipment.	7/7/93	2/1/95; 60 FR 6022	(c)(33).
Section 45–21–27	Petroleum Liquid Storage in External Floating Roof Tanks.	7/7/93	2/1/95; 60 FR 6022	(c)(33).
Section 45–21–28	Petroleum Liquid Storage in Fixed Roof Tanks.	7/7/93	2/1/95; 60 FR 6022	(c)(33).
Section 45–21–29	Leaks from Natural Gas/Gasoline Processing Equipment.	7/7/93	2/1/95; 60 FR 6022	(c)(33).
Section 45–21–31	Cutback and Emulsified Asphalt	7/7/93	2/1/95; 60 FR 6022	(c)(33).
Section 45–21–36	Perchlorethylene Dry Cleaning	7/7/93	2/1/95 60 FR 6022	(c)(33).
Section 45–21–39	Air Oxidation Processes in the Synthetic Organic Chemical Manufacturing Industry.	7/7/93	2/1/95; 60 FR 6022	(c)(33).
Section 45–21–41	Test Methods and Compliance Procedures: General Provisions.	7/7/93	2/1/95; 60 FR 6022	(c)(33).
Section 45–21–42	Test Methods and Compliance Procedures: Determining the Volatile Organic Compound (VOC) Content of Coatings and Inks.	7/7/93	2/1/95; 60 FR 6022	(c)(33).
Section 45–21–43	Test Methods and Compliance Procedures: Alternative Compliance Methods for Surface Coating.	7/7/93	2/1/95; 60 FR 6022	(c)(33).
Section 45–21–44	Test Methods and Compliance Procedures: Emission Capture and Destruction or Removal Efficiency and Monitoring Requirements.	7/7/93	2/1/95; 60 FR 6022	(c)(33).

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State citation [Chapter 16–20 or 45 CSR]	Title/subject	State effective date	EPA approval date	Additional explanation/ citation at 40 CFR 52.2565
Section 45–21–45	Test Methods and Compliance Procedures: Determining the Destruction or Removal Efficiency of a Control Device.	7/7/93	2/1/95; 60 FR 6022	(c)(33).
Section 45–21–46	Test Methods and Compliance Procedures: Leak Detection Methods for Volatile Organic Compounds (VOCs).	7/7/93	2/1/95; 60 FR 6022	(c)(33).
Section 45–21–47	Performance Specifications for Continuous Emissions Monitoring of Total Hydrocarbons.	7/7/93	2/1/95; 60 FR 6022	(c)(33).
Section 45–21–48	Quality Control Procedures for Continuous Emission Monitoring Systems (CEMS).	7/7/93	2/1/95; 60 FR 6022	(c)(33).
Appendix A	VOC Capture Efficiency	7/7/93	2/1/95; 60 FR 6022	(c)(33).
[45 CSR] Series 29 Rule Requiring the Submission of Emission Statements for Volatile Organic Compound Emissions and Oxides of Nitrogen Emissions				
Section 45–29–1	General	7/7/93	8/4/95; 60 FR 39855.	(c)(34).
Section 45–29–2	Definitions	7/7/93	8/4/95; 60 FR 39855.	(c)(34).
Section 45–29–3	Applicability	7/7/93	8/4/95; 60 FR 39855.	(c)(34).
Section 45–29–4	Compliance Schedule	7/7/93	8/4/95; 60 FR 39855.	(c)(34).
Section 45–29–5	Emission Statement Requirements	7/7/93	8/4/95; 60 FR 39855.	(c)(34).
Section 45–29–6	Enforceability	7/7/93	8/4/95; 60 FR 39855.	(c)(34).
Section 45–29–7	Severability	7/7/93	8/4/95; 60 FR 39855.	(c)(34).
[45 CSR] Series 35 Determining Conformity of General Federal Actions to Applicable Implementation Plans (General Conformity)				
Section 45–35–1	General	6/1/12	1/22/13, 78 FR 4333.	
Section 45–35–2	Definitions	6/1/12	1/22/13, 78 FR 4333.	
Section 45–35–3	Requirements	6/1/12	1/22/13, 78 FR 4333.	
Section 45–35–4	Adoption of Requirements	6/1/12	1/22/13, 78 FR 4333.	
Section 45–35–5	Inconsistency Between Rules	6/1/12	1/22/13, 78 FR 4333.	
[45 CSR] Series 39 Control of Annual Nitrogen Oxide Emissions to Mitigate Interstate Transport of Fine Particulate Matter and Nitrogen Oxides				
Section 45–39–1	General	5/1/08	8/4/09, 74 FR 38536.	
Section 45–39–2	Definitions	5/1/08	8/4/09, 74 FR 38536.	
Section 45–39–3	Measurements, Abbreviations and Acronyms.	5/1/08	8/4/09, 74 FR 38536.	
Section 45–39–4	Applicability	5/1/08	8/4/09, 74 FR 38536.	
Section 45–39–5	Retired Unit Exemptions	5/1/08	8/4/09, 74 FR 38536.	
Section 45–39–6	Standard Requirements	5/1/08	8/4/09, 74 FR 38536.	
Section 45–39–7	Computation of Time	5/1/08	8/4/09, 74 FR 38536.	
Section 45–39–8	Appeal Procedures	5/1/08	8/4/09, 74 FR 38536.	
Section 45–39–10	Authorization and Responsibilities of the CAIR Designated Representative.	5/1/08	8/4/09, 74 FR 38536.	

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State citation [Chapter 16–20 or 45 CSR]	Title/subject	State effective date	EPA approval date	Additional explanation/ citation at 40 CFR 52.2565
Section 45–39–11	Alternate CAIR Designated Representative.	5/1/08	8/4/09, 74 FR 38536.	
Section 45–39–12	Changing the CAIR Designated Representative and Alternate CAIR Designated Representative; Changes in Owners and Operators.	5/1/08	8/4/09, 74 FR 38536.	
Section 45–39–13	Certificate of Representation	5/1/08	8/4/09, 74 FR 38536.	
Section 45–39–14	Objections Concerning the CAIR Designated Representative.	5/1/08	8/4/09, 74 FR 38536.	
Section 45–39–15	Delegation by CAIR Designated Representative and Alternate CAIR Designated Representative.	5/1/08	8/4/09, 74 FR 38536.	
Section 45–39–20	General CAIR NO_X Annual Trading Program Permit Requirements.	5/1/08	8/4/09, 74 FR 38536.	
Section 45–39–21	Submission of CAIR Permit Applications.	5/1/08	8/4/09, 74 FR 38536.	
Section 45–39–22	Information Requirements for CAIR Permit Applications.	5/1/08	8/4/09, 74 FR 38536.	
Section 45–39–23	CAIR Permit Contents and Term	5/1/08	8/4/09, 74 FR 38536.	
Section 45–39–24	CAIR Permit Revisions	5/1/08	8/4/09, 74 FR 38536.	
Section 45–39–40	CAIR NO_X Annual Trading Budget	5/1/08	8/4/09, 74 FR 38536.	Adding annual trading budget for 2015 and thereafter.
Section 45–39–41	Timing Requirements for CAIR NO_X Annual Allowance Allocations.	5/1/08	8/4/09, 74 FR 38536.	Adding requirements that apply to 2015 and thereafter.
Section 45–39–42	CAIR NO_X Annual Allowance Allocations.	5/1/08	8/4/09, 74 FR 38536.	Adding requirements that apply to 2015 and thereafter.
Section 45–39–43	Compliance Supplement Pool	5/1/08	8/4/09, 74 FR 38536.	
Section 45–39–51	Establishment of Accounts	5/1/08	8/4/09, 74 FR 38536.	
Section 45–39–52	Responsibilities of CAIR Authorized Account Representative.	5/1/08	8/4/09, 74 FR 38536.	
Section 45–39–53	Recordation of CAIR NO_X Annual Allowance Allocations.	5/1/08	8/4/09, 74 FR 38536.	
Section 45–39–54	Compliance with CAIR NO_X Emissions Limitation.	5/1/08	8/4/09, 74 FR 38536.	
Section 45–39–55	Banking	5/1/08	8/4/09, 74 FR 38536.	
Section 45–39–56	Account Error	5/1/08	8/4/09, 74 FR 38536.	
Section 45–39–57	Closing of General Accounts	5/1/08	8/4/09, 74 FR 38536.	
Section 45–39–60	Submission of CAIR NO_X Annual Allowance Transfers.	5/1/08	8/4/09, 74 FR 38536.	
Section 45–39–61	U.S. EPA Recordation	5/1/08	8/4/09, 74 FR 38536.	
Section 45–39–62	Notification	5/1/08	8/4/09, 74 FR 38536.	
Section 45–39–70	General Monitoring and Reporting Requirements.	5/1/08	8/4/09, 74 FR 38536.	
Section 45–39–71	Initial Certification and Recertification Procedures.	5/1/08	8/4/09, 74 FR 38536.	
Section 45–39–72	Out of Control Periods	5/1/08	8/4/09, 74 FR 38536.	
Section 45–39–73	Notifications	5/1/08	8/4/09, 74 FR 38536.	
Section 45–39–74	Recordkeeping and Reporting	5/1/08	8/4/09, 74 FR 38536.	
Section 45–39–75	Petitions	5/1/08	8/4/09, 74 FR 38536.	

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State citation [Chapter 16–20 or 45 CSR]	Title/subject	State effective date	EPA approval date	Additional explanation/ citation at 40 CFR 52.2565
Section 45–39–90	Inconsistency Between Rules	5/1/08	8/4/09, 74 FR 38536.	
[45 CSR] Series 40 Control of Ozone Season Nitrogen Oxide Emissions to Mitigate Interstate Transport of Ozone and Nitrogen Oxides				
Section 45–40–1	General	5/1/08	8/4/09, 74 FR 38536.	
Section 45–40–2	Definitions	5/1/08	8/4/09, 74 FR 38536.	
Section 45–40–3	Measurements, Abbreviations and Acronyms.	5/1/08	8/4/09, 74 FR 38536.	
Section 45–40–4	Applicability	5/1/08	8/4/09, 74 FR 38536.	
Section 45–40–5	Retired Unit Exemption	5/1/08	8/4/09, 74 FR 38536.	
Section 45–40–6	Standard Requirements	5/1/08	8/4/09, 74 FR 38536.	
Section 45–40–7	Computation of Time	5/1/08	8/4/09, 74 FR 38536.	
Section 45–40–8	Appeal Procedures	5/1/08	8/4/09, 74 FR 38536.	
Section 45–40–10	Authorization and Responsibilities of the CAIR Designated Representative.	5/1/08	8/4/09, 74 FR 38536.	
Section 45–40–11	Alternate CAIR Designated Representative.	5/1/08	8/4/09, 74 FR 38536.	
Section 45–40–12	Changing the CAIR Designated Representative and Alternate CAIR Designated Representative; Changes in Owners and Operators.	5/1/08	8/4/09, 74 FR 38536.	
Section 45–40–13	Certificate of Representation	5/1/08	8/4/09, 74 FR 38536.	
Section 45–40–14	Objections Concerning the CAIR Designated Representative.	5/1/08	8/4/09, 74 FR 38536.	
Section 45–40–15	Delegation by CAIR Designated Representative and alternate CAIR Designated Representative.	5/1/08	8/4/09, 74 FR 38536.	
Section 45–40–20	General CAIR NO_X Ozone Season Trading Program Permit Requirements.	5/1/08	8/4/09, 74 FR 38536.	
Section 45–40–21	Submission of CAIR Permit Applications.	5/1/08	8/4/09, 74 FR 38536.	
Section 45–40–22	Information Requirements for CAIR Permit Applications.	5/1/08	8/4/09, 74 FR 38536.	
Section 45–40–23	CAIR Permit Contents and Term	5/1/08	8/4/09, 74 FR 38536.	
Section 45–40–24	CAIR Permit Revisions	5/1/08	8/4/09, 74 FR 38536.	
Section 45–40–40	CAIR NO_X Ozone Season Trading Budget.	5/1/08	8/4/09, 74 FR 38536.	Adding ozone season trading budget for 2015 and thereafter, and non-EGU budget.
Section 45–40–41	Timing Requirements for CAIR NO_X Ozone Season Allowance Allocations.	5/1/08	8/4/09, 74 FR 38536.	Adding requirements that apply to 2015 and thereafter.
Section 45–40–42	CAIR NO_X Ozone Season Allowance Allocations.	5/1/08	8/4/09, 74 FR 38536.	Adding requirements that apply to 2015 and thereafter.
Section 45–40–43	CAIR NO_X Ozone Season Allowance Allocation for PPG Unit 002.	5/1/08	8/4/09, 74 FR 38536.	
Section 45–40–51	Establishment of Accounts	5/1/08	8/4/09, 74 FR 38536.	
Section 45–40–52	Responsibilities of CAIR Authorized Account Representative.	5/1/08	8/4/09, 74 FR 38536.	

EPA-APPROVED REGULATIONS IN THE WEST VIRGINIA SIP—Continued

State citation [Chapter 16–20 or 45 CSR]	Title/subject	State effective date	EPA approval date	Additional explanation/ citation at 40 CFR 52.2565
Section 45–40–53	Recordation of CAIR NO_X Ozone Season Allowance Allocations.	5/1/08	8/4/09, 74 FR 38536.	
Section 45–40–54	Compliance with CAIR NO_X Emissions Limitation.	5/1/08	8/4/09, 74 FR 38536.	
Section 45–40–55	Banking	5/1/08	8/4/09, 74 FR 38536.	
Section 45–40–56	Account Error	5/1/08	8/4/09, 74 FR 38536.	
Section 45–40–57	Closing of General Accounts	5/1/08	8/4/09, 74 FR 38536.	
Section 45–40–60	Submission of CAIR NO_X Ozone Season Allowance Transfers.	5/1/08	8/4/09, 74 FR 38536.	
Section 45–40–61	U.S. EPA Recordation	5/1/08	8/4/09, 74 FR 38536.	
Section 45–40–62	Notification	5/1/08	8/4/09, 74 FR 38536.	
Section 45–40–70	General Monitoring and Reporting Requirements.	5/1/08	8/4/09, 74 FR 38536.	
Section 45–40–71	Initial Certification and Recertification Procedures.	5/1/08	8/4/09, 74 FR 38536.	
Section 45–40–72	Out of Control Periods	5/1/08	8/4/09, 74 FR 38536.	
Section 45–40–73	Notifications	5/1/08	8/4/09, 74 FR 38536.	
Section 45–40–74	Recordkeeping and Reporting	5/1/08	8/4/09, 74 FR 38536.	
Section 45–40–75	Petitions	5/1/08	8/4/09, 74 FR 38536.	
Section 45–40–90	Ozone Season NO_X Reduction Requirements for Stationary Internal Combustion Engines.	5/1/08	8/4/09, 74 FR 38536.	
Section 45–40–100	Ozone Season NO_X Reduction Requirements for Emissions of NO_X from Cement Manufacturing Kilns.	5/1/08	8/4/09, 74 FR 38536.	
Section 45–40–110	Inconsistency Between Rules	5/1/08	8/4/09, 74 FR 38536.	
[45 CSR] Series 41 Control of Annual Sulfur Dioxides Emissions				
Section 45–41–1	General	5/1/08	8/4/09, 74 FR 38536.	
Section 45–41–2	Definitions	5/1/08	8/4/09, 74 FR 38536.	
Section 45–41–3	Measurements, Abbreviations and Acronyms.	5/1/08	8/4/09, 74 FR 38536.	
Section 45–41–4	Applicability	5/1/08	8/4/09, 74 FR 38536.	
Section 45–41–5	Retired Unit Exemption	5/1/08	8/4/09, 74 FR 38536.	
Section 45–41–6	Standard Requirements	5/1/08	8/4/09, 74 FR 38536.	
Section 45–41–7	Computation of Time	5/1/08	8/4/09, 74 FR 38536.	
Section 45–41–8	Appeal Procedures	5/1/08	8/4/09, 74 FR 38536.	
Section 45–41–10	Authorization and Responsibilities of the CAIR Designated Representative.	5/1/08	8/4/09, 74 FR 38536.	
Section 45–41–11	Alternate CAIR Designated Representative.	5/1/08	8/4/09, 74 FR 38536.	
Section 45–41–12	Changing the CAIR Designated Representative and Alternate CAIR Designated Representative; Changes in Owners and Operators.	5/1/08	8/4/09, 74 FR 38536.	
Section 45–41–13	Certificate of Representation	5/1/08	8/4/09, 74 FR 38536.	
Section 45–41–14	Objections Concerning the CAIR Designated Representative.	5/1/08	8/4/09, 74 FR 38536.	

EPA-APPROVED REGULATIONS IN THE WEST VIRGINIA SIP—Continued

State citation [Chapter 16–20 or 45 CSR]	Title/subject	State effective date	EPA approval date	Additional explanation/ citation at 40 CFR 52.2565
Section 45–41–15	Delegation by CAIR Designated Representative and alternate CAIR Designated Representative.	5/1/08	8/4/09, 74 FR 38536.	
Section 45–41–20	General CAIR SO_2 Trading Program Permit Requirements.	5/1/08	8/4/09, 74 FR 38536.	
Section 45–41–21	Submission of CAIR Permit Applications.	5/1/08	8/4/09, 74 FR 38536.	
Section 45–41–22	Information Requirements for CAIR Permit Applications.	5/1/08	8/4/09, 74 FR 38536.	
Section 45–41–23	CAIR Permit Contents and Term	5/1/08	8/4/09, 74 FR 38536.	
Section 45–41–24	CAIR Permit Revisions	5/1/08	8/4/09, 74 FR 38536.	
Section 45–41–51	Establishment of Accounts	5/1/08	8/4/09, 74 FR 38536.	
Section 45–41–52	Responsibilities of CAIR Authorized Account Representative.	5/1/08	8/4/09, 74 FR 38536.	
Section 45–41–53	Recordation of CAIR SO_2 Allowances	5/1/08	8/4/09, 74 FR 38536.	
Section 45–41–54	Compliance with CAIR SO_2 Emission Limitation.	5/1/08	8/4/09, 74 FR 38536.	
Section 45–41–55	Banking	5/1/08	8/4/09, 74 FR 38536.	
Section 45–41–56	Account Error	5/1/08	8/4/09, 74 FR 38536.	
Section 45–41–57	Closing of General Accounts	5/1/08	8/4/09, 74 FR 38536.	
Section 45–41–60	Submission of CAIR SO_2 Allowance Transfers.	5/1/08	8/4/09, 74 FR 38536.	
Section 45–41–61	U.S. EPA Recordation	5/1/08	8/4/09, 74 FR 38536.	
Section 45–41–62	Notification	5/1/08	8/4/09, 74 FR 38536.	
Section 45–41–70	General Monitoring and Reporting Requirements.	5/1/08	8/4/09, 74 FR 38536.	
Section 45–41–71	Initial Certification and Recertification Procedures.	5/1/08	8/4/09, 74 FR 38536.	
Section 45–41–72	Out of Control Periods	5/1/08	8/4/09, 74 FR 38536.	
Section 45–41–73	Notifications	5/1/08	8/4/09, 74 FR 38536.	
Section 45–41–74	Recordkeeping and Reporting	5/1/08	8/4/09, 74 FR 38536.	
Section 45–41–75	Petitions	5/1/08	8/4/09, 74 FR 38536.	
Section 45–41–90	Inconsistency Between Rules	5/1/08	8/4/09, 74 FR 38536.	

(d) *EPA approved state source-specific requirements.*

EPA-APPROVED SOURCE SPECIFIC REQUIREMENTS

Source name	Permit/order or registration number	State effective date	EPA approval date	Additional explanation/ citation at 40 CFR 52.2565
Mountaineer Carbon Co	Consent Order	7/2/82	9/1/82 47 FR 38532.	(c)(18).
National Steel Corp.—Weirton Steel Division.	Consent Order (Bubble)	7/6/82	12/9/82 47 FR 55396.	(c)(19).
Columbia Gas Transmission Corporation—Lost River Station.	Consent Order	9/12/90	4/24/91 56 FR 18733.	(c)(24).
Wheeling-Pittsburgh Steel Corp	Consent Order CO–SIP–91–29.	11/14/91	7/25/94 59 FR 37696.	(c)(26).
Standard Lafarge	Consent Order CO–SIP–91–30.	11/14/91	7/25/94 59 FR 37696.	(c)(26).
Follansbee Steel Corp	Consent Order CO–SIP–91–31.	11/14/91	7/25/94 59 FR 37696.	(c)(26).

EPA-APPROVED SOURCE SPECIFIC REQUIREMENTS—Continued

Source name	Permit/order or registration number	State effective date	EPA approval date	Additional explanation/ citation at 40 CFR 52.2565
Koppers Industries, Inc	Consent Order CO–SIP–91–32.	11/14/91	7/25/94 59 FR 37696.	(c)(26).
International Mill Service, Inc	Consent Order CO–SIP–91–33.	11/14/91	7/25/94 59 FR 37696.	(c)(26).
Starvaggi Industries, Inc	Consent Order CO–SIP–91–34.	11/14/91	7/25/94 59 FR 37696.	(c)(26).
Quaker State Corporation	Consent Order CO–SIP–95–1.	1/9/95	11/27/96 61 FR 60191.	(c)(35).
Weirton Steel Corporation	Consent Order CO–SIP–95–2.	1/9/95	11/27/96 61 FR 60191.	(c)(35).
PPG Industries, Inc	Consent Order CO–SIP–2000–1.	1/25/00	8/2/00 65 FR 47339.	(c)(44)(i)(B)(*1*).
Bayer Corporation	Consent Order CO–SIP–2000–2.	1/26/00	8/2/00 65 FR 47339.	(c)(44)(i)(B)(*2*).
Columbian Chemicals Company	Consent Order CO–SIP–2000–3.	1/31/00	8/2/00 65 FR 47339.	(c)(44)(i)(B)(*3*).
PPG Industries, Inc	Consent Order CO–SIP–C–2003–27.	7/29/03	4/28/04 69 FR 23110.	(c)(58).
Wheeling-Pittsburgh Steel Corporation	Operating Permit R13–1939A.	8/19/03	05/05/04 69 FR 24986.	(c)(59)(i)(B)(*1*).
Weirton Steel Corporation	Consent Order, CO–SIP–C–2003–28.	8/4/03	05/05/04 69 FR 24986.	(c)(59)(i)(B)(*2*).

(e) *EPA-approved nonregulatory and quasi-regulatory material.*

Name of non-regulatory SIP revision	Applicable geographic area	State submittal date	EPA approval date	Additional explanation
PM–10 Attainment Plan.	Folansbee Area	11/15/91	7/25/94, 59 FR 37688	52.2522(f); renumbered as (d) at 60 FR 33925.
		11/22/95	11/15/96, 61 FR 58481	52.2522(g).
Sulfur Dioxide Attainment Demonstration.	City of Weirton Butler and Clay Magisterial Districts (Brooke & Hancock Counties).	12/29/03	05/05/04, 69 FR 24986	52.2525(b).
1990 Base Year Emissions Inventory-VOC, CO, NO_X.	Greenbrier County.	12/22/92	8/4/95, 60 FR 39857	52.2531.
Small Business stationary source technical and environmental compliance assistance program.	Statewide	1/13/93	9/15/93, 58 FR 48309	52.2560.
Lead (Pb) SIP	Statewide	6/13/80	10/29/81, 46 FR 53413	52.2565(c)(15).
Air Quality Monitoring Network.	Statewide	11/4/83	4/27/84, 49 FR 18094	52.2565(c)(21).
Ozone Maintenance Plan, emissions inventory & contingency measures.	Huntington Area (Cabell & Wayne Counties).	8/10/94	12/21/94, 59 FR 65719	52.2565(c)(30).
Ozone Maintenance Plan, emissions inventory & contingency measures.	Parkersburg Area (Wood County).	8/10/94	9/6/94, 59 FR 45978	52.2565(c)(31).
Ozone Maintenance Plan, emissions inventory & contingency measures.	Charleston Area (Kanahwa & Putnam Counties).	8/10/94	9/6/94, 59 FR 45985	52.2565(c)(32).

Name of non-regulatory SIP revision	Applicable geographic area	State submittal date	EPA approval date	Additional explanation
Sulfur Dioxide Plan	Grant Magisterial District (Hancock County).	2/17/95	11/27/96, 61 FR 60253	52.2565(c)(35).
Ozone Maintenance Plan & contingency measures.	Greenbrier County.	9/9/94	8/4/95, 60 FR 39857	52.2565(c)(36).
		11/29/06	1/8/08, 73 FR 1282	Action includes (a) removal of the obligation to submit a maintenance plan eight years after initial approval, and (b) removal of the obligation to implement contingency measures upon a violation of the NAAQS
Sulfur Dioxide Plan	Marshall County	2/17/00	8/2/00, 65 FR 47339	52.2565(c)(44).
Ozone Maintenance Plan—amendments.	Huntington Area (Cabell & Wayne Counties).	8/10/94	2/8/02, 67 FR 5953	52.2565(c)(45).
Sulfur Dioxide Maintenance Plan.	City of Weirton; Butler and Clay Magisterial District (Hancock County).	7/27/04	01/10/05, 70 FR 1664	The SIP-effective date is 3/11/05.
Sulfur Dioxide Maintenance Plan.	New Manchester-Grant Magisterial District in Hancock County.	7/27/04	6/08/05, 70 FR 33364	
Attainment Demonstration and Early Action Plan for the Eastern Panhandle Region Ozone Early Action Compact Area.	Berkeley and Jefferson Counties.	12/29/04	8/17/05, 70 FR 48287	
8-Hour Ozone Maintenance Plan for the Charleston, WV Area.	Charleston Area (Kanawha and Putnam Counties).	11/30/05	07/11/06, 71 FR 39001	Action includes approval of the following motor vehicle emission budgets (MVEB): 8.2 tons per day (tpd) for NO_X and 7.2 tpd for VOC.
City of Weirton PM–10 Maintenance Plan.	Hancock and Brooke Counties (part)—the City of Weirton.	4/24/04	7/14/06, 71 FR 40023	Limited maintenance plan.
8-Hour Ozone Maintenance Plan for the Huntington-Ashland, WV-KYArea.	Cabell and Wayne Counties.	5/17/06	9/15/06, 71 FR 54421	
		3/14/11	9/15/11, 76 FR 56975	Revised MVEB's for 2009 and 2018 (VOC and NO_X). See § 52.2527.
8-Hour Ozone Maintenance Plan for the Parkersburg-Marietta, WV-OH Area.	Wood County	9/8/06	5/8/07, 72 FR 2967	SIP effective date: 6/7/07.
		3/14/11	9/15/11, 76 FR 56975	Revised MVEB's for 2009 and 2018 (VOC and NO_X). See § 52.2527.

Name of non-regulatory SIP revision	Applicable geographic area	State submittal date	EPA approval date	Additional explanation
8-Hour Ozone Maintenance Plan for the Steubenville-Weirton, OH-WV Area.	Brooke and Hancock Counties.	8/3/06	5/14/07, 72 FR 27063	SIP effective date: 6/13/07.
		3/14/11	9/15/11, 76 FR 56975	Revised MVEB's for 2009 and 2018 (VOC and NO_X). See § 52.2527.
8-Hour Ozone Maintenance Plan for the Wheeling, WV-OH Area.	Marshall and Ohio County.	7/24/06	5/15/07, 72 FR 2724	SIP effective date: 6/13/07.
		3/14/11	9/15/11, 76 FR 56975	Revised MVEB's for 2009 and 2018 (VOC and NO_X). See § 52.2527.
Article 3, Chapter 64 of the Code of West Virginia, 1931.	Statewide	5/1/06	12/18/07, 72 FR 71576	Effective date of March 11, 2006.
8-Hour Ozone Maintenance Plan for Greenbrier County, WV.	Greenbrier County.	11/29/06	1/8/08, 73 FR 1282.	
8-Hour Ozone Maintenance Plan for the Charleston, WV Area.	Charleston Area (Kanawha and Putnam Counties).	11/30/05	7/11/06, 71 FR 39001	Action includes approval of the following motor vehicle emission budgets (MVEB): 8.2 tons per day (tpd) for NO_X and 7.2 tpd for VOC.
		1/8/07	1/14/08, 73 FR 2156	Action includes approval of new MVEBs.
		3/14/11	9/15/11, 76 FR 56975	Revised MVEB's for 2009 and 2018 (VOC and NO_X). See § 52.2527.
State of West Virginia Transportation Conformity Requirements.	Entire State	04/12/07	5/2/08, 73 FR 24175	Memoranda of Understanding between EPA, FHWA, FTA, State of West Virginia, and six Metropolitan Planning Organizations.
Section 110(a)(2) Infrastructure Requirements for the 1997 8-Hour Ozone NAAQS.	Statewide	12/3/07, 5/21/08	8/4/11, 76 FR, 47062	This action addresses the following CAA elements or portions thereof: 110(a)(2)(A), (B), (C), (D)(ii), (E), (F), (G), (H), (J), (K), (L), and (M).
		12/3/07, 12/11/07, 8/31/11	10/17/12, 77 FR 63736	Approval of the following PSD-related elements or portions thereof: 110(a)(2)(D)(i)(II), except taking no action on the definition of ''regulated NSR pollutant'' found at 45CSR14 section 2.66 only as it relates to the requirement to include condensable emissions of particulate matter in that definition. See § 52.2522(i).
Section 110(a)(2) Infrastructure Requirements for the 1997 $PM_{2.5}$ NAAQS.	Statewide	4/3/08, 5/21/08, 7/9/08, 3/18/10	8/4/11, 76 FR, 47062	This action addresses the following CAA elements or portions thereof: 110(a)(2)(A), (B), (C), (D)(ii), (E), (F), (G), (H), (J), (K), (L), and (M).

Name of non-regulatory SIP revision	Applicable geographic area	State submittal date	EPA approval date	Additional explanation
		12/11/07, 4/3/08, 8/31/11	10/17/12, 77 FR 63736	Approval of the following PSD-related elements or portions thereof: 110(a)(2)(D) (i)(II), except taking no action on the definition of ''regulated NSR pollutant'' found at 45CSR14 section 2.66 only as it relates to the requirement to include condensable emissions of particulate matter in that definition. See § 52.2522(i).
Section 110(a)(2) Infrastructure Requirements for the 2006 $PM_{2.5}$ NAAQS.	Statewide	10/1/09, 3/18/10	8/4/11, 76 FR, 47062	This action addresses the following CAA elements or portions thereof: 110(a)(2)(A), (B), (C), (D)(ii), (E), (F), (G), (H), (J), (K), (L), and (M).
		10/1/09, 8/31/11	10/17/12, 77 FR 63736	Approval of the following PSD-related elements or portions thereof: 110(a)(2)(D) (i)(II), except taking no action on the definition of ''regulated NSR pollutant'' found at 45CSR14 section 2.66 only as it relates to the requirement to include condensable emissions of particulate matter in that definition. See § 52.2522(i).
Regional Haze Plan	Statewide	6/18/08	3/23/12, 77 FR 16937	§52.2533(d); Limited Approval.
Section 110(a)(2) Infrastructure Requirements for the 2008 Lead NAAQS.	Statewide	10/26/11	9/10/12, 77 FR 55417	This action addresses the following CAA elements: 110(a)(2)(A), (B), (C), (D), (E), (F), (G), (H), (J), (K), (L), and (M), or portions thereof.
		8/31/11, 10/26/11	10/17/12, 77 FR 63736	Approval of the following elements or portions thereof: 110(a)(2)(C), (D)(i)(II), and (J), except taking no action on the definition of ''regulated NSR pollutant'' found at 45CSR14 section 2.66 only as it relates to the requirement to include condensable emissions of particulate matter in that definition. See § 52.2522(i).
Section 110(a)(2) Infrastructure Requirements for the 2008 8-Hour Ozone NAAQS.	Statewide	8/31/11, 2/17/12	10/17/12, 77 FR 63736	Approval of the following PSD-related elements or portions thereof: 110(a)(2)(C), (D)(i)(II), and (J), except taking no action on the definition of ''regulated NSR pollutant'' found at 45CSR14 section 2.66 only as it relates to the requirement to include condensable emissions of particulate matter in that definition. See § 52.2522(i).

Name of non-regulatory SIP revision	Applicable geographic area	State submittal date	EPA approval date	Additional explanation
		2/17/12	4/7/2014, 79 FR 19001	This action addresses the following CAA elements, or portions thereof: 110(a)(2)(A), (B), (C), (D), (E), (F), (G), (H), (J), (K), (L), and (M).
1997 annual $PM_{2.5}$ Maintenance Plan for Huntington-Ashland WV-KY-OH Area.	Cabell and Wayne Counties, and the Graham Tax District in Mason County.	6/30/11	12/28/12, 77 FR 76414	
2002 Base Year Emissions Inventory for the 1997 fine particulate matter ($PM_{2.5}$) standard.	West Virginia portion of the Huntington-Ashland, WV-KY-OH nonattainment area.	5/28/09	12/11/12. 77 FR 73544	52.2531(b)
2002 Base Year Emissions Inventory for the 1997 fine particulate matter ($PM_{2.5}$) standard.	Charleston, WV–1997 $PM_{2.5}$ nonattainment area (Kanawha and Putnam Counties).	11/4/09	12/13/12, 77 FR 73923	
2002 Base Year Emissions Inventory for the 1997 fine particulate matter ($PM_{2.5}$) standard.	West Virginia portion of the Parkersburg-Marietta, WV–OH nonattainment area.	9/9/08	12/12/12, 77 FR 73923	52.2531(c)
2002 Base Year Emissions Inventory for the 1997 fine particulate matter ($PM_{2.5}$) standard.	West Virginia portion of the Steubenville-Weirton, OH–WV 1997 $PM_{2.5}$ nonattainment area.	6/24/09	4/16/13, 78 FR 22423	52.2531(e).
1997 Annual $PM_{2.5}$ Maintenance Plan for Parkersburg-Marietta WV-OH Area.	Wood County and a portion of Pleasants County.	3/5/12	9/12/13, 78 FR 56168	See § 52.2526(h).
1997 Annual $PM_{2.5}$ Maintenance Plan for the Wheeling WV–OH Area.	Marshall and Ohio Counties.	3/8/12, 6/24/13	9/30/13, 78 FR 59841	See § 52.2526(i) and § 52.2531(f).
Section 110(a)(2) Infrastructure Requirements for the 2010 nitrogen dioxide NAAQS.	Statewide	12/13/12	1/22/14, 78 FR 3504	This action addresses the following CAA elements: 110(a)(2)(A), (B), (C), (D), (E), (F), (G), (H), (J), (K), (L), and (M), or portions thereof.
1997 annual $PM_{2.5}$ Maintenance Plan for Steubenville-Weirton OH–WV Area.	Brooke County and Hancock County.	4/13/12	3/18/14, 79 FR 15019	
2006 24-hour $PM_{2.5}$ Maintenance Plan for Steubenville-Weirton OH–WV Area.	Brooke County and Hancock County.	6/8/12	3/18/14, 79 FR 15019	

Name of non-regulatory SIP revision	Applicable geographic area	State submittal date	EPA approval date	Additional explanation
1997 Annual and 2006 24-Hour $PM_{2.5}$ Maintenance Plan for the Charleston Area.	Kanawha and Putnam Counties.	12/6/12 6/24/13	3/31/14, 79 FR 17884	See § 52.2526(j) and § 52.2531(g).

[70 FR 7027, Feb. 10, 2005]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.2520, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at *www.fdsys.gov*.

§ 52.2521 Classification of regions.

The West Virginia plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
Steubenville-Weirton-Wheeling Interstate	I	I	III	III	III
Parkersburg-Marietta Interstate	I	II	III	III	III
Huntington-Ashland-Portsmouth-Ironton Interstate	I	III	III	III	III
Kanawha Valley Intrastate	I	III	III	III	III
Southern West Virginia Intrastate	III	III	III	III	III
North Central West Virginia Intrastate	I	III	III	III	III
Cumberland-Keyser Interstate	I	I	III	III	III
Central West Virginia Intrastate	III	III	III	III	III
Allegheny Intrastate	III	III	III	III	III
Eastern Panhandle Intrastate	III	III	III	III	III

[37 FR 10902, May 31, 1972]

§ 52.2522 Approval status.

With the exceptions set forth below in this subpart, the Administrator approves West Virginia's plan for the attainment and maintenance of the national standards.

(a)–(f) [Reserved]

(g) The Administrator approves West Virginia's November 22, 1995 SIP submittal for the Follansbee, West Virginia PM–10 nonattainment area as fulfilling the section 189(a)(1)(B) requirement for a demonstration that the plan is sufficient to attain the PM–10 NAAQS.

(h) [Reserved]

(i)(1) EPA is fully approving WVDEP's August 31, 2011 submittal, except for the narrow issue of the requirement to include condensable emissions of particulate matter in the definition of ''regulated NSR pollutant'' found at 45CSR14 section 2.66. Except for this narrow issue, EPA is approving all other portions of the submittal, including but not limited to, the remainder of section 2.66. In approving West Virginia State Rule 45CSR14 with regard to all other CAA and Federal regulatory SIP requirements for PSD applicable as of the August 31, 2011 SIP revision submission date, EPA is acknowledging that it is consistent with the ''Prevention of Significant Deterioration and Title V Greenhouse Gas Tailoring Rule'' (Tailoring Rule), which was promulgated on June 3, 2010 (75 FR 31514). EPA is not finalizing its proposed approval of WVDEP's August 31, 2011 submittal with respect to the narrow issue of the requirement to include condensable emissions of particulate matter in the definition of ''regulated NSR pollutant'' found at 45CSR14 section 2.66. In

light of a comment received on its July 31, 2012 proposed rule (77 FR 45302), EPA is reviewing West Virginia State Rule 45CSR14 to determine the extent to which its definition of ''regulated NSR pollutant'' satisfies the corresponding Federal definition, and will address this issue in a separate action.

(2) EPA is also approving those portions of West Virginia's SIP submissions dated December 3, 2007, December 11, 2007, April 3, 2008, October 1, 2009, October 26, 2011, and February 17, 2012 which address the PSD-related requirements set forth in CAA section 110(a)(2)(D)(i)(II) for the 1997 $PM_{2.5}$ NAAQS, 1997 8-hour ozone NAAQS, 2006 $PM_{2.5}$ NAAQS, 2008 lead NAAQS, and 2008 ozone NAAQS, as well as CAA Section 110(a)(2)(C) and (J) for the 2008 lead NAAQS and 2008 ozone NAAQS, except for the narrow issue of the requirement to include condensable emissions of particulate matter in the definition of ''regulated NSR pollutant'' found at 45CSR14 section 2.66. EPA is not finalizing its July 31, 2012 proposed approval (77 FR 45302) of WVDEP's SIP submissions dated December 3, 2007, December 11, 2007, April 3, 2008, October 1, 2009, October 26, 2011, and February 17, 2012 submitted to meet the PSD-related infrastructure SIP obligations set forth at CAA sections 110(a)(2)(C), (D)(i)(II) and (J) with respect to the narrow issue of the requirement to include condensable emissions of particulate matter in the definition of ''regulated NSR pollutant'' found at 45CSR14 section 2.66. EPA will address this issue in a separate action.

(j)(1) EPA is disapproving a narrow portion of West Virginia's August 31, 2011 submittal because it does not satisfy the requirement that emissions of $PM_{2.5}$ and PM_{10} shall include gaseous emissions which condense to form particulate matter at ambient temperatures. This disapproval extends only to the lack of condensable emissions within the definition of ''regulated NSR pollutant,'' found at 45CSR14 section 2.66, and does not alter EPA's October 17, 2012 (77 FR 63736) approval of the remaining portions of West Virginia's August 2011 SIP submittal.

(2) EPA is disapproving specific portions of West Virginia's infrastructure SIP submissions dated December 3, 2007, December 11, 2007, April 3, 2008, October 1, 2009, October 26, 2011, and February 17, 2012 which address certain obligations set forth at CAA sections 110(a)(2)(C), (D)(i)(II) and (J) relating to the West Virginia PSD permit program. Because West Virginia's definition of ''regulated NSR pollutant'' in 45CSR14 does not address condensables for $PM_{2.5}$ and PM_{10} emissions, EPA is determining that West Virginia's infrastructure SIP submissions do not meet certain statutory and regulatory obligations relating to a PSD permit program set forth at CAA sections 110(a)(2)(C), (D)(i)(II) and (J) for the narrow issue of condensables as set forth in the following table.

Submittal dates	NAAQS	Infrastructure element(s) disapproved in this action
December 11, 2007; April 3, 2008	1997 $PM_{2.5}$	110(a)(2)(D)(i)(II).
December 3, 2007; December 11, 2007	1997 ozone	110(a)(2)(D)(i)(II).
October 1, 2009	2006 $PM_{2.5}$	110(a)(2)(D)(i)(II).
October 26, 2011	2008 lead	110(a)(2)(D)(i)(II), (C), and (J).
February 17, 2012	2008 ozone	110(a)(2)(D)(i)(II), (C), and (J).

[38 FR 16170, June 20, 1973, as amended at 45 FR 39255, June 10, 1980; 45 FR 54051, Aug. 14, 1980; 45 FR 74480, Nov. 10, 1980; 47 FR 55396, Dec. 9, 1982; 59 FR 37688, July 25, 1994; 60 FR 33925, June 29, 1995; 61 FR 58482, Nov. 15, 1996; 65 FR 2046, Jan. 13, 2000; 68 FR 51464, Aug. 27, 2003; 71 FR 1697, Jan. 11, 2006; 71 FR 56884, Sept. 28, 2006; 77 FR 63743, Oct. 17, 2012; 78 FR 27065, May 9, 2013; 78 FR 33985, June 6, 2013]

§§ 52.2523–52.2524 [Reserved]

§ 52.2525 Control strategy: Sulfur dioxide.

(a) [Reserved]

(b) EPA approves the attainment demonstration State Implementation Plan for the City of Weirton, including the Clay and Butler Magisterial Districts area in Hancock County, West

Virginia, submitted by the West Virginia Department of Environmental Protection on December 29, 2003.

[43 FR 52240, Nov. 9, 1978, as amended at 51 FR 40676, Nov. 7, 1986; 69 FR 24992, May 5, 2004; 78 FR 33985, June 6, 2013]

§ 52.2526 Control strategy: Particulate matter.

(a) EPA approves West Virginia's November 15, 1991 SIP submittal for fulfilling the PM_{10}-specific requirement of part D for contingency measures required under section 172(c)(9) of the Clean Air Act applicable to the Follansbee, West Virginia PM_{10} nonattainment area.

(b) *Determinations of Attainment.* EPA has determined, as of November 20, 2009, the Martinsburg-Hagerstown, WV-MD, the Parkersburg-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.

(c) *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.

(d) *Determination of Attainment.* EPA has determined, as of September 14, 2011, that based on 2007 to 2009 ambient air quality data, the Steubenville-Weirton 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.

(e) *Determination of Attainment.* EPA has determined, as of October 11, 2011, that based on 2007 to 2009 ambient air quality data, the Charleston 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.

(f) *Determination of Attainment.* EPA has determined, as of November 18, 2011, that based on 2007 to 2009 ambient air quality data, the Charleston nonattainment area has attained the 24-hour 2006 $PM_{2.5}$ NAAQS. This determination, in accordance with 40 CFR 51.1004(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.

(g) *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 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.

(h) EPA approves the maintenance plan for the West Virginia portion of

the Parkersburg-Marietta, WV-OH 1997 $PM_{2.5}$ Nonattainment Area (Wood County and a portion of Pleasants County). The maintenance plan establishes a determination of insignificance for $PM_{2.5}$, NO_X and SO_2 for transportation conformity purposes.

(i) EPA approves the maintenance plan for the West Virginia portion of the Wheeling, WV–OH 1997 $PM_{2.5}$ Nonattainment Area (Marshall and Ohio Counties). The maintenance plan establishes a determination of insignificance for $PM_{2.5}$, NO_X and SO_2 for transportation conformity purposes.

(j) EPA approves the maintenance plan for the Charleston $PM_{2.5}$ Nonattainment Area (Kanawha and Putnam Counties). The maintenance plan establishes a determination of insignificance for $PM_{2.5}$ and NO_X for transportation conformity purposes.

[68 FR 51464, Aug. 27, 2003, as amended at 74 FR 60203, Nov. 20, 2009; 76 FR 55544, Sept. 7, 2011; 76 FR 56643, Sept. 14, 2011; 76 FR 62641, Oct. 11, 2011; 76 FR 71541, Nov. 18, 2011; 77 FR 28265, May 11, 2012; 78 FR 56170, Sept. 12, 2013; 78 FR 59843, Sept. 30, 2013; 79 FR 17886, Mar. 31, 2014]

§ 52.2527 Determination of attainment.

(a) Based upon EPA's review of the air quality data for the 3-year period 2007–2009, EPA determined that the Huntington-Ashland, West Virginia-Kentucky-Ohio $PM_{2.5}$ nonattainment Area attained the 1997 annual $PM_{2.5}$ NAAQS by the applicable attainment date of April 5, 2010. Therefore, EPA has met the requirement pursuant to CAA section 179(c) to determine, based on the Area's air quality as of the attainment date, whether the Area attained the standard. EPA also determined that the Huntington-Ashland $PM_{2.5}$ nonattainment Area is not subject to the consequences of failing to attain pursuant to section 179(d).

(b) Based upon EPA's review of the air quality data for the 3-year period 2007 to 2009, EPA determined that the Steubenville-Weirton fine particle ($PM_{2.5}$) nonattainment area attained the 1997 annual $PM_{2.5}$ National Ambient Air Quality Standard (NAAQS) by the applicable attainment date of April 5, 2010. Therefore, EPA has met the requirement pursuant to CAA section 179(c) to determine, based on the area's air quality as of the attainment date, whether the area attained the standard. EPA also determined that the Steubenville-Weirton $PM_{2.5}$ nonattainment area is not subject to the consequences of failing to attain pursuant to section 179(d).

(c) Based upon EPA's review of the air quality data for the 3-year period 2007–2009, EPA determined that the Charleston fine particle ($PM_{2.5}$) nonattainment area attained the 1997 annual $PM_{2.5}$ National Ambient Air Quality Standard (NAAQS) by the applicable attainment date of April 5, 2010. Therefore, EPA has met the requirement pursuant to CAA section 179(c) to determine, based on the area's air quality as of the attainment date, whether the area attained the standard. EPA also determined that the Charleston $PM_{2.5}$ nonattainment area is not subject to the consequences of failing to attain pursuant to section 179(d).

(d) Based upon EPA's review of the air quality data for the 3-year period 2007 to 2009, EPA determined that the Parkersburg-Marietta, WV-OH and Wheeling, WV-OH fine particle ($PM_{2.5}$) nonattainment areas attained the 1997 annual $PM_{2.5}$ National Ambient Air Quality Standard (NAAQS) by the applicable attainment date of April 5, 2010. Therefore, EPA has met the requirement pursuant to CAA section 179(c) to determine, based on the areas' air quality as of the attainment date, whether the areas attained the standard. EPA also determined that the Parkersburg-Marietta, WV-OH and Wheeling, WV-OH $PM_{2.5}$ nonattainment areas are not subject to the consequences of failing to attain pursuant to section 179(d).

(e) Based upon EPA's review of the air quality data for the 3-year period 2007 to 2009, EPA determined that the Martinsburg-Hagerstown, West Virginia-Maryland (WV-MD) fine particle ($PM_{2.5}$) nonattainment area attained the 1997 annual $PM_{2.5}$ National Ambient Air Quality Standard (NAAQS) by the applicable attainment date of April 5, 2010. Therefore, EPA has met the requirement pursuant to CAA section 179(c) to determine, based on the area's air quality as of the attainment date, whether the area attained the standard. EPA also determined that the

Martinsburg-Hagerstown, WV-MD $PM_{2.5}$ nonattainment area is not subject to the consequences of failing to attain pursuant to section 179(d).

[76 FR 55544, Sept. 7, 2011, as amended at 76 FR 56643, Sept. 14, 2011; 76 FR 62641, Oct. 11, 2011; 76 FR 75467, Dec. 1, 2011; 77 FR 1414, Jan. 10, 2012]

§ 52.2528 Significant deterioration of air quality.

(a) The requirements of Sections 160 through 165 of the Clean Air Act are met since the plan includes approvable procedures for the Prevention of Significant Air Quality Deterioration.

(b) [Reserved]

[51 FR 12518, Apr. 11, 1986, as amended at 78 FR 33985, June 6, 2013]

§§ 52.2529–52.2530 [Reserved]

§ 52.2531 Base year emissions inventory.

(a) EPA approves as a revision to the West Virginia State Implementation Plan the 1990 base year emission inventories for the Greenbrier county ozone nonattainment area submitted by the Secretary, West Virginia Department of Commerce, Labor & Environmental Resources on December 22, 1992. These submittals consist of the 1990 base year point, area, non-road mobile, biogenic and on-road mobile source emission inventories in Greenbrier County for the following pollutants: Volatile organic compounds (VOC), carbon monoxide (CO), and oxides of nitrogen (NO_X).

(b) EPA approves as a revision to the West Virginia State Implementation Plan the 2002 base year emissions inventory for the Huntington-Ashland, WV-KY-OH fine particulate matter ($PM_{2.5}$) nonattainment area submitted by the West Virginia Department of Environmental Protection on May 28, 2009. The 2002 base year emissions inventory includes emissions estimates that cover the general source categories of point sources, non-road mobile sources, area sources, on-road mobile sources, and biogenic sources. The pollutants that comprise the inventory are nitrogen oxides (NO_X), volatile organic compounds (VOCs), $PM_{2.5}$, coarse particles (PM_{10}), ammonia (NH_3), and sulfur dioxide (SO_2).

(c) EPA approves as a revision to the West Virginia State Implementation Plan the 2002 base year emissions inventory for the Parkersburg-Marietta, WV–OH fine particulate matter ($PM_{2.5}$) nonattainment area submitted by the West Virginia Department of Environmental Protection on September 9, 2008. The 2002 base year emissions inventory includes emissions estimates that cover the general source categories of point sources, non-road mobile sources, area sources, on-road mobile sources, and biogenic sources. The pollutants that comprise the inventory are nitrogen oxides (NO_X), volatile organic compounds (VOCs), $PM_{2.5}$, coarse particles (PM_{10}), ammonia (NH_3) and sulfur dioxide (SO_2).

(d) EPA approves as a revision to the West Virginia State Implementation Plan the 2002 base year emissions inventory for the Charleston, WV fine particulate matter ($PM_{2.5}$) nonattainment area submitted by the West Virginia Department of Environmental Protection on November 4, 2009. The 2002 base year emissions inventory includes emissions estimates that cover the general source categories of point sources, non-road mobile sources, area sources, on-road mobile sources, and biogenic sources. The pollutants that comprise the inventory are nitrogen oxides (NO_X), volatile organic compounds (VOCs), $PM_{2.5}$, coarse particles (PM_{10}), ammonia (NH_3), and sulfur dioxide (SO_2).

(e) EPA approves as a revision to the West Virginia State Implementation Plan the 2002 base year emissions inventory for the West Virginia portion of the Steubenville-Weirton, OH-WV fine particulate matter ($PM_{2.5}$) nonattainment area submitted by the West Virginia Department of Environmental Protection on June 24, 2009. The 2002 base year emissions inventory includes emissions estimates that cover the general source categories of point sources, non-road mobile sources, area sources, on-road mobile sources, and biogenic sources. The pollutants that comprise the inventory are nitrogen oxides (NO_X), volatile organic compounds (VOCs), $PM_{2.5}$, coarse particles (PM_{10}), ammonia (NH_3), and sulfur dioxide (SO_2).

(f) EPA approves as a revision to the West Virginia State Implementation Plan the comprehensive emissions inventory for the Wheeling, WV–OH fine particulate matter ($PM_{2.5}$) nonattainment area submitted by the West Virginia Department of Environmental Protection on March 8, 2012 and June 24, 2013. The emissions inventory includes emissions estimates that cover the general source categories of point sources, nonroad mobile sources, area sources, onroad mobile sources and biogenic sources. The pollutants that comprise the inventory are nitrogen oxides (NO_X), volatile organic compounds (VOC), $PM_{2.5}$, ammonia (NH_3), and sulfur dioxide (SO_2).

(g) EPA approves as a revision to the West Virginia State Implementation Plan the comprehensive emissions inventory for the Charleston fine particulate matter ($PM_{2.5}$) nonattainment area submitted by the West Virginia Department of Environmental Protection on December 6, 2012 and June 24, 2013. The emissions inventory includes emissions estimates that cover the general source categories of point sources, nonroad mobile sources, area sources, onroad mobile sources and biogenic sources. The pollutants that comprise the inventory are nitrogen oxides (NO_X), volatile organic compounds (VOC), $PM_{2.5}$, ammonia (NH_3), and sulfur dioxide (SO_2).

[60 FR 39862, Aug. 4, 1995, as amended at 77 FR 73545, Dec. 11, 2012; 77 FR 73924,73926, Dec. 12, 2012; 78 FR 22425, Apr. 16, 2013; 78 FR 58943, Sept. 30, 2013; 79 FR 17886, Mar. 31, 2014]

§ 52.2532 Motor vehicle emissions budgets.

(a) EPA approves the following revised 2009 and 2018 motor vehicle emissions budgets (MVEBs) for the Charleston, West Virginia 8-hour ozone maintenance area submitted by the Secretary of the Department of Environmental Protection on March 14, 2011:

Applicable geographic area	Year	Tons per day (TPD) VOC	Tons per day (TPD) NO_X
Charleston Area (Kanawha and Putnam Counties)	2009	16.7	38.9
Charleston Area (Kanawha and Putnam Counties)	2018	13.5	17.1

(b) EPA approves the following revised 2009 and 2018 motor vehicle emissions budgets (MVEBs) for the Huntington, West Virginia 8-hour ozone maintenance area submitted by the Secretary of the Department of Environmental Protection on March 14, 2011:

Applicable geographic area	Year	Tons per day (TPD) VOC	Tons per day (TPD) NO_X
Huntington Area (Cabell and Wayne Counties)	2009	7.4	14.0
Huntington Area (Cabell and Wayne Counties)	2018	6.6	13.5

(c) EPA approves the following revised 2009 and 2018 motor vehicle emissions budgets (MVEBs) for the Parkersburg, West Virginia 8-hour ozone maintenance area submitted by the Secretary of the Department of Environmental Protection on March 14, 2011:

Applicable geographic area	Year	Tons per day (TPD) VOC	Tons per day (TPD) NO_X
Parkersburg Area (Wood County)	2009	5.5	7.3
Parkersburg Area (Wood County)	2018	4.7	7.3

(d) EPA approves the following revised 2009 and 2018 motor vehicle emissions budgets (MVEBs) for the Weirton, West Virginia 8-hour ozone maintenance area submitted by the Secretary of the Department of Environmental Protection on March 14, 2011:

Applicable geographic area	Year	Tons per day (TPD) VOC	Tons per day (TPD) NO_X
Weirton Area (Brooke and Hancock Counties)	2009	3.4	4.2
Weirton Area (Brooke and Hancock Counties)	2018	1.9	3.9

(e) EPA approves the following revised 2009 and 2018 motor vehicle emissions budgets (MVEBs) for the Wheeling, West Virginia 8-hour ozone maintenance area submitted by the Secretary of the Department of Environmental Protection on March 14, 2011:

Applicable geographic area	Year	Tons per day (TPD) VOC	Tons per day (TPD) NO_X
Wheeling Area (Marshall and Ohio Counties)	2009	10.4	9.1
Wheeling Area (Marshall and Ohio Counties)	2018	7.7	3.1

[76 FR 56981, Sept. 15, 2011, as amended at 76 FR 79540, Dec. 22, 2011]

§ 52.2533 Visibility protection.

(a) *Reasonably Attributable Visibility Impairment*. The requirements of section 169A of the Clean Air Act are not met because the plan does not include approvable measures for meeting the requirements of 40 CFR 51.305, 51.306, and 51.307 for protection of visibility in mandatory Class I Federal areas.

(b) Regulation for visibility monitoring and new source review. The provisions of §§ 52.26 and 52.28 are hereby incorporated and made a part of the applicable plan for the State of West Virginia.

(c) *Long-term strategy*. The provisions of § 52.29 are hereby incorporated and made part of the applicable plan for the State of West Virginia.

(d) *Regional Haze*. The requirements of section 169A of the Clean Air Act are not met because the regional haze plan submitted by West Virginia on June 18, 2008, does not include fully approvable measures for meeting the requirements of 40 CFR 51.308(d)(3) and 51.308(e) with respect to emissions of NO_X and SO_2 from electric generating units. EPA has given limited approval and limited disapproval to the plan provisions addressing these requirements.

(e) *Measures Addressing Limited Disapproval Associated with NO_X*. The deficiencies associated with NO_X identified in EPA's limited disapproval of the regional haze plan submitted by West Virginia on June 18, 2008, are satisfied by § 52.2540.

(f) *Measures Addressing Limited Disapproval Associated with SO_2*. The deficiencies associated with SO_2 identified in EPA's limited disapproval of the regional haze plan submitted by West Virginia on June 18, 2008, are satisfied by § 52.2541.

[50 FR 28553, July 12, 1985, as amended at 52 FR 45137, Nov. 24, 1987; 77 FR 16940, Mar. 23, 2012; 77 FR 33659, June 7, 2012]

§ 52.2534 Stack height review.

The State of West Virginia has declared to the satisfaction of EPA that no State Implementation Plan emission limits, other than those for the Kammer power plant, have been affected by stack height credits greater than good engineering practice or any other prohibited dispersion technique as defined in EPA's stack height regulations, as revised on July 8, 1985. This declaration was submitted to EPA on September 16, 1988.

[55 FR 21752, May 29, 1990]

§ 52.2540 Interstate pollutant transport provisions; What are the FIP requirements for decreases in emissions of nitrogen oxides?

(a)(1) The owner and operator of each source and each unit located in the State of West Virginia and for which requirements are set forth under the TR NO_X Annual Trading Program in subpart AAAAA of part 97 of this chapter must comply with such requirements. The obligation to comply with such requirements will be eliminated by the promulgation of an approval by the Administrator of a revision to West

Virginia's State Implementation Plan (SIP) as correcting the SIP's deficiency that is the basis for the TR Federal Implementation Plan under § 52.38(a), except to the extent the Administrator's approval is partial or conditional.

(2) Notwithstanding the provisions of paragraph (a)(1) of this section, if, at the time of the approval of West Virginia's SIP revision described in paragraph (a)(1) of this section, the Administrator has already started recording any allocations of TR NO_X Annual allowances under subpart AAAAA of part 97 of this chapter to units in the State for a control period in any year, the provisions of subpart AAAAA of part 97 of this chapter authorizing the Administrator to complete the allocation and recordation of TR NO_X Annual allowances to units in the State for each such control period shall continue to apply, unless provided otherwise by such approval of the State's SIP revision.

(b)(1) The owner and operator of each source and each unit located in the State of West Virginia and for which requirements are set forth under the TR NO_X Ozone Season Trading Program in subpart BBBBB of part 97 of this chapter must comply with such requirements. The obligation to comply with such requirements will be eliminated by the promulgation of an approval by the Administrator of a revision to West Virginia's State Implementation Plan (SIP) as correcting the SIP's deficiency that is the basis for the TR Federal Implementation Plan under § 52.38(b), except to the extent the Administrator's approval is partial or conditional.

(2) Notwithstanding the provisions of paragraph (b)(1) of this section, if, at the time of the approval of West Virginia's SIP revision described in paragraph (b)(1) of this section, the Administrator has already started recording any allocations of TR NO_X Ozone Season allowances under subpart BBBBB of part 97 of this chapter to units in the State for a control period in any year, the provisions of subpart BBBBB of part 97 of this chapter authorizing the Administrator to complete the allocation and recordation of TR NO_X Ozone Season allowances to units in the State for each such control period shall continue to apply, unless provided otherwise by such approval of the State's SIP revision.

[76 FR 48376, Aug. 8, 2011]

§ 52.2541 Interstate pollutant transport provisions; What are the FIP requirements for decreases in emissions of sulfur dioxide?

(a) The owner and operator of each source and each unit located in the State of West Virginia and for which requirements are set forth under the TR SO_2 Group 1 Trading Program in subpart CCCCC of part 97 of this chapter must comply with such requirements. The obligation to comply with such requirements will be eliminated by the promulgation of an approval by the Administrator of a revision to West Virginia's State Implementation Plan (SIP) as correcting the SIP's deficiency that is the basis for the TR Federal Implementation Plan under § 52.39, except to the extent the Administrator's approval is partial or conditional.

(b) Notwithstanding the provisions of paragraph (a) of this section, if, at the time of the approval of West Virginia's SIP revision described in paragraph (a) of this section, the Administrator has already started recording any allocations of TR SO_2 Group 1 allowances under subpart CCCCC of part 97 of this chapter to units in the State for a control period in any year, the provisions of subpart CCCCC of part 97 of this chapter authorizing the Administrator to complete the allocation and recordation of TR SO_2 Group 1 allowances to units in the State for each such control period shall continue to apply, unless provided otherwise by such approval of the State's SIP revision.

[76 FR 48376, Aug. 8, 2011]

§ 52.2560 Small business technical and environmental compliance assistance program.

On January 13, 1993, the Secretary of the West Virginia Department of Commerce, Labor and Environmental Resources submitted a plan for the establishment and implementation of a Small Business Technical and Environmental Compliance Assistance Program as a state implementation plan revision (SIP), as required by title V of the Clean Air Act. EPA approved the

Small Business Technical and Environmental Compliance Assistance Program on September 15, 1993, and made it part of the West Virginia SIP. As with all components of the SIP, West Virginia must implement the program as submitted and approved by EPA.

[58 FR 48312, Sept. 15, 1993]

§ 52.2565 Original identification of plan section.

(a) This section identifies the original ''Air Implementation Plan for the State of West Virginia'' and all revisions submitted by West Virginia that were federally approved prior to December 1, 2004. The information in this section is available in the 40 CFR, part 52, Volume 2 of 2 (§§ 52.1019 to the end of part 52) editions revised as of July 1, 2005 through July 1, 2011, and the 40 CFR, part 52, Volume 3 of 3 (§§ 52.2020 to the end of part 52) edition revised as of July 1, 2012.

(b) [Reserved]

[78 FR 33985, June 6, 2013]

Subpart YY—Wisconsin

§ 52.2569 Identification of plan—conditional approval.

(a) Revisions to the plan identified in § 52.2570 were submitted on the date specified.

(1)–(3) [Reserved]

(4) On November 15, 1993, and July 28, 1994, the Wisconsin Department of Natural Resources (WDNR) submitted enhanced inspection and maintenance (I/M) rules and a Request for Proposal (RFP) as a revision to the State's ozone State Implementation Plan (SIP). The EPA conditionally approved these rules and RFP based on the State's commitment to amend its rules and sign its final I/M contract to address deficiencies noted in to the final conditional approval. These final, adopted rule amendments and final, signed contract must be submitted to the EPA within one year of the EPA's conditional approval.

(i) Incorporation by reference.

(A) Wisconsin Administrative Code, Chapter NR 485, effective July 1, 1993.

(ii) Additional materials.

(A) SIP narrative plan titled ''Wisconsin—Ozone SIP—Supplement to 1992 Inspection and Maintenance Program Submittal,'' submitted to the EPA on November 15, 1993.

(B) RFP, submitted along with the SIP narrative on November 15, 1993.

(C) Supplemental materials, submitted on July 28, 1994, in a letter to the EPA.

[60 FR 2885, Jan. 12, 1995]

§ 52.2570 Identification of plan.

(a) Title of plan: ''A Statewide Implementation Plan to Achieve Air Quality Standards for Particulates, Sulfur Oxides, Nitrogen Oxides, Hydrocarbons, Oxidants, and Carbon Monoxide in the State of Wisconsin.''

(b) The plan was officially submitted on January 14, 1972.

(c) The plan revisions listed below were submitted on the dates specified.

(1) An abatement order for the Alma Power Plant in the Southeast LaCrosse AQCR was issued on February 15, 1972, by the State Department of Natural Resources. (Non-regulatory)

(2) On March 3, 1972, the control strategy (IPP) for the Southeast Wisconsin Interstate was submitted by the State Department of Natural Resources. (Non-regulatory)

(3) The air quality monitoring network was submitted by the State Department of Natural Resources on March 16, 1972. (Non-regulatory)

(4) Revisions to the air quality monitoring network were submitted on April 7, 1972, by the State Department of Natural Resources. (Non-regulatory)

(5) A revised order, hearing documents and other information concerning the meeting of standards by the Alma Power Plant was submitted on January 19, 1973, by the Governor. Also submitted were revisions to emergency episode levels regulation NR 154.01(41)(c)–3 and NR 154.01(41)(c)–4.

(6) Compliance schedules were submitted on June 26, 1973, by the State.

(7) Compliance schedules were submitted on October 11, 1973, by the State.

(8) Compliance schedules were submitted on October 19, 1973, by the State.

(9) Compliance schedules were submitted on November 10, 1973, by the State.

(10) Compliance schedules were submitted on December 12, 1973, by the State.

(11) The Governor of the State submitted the Air Quality Maintenance Areas designations on June 21, 1974.

(12) A request for an extension of the statutory timetable for the submittal of the portion of the Wisconsin SIP which provides for the attainment of the Secondary NAAQS for TSP was submitted by the Wisconsin DNR on February 22, 1979, and was supplemented with additional information on April 16, 1979 and May 13, 1980.

(13) On June 4, 1979, the State submitted revisions to regulation NR 154.13 and to regulation NR 154.01 as it applies to regulation NR 154.13 and a commitment by the Wisconsin Natural Resources Board to adopt any additional rules representing reasonably available control technology which are necessary for the attainment of the ozone standard. NR 154.01 and NR 154.13 were published in the Wisconsin Administrative Register in July 1979 and were amended in the August 1979 Register.

(14) On November 27, 1979 the Wisconsin Department of Natural Resources submitted revised rules NR 154.01 (126m), 154.02, 154.03 and 154.06. Support materials for these regulations were previously submitted on July 12, 1979 and September 4, 1979.

(15) On May 1, 1980, the Wisconsin Department of Natural Resources submitted the sulfur dioxide regulations NR 154.12 (4) and (5) for the Village of Brokaw, Marathon County and the City of Madison, Dane County.

(16) On July 12, 1979, Wisconsin submitted its ozone and carbon monoxide plan. This included the plan for the Green Bay, Madison, and Milwaukee urban areas which include the ozone nonattainment counties of Brown, Dane, Kenosha, Milwaukee, Ozaukee, Racine and Waukesha. Supplemental materials and commitments were submitted on September 4, 1979, February 28, 1980, August 12, 1980, September 25, 1980, November 4, 1980 and April 9, 1981.

(17) On July 12, 1979, Wisconsin submitted its vehicle inspection and maintenance program. Supplemental information and commitments were submitted on August 1, 1979, October 16, 1979, May 7, 1980, May 8, 1980, and April 9, 1981.

(18) On July 12, 1979 Wisconsin submitted its new source review regulations. Additional information was submitted on September 4, 1979, November 27, 1979, May 1, 1980, and February 18, 1981. EPA is only approving these submittals as they relate to the new source review plan for nonattainment areas.

(19) On April 18, 1980, the State of Wisconsin submitted a revision to provide for modification of the existing air quality surveillance network. An amendment to the revision was submitted by the State of Wisconsin on September 15, 1980.

(20) On September 9, 1980, the State of Wisconsin submitted a variance to regulation NR 154.13(3)(c) for Avis Rent-A-Car.

(21) On October 29, 1980 the State submitted a variance to regulation NR 154.13(3)(a) for Union Oil Company bulk gasoline terminal in Superior.

(22) On July 12, 1979, the State submitted revisions to Regulation NR 154.09, Wisconsin Administrative Code.

(23) Revision to plan allowing General Motors Assembly Division Janesville plant variance from Regulation NR 154.13(4)(g) 4.a., Wisconsin Administrative Code submitted January 15, 1981 by the State Department of Natural Resources.

(24) On August 31, 1981, Wisconsin submitted a variance from the provisions of Section NR 154.12(5)(a)2.b.2, and NR 154.12(5)(b) Wisconsin Administrative Code, for the Oscar Mayer and Company plant located in Madison, Wisconsin as a revision to the Wisconsin sulfur dioxide SIP.

(25) Revision to plan allowing W. H. Brady Company in Milwaukee variance from regulation NR 154.13(4) (e) and (f), Wisconsin Administrative Code, submitted January 22, 1982, by the State Department of Natural Resources.

(26) Revision to plan allowing Albany Carbide Corporation in Albany variance from regulation NR 154.13(5)(a), Wisconsin Administrative Code, submitted on December 22, 1981, by the State Department of Natural Resources.

(27) On January 15, 1981, the Wisconsin Department of Natural Resources submitted revisions to regulations NR 154.01 and NR 154.13 representing reasonably available control technology which are necessary to attain and maintain the ozone standard. A supplemental commitment was submitted March 31, 1982.

(28) On November 27, 1979, the State of Wisconsin submitted implementation plan revision to satisfy the Part D, Title I of the Clean Air Act for attainment and maintenance of the national ambient air quality standards for particulate matter. The revision consists of NR 154.11, Wisconsin Administrative Code, Control of Particulate Matter. Amendments to the plan were submitted by the State on November 6, 1980, and June 10, 1981. Supplemental information and commitments were submitted on May 1, 1980, May 13, 1982, and December 7, 1982. No attainment plan was submitted for Columbia, Brown, Dane, Douglas, Kenosha, Manitowoc, Marathon, Racine, Winnebago, and Wood Counties.

(29) On July 15, 1982, the State of Wisconsin submitted a variance to the compliance regulation requirements contained in NR 154.13(2)(a)1.d. for Lakehead Pipe Line Company, Inc., in Superior.

(30) On December 7, 1982, Wisconsin submitted revisions to regulations NR 154.01 and NR 154.11(2) for fugitive dust control in or near nonattainment areas for TSP.

(31) On March 8, 1983, the Wisconsin Department of Natural Resources submitted the 1982 revision to the Ozone/Carbon Monoxide SIP for Southeastern Wisconsin. This revision pertains to Kenosha, Milwaukee, Ozaukee, Racine, Walworth, Washington, and Waukesha Counties. EPA is deferring action on the vehicle inspection and maintenance (I/M) portion of this revision.

(32) On February 17, 1983, the Wisconsin Department of Natural Resources submitted the newly created section NR 154.13(13)(e) of Wisconsin's Administrative Code which partially exempts methylene chloride (dichloromethane) and methyl chloroform (1,1,1-trichloroethane) from the VOC control requirements contained in the Wisconsin SIP. The U.S. Environmental Protection Agency is not rulemaking at this time on the sulfur dioxide control requirements for the City of Brokaw in Marathon County which were also contained in the February 17, 1983, submittal.

(33) On January 23, 1984, the State of Wisconsin submitted a State Implementation Plan revision revoking the Hydrocarbon Standard contained in NR 155.03(5).

(34) On July 1, 1983, the State of Wisconsin submitted ambient lead standards and lead emission limitations as additions to the State Implementation Plan. The additions consist of NR 155.03(7), Lead: Primary and Secondary Standards, and NR 154.145, Control of Lead Emissions, of the Wisconsin Administrative Code. Supplemental information and commitments were submitted on October 13, 1983, March 14, 1984, June 4, 1984, and June 15, 1984.

(35) On September 20, 1983, the Wisconsin Department of Natural Resources submitted its Lead SIP for the entire State of Wisconsin. Additional information was submitted on February 14, 1984, and March 14, 1984.

(36) On December 8, 1983, the Wisconsin Department of Transportation submitted Chapter TRANS 131, Motor Vehicle Inspection and Maintenance Program (MVIP). On June 11, 1984, the Wisconsin Department of Natural Resources requested that USEPA approve the remaining element of the 1982 Ozone/Carbon Monoxide SIP, the vehicle inspection and maintenance portion (I-M). All other elements of the Ozone/Carbon Monoxide SIP has been approved previously. (See Section 52.2570 (c)(31)).

(37) On May 25, 1984, the Wisconsin Department of Natural Resources submitted a permit fee rule, Chapter NR 410, which establishes air permit application fees and air permit implementation and enforcement fees, as a revision to the SIP.

(38) On January 23, 1984, the Wisconsin Department of Natural Resources (WDNR) submitted SO_2 emission limits for large electric utility sources located in the City of Milwaukee, Milwaukee County, Wisconsin.

WDNR recodified the rule and on October 23, 1987, submitted it as recodified.

(i) Incorporation by reference.

(A) Wisconsin Administrative Code, Natural Resources (NR) 418.04 as found at (Wisconsin) Register, September 1986, No. 369, effective October 1, 1986.

(39) On January 23, 1984, the Wisconsin Department of Natural Resources submitted revisions to sections NR 154.01 and NR 154.13 of the Wisconsin Administrative Code. These revisions incorporate volatile organic compound emission limits for large existing petroleum dry cleaners located in a six-county area of southeastern Wisconsin into the Wisconsin Ozone SIP [NR 154.13(6)(c)].

(40) On November 17, 1983, Wisconsin submitted revisions to Sections NR 154.01, Definitions, and NR 154.13, Control of Organic Compound Emissions, of the Wisconsin Administrative Code. These revisions clarify the volatile organic compound RACT rules and establish an extended RACT compliance date for certain can coating operations. On July 11, 1984, Wisconsin submitted additional information revising the original submittal.

(i) Incorporation by reference.

(A) Board Order A–36–82, incorporating revisions to NR 154.01 and NR 154.13 of the Wisconsin Administrative Code, became effective in the State of Wisconsin on August 1, 1983.

(41) On January 24, 1985, the Wisconsin Department of Natural Resources submitted test methods for petroleum dry cleaning sources as a revision to the Wisconsin SIP. These test methods are part of the State's ''Air Management Operations Handbook''.

(i) Incorporation by reference.

(A) Test methods for petroleum dry cleaning sources contained in the Wisconsin Department of Natural Resources' ''Air Management Operations Handbook''.

(42) On July 12, 1979, the State of Wisconsin submitted its new source review (NSR) regulations. Additional information was submitted on September 4, 1979, November 27, 1979, May 1, 1980, and February 18, 1981. USEPA has previously approved these submittals as they relate to the NSR plan for nonattainment areas. See (c) (18). USEPA is now approving these submittals as they relate to the general NSR requirements for attainment and unclassified areas. USEPA is not approving these submittals with regard to the Prevention of Significant Deterioration (PSD) requirements, and USEPA's approval of Wisconsin's NSR rules should not be interpreted to apply to PSD. USEPA is approving §§144.394(2) and 144.394(5) of the State Statutes provided that all variances (144.394(2)) and emission reduction options (144.394(5)) are submitted to USEPA as SIP revisions. On November 6, 1985, the State submitted a letter committing to: (1) Revise its regulations to conform with USEPA's July 8, 1985, rulemaking concerning stack height credits for air quality modeling; and (2) implement all air quality modeling analyses to conform with the July 8, 1985, rulemaking until the revised State regulations are enacted.

(i) Incorporation by reference.

(A) The following Sections of Chapter 144 of the Wisconsin Statutes, entitled ''Water, Sewage, Refuse, Mining, and Air Pollution, are incorporated by reference. These sections are located in Subchapter I, ''Definitions'', Subchapter III, ''Air Pollution'', and Subchapter VII, ''General Provisions, Enforcement and Penalties'', of Chapter 144.

Section 144.01 (1), (2), (3), (9m), and (12)—Definitions
Section 144.30—Air Pollution; Definitions
Section 144.31—Air Pollution Control; Powers and Duties
Section 144.34—Inspections
Section 144.375—Air Pollution Control; Standards and Determinations
Section 144.38—Classification and Reporting
Section 144.391—Air Pollution Control Permits
Section 144.392—Permit Application and Review
Section 144.393—Criteria for Permit Approval
Section 144.394—Permit Conditions
Section 144.395—Alteration, Suspension and Revocation of Permits
Section 144.396—Permit Duration
Section 144.397—Operation Permit Review
Section 144.398—Failure to Adopt Rules or Issue Permit or Exemption
Section 144.399—Fees
Section 144.402—Petition for Alteration
Section 144.403—Hearings on Certain Air Pollution Actions
Section 144.423—Violations; Enforcement
Section 144.426—Penalties for Violations Relating to Air Pollution
Section 144.98—Enforcement; Duty of Department of Justice

(B) The following Sections of Chapter NR 154 of the Wisconsin Administrative Code, entitled ''Air Pollution Control'', are incorporated by reference.

Section 154.01—Definitions
Section 154.04—Permit Requirements and Exemptions
Section 154.05—Action on Applications
Section 154.055—Relocation of Portable Sources
Section 154.06—Operation and Inspection of Sources (Source Reporting, Recordkeeping, Testing, Inspection and Operation)
Section 154.08—Enforcement and Penalties
Section 154.21—Limitations on County, Regional, or Local Regulations
Section 154.24—Procedures for Non-contested Case Public Hearings
Section 154.25—Procedures for Alteration of Permits by Petition

(C) Letter from the State of Wisconsin dated November 6, 1985, committing to implement USEPA's stack height regulations.

(43) On October 13, 1983, the State of Wisconsin submitted revisions to Chapter NR 154 of the Wisconsin Administrative Code that exempt certain sources from the need to obtain construction, modification, and operation permits, and from other permit program requirements. USEPA is approving these permit exemptions for attainment, nonattainment, and unclassified areas, except for those exemptions upon which USEPA is deferring action (Sections NR 154.01(118), NR 154.04(3)(a), NR 154.04(5), and NR 154.04(6)(b)).

(i) Incorporation by reference.

(A) Sections NR 154.01, NR 154.04, NR 154.08, NR 154.24, and NR 154.25 of Natural Resources Board Order Number A–39–81, which were published in the Wisconsin Administrative Register in April 1983, and which took effect on May 1, 1983, with the exception of sections NR 154.01(118), NR 154.04(3)(a), NR 154.04(5), and NR 154.04(6)(b).

(ii) Additional material.

(A) Letter from the State dated May 24, 1984, clarifying that major sources, or major modifications of major sources, could not be exempted from the requirement to obtain a permit under sections NR 154.04(2)(a) or NR 154.04(3)(b).

(B) Letter from the State dated July 13, 1984, stating that decisions made pursuant to NR 154.25 would be subject to the permitting criteria in § 144.393 of the Wisconsin Statutes.

(44) On August 20, 1985, Wisconsin submitted a revision to its volatile organic compound plan for the Continental Can Company. The revision allows the use of internal offsets, in conjunction with daily weighted emission limits, at Continental Can's Milwaukee and Racine can manufacturing facilities.

(i) Incorporation by reference.

(A) NR 422.05, as published in the (Wisconsin) Register, September, 1986, number 369, effective October 1, 1986.

(45) Submittal from the State of Wisconsin, dated February 17, 1983, modifying the SO_2 emission limits applicable in the Village of Brokaw, Marathon County, Wisconsin.

(i) Incorporation by reference.

(A) Letter from the Wisconsin Department of Natural Resources, dated February 17, 1983, and revised SO_2 emission limits for the Village of Brokaw, Marathon County, Wisconsin, which are contained in section NR 154.12(4) of the Wisconsin Administrative Code. The revisions consist of limiting the maximum sulfur content in fuel oil burned in boilers to 1.0 percent by weight, where a stack of 160 feet or more is used; limiting process emissions from the Copeland recovery system, pulp papermill cooking acid plant, and pulp digester blow stack to a combined total of 228 pounds of SO_2 per hour, when vented to a common stack of 160 feet of more. If a stack height of less than 160 feet is used, or if the process emissions are not vented to acommon stack of 160 feet or more, then the emission limits approved by USEPA on April 9, 1981, must be met. See (c)(15). The emission limits were effective January 1, 1983.

(46) The State of Wisconsin submitted negative declarations for several volatile organic compound source categories, as follows:

November 7, 1984—Synthetic organic chemical manufacturing industry sources (SOCMI) leaks and oxidation;
September 19, 1984—High-density polyethylene, polypropylene, and polystyrene resin manufacturers;
June 6, 1986—Natural gas/gasoline processing plants leaks.

(i) Incorporation by reference.

(A) Letters dated November 7, 1984, September 19, 1984, and June 6, 1985, from Donald F. Theiler, Director, Bureau of Air Management, Wisconsin Department of Natural Resources.

(ii) Additional information.

(A) Letter dated January 24, 1986, from PPG Industries, Inc., stating that they do not produce as an intermediate or final product any of the chemicals listed in 40 CFR part 60, subpart VV, § 60.489(a).

(47) Submittal from the State of Wisconsin, dated December 19, 1985, revising the specified levels for air pollution episodes, air pollution episode reporting requirements, and the requirements for implementing air pollution control plans.

(i) Incorporation by reference.

(A) Department of Natural Resources, Chapter NR 493, Air Pollution Episode Levels and Episode Emissions Control Action Programs, NR 493.01, 493.02 and 493.03, effective on August 1, 1985.

(48) On April 7, 1986, the WDNR submitted a site-specific revision to its ozone SIP for VOC emissions from Union Camp's four flexographic printing presses at the Tomah facility, located in Monroe County, Wisconsin. It consists of a compliance date extension from December 31, 1985, to December 31, 1987, for meeting the VOC emission limits contained in Wisconsin SHIP regulation, NR 154.13(4)(1).

(i) Incorporation by reference.

(A) January 8, 1986, RACT Variance Review for Union Camp Corporation 501 Williams Street, Tomah, Wisconsin 54660.

(49) Submittal from the State of Wisconsin, dated June 14, 1985, revising the Wisconsin Administrative Code to include section NR 154.015, Department Review Times.

(i) Incorporation by reference.

(A) Letter from the Wisconsin Department of Natural Resources, dated June 14, 1985, and section NR 154.015 of the Wisconsin Administrative Code as a revision to the Wisconsin SIP, effective on May 1, 1985. Section NR 154.015 is entitled ''Department Review Times'', and it establishes time limits for review and action by the Wisconsin Department of Natural Resources on three types of air permit applications.

(50) On November 20, 1986, the State of Wisconsin submitted a revision to the Vehicle Inspection and Maintenance program (I/M) portion of its ozone/CO SIP. This was a revised rule Table 1 for NR 485.04, Wisconsin Administrative Code, plus State SIP Revision Certification.

(i) Incorporation by reference.

(A) Wisconsin revised rule NR 485.04, Wisconsin Administrative Code, effective November 1, 1986.

(51) [Reserved]

(52) On December 1, 1987, the Wisconsin Department of Natural Resources (WDNR) submitted NR 418.06. NR 418.06 is an SO_2 rule which is only applicable to the Badger Paper Mills facility, located in the City of Peshtigo, Marinette County, Wisconsin.

(i) Incorporation by reference.

(A) Natural Resources (NR) 418.06, Peshtigo RACT sulfur limitations, as published in the (Wisconsin) Register, October 1987, No. 382 at page 74, effective November 1, 1987.

(53)–(54) [Reserved]

(55) On January 28, 1985, Wisconsin submitted its Rothschild (Marathon County) SO_2 plan, which contains emission limits for sources in the City of Rothschild and the Town of Weston, specifically for the Weyerhaeuser Paper Company and the Reed-Lignin Company, respectively. USEPA is approving NR 418.08 because this revision meets the requirements of part D of the Clean Air Act, 42 U.S.C. 7501–7508. The Wisconsin SIP, however, contains additional existing requirements for SO_2. Today's action on NR 418.08 has been integrated within Wisconsin's existing SIP regulations, and does not eliminate a source's obligation to comply with all existing SO_2 SIP requirements. Specifically, today's action in no way affects the terms and conditions of a Federal Consent Decree entered into by USEPA and the Weyerhaeuser Company located in Rothschild, Wisconsin No. 89–C–0973–C (W.D. Wis., filed November 1, 1989). This Consent Decree resolves USEPA's enforcement action against Weyerhaeuser Company for violations of SIP rule NR 154.12(1) (now recodified as 418.08). In that Decree, Weyerhaeuser committed to comply

with NR 154.12(1) by installing a desulfurization scrubber. August 15, 1989, the WDNR issued a construction permit to Weyerhaeuser which limit the combined emissions of Weyerhaeuser's acid plant and desulfurization scrubber to 28 pounds of SO_2 per hour. The conditions and terms of this construction permit and of the Consent Decree remain federally enforceable. On May 9, 1987, 18 months past the effective date of USEPA's designation of Marathon County as a primary SO_2 non-attainment area (October 9, 1985, (50 FR 41139)), a construction moratorium was imposed in Marathon County under section 110(a)(2)(I) of the Clean Air Act because the county did not have a USEPA approved plan which assured the attainment and maintenance of the SO_2 NAAQS. However, USEPA final approval of Rothschild's SO_2 SIP will lift the section 110(a)(2)(I) construction ban in Marathon County.

(i) Incorporation by reference.

(A) Wisconsin Administrative Code, Natural Resources 418.08, Rothschild RACT sulfur limitations, as published in the (Wisconsin) Register, September, 1986, number 369, effective October 1, 1986.

(ii) Additional information.

(A) Weyerhaeuser Company, Federal Consent Decree No. 89–C–0973–C (W.D. Wis., filed November 1, 1989).

(56) [Reserved]

(57) On January 13, 1987, WDNR submitted a temporary variance from NR 154.13(4)(g) and interim emission limits for VOC emissions from General Motors Corporation's topcoat and final repair lines at Janesville, Wisconsin, which expire on December 31, 1992.

(i) Incorporation by reference.

(A) January 12, 1987, letter to Mike Cubbin, Plant Manager, General Motors Corporation from L.F. Wible, P.E., Administrator, Division of Environmental Standards.

(58) [Reserved]

(59) On November 6, 1986, WDNR submitted a variance from NR 422.15(2)(b), subject to certain conditions, for the VOC emissions from Gehl Company's dip tank coating operation in West Bend, Wisconsin. On May 22, 1990, WDNR added four additional conditions to the revised plan, and on September 5, 1990, it submitted clarifications to the plan.

(i) Incorporation by reference.

(A) A November 6, 1986, letter from Lyman Wible, P.E., Administrator, Division of Environmental Standards, WDNR to Mr. Michael J. Mulcahy, Vice-President, Secretary and General Counsel, Gehl Company.

(B) A May 10, 1990, letter from Lyman Wible, P.E., Administrator, Division of Environmental Standards, WDNR to Mr. Michael J. Mulcahy, Vice-President, Secretary and General Counsel, Gehl Company.

(ii) Additional information.

(A) A September 5, 1990, letter from Thomas F. Steidl, Attorney, WDNR to Louise C. Gross, Associated Regional Counsel, USEPA.

(60) On January 23, 1984, and May 21, 1987, the WDNR submitted a proposed revision and additional information to the SO_2 SIP for sources located in the cities of Green Bay and DePere, Wisconsin (Brown County).

(i) Incorporation by reference.

(A) Natural Resources 418.05, Green Bay and DePere RACT sulfur limitations, as published in the (Wisconsin) Register, September, 1990, No. 417 at page 96, effective October 1, 1986.

(ii) Additional information.

(A) A July 16, 1990, letter from Don Theiler, Director Bureau of Air Management, WDNR additional information responding to USEPA's comments on the variable emission limits for Proctor & Gamble-Fox River, James River Corporation, and Green Bay Packaging.

(B) An August 27, 1986, letter from Vicki Rudell, Air Management Engineer, WDNR to Mr. Bill Zabor, Proctor & Gamble, Fox River Mill, regarding averaging time to be used when determining SO_2 emission limit exceedances and the concept of bubbling SO_2 emission limit from the digester blow stack scrubber and brown stock washer stack.

(C) A July 13, 1990, letter from W.F. Zabor, Environmental Control Manager, Proctor & Gamble to WDNR regarding the shut down of the bark combustor.

(D) A June 12, 1990, letter from Scott E. Valitchka, Environmental Control

Engineer, James River Corporation, regarding how it intends to determine compliance with its boiler SO_2 emissions.

(E) A July 9, 1990, letter from Brian F. Duffy, Corporate Environmental Director Mills Operations to WDNR regarding SO_2 emission limits and compliance demonstration.

(F) A January 21, 1987, memorandum from Sudhir V. Desai, Environmental Engineer Central District Office, USEPA to Rashidan Khan, Engineering Section, USEPA, entitled ''Overview Inspection Green Bay Packaging Inc., Mill Division Green Bay, Wisconsin 54307, State FID #405032100 (A21055)''.

(61) [Reserved]

(62) On December 11, 1991, the United States Environmental Protection Agency received a revision to Wisconsin's State Implementation Plan for Carbon Monoxide. This revision took the form of Administrative Order AM–91–71, dated November 22, 1991, which incorporates a stipulation between the Wisconsin Department of Natural Resources and the Brunswick Corporation d.b.a. Mercury Marine. The Administrative Order addresses the emissions of carbon monoxide into the ambient air from Mercury Marine Engine Testing Facility in Oshkosh, Wisconsin.

(i) Incorporation by reference.

Administrative Order AM–91–71, dated November 22, 1991, which incorporates a stipulation between the Wisconsin Department of Natural Resources and the Brunswick Corporation d.b.a. Mercury Marine.

(ii) Additional materials.

Attainment modeling demonstration of control strategy to limit carbon monoxide emissions from Mercury Marine Engine Testing Facility, dated December 20, 1989.

(63) Revisions to the sulfur dioxide attainment plan were submitted by the State of Wisconsin between June 5, 1985, and January 27, 1992. The revised plan consists of: Natural Resources 417.07, Natural Resources 417.04, several operating permits, numerous administrative rules, numerous negative declarations, and some compliance plans.

(i) Incorporation by reference.

(A) Wisconsin Administrative Code, Natural Resources (NR) 417.07, Statewide Sulfur Dioxide Emission Limitations: Subsections 1 (Applicability); 2a, 2b, 2c, 2d, 2g (Emission Limits for Existing Sources); 3 (Emission Limits for New Sources); 4 (More Restrictive Emission Limits); 5 (Alternate Emission Limits); 6 (Compliance Schedules); 7 (Compliance Determinations); 8 (Variance from Emission Limits); as published in the (Wisconsin) Register, September, 1990, Number 417 at page 86, effective October 1, 1986.

(B) Wisconsin Administrative Code, NR 417.04, Southeastern Wisconsin Intrastate AQCR, as published in the (Wisconsin) Register, September, 1990, Number 417 at page 85, effective October 1, 1986.

(C) An Air Pollution Control Permit (MIA–10–DFS–82–36–101), dated and effective December 22, 1982, issued by the Wisconsin Department of Natural Resources to The Manitowoc Company, Inc., limiting the emissions and operation of Boiler #23 at the facility in Manitowoc, Manitowoc County, Wisconsin.

(D) An Air Pollution Control Permit (EOP–10–DFS–82–36–102), dated and effective January 12, 1983, and amended on August 7, 1987, issued by the Wisconsin Department of Natural Resources to the Manitowoc Company, Inc., limiting the emissions and operation of Boilers #20, 21, and 22 at the facility in Manitowoc, Manitowoc County, Wisconsin.

(E) An Administrative Order (86–436041870–J01), dated and effective November 25, 1986, issued by the Wisconsin Department of Natural Resources to the Manitowoc Company, Inc., South Works Facility, limiting the emissions and operation of Boilers #20 and 21 at the facility in Manitowoc, Manitowoc County, Wisconsin.

(F) An Administrative Order (86–445038550–J01), dated and effective October 27, 1986, issued by the Wisconsin Department of Natural Resources to Appleton Papers, Inc., limiting the emissions and operation of Boiler #22 at the facility in Appleton, Outagamie County, Wisconsin.

(G) A letter from Andrew Stewart to Dennis Hultgren, dated and effective on October 9, 1986, that details the conditions of the compliance plan for Appleton Papers at the facility in Appleton, Outagamie County, Wisconsin.

(H) An Administrative Order (86–445039100–J01), dated and effective December 23, 1986, issued by the Wisconsin Department of Natural Resources to the Fox River Paper Company, limiting the emissions and operation of Boiler #21 at the facility in Appleton, Outagamie County, Wisconsin.

(I) An Administrative Order (87–445009950–N01), dated and effective May 7, 1987, issued by the Wisconsin Department of Natural Resources to the Sanger B. Powers Correctional Center, limiting the emissions and operation of Boilers #1 and 2 at the facility in Oneida, Outagamie County, Wisconsin.

(J) An Air Pollution Control Permit (86–SJK–072), dated and effective July 28, 1987, issued by the Wisconsin Department of Natural Resources to the Thilmany Pulp and Paper Company, limiting the emissions and operation of Boilers #07, 08, 09, 10, and 11 at the facility in Kaukauna, Outagamie County, Wisconsin.

(K) An Administrative Order (87–469034390–J01), dated and effective January 22, 1987, issued by the Wisconsin Department of Natural Resources to the FWD Corporation, limiting the emissions and operation of Boilers #21, 22, and 23 at the facility in Clintonville, Waupaca County, Wisconsin.

(L) An Administrative Order (86–471030560–J01), dated and effective October 29, 1986, issued by the Wisconsin Department of Natural Resources to the Gilbert Paper Company, limiting the emissions and operation of Boilers #22, 23, 24, and 25 at the facility in Menasha, Winnebago County, Wisconsin.

(M) An Administrative Order (86–471031000–J01), dated and effective November 25, 1986, issued by the Wisconsin Department of Natural Resources to Kimberly Clark-Neenah Paper and Badger Globe Division, limiting the emissions and operation of Boilers #21 and 22 at the facility in Neenah, Winnebago County, Wisconsin.

(N) An Administrative Order (86–471031220–J01), dated and effective October 27, 1986, issued by the Wisconsin Department of Natural Resources to the U.S. Paper Mills Corporation-Menasha Mill Division, limiting the emissions and operation of Boiler #21 at the facility in Menasha, Winnebago County, Wisconsin.

(O) A Mandatory Operating Permit (735008010–J01), dated and effective June 16, 1987, issued by the Wisconsin Department of Natural Resources to Owens-Illinois Tomahawk and Timber STS, Inc., limiting the emissions and operation of Boilers #24, 25, 27, 28, and 29 at the facility in Tomahawk, Lincoln County, Wisconsin.

(P) An Administrative Order (86–750011350–J01), dated and effective September 16, 1986, issued by the Wisconsin Department of Natural Resources to the Del Monte Corporation, limiting the emissions and operation of Boilers #01 and 02 at the facility in Plover, Portage County, Wisconsin.

(Q) An Air Pollution Control Permit (85–RV–013), dated and effective July 17, 1985, issued by the Wisconsin Department of Natural Resources to the Neenah Paper Company, limiting the emissions and operation of Boiler #01 at the facility in Stevens Point, Portage County, Wisconsin.

(R) An Elective Operating Permit (87–NEB–701), dated and effective December 23, 1987, issued by the Wisconsin Department of Natural Resources to Nekoosa Papers, Incorporated-Port Edwards Mill, Inc., limiting the emissions and operation of Boilers #20, 21, 24, and 25; as well as the sulfite recovery furnace at the facility in Port Edwards, Wood County, Wisconsin.

(S) An Air Pollution Control Permit (603007790–N01), dated and effective June 12, 1987, issued by the Wisconsin Department of Natural Resources to the Seneca Foods Corporation, limiting the emissions and operation of Boilers #10 and 11 at the facility in Cumberland, Barron County, Wisconsin.

(T) An Air Pollution Control Permit (MIA–10–KJC–83–16–044), dated and effective July 7, 1983, issued by the Wisconsin Department of Natural Resources to the Koppers Company, limiting the emissions and operation of Boiler #1 at the facility in Superior, Douglas County, Wisconsin.

(U) An Administrative Order (86–649028490–N01), dated and effective September 30, 1986, issued by the Wisconsin Department of Natural Resources to

the Wisconsin Dairies Cooperative, limiting the emissions and operation of Boilers #20, 21, and 22 at the facility in Clayton, Polk County, Wisconsin.

(V) An Administrative Order (86–851009940–J01), dated and effective September 30, 1986, issued by the Wisconsin Department of Natural Resources to Lionite Hardboard, limiting the emissions and operation of Boiler #20 at the facility in Phillips, Price County, Wisconsin.

(W) An Administrative Order (86–230008570–N01), dated and effective September 29, 1986, issued by the Wisconsin Department of Natural Resources to the University of Wisconsin-Parkside Heating Plant, limiting the emissions and operation of Boilers #20, 21, 22, and 23 at the facility in Kenosha, Kenosha County, Wisconsin.

(X) An Administrative Order (86–241012970–J01), dated and effective September 29, 1986, issued by the Wisconsin Department of Natural Resources to the A.O. Smith/Automotive Products Company, limiting the emissions and operation of the fuel burning equipment at the facility in Milwaukee, Milwaukee County, Wisconsin.

(Y) An Administrative Order (86–241014730–J01), dated and effective September 30, 1986, issued by the Wisconsin Department of Natural Resources to the American Can Company, limiting the emissions and operation of Boilers #20, 21, and 22 at the facility in Milwaukee, Milwaukee County, Wisconsin.

(Z) An Administrative Order (87–241007360–J01), dated and effective October 28, 1987, issued by the Wisconsin Department of Natural Resources to the American Motors Corporation, Milwaukee Manufacturing Plant, limiting the emissions and operation of Boilers #20, 21, 22, 23, and 24 at the facility in Milwaukee, Milwaukee County, Wisconsin.

(AA) An Administrative Order (86–241016710–J01), dated and effective September 29, 1986, issued by the Wisconsin Department of Natural Resources to the Eaton Corporation/Specific Industry Control Division, limiting the emissions and operation of Boilers #20, 21, 22, at the facility in Milwaukee, Milwaukee County, Wisconsin.

(BB) An Administrative Order (86–241027050–J01), dated and effective September 18, 1986, issued by the Wisconsin Department of Natural Resources to the Milwaukee County Department of Health and Human Services, limiting the emissions and operation of Boilers #20, 21, 22, and 23, at the facility in Milwaukee, Milwaukee County, Wisconsin.

(CC) An Administrative Order (86–241084690–J01), dated and effective September 30, 1986, issued by the Wisconsin Department of Natural Resources to OMC Evinrude, limiting the emissions and operation of Boilers #20, 21, and 22, at the facility in Milwaukee, Milwaukee County, Wisconsin.

(DD) A letter from Bill Haas to Steve Otto, dated and effective on September 24, 1986, that details the conditions of the compliance plan for OMC-Evinrude at the facility in Milwaukee, Milwaukee County, Wisconsin.

(EE) An Administrative Order (86–241009670–N01), dated and effective September 30, 1986, issued by the Wisconsin Department of Natural Resources to Patrick Cudahy, Incorporated, limiting the emissions and operation of Boilers #20, 22, and 24, at the facility in Cudahy, Milwaukee County, Wisconsin.

(FF) An Elective Operating Permit (86–MJT–037), dated and effective September 23, 1986, issued by the Wisconsin Department of Natural Resources to the Peter Cooper Corporation, limiting the emissions and operation of Boilers #20, 21, 22,23, and 24 at the facility in Oak Creek, Milwaukee County, Wisconsin.

(GG) An Administrative Order (86–241099910–J01), dated and effective October 5, 1986, issued by the Wisconsin Department of Natural Resources to the University of Wisconsin at Milwaukee, Central Heating Plant, limiting the emissions and operation of Boilers #20A, 20B, 20C, and 21 at the facility in Milwaukee, Milwaukee County, Wisconsin.

(HH) A letter from Donald F. Theiler to William H. Rowe, dated and effective on October 2, 1986, that details the conditions of the compliance plan for the University of Wisconsin at Milwaukee at the facility in Milwaukee, Milwaukee County, Wisconsin.

(II) An Administrative Order (86–241025840–J01), dated and effective September 30, 1986, issued by the Wisconsin Department of Natural Resources to

the Vilter Manufacturing Corporation, limiting the emissions and operation of Boilers #20, and 21, at the facility in Milwaukee, Milwaukee County, Wisconsin.

(JJ) An Air Pollution Control Permit (EOP–10–DLJ–82–52–073), dated and effective January 18, 1983, issued by the Wisconsin Department of Natural Resources to J.I. Case, limiting the emissions and operation of Boilers #21 and 22 at the facility in Racine, Racine County, Wisconsin.

(KK) An Administrative Order (86–252006370–J01), dated and effective October 13, 1986, issued by the Wisconsin Department of Natural Resources to S.C. Johnson and Son, Inc., limiting the emissions and operation of Boilers #20, 21, 22, and 23 at the facility in Sturtevant, Racine County, Wisconsin.

(LL) A letter from Donald F. Theiler to Thomas T. Stocksdale, dated and effective on October 13, 1986, that details the conditions of the compliance plan for S.C. Johnson and Son at the facility in Sturtenant, Racine County, Wisconsin.

(MM) An Administrative Order (86–252012530–J01), dated and effective September 29, 1986, issued by the Wisconsin Department of Natural Resources to Southern Wisconsin Center, limiting the emissions and operation of Boilers #20, 21, 22 and 23 at the facility in Union Grove, Racine County, Wisconsin.

(NN) A letter from Donald F. Theiler to George Wade, dated and effective on September 24, 1986, that details the conditions of the compliance plan for Southern Wisconsin Center at the facility in Union Grove, Racine County, Wisconsin.

(OO) An Administrative Order (86–252005050–J01), dated and effective September 30, 1986, issued by the Wisconsin Department of Natural Resources to Western Publishing Company, limiting the emissions and operation of Boilers #20A, 20B, and 21 at the facility in Racine, Racine County, Wisconsin.

(PP) An Air Pollution Control Permit (MIA–12–DAA–83–60–208), dated and effective November 2, 1983, issued by the Wisconsin Department of Natural Resources to Borden Chemical, limiting the emissions and operation of Boiler #20 at the facility in Sheboygan, Sheboygan County, Wisconsin.

(QQ) An Elective Operative Permit (86–SJK–71A), dated and effective May 25, 1988, issued by the Wisconsin Department of Natural Resources to the Wisconsin Power and Light Company, limiting the emissions and operation of Boilers #23, and 24 at the facility in Sheboygan, Sheboygan County, Wisconsin.

(RR) An Air Pollution Control Permit (86–LMW–406), dated and effective September 18, 1986 issued by the Wisconsin Department of Natural Resources to the Wisconsin Power and Light Company, limiting the emissions and operation of Unit 2 at the facility in Portage, Columbia County, Wisconsin.

(SS) An Administrative Order, dated and effective August 1, 1986, issued by the Wisconsin Department of Natural Resources to Oscar Mayer Foods Corporation, limiting the emissions from all sources at the facility in Madison, Dane County, Wisconsin.

(TT) An Administrative Order, dated and effective August 6, 1986, issued by the Wisconsin Department of Natural Resources to the University of Wisconsin, Charter Street Heating Plant, limiting the emissions from all sources at the facility in Madison, Dane County, Wisconsin.

(UU) An Administrative Order (86–114004770–N01), dated and effective September 23, 1986, issued by the Wisconsin Department of Natural Resources to the Universal Foods Corporation, limiting the emissions and operation of Boilers #21 and 22 at the facility in Juneau, Dodge County, Wisconsin.

(VV) An Administrative Order (86–114003340–N01), dated and effective September 23, 1986, issued by the Wisconsin Department of Natural Resources to John Deere Horicon Works, limiting the emissions and operation of fuel burning equipment at the facility in Horicon, Dodge County, Wisconsin.

(WW) An Administrative Order (86–420044680–N01), dated and effective September 30, 1986, issued by the Wisconsin Department of Natural Resources to the Taycheedah Correctional Institute, limiting the emissions and operation of Boiler #20 at the facility in

Taycheedah, Fond du Lac County, Wisconsin.

(XX) An Administrative Order (86–122003640–J01), dated and effective September 30, 1986, issued by the Wisconsin Department of Natural Resources to the Dairyland Power Cooperative, limiting the emissions and operation of Boilers #20 and 21 at the facility in Cassville, Grant County, Wisconsin.

(YY) An Administrative Order (86–123002440–N01), dated and effective September 29, 1986, issued by the Wisconsin Department of Natural Resources to the Iroquois Foundry Company, limiting the emissions and operation of fuel burning equipment at the facility in Browntown, Green County, Wisconsin.

(ZZ) An Administrative Order (86–424017550–J02), dated and effective March 2, 1987, issued by the Wisconsin Department of Natural Resources to the Berlin Foundry Company, limiting the emissions and operation of fuel burning equipment at the facility in Berlin, Green Lake County, Wisconsin.

(AAA) An Administrative Order (86–424021180–N01), dated and effective er 30, 1986, issued by the Wisconsin Department of Natural Resources to the Berlin Tanning and Manufacturing Company, limiting the emissions and operation of fuel burning equipment at the facility in Berlin, Green Lake County, Wisconsin.

(BBB) An Administrative Order (86–128003700–N01), dated and effective September 23, 1986, issued by the Wisconsin Department of Natural Resources to the Carnation Company-Pet Food and Cereal Division, limiting the emissions and operation of Boilers #21 and 22 at the facility in Jefferson, Jefferson County, Wisconsin.

(CCC) An Administrative Order (86–154008030–J01), dated and effective September 29, 1986, issued by the Wisconsin Department of Natural Resources to Frank Brothers, Incorporated, limiting the emissions and operation of fuel burning equipment at the facility in Milton, Rock County, Wisconsin.

(DDD) An Administrative Order (86–154002860–J01), dated and effective September 29, 1986, issued by the Wisconsin Department of Natural Resources to the General Motors Corporation, limiting the emissions and operation of Boilers #21, 22, 23, 24, and 25 at the facility in Janesville, Rock County, Wisconsin.

(EEE) An Administrative Order (86–154004290–N01), dated and effective September 29, 1986, issued by the Wisconsin Department of Natural Resources to George Hormel and Company, limiting the emissions and operation of Boilers #20, 21 and 22 at the facility in Beloit, Rock County, Wisconsin.

(FFF) An Administrative Order (86–999019320–J01), dated and effective September 29, 1986, issued by the Wisconsin Department of Natural Resources to Rock Road of Wisconsin, limiting the emissions and operation of fuel burning equipment at the facility in Janesville, Rock County, Wisconsin.

(GGG) An Administrative Order (86–609037440–N01), dated and effective September 29, 1986, issued by the Wisconsin Department of Natural Resources to the Jacob Leinenkugel Brewing Company, limiting the emissions and operation of Boiler #20 at the facility in Chippewa Falls, Chippewa County, Wisconsin.

(HHH) An Administrative Order (86–609037660–J01), dated and effective September 29, 1986, issued by the Wisconsin Department of Natural Resources to the Northern Wisconsin Center for the Developmentally Disabled, limiting the emissions and operation of Boilers #20, 21, 22, and 23 at the facility in Chippewa Falls, Chippewa County, Wisconsin.

(III) An Air Pollution Control Permit (MIN–04–80–10–028), dated and effective June 19, 1981, issued by the Wisconsin Department of Natural Resources to Lynn Protein, limiting the operation of Boiler #21 at the facility in Clark County, Wisconsin.

(JJJ) A letter from Thomas Woletz to Dale Sleiter, dated and effective on September 9, 1986, that details the conditions of the compliance plan for the Lynn Protein facility in Clark County, Wisconsin.

(KKK) An Administrative Order (86–618022350–J01), dated and effective September 29, 1986, issued by the Wisconsin Department of Natural Resources to Uniroyal Tire Company, Incorporated, limiting the emissions and operation of Boilers #20, 21, and 22 at the facility in

Eau Claire, Chippewa County, Wisconsin.

(LLL) An Administrative Order (86–618027080–J01), dated and effective September 29, 1986, issued by the Wisconsin Department of Natural Resources to the University of Wisconsin Eau Claire Heating Plant, limiting the emissions and operation of Boilers #20 and 21 at the facility in Eau Claire, Chippewa County, Wisconsin.

(MMM) An Administrative Order (86–618026530–N01), dated and effective September 29, 1986, issued by the Wisconsin Department of Natural Resources to the Waste Research and Reclamation Company, limiting the emissions and operation of Boilers #20 and 21 at the facility in Eau Claire, Chippewa County, Wisconsin.

(NNN) An Administrative Order (86–632028430–J01), dated and effective September 29, 1986, issued by the Wisconsin Department of Natural Resources to the G. Heileman Brewing Company, limiting the emissions and operation of Boilers #20, 21, 24, and 25 at the facility in LaCrosse, LaCrosse County, Wisconsin.

(OOO) An Administrative Order (86–632028210–J01), dated and effective November 26, 1986, issued by the Wisconsin Department of Natural Resources to the Trane Company-Main Complex, limiting the emissions and operation of Boilers #20, 21, 22, 23, and 24 at the facility in LaCrosse, LaCrosse County, Wisconsin.

(PPP) An Administrative Order (86–632023590–J01), dated and effective November 26, 1986, issued by the Wisconsin Department of Natural Resources to the Trane Company-Plant 6, limiting the emissions and operation of Boilers #20, 21, and 22 at the facility in LaCrosse, LaCrosse County, Wisconsin.

(QQQ) An Administrative Order (86–632028100–J01), dated and effective September 29, 1986, issued by the Wisconsin Department of Natural Resources to the University of Wisconsin-LaCrosse, limiting the emissions and operation of fuel burning equipment at the facility in LaCrosse, LaCrosse County, Wisconsin.

(RRR) An Administrative Order (86–642028860–N01), dated and effective December 23, 1986, issued by the Wisconsin Department of Natural Resources to the Golden Guernsey Dairy, limiting the emissions and operation of fuel burning equipment at the facility in Sparta, Monroe County, Wisconsin.

(SSS) An Elective Operating Permit (87–JBG–079), dated and effective March 9, 1988, issued by the Wisconsin Department of Natural Resources to the Dairyland Power Cooperative, limiting the emissions and operation of Boiler #20 at the facility in Genoa, Vernon County, Wisconsin.

(ii) Additional information.

(A) On June 9, 1992, Wisconsin DNR submitted its SO_2 maintenance plan for the City of Madison, Dane County.

(B) On June 12, 1992, Wisconsin DNR submitted its SO_2 maintenance plan for the City of Milwaukee, Milwaukee County.

(64) On November 17, 1987, the Wisconsin Department of Natural Resources submitted Wisconsin's Rule Natural Resources (NR) 439.03—Reporting; NR 439.09—Inspections; and NR 484.04—Code of Federal Regulation Provisions.

(i) Incorporation by reference.

(A) Wisconsin revised rules NR 439.03, NR 439.09 and NR 484.04, Wisconsin's Administrative Code, effective October 1, 1987. Section NR 484.04(3) was repealed in 2011 and is removed without replacement; see paragraph (c)(130) of this section.

(65) On March 13, 1989, and May 10, 1990, Wisconsin Department of Natural Resources (WDNR) submitted rule packages AM–2–88 and AM–22–88, respectively, as revisions to its state implementation plan for particulate matter. AM–2–88 was published in December, 1988, and became effective on January 1, 1989. AM–2–88 modifies Chapter NR, Sections 400.02, 404.02, 405.02, 406.04, and 484.03 of the Wisconsin Administrative Code (WAC). AM–22–88 was published in September, 1989, and became effective on October 1, 1989. AM–22–88 modifies Chapter NR, Sections 404.04 and 484.03 of the WAC.

(i) Incorporation by reference.

(A) The rule packages revise NR 400.02, 404.02, 404.04, 405.02, 406.04, and 484.03 of the Wisconsin Administrative Code. Sections NR 404.02(11), NR 404.04(3), and 484.04(3) were repealed in

2011 and are removed without replacement; see paragraph (c)(130) of this section.

(ii) Additional information.

(A) A January 22, 1993, letter from D. Theiler, Director, Bureau of Air Management, WDNR, provides additional information responding to USEPA's proposed disapproval of the SIP revision, and contains WDNR's commitment to using only test methods approved by USEPA.

(66)–(68) [Reserved]

(69) On November 18, 1992, the State submitted rules regulating volatile organic compound emissions from gasoline dispensing facilities' motor vehicle fuel operations.

(i) Incorporation by reference.

(A) Wisconsin Administrative Code, Chapter NR 420 Control of Organic Compound Emissions from Petroleum and Gasoline Sources; Section 420.02 Definitions, Sections NR 420.02(8m), (24m), (32m), (38m), (39m); Section NR 420.045 Motor Vehicle Refueling; published in Wisc. Admin. Code in January 1993, and took effect on February 1, 1993. Section NR 420.045 was rescinded in 2013 and is removed without replacement; see paragraph (c)(129) of this section.

(B) Wisconsin Administrative Code, Chapter NR 425 Compliance Schedules, Exceptions, Registration and Deferrals for Organic Compound Emissions Sources in Chapters 419 to 424; Section 425.035 Throughput Reporting and Compliance Schedules for Motor Vehicle Refueling; published in Wisc. Admin. Code in January 1993, and took effect on February 1, 1993.

(C) Wisconsin Administrative Code, Chapter NR 439 Reporting, Recordkeeping, Testing, Inspection and Determination of Compliance Requirements; Section NR 439.06(3)(c); Section NR 439.06(3)(i); published in the Wisc. Admin. Code in January 1993, and took effect on February 1, 1993.

(D) Wisconsin Administrative Code, Chapter NR 484 Incorporation by Reference; Section 484.05(1) Test Method 21 in appendix A of 40 CFR part 60 is incorporated by reference; Section NR 484.06(2) Other Materials (introduction); Section NR 484.06(2) (u) and (v) were created to incorporate San Diego Air Pollution Control District Test Procedures TP–91–1 and TP–91–2; incorporated by reference in Wisc. Admin. Code in January 1993, and took effect on February 1, 1993.

(E) Wisconsin Administrative Code, Chapter NR 494 Enforcement and Penalties for Violation of Air Pollution Control Provisions; renumbered Sections NR 494.025 and 494.03 to NR 494.03 and 494.05; Section NR 494.04 Tagging Gasoline Dispensing Equipment; published in the Wisc. Admin. Code in January 1993 and took effect on February 1, 1993.

(ii) Additional materials.

(A) Stage II Vapor Recovery SIP Program Description dated November 15, 1992.

(B) Letter from WDNR dated March 29, 1993, citing State authority under Sections NR 144.98, 144.99, 144.423, and 144.426, Wisc. Admin. Code, to enforce the Stage II program.

(C) Packet of public education materials on Stage II distributed by WDNR.

(70) On July 2, 1993, the State of Wisconsin submitted a requested revision to the Wisconsin State Implementation Plan (SIP) intended to satisfy the requirements of section 182 (a)(3)(B) of the Clean Air Act as amended in 1990. Included were State rules establishing procedures for stationary sources throughout the state to report annual emissions of volatile organic compounds (VOC) and oxides of nitrogen (NO_X) as well as other pollutants.

(i) Incorporation by reference. Wisconsin Administrative Code, Chapter NR 438, Air Contaminant Emission Reporting Requirements, published in the Wisconsin Register, May 1993, effective June 1, 1993.

(71) [Reserved]

(72) On November 18, 1992 and January 21, 1993, the State of Wisconsin submitted a Small Business Stationary Source Technical and Environmental Assistance Program for incorporation in the Wisconsin State Implementation Plan as required by Section 507 of the Clean Air Act. Included in the State's submittal were portions of 1991 Wisconsin Act 269 and 1991 Wisconsin Act 302.

(i) Incorporation by reference.

(A) Section 15.157(10)—small business environmental council—91–92 Wis. Stats., Effective date: May 14, 1992.

(B) Section 144.36—small business stationary source technical and environmental compliance assistance program—91–92 Wis. Stats., Effective date: May 14, 1992.

(C) Section 144.399(2)(c)—fees—91–92 Wis. Stats., Effective date: July 1, 1992.

(D) Section 560.03(9)—business and industrial development—91–92 Wis. Stats., Effective date: May 14, 1992.

(E) Section 560.11—small business environmental council—91–92 Wis. Stats., Effective date: May 14, 1992.

(F) Section 560, Subchapter III—permit information center—91–92 Wis. Stats., Effective date: November 17, 1983.

(G) Section 96—nonstatutory provisions; development—91 WisAct 302, 1991 Laws of Wisconsin. Effective date May 14, 1992.

(ii) Other material.

(A) Program description.

(73) Revisions to the ozone State Implementation Plan (SIP) were submitted by the Wisconsin Department of Natural Resources on September 22, 1993, and January 14, 1994. These rules replace the 154 series stationary source VOC regulations previously contained in Wisconsin's ozone SIP with 400 series regulations which are consistent with the current Wisconsin Administrative Code. These rules are only being approved as they apply to the ozone SIP.

(i) Incorporation by reference. The following chapters of the Wisconsin Administrative Code are incorporated by reference.

(A) Chapter NR 400: AIR POLLUTION CONTROL DEFINITIONS. NR 400.01 as published in the (Wisconsin) Register, February, 1990, No. 410, effective March 1, 1990. NR 400.02 as published in the (Wisconsin) Register, June, 1993, No. 450, effective July 1, 1993.

(B) Chapter NR 419: CONTROL OF ORGANIC COMPOUND EMISSIONS, except for NR 419.07. NR 419.01, 419.02, 419.03, 419.04 and 419.06 as published in the (Wisconsin) Register, February, 1990, No. 410, effective March 1, 1990. NR 419.05 as published in the (Wisconsin) Register, December, 1993, No. 456, effective January 1, 1994.

(C) Chapter NR 420: CONTROL OF ORGANIC COMPOUND EMISSIONS FROM PETROLEUM AND GASOLINE SOURCES. NR 420.01 as published in the (Wisconsin) Register, February, 1990, No. 410, effective March, 1, 1990. NR 420.02 and 420.045 as published in the (Wisconsin) Register, January, 1993, No. 445, effective February 1, 1993. NR 420.03 and 420.04 as published in the (Wisconsin) Register, December, 1993, No. 456, effective January 1, 1994. NR 420.05 as published in the (Wisconsin) Register, May, 1992, No. 437, effective June 1, 1992. Section NR 420.045 was rescinded in 2013 and is removed without replacement; see paragraph (c)(129) of this section.

(D) Chapter NR 421: CONTROL OF ORGANIC COMPOUND EMISSIONS FROM CHEMICAL, COATINGS AND RUBBER PRODUCTS MANUFACTURING. NR 421.01 as published in the (Wisconsin) Register, February, 1990, No. 410, Effective March 1, 1990. NR 421.02, 421.03, 421.05 and 421.06 as published in the (Wisconsin) Register, December, 1993, No. 456, effective January 1, 1994. NR 421.04 as published in the (Wisconsin) Register, May, 1992, No. 437, effective June 1, 1992.

(E) Chapter NR 422: CONTROL OF ORGANIC COMPOUND EMISSIONS FROM SURFACE COATING, PRINTING AND ASPHALT SURFACING OPERATIONS. NR 422.01, 422.05, 422.06, 422.07, 422.08, 422.085, 422.09, 422.10, 422.11, 422.12, 422.13, 422.155 and 422.16 as published in the (Wisconsin) Register, February, 1990, No. 410, effective March 1, 1990. NR 422.02, 422.03, 422.04, 422.14 and 422.15 as published in the (Wisconsin) Register, December, 1993, No. 456, effective January 1, 1994.

(F) Chapter NR 423: CONTROL OF ORGANIC COMPOUND EMISSIONS FROM SOLVENT CLEANING OPERATIONS. NR 423.01 as published in the (Wisconsin) Register, February, 1990, No. 410, effective March 1, 1990. NR 423.02 as published in the (Wisconsin) Register, January, 1987, No. 385, effective February 1, 1988. NR 423.03, 423.04, and 423.05 as published in the (Wisconsin) Register, December, 1993, No. 456, effective January 1, 1994.

(G) Chapter NR 424: CONTROL OF ORGANIC COMPOUND EMISSIONS FROM PROCESS LINES. NR 424.01 and 424.03 as published in the (Wisconsin)

Register, February, 1990, No. 410, effective March 1, 1990. NR 424.02 as published in the (Wisconsin) Register, April, 1988, No. 388, effective May 1, 1988. NR 424.04 as published in the (Wisconsin) Register, December, 1993, No. 456, effective January 1, 1994.

(H) Chapter NR 425: COMPLIANCE SCHEDULES, EXCEPTIONS, REGISTRATION AND DEFERRALS FOR ORGANIC COMPOUND EMISSION SOURCES IN CHS. NR 419 TO 424. NR 425.01 and 425.02 as published in the (Wisconsin) Register, February, 1990, No. 410, effective March 1, 1990. NR 425.03 425.04 and 425.05 as published in the (Wisconsin) Register, December, 1993, No. 456, effective January 1, 1994. NR 425.035 as published in the (Wisconsin) Register, January, 1993, No. 445, effective February 1, 1993.

(I) Chapter NR 439: REPORTING, RECORDKEEPING, TESTING, INSPECTION AND DETERMINATION OF COMPLIANCE REQUIREMENTS. NR 439.01 and 439.085 as published in the (Wisconsin) Register, May, 1992, No. 437, effective June 1, 1992. NR 439.02, 439.03, 439.04, 439.05, 439.055, 439.06, 439.07, 439.075, 439.09, 439.095 and 439.11 as published in the (Wisconsin) Register, December, 1993, No. 456, effective January 1, 1994. NR 439.08 as published in the (Wisconsin) Register, May, 1993, No. 449, effective June 1, 1993. NR 439.10 as published in the (Wisconsin) Register, September, 1987, No. 381, effective October 1, 1987.

(J) Chapter NR 484: INCORPORATION BY REFERENCE. NR 484.01 as published in the (Wisconsin) Register, May, 1992, No. 437, effective June 1, 1992. NR 484.02 as published in the (Wisconsin) Register, September, 1986, No. 369, effective October 1, 1986. NR 484.03 as published in the (Wisconsin) Register, May, 1993, No. 449, effective June 1, 1993. NR 484.04, 484.05 and 484.06 as published in the (Wisconsin) Register, December, 1993, No. 456, effective January 1, 1994. NR 484.08 and 484.09 as published in the (Wisconsin) Register, October, 1992, No. 442, effective November 1, 1992. Section NR 484.04(3) was repealed in 2011 and is removed without replacement; see paragraph (c)(130) of this section.

(74) On November 24, 1992, the State of Wisconsin requested a revision to the Wisconsin State Implementation Plan (SIP) to maintain the National Ambient Air Quality Standards for SO_2 in Douglas County Wisconsin. Included were State orders and permits limiting emissions from CLM Corporation lime kilns and requiring Continuous Emission Monitoring Systems on these kilns.

(i) Incorporation by reference.

(A) Wisconsin Order AM–91–816A issued by WDNR to CLM Corporation on June 13, 1991. Wisconsin Administrative Order NWD–89–08 issued by the WDNR to CLM Corporation on December 20, 1989.

(75) On November 15, 1992, January 15, 1993, July 28, 1993, and January 14, 1994 the State of Wisconsin submitted emergency and permanent rules for issuance of New Source Review permits for new and modified air pollution sources in nonattainment areas, as required by section 182(a)(2)(c) of the Clean Air Act. The emergency rules have now been superseded by the permanent rules to clarify and specify the NSR requirements that sources must meet under the Clean Air Act. Also submitted were portions of 1991 Wisconsin Act 302.

(i) Incorporation by reference.

(A) NR 400—Wisconsin Administrative Code, Air Pollution Control, Effective date January 1, 1994.

(B) NR 406—Wisconsin Administrative Code, Construction Permits, Effective date January 1, 1994.

(C) NR 408—Wisconsin Administrative Code, Nonattainment Area Major Source Permits, Effective date June 1, 1993.

(D) NR 490—Wisconsin Administrative Code, Procedures for Noncontested Case Public Hearings, Effective date January 1, 1994.

(E) Section 144.30—91–92 Wisconsin Statutes. Effective date May 14, 1992.

(F) Section 144.391—91–92 Wisconsin Statutes. Effective date May 14, 1992.

(G) Section 144.392—Construction permit application and review, 91–92 Wisconsin Statutes. Effective date May 14, 1992.

(H) Section 144.393—91–92 Wisconsin Statutes. Effective date May 14, 1992.

(i) Section 144.394—Permit conditions, 91–92 Wisconsin Statutes. Effective date May 14, 1992.

(ii) Additional material.

(A) Wisconsin's Emergency NSR regulations. Effective date November 15, 1992.

(B) On December 12, 1994, Donald Theiler, Director, Bureau of Air Management, WDNR sent a letter to USEPA clarifying Wisconsin's interpretation of ''any period of 5 consecutive years.'' Wisconsin interprets the term as referring to the five-year period including the calendar year in which the increase from the particular change will occur and the four immediately preceding years.

(76) On January 14, 1994, the State of Wisconsin submitted its rules for an Operating Permits program intended to satisfy federal requirements for issuing federally enforceable operating permits.

(i) Incorporation by reference.

(A) NR 407—Wisconsin Administrative Code, Operating Permits, Effective date January 1, 1994.

(77) On November 15, 1993, the State of Wisconsin submitted a revision to the State Implementation Plan (SIP) for the implementation of an employee commute options (ECO) program in the Milwaukee-Racine, severe–17, ozone nonattainment area. This revision included Chapter NR 486 of the Wisconsin Administrative Code, effective October 1, 1993, and Wisconsin Statutes sections 144.3712, enacted on April 30, 1992 by Wisconsin Act 302.

(i) Incorporation by reference.

(A) Chapter NR 486 of the Wisconsin Administrative Code, effective October 1, 1993.

(B) Wisconsin Statutes, section 144.3712, enacted on April 30, 1992 by Wisconsin Act 302.

(78) On November 15, 1993, the State of Wisconsin submitted a revision to the State Implementation Plan (SIP) for the implementation of a motor vehicle inspection and maintenance (I/M) program in the Milwaukee-Racine and Sheboygan ozone nonattainment areas. This revision included 1993 Wisconsin Act 288, enacted on April 13, 1994, Wisconsin Statutes Sections 110.20, 144.42, and Chapter 341, Wisconsin Administrative Code Chapter NR 485, SIP narrative, and the State's Request for Proposal (RFP) for implementation of the program.

(i) Incorporation by reference.

(A) 1993 Wisconsin Act 288, enacted on April 13, 1994.

(B) Wisconsin Statutes, Sections 110.20, 144.42, and Chapter 341, effective November 1, 1992.

(79) On October 21, 1994, the Wisconsin Department of Natural Resources (WDNR) submitted a plan modifying the SO_2 emission limits applicable to Rhinelander Paper Company facility, located in the City of Rhinelander, Oneida County, Wisconsin.

(i) Incorporation by reference.

(A) A Consent Order (AM–94–38), effective August 22, 1994 issued by the Wisconsin Department of Natural Resources (WDNR) and signed by Donald F. Theiler for the WDNR and Melvin L. Davidson for the Rhinelander Paper Company. Rhinelander Paper Company is located in Rhinelander (Oneida County), Wisconsin. This Order limits the overall SO_2 emissions from the Rhinelander Paper Company, and imposes more stringent SO_2 limits for the source's stoker and cyclone boilers and vapor compression evaporator. Sampling and testing of fuel, as well as monitoring criteria are documented within the Order.

(B) A letter dated August 29, 1994 from the WDNR to Jerry Neis of Rhinelander Paper Company, requesting clarification for sampling methodologies for all fuel and the source of the sludge used as a fuel source.

(C) A response letter dated October 19, 1994 from Jerome T. Neis of Rhinelander Paper Company to the WDNR, detailing sampling methodologies for all fuel and clarifying the source of the sludge used as a fuel source.

(80) [Reserved]

(81) A revision to the ozone State Implementation Plan (SIP) was submitted by the Wisconsin Department of Natural Resources on June 30, 1994, and supplemented on July 15, 1994. This revision consists of volatile organic compound regulations which establish reasonably available control technology for yeast manufacturing, molded wood parts or products coating, and wood door finishing.

(i) Incorporation by reference. The following sections of the Wisconsin Administrative Code are incorporated by reference.

(A) NR 422.02(7), (34) as amended and published in the (Wisconsin) Register, August, 1994, No. 464, effective September 1, 1994. NR 422.02(12e), (18m), (24s), (27m), (33d), (34m), (46m), and (51) as created and published in the (Wisconsin) Register, August, 1994, No. 464, effective September 1, 1994.

(B) NR 422.03(intro.) as amended and published in the (Wisconsin) Register, August, 1994, No. 464, effective September 1, 1994. NR 422.03 (8) and (9) as created and published in the (Wisconsin) Register, August, 1994, No. 464, effective September 1, 1994.

(C) NR 422.04(1)(a) as amended and published in the (Wisconsin) Register, August, 1994, No. 464, effective September 1, 1994.

(D) NR 422.132 as created and published in the (Wisconsin) Register, August, 1994, No. 464, effective September 1, 1994.

(E) NR 422.135 as created and published in the (Wisconsin) Register, August, 1994, No. 464, effective September 1, 1994.

(F) NR 424.02 (3), (4), (5), (6), and (7) as created and published in the (Wisconsin) Register, June, 1994, No. 462, effective July 1, 1994.

(G) NR 424.05 as created and published in the (Wisconsin) Register, June, 1994, No. 462, effective July 1, 1994.

(H) NR 439.04(5)(a)(intro.) as amended and published in the (Wisconsin) Register, August, 1994, No. 464, effective September 1, 1994.

(I) NR 439.075(2)(a)4. as amended and published in the (Wisconsin) Register, June, 1994, No. 462, effective July 1, 1994.

(J) NR 439.09(7m) as created and published in the (Wisconsin) Register, June, 1994, No. 462, effective July 1, 1994. NR 439.09(9)(b) as amended and published in the (Wisconsin) Register, June, 1994, No. 462, effective July 1, 1994.

(K) NR 439.095 (1)(e) and (5)(e) as created and published in the (Wisconsin) Register, June, 1994, No. 462, effective July 1, 1994.

(L) NR 484.05(9) as renumbered from NR 484.05(2), amended and published in the (Wisconsin) Register, August, 1994, No. 464, effective September 1, 1994.

(82) Revisions to the ozone State Implementation Plan (SIP) were submitted by the Wisconsin Department of Natural Resources on April 17, 1990, and June 30, 1994, and supplemented on July 15, 1994. Included in these revisions is a volatile organic compound (VOC) regulation which establishes reasonably available control technology (RACT) for screen printing facilities. Additionally, the State submitted current negative declarations for pre-1990 Control Technology Guideline (CTG) categories for which Wisconsin does not have rules as well as a list of major sources affected by the 13 CTG categories that USEPA is required to issue pursuant to sections 183(a), 183(b)(3) and 183(b)(4) of the Clean Air Act (Act).

(i) Incorporation by reference. The following sections of the Wisconsin Administrative Code are incorporated by reference.

(A) NR 422.02(11m), (21s), (41p), (41s), (41v) and (42m) as created and published in the (Wisconsin) Register, June, 1994, No. 462, effective July 1, 1994. NR 422.02(32) as amended and published in the (Wisconsin) Register, June, 1994, No. 462, effective July 1, 1994.

(B) NR 422.03(4m) as created and published in the (Wisconsin) Register, June, 1994, No. 462, effective July 1, 1994.

(C) NR 422.145 as created and published in the (Wisconsin) Register, June, 1994, No. 462, effective July 1, 1994.

(D) NR 439.04(4)(intro.), (5)(a)1. and (5)(a)2. as amended and published in the (Wisconsin) Register, June, 1994, No. 462, effective July 1, 1994.

(ii) Additional material.

(A) On April 17, 1990, and June 30, 1994, Wisconsin submitted negative declarations for the following source categories: Leaks from petroleum refinery equipment; Manufacture of synthesized pharmaceutical products; Mmanufacture of pneumatic rubber tires; Automobile and light duty truck manufacturing; Fire truck and emergency response vehicle manufacturing;

Manufacture of high-density polyethylene, polypropylene, and polystyrene resins, a.k.a. polymer manufacturing; Leaks from synthetic organic chemical and polymer manufacturing equipment; Air oxidation processes at synthetic organic chemical manufacturing industries; and Equipment leaks from natural gas/gasoline processing plants. These negative declarations are approved into the Wisconsin ozone SIP.

(B) On June 30, 1994, Wisconsin submitted a list of facilities subject to the post-enactment source categories listed in Appendix E to the General Preamble. 57 FR 18070, 18077 (April 28, 1992). The list included facilities covered by the source categories cleanup solvents, offset lithography, plastic parts coating, and wood furniture coating. This list is approved into the Wisconsin ozone SIP.

(83) A revision to the ozone State Implementation Plan (SIP) was submitted by the Wisconsin Department of Natural Resources on June 14, 1995. This revision is a volatile organic compound (VOC) regulation which requires controls on facilities that perform autobody refinishing operations.

(i) Incorporation by reference. The following sections of the Wisconsin Administrative Code are incorporated by reference.

(A) NR 422.02(intro.) and (47), 422.03 (1) and (3) and 484.05(1) as amended and published in the (Wisconsin) Register, August, 1995 and effective September 1, 1995.

(B) NR 422.02 (1), (1x), (3m), (12d), (33j), (34s), (34v), (37s), (42n), (47e) and (49m) and 422.095 as created and published in the (Wisconsin) Register, August, 1995 and effective September 1, 1995.

(C) NR 422.02(1s) as renumbered from 422.02(1) and published in the (Wisconsin) Register, August, 1995 and effective September 1, 1995.

(84) A revision to the ozone State Implementation Plan (SIP) was submitted by the Wisconsin Department of Natural Resources on February 17, 1995, and supplemented on June 14, 1995. This revision consists of a volatile organic compound regulation that requires controls for gasoline storate tank vent pipes.

(i) Incorporation by reference. The following section of the Wisconsin Administrative Code is incorporated by reference.

(A) NR 420.035 as created and published in the (Wisconsin) Register, July, 1994, No. 463, effective August 1, 1994.

(85) A revision to the ozone State Implementation Plan (SIP) was submitted by the Wisconsin Department of Natural Resources on April 12, 1995, and supplemented on June 14, 1995, and January 19, 1996. This revision consists of a volatile organic compound regulation that requires the control of emissions from traffic markings.

(i) Incorporation by reference. The following section of the Wisconsin Administrative Code is incorporated by reference.

(A) NR 422.02(16e), (42q), (42s) and (47m) as created and published in the (Wisconsin) Register, July, 1994, No. 463, effective August 1, 1994.

(B) NR 422.17 as created and published in the (Wisconsin) Register, July, 1994, No. 463, effective August 1, 1994.

(86) A revision to the ozone State Implementation Plan (SIP) was submitted by the Wisconsin Department of Natural Resources on April 12, 1995, and supplemented on June 14, 1995, and January 19, 1996. This revision consists of a volatile organic compound regulation that requires additional controls on solvent metal cleaning operations. This rule is more stringent than the RACT rule it is replacing.

(i) Incorporation by reference. The following section of the Wisconsin Administrative Code is incorporated by reference.

(A) NR 423.02(10) as renumbered from NR 423.02(9), amended and published in the (Wisconsin) Register, August, 1994, No. 464, effective September 1, 1994. NR 423.02(11) as renumbered from NR 423.02(10) and published in the (Wisconsin) Register, August, 1994, No. 464, effective September 1, 1994. NR 423.02(9) and (12) as created and published in the (Wisconsin) Register, August, 1994, No. 464, effective September 1, 1994.

(B) NR 423.03 as created and published in the (Wisconsin) Register, August, 1994, No. 464, effective September 1, 1994.

(C) NR 425.03(12)(a)7. as amended and published in the (Wisconsin) Register, August, 1994, No. 464, effective September 1, 1994.

(87) The state of Wisconsin requested a revision to the Wisconsin State Implementation Plan (SIP). This revision is for the purpose of establishing and implementing a Clean-Fuel Fleet Program to satisfy the federal requirements for a Clean Fuel Fleet Program to be part of the SIP for Wisconsin.

(i) Incorporation by reference.

(A) Chapter 487 of the Wisconsin Administrative Code, effective June 1, 1995.

(B) Wisconsin Statutes, section 144.3714, enacted on April 30, 1992, by Wisconsin Act 302.

(88) A revision to the ozone State Implementation Plan (SIP) was submitted by the Wisconsin Department of Natural Resources on June 30, 1994, and supplemented on July 15, 1994. This revision consists of volatile organic compound regulations which establish reasonably available control technology for iron and steel foundries.

(i) Incorporation by reference. The following sections of the Wisconsin Administrative Code are incorporated by reference.

(A) NR 419.02(1s), (1t), (1u), (3m) and (6m) as created and published in the (Wisconsin) Register, June, 1994, No. 462, effective July 1, 1994.

(B) NR 419.08 as created and published in the (Wisconsin) Register, June, 1994, No. 462, effective July 1, 1994.

(89) A revision to the ozone State Implementation Plan (SIP) was submitted by the Wisconsin Department of Natural Resources on May 12, 1995, and supplemented on June 14, 1995 and November 14, 1995. This revision consists of volatile organic compound regulations which establish reasonably available control technology for lithographic printing facilities.

(i) Incorporation by reference. The following sections of the Wisconsin Administrative Code are incorporated by reference.

(A) NR 422.02(6), (18s), (21e), (24p), (24q), (28g), (37v), (41y) and (50v) as created and published in the (Wisconsin) Register, June, 1995, No. 474, effective July 1, 1995.

(B) NR 422.04(4) as amended and published in the (Wisconsin) Register, June, 1995, No. 474, effective July 1, 1995.

(C) NR 422.142 as created and published in the (Wisconsin) Register, June, 1995, No. 474, effective July 1, 1995.

(D) NR 439.04(5)(d)1.(intro.) as renumbered from 439.04(5)(d)(intro.), amended, and published in the (Wisconsin) Register, June, 1995, No. 474, effective July 1, 1995.

(E) NR 439.04(5)(d)1. a. and b. as renumbered from 439.04(5)(d)1. and 2., and published in the (Wisconsin) Register, June, 1995, No. 474, effective July 1, 1995.

(F) NR 439.04(5)(d)2 as created and published in the (Wisconsin) Register, June, 1995, No. 474, effective July 1, 1995.

(G) NR 439.04(5)(e)(intro.) as amended and published in the (Wisconsin) Register, June, 1995, No. 474, effective July 1, 1995.

(H) NR 439.06(3)(j) as created and published in the (Wisconsin) Register, June, 1995, No. 474, effective July 1, 1995.

(I) NR 484.04(13m), (15e) and (15m) as created and published in the (Wisconsin) Register, June, 1995, No. 474, effective July 1, 1995.

(J) NR 484.10(39m) as created and published in the (Wisconsin) Register, June, 1995, No. 474, effective July 1, 1995.

(90) A revision to the ozone State Implementation Plan (SIP) was submitted by the Wisconsin Department of Natural Resources on May 12, 1995 and later supplemented on June 14, 1995. This revision consists of volatile organic compound regulations which establish reasonably available control technology for facilities that perform wood furniture coating operations.

(i) Incorporation by reference. The following sections of the Wisconsin Administrative Code are incorporated by reference.

(A) NR 422.02(3e),(7m), (16g), (16i), (16k), (41w), (42o), (42u), (50e), (50m) and (52) as created and published in the (Wisconsin) Register, August, 1995, No. 476, effective September 1, 1995.

(B) NR 422.02(47) as amended and published in the (Wisconsin) Register, August, 1995, No. 476, effective September 1, 1995.

(C) NR 422.125 as created and published in the (Wisconsin) Register, August, 1995, No. 476, effective September 1, 1995.

(D) NR 422.15(1)(intro.) as amended and published in the (Wisconsin) Register, August, 1995, No. 476, effective September 1, 1995.

(91) The State of Wisconsin requested a revision to the Wisconsin State Implementation Plan (SIP). This revision is for the purpose of satisfying the rate-of-progress requirement of section 182(b) and the contingency measure requirement of section 172(c)(9) of the Clean Air Act (Act) which will aid in ensuring the attainment of the national ambient air quality standard (NAAQS) for ozone.

(i) Incorporation by reference.

(A) Wisconsin Statutes, sections 144.31(1)(e) and (f), enacted on April 30, 1992, by Wisconsin Act 302.

(92) On October 18, 1995, the Wisconsin Department of Natural Resources submitted a revision to the State Implementation Plan for general conformity rules. The general conformity SIP revisions enable the State of Wisconsin to implement and enforce the Federal general conformity requirements in the nonattainment or maintenance areas at the State or local level in accordance with 40 CFR part 93, subpart B—Determining Conformity of General Federal Actions to State or Federal Implementation Plans.

(i) Incorporation by reference.

(A) NR 489, as created and published in the (Wisconsin) Register, September, 1995, number 477, effective October 1, 1995.

(93) A revision to the ozone State Implementation Plan (SIP) was submitted by the Wisconsin Department of Natural Resources on December 11, 1995 and later supplemented on January 12, 1996. This revision consists of a volatile organic compound regulation that establishes reasonably available control technology for facilities that use industrial adhesives.

(i) Incorporation by reference. The following sections of the Wisconsin Administrative Code are incorporated by reference.

(A) NR 422.02(1e), (1m) and (28j) as created and published in the (Wisconsin) Register, August, 1995, No. 476, effective September 1, 1995.

(B) NR 422.127 as created and published in the (Wisconsin) Register, August, 1995, No. 476, effective September 1, 1995.

(C) NR 422.132(1)(c) as repealed, recreated and published in the (Wisconsin) Register, August, 1995, No. 476, effective September 1, 1995.

(94) A revision to the ozone State Implementation Plan (SIP) was submitted by the Wisconsin Department of Natural Resources on November 17, 1995. This revision consists of a site-specific revision for the GenCorp Inc.-Green Bay facility. This revision is required under Wisconsin's federally approved rule, NR 419.05. The storage requirements contained in NR 419.05 specifically require floating roofs, vapor condensation systems, and vapor holding tanks, or an equally effective alternative control method approved by the Wisconsin Department of Natural Resources and U.S. EPA. The GenCorp Inc.-Green Bay facility has chosen to utilize a pressure vessel storage tank with a vapor balance system, as specified in Permit 95–CHB–407 which was issued on August 29, 1995. This pressure vessel will be used for the storage of acrylonitrile that will be used to manufacture styrene-butadiene-acrylonitrile latex.

(i) Incorporation by reference. The following sections of the Wisconsin air pollution construction permit 95–CHB–407 are incorporated by reference.

(A) The permit condition requiring a pressure vessel storage tank with a vapor balance system for the styrene-butadiene-acrylonitrile latex manufacturing process, as created and published Wisconsin Permit 95–CHB–407, August 29, 1995 and effective August 29, 1995.

(95) On March 15, 1996, Wisconsin submitted a site-specific SIP revision in the form of a consent order for incorporation into the federally enforceable ozone SIP. This consent order establishes an alternate volatile organic compound control system for a cold

cleaning operation at the General Electric Medical Systems facility located at 4855 West Electric Avenue in Milwaukee.

(i) Incorporation by reference. The following items are incorporated by reference.

(A) State of Wisconsin Consent Order AM–96–200, dated February 20, 1996.

(B) September 15, 1995 letter from Michael S. Davis, Manager—Air and Chemical Management Programs, General Electric Medical Systems to Denese Helgeland, Wisconsin Department of Natural Resources, along with the enclosed system diagram. (This letter is referenced in Consent Order AM–96–200.)

(96)–(97) [Reserved]

(98) On November 6, 1996, the State of Wisconsin submitted rules pertaining to requirements under the Prevention of Significant Deterioration program. Wisconsin also submitted rule packages as revisions to the state implementation plans for particulate matter and revisions to the state implementation plans for clarification changes.

(i) Incorporation by reference. The following sections of the Wisconsin Administrative Code (WAC) are incorporated by reference. Both rule packages, AM–27–94 and AM–9–95, were published in the (Wisconsin) Register in April 1995, No. 472, and became effective May 1, 1995. AM–27–94 modifies Chapter NR, Sections 400.02(39m), 404.05, 405.02, 405.07, 405.08, 405.10, 405.14, and 484.04 of the WAC. AM–9–95 modifies Chapter NR, Sections 30.03, 30.04, 400 Note, 400.02, 400.03, 401.04, 404.06, 405.01, 405.02, 405.04, 405.05, 405.07, 405.08, 405.10, 406, 407, 408, 409, 411, 415, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 429, 436, 438, 439, 447, 448, 449, 484, 485, 488, 493, and 499 of the WAC.

(99) On February 26, 1999, the State of Wisconsin submitted a site-specific revision to the sulfur dioxide (SO_2) SIP for Murphy Oil USA located in Superior (Douglas County), Wisconsin. This SIP revision was submitted in response to a January 1, 1985, request for an alternate SO_2 emission limitation by Murphy Oil, in accordance with the procedures of Wisconsin State Rule NR 417.07(5) for obtaining alternate emission limits, as was approved by EPA in paragraph (c)(63) of this section.

(i) Incorporation by reference.

(A) Air Pollution Control Operation Permit No. 95–SDD–120–OP, issued by the Wisconsin Department of Natural Resources (WDNR) to Murphy Oil USA on February 17, 1999.

(ii) Additional material.

(A) Analysis and Preliminary Determination for the Proposed Operation Permit for the Operation of Process Heaters and Processes Emitting Sulfur Dioxide for Murphy Oil, performed by the WDNR on September 18, 1998. This document contains a source description, analysis of the alternate emission limitation request, and an air quality review, which includes the results of an air quality modeling analysis demonstrating modeled attainment of the SO_2 NAAQS using the alternate emission limit for Murphy Oil.

(100) On October 30, 1998, Wisconsin submitted a source-specific State Implementation Plan revision for Uniroyal Engineered Products, Inc., located in Stoughton, Wisconsin. The State supplemented the original submittal with Consent Order Number AM–99–900 on February 17, 2000. This source-specific variance relaxes volatile organic compound reasonably available control technology requirements for Uniroyal.

(i) Incorporation by reference.

(A) Consent Order Number AM–99–900, issued by the Wisconsin Department of Natural Resources to Uniroyal Engineered Products on February 17, 2000.

(101) On November 15, 1992, the state of Wisconsin submitted a revision to the Wisconsin State Implementation Plan for ozone establishing an enhanced motor vehicle inspection and maintenance program in Southeast Wisconsin. The state made several supplements to the original plan, dated January 15, 1993, November 15, 1993, July 28, 1994, February 13, 1996, July 3, 1997, August 11, 1998, December 30, 1998, December 22, 2000, and July 27, 2001. This revision included Wisconsin statutes providing authorities for implementing the program, Wisconsin Administrative Rules, the contract between the state of Wisconsin and the vehicle testing contractor, schedules

for implementation, and technical materials related to test equipment specifications, reports, and quality assurance procedures.

(i) Incorporation by reference.

(A) Wisconsin Statutes, Section 110.20, effective January 1, 1996, Section 285.30, effective January 1, 1997.

(B) Wisconsin Administrative Code, Chapter NR 485, effective February 1, 2001.

(C) Wisconsin Administrative Code, Chapter TRANS 131, effective June 1, 2001.

(102) On February 9, 2001 the Wisconsin Department of Natural Resources submitted a site specific SIP revision in the form of a February 5, 2001 Environmental Cooperative Agreement for incorporation into the federally enforceable State Implementation Plan. The Cooperative Agreement establishes an exemption for pre-construction permitting activities for certain physical changes or changes in the method of operation at the Wisconsin Electric Power Company, Pleasant Prairie Power Plant located at 8000 95th Street, Pleasant Prairie, Wisconsin. This Environmental Cooperative Agreement expires on February 4, 2006.

(i) Incorporation by reference.

The following provisions of the Environmental Cooperative Agreement between the Wisconsin Electric Power Company and the Wisconsin Department of Natural Resources signed on February 5, 2001: The provisions in Section XII.C. Permit Streamlining concerning Construction Permit Exemption for Minor Physical or Operational Changes. These provisions establish a construction permit exemption for minor physical or operational changes at the Wisconsin Electric Power Company Pleasant Prairie Power Plant. This Environmental Cooperative Agreement expires on February 4, 2006.

(103) On December 27, 2000, Wisconsin submitted a one-hour ozone attainment demonstration plan as a revision to the Wisconsin State Implementation Plan (SIP). Supplements to the December 27, 2001 plan were submitted on May 28, 2001, June 6, 2001, and August 29, 2001.

(i) Incorporation by reference.

(A) NR 400.02 as published in the (Wisconsin) Register, January 15, 2001, No. 541 and effective February 1, 2001.

(B) NR 422.02 as published in the (Wisconsin) Register, August 2001, No. 548 and effective September 1, 2001.

(C) NR 422.04 as published in the (Wisconsin) Register, August 2001, No. 548 and effective September 1, 2001.

(D) NR 422.083 as published in the (Wisconsin) Register, August 2001, No. 548 and effective September 1, 2001.

(E) NR 422.135 as published in the (Wisconsin) Register, August 2001, No. 548 and effective September 1, 2001.

(F) NR 423.02 as published in the (Wisconsin) Register, January 15, 2001, No. 541 and effective February 1, 2001.

(G) NR 423.035 as published in the (Wisconsin) Register, January 15, 2001, No. 541 and effective February 1, 2001.

(H) NR 428.01 as published in the (Wisconsin) Register, January 15, 2001, No. 541 and effective February 1, 2001.

(I) NR 428.02 as published in the (Wisconsin) Register, January 15, 2001, No. 541 and effective February 1, 2001.

(J) NR 428.04 as published in the (Wisconsin) Register, January 15, 2001, No. 541 and effective February 1, 2001.

(K) NR 428.05 as published in the (Wisconsin) Register, January 15, 2001, No. 541 and effective February 1, 2001.

(L) NR 428.07 as published in the (Wisconsin) Register, January 15, 2001, No. 541 and effective February 1, 2001.

(M) NR 428.08 as published in the (Wisconsin) Register, January 15, 2001, No. 541 and effective February 1, 2001.

(N) NR 428.09 as published in the (Wisconsin) Register, January 15, 2001, No. 541 and effective February 1, 2001.

(O) NR 428.10 as published in the (Wisconsin) Register, January 15, 2001, No. 541 and effective February 1, 2001.

(P) NR 428.11 as published in the (Wisconsin) Register, January 15, 2001, No. 541 and effective February 1, 2001.

(Q) NR 439.04(5)(a) as published in the (Wisconsin) Register, August 2001, No. 548 and effective September 1, 2001.

(R) NR 439.096 as published in the (Wisconsin) Register, January 15, 2001, No. 541 and effective February 1, 2001.

(S) NR 484.04 as published in the (Wisconsin) Register, August 2001, No. 548 and effective September 1, 2001. Section NR 484.04(3) was repealed in 2011 and is

removed without replacement; see paragraph (c)(130) of this section.

(T) A Consent Order, No. AM–00–01, signed and effective September 7, 2000. The Order, issued by the Wisconsin Department of Natural Resources, establishes Reasonably Available Control Requirements for ink manufacturing operations at Flint Ink, located in Milwaukee.

(ii) Additional material.

(A) A letter from Lloyd Eagan, to Cheryl Newton dated May 28, 2001, providing clarifications and a commitment relative to the state's one-hour ozone SIP revision submittal.

(B) A letter and attachments from Lloyd Eagan to David Ullrich, dated June 6, 2001 providing supplemental information for the state's reasonably available control measures analysis.

(104) A revision to the Wisconsin State Implementation Plan for ozone was submitted on February 1, 2001. It contained revisions to the state's regulations that control volatile organic compound emissions from automobile refinishing operations. A portion of these regulations were renumbered and submitted on July 21, 2001.

(i) Incorporation by reference. The following sections of the Wisconsin Administrative code are incorporated by reference.

(A) NR 406.04 as published in the (Wisconsin) Register January, 2001, No. 541, effective February 1, 2001.

(B) NR 407.03 as published in the (Wisconsin) Register January, 2001, No. 541, effective February 1, 2001.

(C) NR 419.02 as published in the (Wisconsin) Register January, 2001, No. 541, effective February 1, 2001.

(D) NR 422.095 as published in the (Wisconsin) Register August, 2001, No. 548, effective September 1, 2001.

(E) NR 484.10 as published in the (Wisconsin) Register January, 2001, No. 541, effective February 1, 2001.

(105) On November 17, 2000, WDNR submitted a request to redesignate the villages of Rothschild and Weston and the Township of Rib Mountain, all located in central Marathon County, Wisconsin from primary and secondary SO_2 nonattainment areas to attainment of the SO_2 NAAQS. EPA identified modeling and enforceability issues during the technical review of this submittal. On October 17, 2001, WDNR sent to EPA a supplemental submittal addressing the technical deficiencies.

(i) Incorporation by reference.

(A) A Consent Order identified as AM–01–600 for Weyerhaeuser Company, issued by WDNR and signed by Scott Mosher for the Weyerhaeuser Company on May 29, 2001, and Jon Heinrich for WDNR on August 16, 2001.

(B) A Consent Order identified as AM–01–601 for Wisconsin Public Service Corporation's Weston Plant, signed by David W. Harpole for the Wisconsin Public Service Corporation on July 12, 2001, and Jon Heinrich for WDNR on August 16, 2001.

(106) Wisconsin submitted a revision to its State Implementation Plan for ozone on December 22, 2000. The rule requires major stationary sources of volatile organic compounds in the Milwaukee nonattainment area to pay a fee to the state if the area fails to attain the one-hour national ambient air quality standard for ozone by 2007.

(i) Incorporation by reference. The following section of the Wisconsin Administrative code is incorporated by reference: NR 410.06 as created and published in the (Wisconsin) Register January, 2001, No. 541, effective February 1, 2001.

(107) On June 12, 2002, the Wisconsin Department of Natural Resources submitted a site specific revision to its SIP for emissions from Northern Engraving Corporation's Holmen and Sparta facilities in the form of a Environmental Cooperative Agreement for incorporation into the federally enforceable State Implementation Plan. It consists of portions of the Environmental Cooperative Agreement which supersede portions of rules in the State Implementation Plan. The Cooperative Agreement establishes an exemption for pre-construction permitting activities for certain physical changes or changes in the method of operation at the Northern Engraving Corporation's Holmen and Sparta facilities.

(i) Incorporation by reference.

(A) The following provisions of the Environmental Cooperative Agreement between Northern Engraving Corporation (NEC) and the Wisconsin Department of Natural Resources signed on

June 10, 2002: Section XI of the Environmental Cooperative Agreement (Operational Flexibility and Variances) and Part IA. of Appendix C.3: Specific Permit Conditions under the Environmental Cooperative Agreement for NEC's Sparta facility.

(108) On December 16, 2002, Lloyd L. Eagan, Director, Wisconsin Department of Natural Resources, submitted revised rules to allow use of NO_X emissions averaging for sources subject to NO_X emission limits in the Milwaukee-Racine area. The revised rules also establish a NO_X emissions cap for sources that participate in emissions averaging, consistent with the emissions modeled in Wisconsin's approved one-hour ozone attainment demonstration for the Milwaukee-Racine area. The rule revision also creates a new categorical emissions limit for new integrated gasification combined cycle units.

(i) Incorporation by reference.

(A) NR 428.02(6m) as published in the (Wisconsin) Register, November 2002, No. 563 and effective December 2, 2002.

(B) NR 428.04(2)(g)(3) as published in the (Wisconsin) Register, November 2002, No. 563 and effective December 2, 2002.

(C) NR 428.06 as published in the (Wisconsin) Register, November 2002, No. 563 and effective December 2, 2002.

(109) On October 7, 2002, the Wisconsin Department of Natural Resources submitted a State Implementation Plan (SIP) revision for the control of emissions of particulate matter (PM) in the state of Wisconsin. This revision will allow certain state designated nonattainment areas for total suspended particulates (TSP) to be redesignated to attainment while retaining the emission limits and control requirements which helped lower PM concentrations in those areas. Specifically, EPA is approving into the PM SIP certain provisions to chapter NR 415, Wisconsin Administrative Code, and repealing sections NR 415.04(5), NR 415.05(5) and NR 415.06(5).

(i) Incorporation by reference. The following sections of the Wisconsin Administrative Code are incorporated by reference.

(A) NR 415.035 as created and published in the (Wisconsin) Register, October 2001, No. 550, effective November 1, 2001.

(B) NR 415.04(2)(intro.), NR 415.04(3)(intro.), NR 415.04(3)(a), NR 415.04(4)(intro.), NR 415.04(4)(b), NR 415.05(3)(intro.), NR 415.06(3)(intro.), NR 415.06(4), and NR 415.075(3)(intro.) as amended and published in the (Wisconsin) Register, October 2001, No. 550, effective November 1, 2001.

(110) On June 27, 2003, the Wisconsin Department of Natural Resources (WDNR) submitted a site specific revision to its state implementation plan for emissions from Northern Engraving Corporation's (Northern Engraving) Galesville and West Salem facilities in the form of operating permit conditions, based upon an Environmental Cooperative Agreement reached between WDNR and Northern Engraving for incorporation into the federally enforceable State Implementation Plan (SIP). An exemption for pre-construction permitting activities for certain physical changes or changes in the method of operation at the Northern Engraving Corporation's Galesville and West Salem facilities is established. Specific permit conditions for these two facilities are incorporated by reference in the SIP.

(i) Incorporation by reference.

(A) Specific Permit Conditions under the Environmental Cooperative Agreement for Northern Engraving Corporation's (NEC) Galesville facility contained in Part I.A. of Wisconsin Air Pollution Control Operation Permit NO. 662008930–F02 issued April 26, 2002 to NEC, 1200 West Gale Avenue, Galesville, Trempeauleau County, Wisconsin. This permit expires April 26, 2007.

(B) Specific Permit Conditions under the Environmental Cooperative Agreement for Northern Engraving Corporation's (NEC) West Salem facility contained in Part I.A. of Wisconsin Air Pollution Control Operation Permit NO. 632024800–F01 issued June 23, 2003 to NEC, 600 Brickl Road, West Salem, La Cross County, Wisconsin. This permit expires June 23, 2008.

(111) On May 25, 2004, Lloyd L. Eagan, Director, Wisconsin Department of Natural Resources, submitted a revision to its rule for control of nitrogen oxide (NO_X) emissions as a revision to

the Wisconsin State Implementation Plan. The revision modifies language to clarify which sources are eligible to participate in the NO_X emission averaging program to demonstrate compliance as part of the one-hour ozone attainment plan approved by EPA for the Milwaukee-Racine and Sheboygan ozone nonattainment areas (Kenosha, Manitowoc, Milwaukee, Ozaukee, Racine, Sheboygan, Washington, and Waukesha counties). The rule revision also creates a separate limit for new combustion turbines burning biologically derived gaseous fuels. The new NO_X categorical limit for newly installed combustion turbines burning biologically derived fuel applies only to new sources located in Kenosha, Milwaukee, Ozaukee, Racine, Washington, and Waukesha counties in southeastern Wisconsin.

(i) Incorporation by reference. Wisconsin rules NR 428.02(1)and (1m); NR 428.04(2)(g)(1); NR 428.04(2)(g)(4); and NR 428.06(2)(a) as published in the (Wisconsin) Register, December 2003, No.576 and effective January 1, 2004.

(112) On May 18, 2005, Wisconsin Department of Natural Resources submitted a source specific State Implementation Plan revision. Serigraph, Inc. in Washington County is seeking to use an alternative volatile organic compounds control device. Serigraph, Inc. will use a biofilter to control volatile organic compound emissions from sources in its Plant 2. This is considered an equivalent control system under section NR 422.04(2)(d) of the Wisconsin Administrative Code because it will reliably control emissions at or below the level of the applicable emission limits, Wisconsin Administrative Code section NR 422.145.

(i) Incorporation by reference. Department of Natural Resources Findings of Fact, Conclusions of Law, and Decision AM–04–200 dated November 24, 2004.

(113) Approval—On July 28, 2005, Wisconsin submitted General and Registration construction and operation permitting programs for EPA approval into the Wisconsin SIP. EPA also is approving these programs under section 112(l) of the Act. EPA has determined that these permitting programs are approvable under the Act, with the exception of sections NR 406.11(1)(g)(2), 407.105(7), and 407.15(8)(b), which Wisconsin withdrew from consideration on November 14, 2005. Finally, EPA is removing from the state SIP NR 406.04(1)(c) and 407.03(1)(c), the exemption for certain grain storage and processing facilities from needing to obtain a construction or operation permit, previously approved in paragraphs (c)(75) and (c)(76) of this section.

(i) Incorporation by reference.

(A) NR 406.02(1) through (4), amended and published in the (Wisconsin) Register, August 2005, No. 596, effective September 1, 2005.

(B) NR 406.04(1) (ce), (cm) and (m) (intro.), 406.11(1) (intro.) and (c), 407.03(1) (ce) and (cm), 407.05(7), 407.15 (intro.) and (3), 410.03(1)(a)(5), and 484.05(1) as amended and published in the (Wisconsin) Register, August 2005, No. 596, effective September 1, 2005.

(C) NR 407.02(3) and 407.10 as repealed, recreated and published in the (Wisconsin) Register, August 2005, No. 596 effective September 1, 2005.

(D) NR 400.02(73m) and (131m), 406.02(1) and (2), 406.04(2m), 406.11(1)(g)(1), 406.11(3), 406.16, 406.17, 406.18, 407.02(3m), 407.105 (1) through (6), 407.107, 407.14 Note, 407.14(4)(c), 407.15(8)(a), and 410.03(1)(a)(6) and (7) as created and published in the (Wisconsin) Register, August 2005, No. 596, effective September 1, 2005.

(114) On April 11, 2006, Wisconsin submitted revised regulations that match 40 CFR 51.100(s)(1), as amended at 69 FR 69298. As a result, the compounds, 1,1,1,2,2,3,3-heptafluoro-3-methoxy-propane, 3-ethoxy-1,1,1,2,3,4,4,5,5,6,6,6-dodecafluoro-2-(trifluoromethyl)hexane, 1,1,1,2,3,3,3-heptafluoropropane, and methyl formate, are added to the list of ''nonphotochemically reactive hydrocarbons'' or ''negligibly photochemically reactive compounds'' in NR 400.02(162)(a)45. to 48. Companies producing or using the four compounds will no longer need to follow the VOC rules for these compounds. Section NR 400.02(162)(b) was added for the compound t-butyl acetate. It is not considered a VOC for emission limits and content requirements. T-butyl acetate will still be considered a VOC for the recordkeeping, emissions reporting, and

inventory requirements. Wisconsin also added and modified sections of NR 424.05, its VOC control requirements for yeast manufacturing facilities. Wisconsin's requirements are the same as the federal requirements in the national emission standards for hazardous air pollutants for nutritional yeast manufacturing.

(i) Incorporation by reference.

(A) Wisconsin Administrative Code § NR 400: Air Pollution Control Definitions, Section 2: Definitions, Subsection 162: ''Volatile organic compound,'' and § NR 424: Control of Organic Compound Emissions from Process Lines, Section 5: Yeast Manufacturing, Subsection 2: Emission Limitations, and Subsection 5: Test Methods and Procedures. The regulations were effective on January 1, 2006.

(115) On April 25, 2006, Wisconsin submitted source specific SIP revision to revise its State Implementation Plan (SIP) for the control of volatile organic compounds (VOC) from synthetic resin manufacturing operations. The revision consists of language contained in an Administrative Decision (AM–05–200), dated February 24, 2005, approving the use of a high efficiency thermal oxidizer as an equivalent control system or approach to meet VOC RACT emission control requirements for Cook Composites and Polymers Company located in Saukville, Wisconsin, in Ozaukee County.

(i) Incorporation by reference.

(A) The Administrative Decision (AM–05–200), dated February 24, 2005, issued by the Wisconsin Department of Natural Resources, establishes VOC RACT for Cook Composites and Polymers Company synthetic resin manufacturing facility located in Saukville, Wisconsin, in Ozaukee County.

(116) A revision to the State Implementation Plan (SIP) was submitted by the Wisconsin Department of Natural Resources on June 19, 2007. This revision consists of regulations to meet the requirements of the Clean Air Interstate Rule.

(i) Incorporation by reference. The following sections of the Wisconsin Administrative Code are incorporated by reference: NR 432.01 ''Applicability; purpose''; NR 432.02 ''Definitions''; NR 432.03 ''CAIR NO_X allowance allocation''; NR 432.05 ''CAIR NO_X ozone season allowance allocation''; NR 432.06 ''Timing requirements for allocations of CAIR NO_X allowances and CAIR NO_X ozone season allowances''; and NR 432.07 ''CAIR renewable units'', as created and published in the (Wisconsin) Register, July, 2007, No. 619, effective August 1, 2007.

(117) On May 1, 2007, Wisconsin submitted for EPA approval into the Wisconsin SIP a revision to renumber and amend NR 406.03, to amend NR 410.03(intro.) and to create NR 406.03(2) and NR 410.03(1)(bm) Wis. Admin. Code, effective June 1, 2007. This revision allows WDNR to issue a waiver to a source allowing it to commence construction prior to a construction permit being issued. This provision is only allowed for minor sources which meet specific criteria. These revisions also revise Wisconsin's fee provisions to allow a fee to be charged for the waiver. EPA has determined that this revision is approvable under the Act.

(i) Incorporation by reference. The following sections of the Wisconsin Administrative Code are incorporated by reference:

(A) NR 406.03 as published in the (Wisconsin) Register, May 2007, No. 617, effective June 1, 2007.

(B) NR 410.03(intro.) and NR 410.03(1)(bm) as published in the (Wisconsin) Register, May 2007, No. 617, effective June 1, 2007.

(118) On March 28, 2008, Wisconsin submitted for EPA approval into the Wisconsin SIP a revision to repeal NR 407.02(6)(b)4 to 7; to renumber NR 400.02(162)(a)49; to amend NR 406.04(2m)(b), 406.15(3)(a), 407.02(4)(b)27, 407.10(4)(a)2, and 410.03(4); to create NR 400.02(162)(a)49, 406.04(2m)(b)(note), 407.02(3e), and 407.10(4)(a)2(note), Wis. Admin. Code, effective May 1, 2008. These revisions revise Wisconsin's rules to incorporate Federal regulations into the Wisconsin Administrative Code, to clarify construction permit requirements under general permits, revise portable source relocation requirements, and to amend rule language to streamline the minor revision permit process to allow construction permits to be issued concurrently with operation permits. EPA has determined

that this revision is approvable under the Act.

(i) Incorporation by reference. The following sections of the Wisconsin Administrative Code are incorporated by reference:

(A) NR 400.02 Definitions. NR 400.02(162)(a)49 and NR 400.02(162)(a)50, as published in the Wisconsin Administrative Register, April 30, 2008, No. 628, effective May 1, 2008.

(B) NR 406.04 Direct sources exempt from construction permit requirements. NR 406.04(2m)(b) and NR 406.04(2m)(b)(note), as published in the Wisconsin Administrative Register, April 30, 2008, No. 628, effective May 1, 2008.

(C) NR 406.15 Relocation of portable sources. NR 406.15(3)(a), as published in the Wisconsin Administrative Register, April 30, 2008, No. 628, effective May 1, 2008.

(D) NR 407.02 Definitions. NR 407.02(3e), and NR 407.02(4)(b)27, as published in the Wisconsin Administrative Register, April 30, 2008, No. 628, effective May 1, 2008.

(E) NR 407.10 General operation permits. NR 407.10(4)(a)2 and NR 407.10(4)(a)2(note), as published in the Wisconsin Administrative Register, April 30, 2008, No. 628, effective May 1, 2008.

(F) NR 410.03 Application fee. NR 410.03(4), as published in the Wisconsin Administrative Register, April 30, 2008, No. 628, effective May 1, 2008.

(119) On May 25, 2006, Wisconsin submitted for EPA approval into the Wisconsin SIP a revision relating to changes to chs. NR 405 and 408 for incorporation of Federal changes to the air permitting program. The rule revision being approved in this action has been created to approve rule AM–06–04, the NSR Reform provisions that were not vacated by the DC Circuit Court in *New York* v. *EPA*, 413 F.3d 3 (DC Cir. 2005). The rule revision also repeals NR 405.02(1)(d), (24m), (27)(a)8., 17 and 18 and 408.02(27). EPA has determined that this revision is approvable under the Clean Air Act.

(i) Incorporation by reference. The following sections of the Wisconsin Administrative Code are incorporated by reference:

(A) NR 405.01 Applicability; purpose. NR 405.01(1) and (2), as published in the Wisconsin Administrative Register, June 30, 2007, No. 618, effective July 1, 2007.

(B) NR 405.02 Definitions. NR 405.02(1), (2m), (8), (11), (11c), (11e), (11j), (12), (20m), (21), (24), (24j), (25b), (25d), (25e), (25f), (25i), and (27m) as published in the Wisconsin Administrative Register, June 30, 2007, No. 618, effective July 1, 2007.

(C) NR 405.025 Methods for calculation of increases in actual emissions, as published in the Wisconsin Administrative Register, June 30, 2007, No. 618, effective July 1, 2007.

(D) NR 405.16 Source obligation. NR 405.16(3) and (4) as published in the Wisconsin Administrative Register, June 30, 2007, No. 618, effective July 1, 2007.

(E) NR 405.18 Plant-wide applicability limitations (PALs), as published in the Wisconsin Administrative Register, June 30, 2007, No. 618, effective July 1, 2007.

(F) NR 408.02 Definitions. NR 408.02(1), (2m), (4), (5), (11), (11e), (11m), (11s), (13), (13m), (20), (21)(a)1.(intro), (23), (24m), (25s), (28e), (28j), (28m), (28s), (29m), and (32m) as published in the Wisconsin Administrative Register, June 30, 2007, No. 618, effective July 1, 2007.

(G) NR 408.025 Methods for calculation of increases in actual emissions, as published in the Wisconsin Administrative Register, June 30, 2007, No. 618, effective July 1, 2007.

(H) NR 408.06 Emissions offsets. NR 408.06(10), as published in the Wisconsin Administrative Register, June 30, 2007, No. 618, effective July 1, 2007.

(I) NR 408.10 Source obligation. NR 408.10(5) and (6), as published in the Wisconsin Administrative Register, June 30, 2007, No. 618, effective July 1, 2007.

(J) NR 408.11 Plant-wide applicability limitations (PALs), as published in the Wisconsin Administrative Register, June 30, 2007, No. 618, effective July 1, 2007.

(ii) Additional material.

(A) NR 484.04 Code of federal regulations appendices. NR 484.04(21), and (27m) as published in the Wisconsin Administrative Register, June 30, 2007, No. 618, effective July 1, 2007.

(120) On May 25, 2006, Wisconsin submitted for EPA approval into the Wisconsin SIP a revision to renumber and amend NR 410.03(1)(b); to amend 410.03(intro.) and to create NR 406.035, 406.04(1f) and (1k), 406.07(3), 406.11(1m), 410.03(1)(a)8. to 10. and (b)(intro.) and 2. to 4. relating to changes to chs. NR 406 and 410, the state air permitting programs, with Federal changes to air permitting program and affecting small business. The rule revision being approved in this action has been created to update Wisconsin's minor NSR construction permit program to include changes to implement some of the new elements of the Federal NSR Reform rules for sources that meet certain requirements within the new major NSR permitting requirements. EPA has determined that this revision is approvable under the Act.

(i) Incorporation by reference. The following sections of the Wisconsin Administrative Code are incorporated by reference:

(A) NR 406.035 Establishment or distribution of plant-wide applicability limitations, as published in the Wisconsin Administrative Register, June 30, 2007, No. 618, effective July 1, 2007.

(B) NR 406.04 Direct sources exempt from construction permit requirements. NR 406.04(1f) and NR 406.04(1k), as published in the Wisconsin Administrative Register, June 30, 2007, No. 618, effective July 1, 2007.

(C) NR 406.07 Scope of permit exemption. NR 406.07(3), as published in the Wisconsin Administrative Register, June 30, 2007, No. 618, effective July 1, 2007.

(D) NR 406.11 Construction permit revision, suspension and revocation. NR 406.11(1m), as published in the Wisconsin Administrative Register, June 30, 2007, No. 618, effective July 1, 2007.

(E) NR 410.03 Application fee. NR 410.03(intro.), NR 410.03(1)(a) 8 to 10, NR 410.03(1)(b), as published in the Wisconsin Administrative Register, June 30, 2007, No. 618, effective July 1, 2007.

(121) On September 11, 2009, the Wisconsin Department of Natural Resources submitted a State Implementation Plan revision request. The State's ambient air quality standards were revised by adding fine particulate matter, $PM_{2.5}$, standards and revising the coarse particulate matter, PM_{10}, standards. Wisconsin added annual and 24-hour $PM_{2.5}$ standards. It also revoked the annual PM_{10} ambient air quality standard while retaining the 24-hour PM_{10} standard.

(i) *Incorporation by reference.* The following sections of the Wisconsin Administrative Code are incorporated by reference:

(A) NR 404.02 Definitions. NR 404.02(4e) ''$PM_{2.5}$'' as published in the Wisconsin Administrative Register, on September 30, 2009, No. 645, effective October 1, 2009.

(B) NR 404.04 Ambient Air Quality Standards. NR 404.04 (8) ''PM_{10}: PRIMARY AND SECONDARY STANDARDS.'' and NR 404.04(9) ''$PM_{2.5}$: PRIMARY AND SECONDARY STANDARDS'' as published in the Wisconsin Administrative Register, on September 30, 2009, No. 645, effective October 1, 2009.

(ii) *Additional material.*

(A) NR 484.03 Code of Federal Regulations. NR 484.03(5) in Table 1 as published in the Wisconsin Administrative Register, on September 30, 2009, No. 645, effective October 1, 2009.

(B) NR 484.04 Code of Federal Regulations appendices. NR 484.04 (6), (6g), and (6r) in Table 2, as published in the Wisconsin Administrative Register, on September 30, 2009, No. 645, effective October 1, 2009.

(122) On June 12, 2007, the Wisconsin Department of Natural Resources submitted a State Implementation Plan revision request for the state's nitrogen oxides (NO_X) reasonably available control technology (RACT) rules. This request was supplemented on September 14, 2009. The state adopted NO_X RACT rules to satisfy section 182(f) of the Clean Air Act for the Milwaukee-Racine and Sheboygan County areas that were designated as nonattainment for the 1997 8-hour ozone standard and classified as moderate under that standard.

(i) Incorporation by reference. The following sections of the Wisconsin Administrative Code are incorporated by reference:

(A) NR 428.02 Definitions.

(1) NR 428.02(7e) ''Maximum theoretical emissions'' published in the Wisconsin Administrative Register, on

August 30, 2009, No. 644, effective September 1, 2009.

(2) NR 428.02(7m)''Process heater'' as published in the Wisconsin Administrative Register, on July 30, 2007, No. 619, effective August 1, 2007.

(B) NR 428.04 Requirements and performance standards for new or modified sources.

(1) NR 428.04(1) and NR 428.04(3)(b) as published in the Wisconsin Administrative Register, on August 30, 2009, No. 644, effective September 1, 2009.

(2) NR 428.04(2)(h)1. and NR 428.04(2)(h)2. as published in the Wisconsin Administrative Register, on July 30, 2007, No. 619, effective August 1, 2007.

(C) NR 428.05 Requirements and performance standards for existing sources.

(1) NR 428.05(1) and NR 428.05(4)(b)2. as published in the Wisconsin Administrative Register, on August 30, 2009, No. 644, effective September 1, 2009.

(2) NR 428.05(3)(e)1. to 4. as published in the Wisconsin Administrative Register, on July 30, 2007, No. 619, effective August 1, 2007.

(D) NR 428.07 General Requirements. NR 428.07(intro.), NR 428.07(1)(a), NR428.07(1)(b)1., NR 428.07(1)(b)3., NR 428.07(3), NR 428.07(4)(c) as published in the Wisconsin Administrative Register, on August 30, 2009, No. 644, effective September 1, 2009.

(E) NR 428.08 Specific provisions for monitoring NO_X and heat input for the purpose of calculating NO_X emissions. NR 428.08(title), NR 428.08(2)(title) and NR 428.08(2)(f) as published in the Wisconsin Administrative Register, on August 30, 2009, No. 644, effective September 1, 2009.

(F) NR 428.09 Quarterly reports. NR 428.09(2)(a) as published in the Wisconsin Administrative Register, on August 30, 2009, No. 644, effective September 1, 2009.

(G) NR 428.12 Alternative monitoring, recordkeeping. NR 428.12 as published in the Wisconsin Administrative Register, on August 30, 2009, No. 644, effective September 1, 2009.

(H) NR 428.20 Applicability and purpose.

(1) NR 428.20(1) as published in the Wisconsin Administrative Register, on August 30, 2009, No. 644, effective September 1, 2009.

(2) NR 428.20(2) as published in the Wisconsin Administrative Register, on July 30, 2007, No. 619, effective August 1, 2007.

(I) NR 428.21 Emissions unit exemptions. NR 428.21 as published in the Wisconsin Administrative Register, on July 30, 2007, No. 619, effective August 1, 2007.

(J) NR 428.22 Emission limitation requirements.

(1) NR 428.22(1)(intro), NR 428.22(1)(a) to (c), NR 428.22(1)(e) to (i), NR 428.22(2)(a) to (b) as published in the Wisconsin Administrative Register, on July 30, 2007, No. 619, effective August 1, 2007.

(2) NR 428.22(1)(d) and NR 428.22(2)(intro) as published in the Wisconsin Administrative Register

on August 30, 2009, No. 644, effective September 1, 2009.

(K) NR 428.23 Demonstrating compliance with mission limitations.

(1) NR 428.23(intro), NR 428.23(1)(a), NR 428(1)(b)2. to 8., and NR 428.23(2) as published in the Wisconsin Administrative Register, on July 30, 2007, No. 619, effective August 1, 2007.

(2) NR 428.23(1)(b)1. and NR 428.23(1)(b)9. as published in the Wisconsin Administrative Register on August 30, 2009, No. 644, effective September 1, 2009.

(L) NR 428.24 Recordkeeping and reporting.

(1) NR 428.24(1)(intro), NR 428.24(1)(a), NR 428.24(1)(b)1. to 3., and NR 428.24(2) to (4) as published in the Wisconsin Administrative Register, on July 30, 2007, No. 619, effective August 1, 2007.

(2) NR 428.24(1)(b)(intro) as published in the Wisconsin Administrative Register on August 30, 2009, No. 644, effective September 1, 2009.

(M) NR 428.25 Alternative compliance methods and approaches.

(1) NR 428.25(1)(intro), NR 428.25(1)(a)1.b., NR 428.25(1)(a)2. to 4., NR 428.25(1)(b) to (d), NR 428.25(2), NR 428.25(3)(a), and NR 428.25(3)(c) as published in the Wisconsin Administrative Register, on July 30, 2007, No. 619, effective August 1, 2007.

(2) NR 428.25(1)(a)1.a. and c. and (3)(b) as published in the Wisconsin Administrative Register on August 30, 2009, No. 644, effective September 1, 2009.

(N) NR 428.26 Utility reliability waiver. NR 428.26 as published in the Wisconsin Administrative Register, on July 30, 2007, No. 619, effective August 1, 2007.

(ii) Additional material.

(A) NR 484.04 Code of federal regulations appendices. NR 428.04(13), (15m), (16m), (21m), (26m)(bm), (26m)(d) and (27) as published in the Wisconsin Administrative Register, on July 30, 2007, No. 619, effective August 1, 2007.

(124) On January 18, 2012, supplemented on June 7, 2012, Wisconsin submitted Wisconsin's regional haze plan to EPA. This regional haze plan includes an administrative consent order specifying limits satisfying best available retrofit requirements for Georgia-Pacific Consumer Products, L.P. This plan also includes a long-term strategy with emission reductions to provide Wisconsin's contribution toward achievement of reasonable progress goals at Class I areas affected by emissions from Wisconsin sources.

(i) Incorporation by reference.

(A) Administrative Consent Order Number 405032870, issued by the Wisconsin Department of Natural Resources on June 8, 2012, to Georgia-Pacific Consumer Products LP.

(B) Construction Permit Number 11–POY–123, issued by the Wisconsin Department of Natural Resources on November 11, 2011, to Wisconsin Power & Light for its Columbia Energy Center.

(125) On May 12, 2011, the Wisconsin Department of Natural Resources submitted a request to revise the State Implementation Plan regarding procedures for permitting certain sources in relation to the Forest County Potawatomi Community Class I Area.

(i) *Incorporation by reference.* The following sections of the Wisconsin Administrative Code are incorporated by reference:

(A) NR 400.02 Definitions. NR 400.02(66m) ''Forest County Potawatomi Community Class I area'' or ''FCPC Class I area'' as published in the Wisconsin Administrative Register November 2010, No. 659, effective December 1, 2010.

(B) NR 405.19 Forest County Potawatomi Class I area, as published in the Wisconsin Administrative Register November 2010, No. 659, effective December 1, 2010.

(C) NR 406.08 Action on permit applications. NR 406.08(4)(a) and (4)(b) as published in the Wisconsin Administrative Register November 2010, No. 659, effective December 1, 2010.

(126) On May 4, 2011, June 20, 2012, and September 28, 2012, the Wisconsin Department of Natural Resources submitted a request to revise Wisconsin's Prevention of Significant Deterioration (PSD) program to incorporate the ''Tailoring Rule'' and the Federal deferral for biogenic CO_2 emissions into Wisconsin's SIP.

(i) Incorporation by reference.

(A) Wisconsin Administrative Code, NR 400.02 Definitions. NR 400.02 (74m) ''Greenhouse gases'' or ''GHG'', as published in the Wisconsin Administrative Register August 2011, No. 668, effective September 1, 2011.

(B) Wisconsin Administrative Code, NR 400.03 Units and abbreviations. NR 400.03(3)(om) ''SF6'', NR 400.03(4)(go) ''GHG'', and NR 400.03(4)(kg) ''PFC'', as published in the Wisconsin Administrative Register August 2011, No. 668, effective September 1, 2011.

(C) Wisconsin Administrative Code, NR 405.02 Definitions. NR 405.02(28m) ''Subject to regulation under the Act'', as published in the Wisconsin Administrative Register August 2011, No. 668, effective September 1, 2011.

(D) Wisconsin Administrative Code, NR 405.07 Review of major stationary sources and major modifications—source applicability and exemptions. NR 405.07(9), as published in the Wisconsin Administrative Register August 2011, No. 668, effective September 1, 2011.

(E) Wisconsin Statutes, section 285.60(3m) Consideration of Certain Greenhouse Gas Emissions, enacted on April 2, 2012, by 2011 Wisconsin Act 171.

(F) Wisconsin Statutes, section 285.63(3m) Consideration of Certain Greenhouse Gas Emissions, enacted on April 2, 2012, by 2011 Wisconsin Act 171.

(127) On April 23, 2008 and March 25, 2013, the Wisconsin Department of Natural Resources submitted a request to

revise Wisconsin's air permitting program to exempt certain small sources of air pollution from construction permitting requirements.

(i) Incorporation by reference.

(A) Wisconsin Administrative Code, NR 406.02 Definitions. NR 406.02(1) ''Clean fuel'', and NR 406.02(1m) ''Facility'', as published in the Wisconsin Administrative Register May 2007, No. 617, effective June 01, 2007.

(B) Wisconsin Administrative Code, NR 406.04 Direct sources exempt from construction permit requirements. NR 406.04(1)(zh), NR 406.04(1q), NR 406.04(4)(h), NR 406.04(4)(i), and NR 406.04(4)(j), as published in the Wisconsin Administrative Register May 2007, No. 617, effective June 01, 2007.

(C) Wisconsin Administrative Code, NR 410.03 Application fee. NR 410.03(1)(d), and NR 410.03(1)(f), as published in the Wisconsin Administrative Register May 2007, No. 617, effective June 1, 2007.

(128) On June 7, 2012, the Wisconsin Department of Natural Resources submitted a request to revise Wisconsin's vehicle inspection and maintenance (I/M) program to reflect changes that have been made to the program since EPA fully approved the I/M program on August 16, 2001.

(i) Incorporation by reference.

(A) Wisconsin Administrative Code, NR 485.01 Applicability; purpose, as published in the Wisconsin Administrative Register May 1992, No. 437, effective June 1, 1992.

(B) Wisconsin Administrative Code, NR 485.02 Definitions, NR 485.04 Motor vehicle emission limitations; exemptions, and NR 485.045 Repair cost limit for vehicle inspection program, as published in the Wisconsin Administrative Register November 2010, No. 659, effective December 1, 2010.

(C) Wisconsin Administrative Code, NR 485.06 Tampering with air pollution control equipment, as published in the Wisconsin Administrative Register March 2006, No. 603, effective April 1, 2006.

(D) Wisconsin Administrative Code, NR 485.07 Inspection requirement for motor vehicle tampering, as published in the Wisconsin Administrative Register January 1997, No. 493, effective February 1, 1997.

(E) Wisconsin Administrative Code, Trans 131.01 Purpose and scope, Trans 131.02 Definitions, Trans 131.03 Emission inspection and reinspection, Trans 131.04 Waiver of compliance, Trans 131.05 Waiver emission equipment inspection, Trans 131.06 Inspection compliance, Trans 131.07 Voluntary inspections, Trans 131.11 Audits of inspection facilities, Trans 131.12 Equipment specifications and quality control, Trans 131.13 Licensing of inspectors, Trans 131.14 Remote sensing, Trans 131.15 Performance monitoring of repair facilities, as published in the Wisconsin Administrative Register December 2010, No. 660, effective January 01, 2011.

(F) Wisconsin Administrative Code, Trans 131.08 Letter of temporary exemption from emission inspection requirements, and Trans 131.10 Reciprocity, as published in the Wisconsin Administrative Register March 2002, No. 555, effective April 01, 2002.

(G) Wisconsin Administrative Code, Trans 131.09 Temporary operating permits, and Trans 131.16 Automotive emission repair technician training, as published in the Wisconsin Administrative Register June 2008, No. 630, effective July 01, 2008.

(H) Wisconsin Administrative Code, Trans 131.17 Notification of inspection requirements, as published in the Wisconsin Administrative Register April 1996, No. 484, effective May 01, 1996.

(I) Wisconsin Statutes, section 110.20 Motor vehicle emission inspection and maintenance program, as revised by 2009 Wisconsin Act 228, enacted on May 5, 2010. (A copy of 2009 Wisconsin Act 228 is attached to section 110.20 to verify the enactment date.)

(J) Wisconsin Statutes, section 285.30 Motor vehicle emissions limitations; inspections, as revised by 2009 Wisconsin Act 311, enacted on May 12, 2010. (A copy of 2009 Wisconsin Act 311 is attached to section 285.30 to verify the enactment date.

(129) On November 12, 2012, the Wisconsin Department of Natural Resources submitted a request to remove Wisconsin's Stage II vapor recovery program requirements under NR 420.045 of the Wisconsin Administrative Code from the Wisconsin ozone State Implementation Plan.

(i) [Reserved]

(ii) Additional material. Wisconsin Statutes, section 285.31(5) Gasoline vapor recovery—Termination of Requirements, enacted on April 2, 2012, by 2011 Wisconsin Act 196.

(130) On June 20, 2013, the Wisconsin Department of Natural Resources submitted a request to remove the state's TSP air quality standard, sections NR 404.02(11), NR 404.04(3), and NR 484.04(3) of the Wisconsin Administrative Code, from the state's air quality State Implementation Plan.

(i) [Reserved]

(ii) Additional material. Wisconsin Natural Resources Board October 6, 2011, Board Order AM–23–07B to repeal the state's TSP air quality standard, as published in the Wisconsin Administrative Register November 2011, No. 671, effective December 1, 2011.

[37 FR 10902, May 31, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.2570, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at *www.fdsys.gov*.

EDITORIAL NOTE: At 77 FR 46963, Aug. 7, 2012 § 52.2570 was amended by revising (c)(123); however, the amendment could not be incorporated because (c)(123) doesn't exist.

§ 52.2571 Classification of regions.

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

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Ozone
Duluth (Minnesota)-Superior (Wisconsin) Interstate	I	II	III	III	III
North Central Wisconsin Intrastate	II	III	III	III	III
Lake Michigan Intrastate	II	III	III	III	III
Southeast Minnesota-La Crosse (Wisconsin) Interstate	II	IA	III	III	III
Southern Wisconsin Intrastate	II	III	III	III	III
Southeastern Wisconsin Intrastate	I	II	III	III	I
Rockford (Illinois)-Jamesville-Beloit (Wisconsin) Interstate	II	III	III	III	III
Metropolitan Dubuque Interstate	I	III	III	III	III

[37 FR 10902, May 31, 1972, as amended at 39 FR 16348, May 8, 1974; 45 FR 2322, Jan. 11, 1980]

§ 52.2572 Approval status.

(a) With the exceptions set forth in this subpart, the Administrator approves Wisconsin's plans for the attainment and maintenance of the National Ambient Air Quality Standards under section 110 of the Clean Air Act. Furthermore, the Administrator finds the plans satisfy all requirements of Part D, Title I, of the Clean Air Act as amended in 1977, except as noted below. In addition, continued satisfaction of the requirements of Part D for the Ozone portion of the State Implementation Plan depends on the adoption and submittal of RACT requirements on:

(1) Group III Control Techniques Guideline sources within 1 year after January 1st following the issuance of each Group III control technique guideline; and

(2) Major (actual emissions equal or greater than 100 tons VOC per year) non-control technique guideline sources in accordance with the State's schedule contained in the 1982 Ozone SIP revision for Southeastern Wisconsin.

(b) [Reserved]

[75 FR 82563, Dec. 30, 2010, as amended at 78 FR 30209, May 22, 2013]

§ 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 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 SO_2 maintenance plan was submitted by the State of Wisconsin on June 9, 1992, for the City of Madison, Dane County.

(2) An SO_2 maintenance plan was submitted by the State of Wisconsin on June 12, 1992, for the City of Milwaukee, Milwaukee County.

(3) An SO_2 maintenance plan was submitted by the State of Wisconsin on November 5, 1999, for the City of Rhinelander, Oneida County.

(4) An SO_2 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.
Southeast Minnesota-LaCrosse (Wisconsin) Interstate (AQCR 128):							
a. Primary/Secondary non-attainment areas.	b	c	a	a	c	c	c.
b. Remainder of AQCR	b	c	c	c	c	c	c.
Southern Wisconsin Intrastate (AQCR 240):							
a. Primary/Secondary non-attainment areas.	g	f	d	c	c	c	d.
b. Remainder of AQCR	b	c	c	c	c	c	c.
Southeastern Wisconsin Intrastate (AQCR 239):							
a. Primary/Secondary non-attainment areas.	d	d	b	a	c	e	e.
b. Remainder of AQCR	b	c	c	c	c	c	c.
Rockford (Illinois)-Janesville-Beloit (Wisconsin) Interstate (AQCR 73) (Wisconsin portion):							
a. Primary/Secondary non-attainment areas.	d	d	c	c	c	c	c.
b. Remainder of AQCR	b	c	c	c	c	c	c.
Metropolitan Dubuque Interstate (AQCR 68):							
a. Primary/Secondary non-attainment areas.	a	a	c	c	c	c	c.
b. Remainder of AQCR	b	c	c	c	c	c	c.

a. July, 1975.
b. Air quality levels presently below primary standard or are unclassifiable.
c. Air quality levels presently below secondary standard or are unclassifiable.
d. December 31, 1982.
e. December 31, 1987.
f. 18-Month extension granted for plan submission and identification of attainment date.
g. No attainment plan was submitted.

NOTE: Sources subject to the plan requirements and attainment dates established under section 110(a)(2)(A) prior to the 1977 Clean Air Act Amendments remain obligated to comply with these requirements by the earlier deadlines. The earlier attainment dates are set out at 40 CFR 52.2577(1978).

For actual nonattainment designations refer to 40 CFR part 81.

Dates or footnotes which are italicized are prescribed by the Administrator because the plan did not provide a specific date or the date provided was not acceptable.

[48 FR 9862, Mar. 9, 1983]

§ 52.2578 Compliance schedules.

(a) [Reserved]

(b) The requirements of § 51.262(a) of this chapter are not met since compliance schedules with adequate increments of progress have not been submitted for every source for which they are required.

(c) *Federal compliance schedules.* (1) Except as provided in paragraph (c)(3) of this section, the owner or operator of any stationary source in the Southeast Wisconsin AQCR subject to the following emission limiting regulation in the Wisconsin implementation plan shall comply with the applicable compliance schedule in paragraph (c)(2) of this section: Wisconsin Air Pollution Control Regulation NR 154.13.

(2) (i) *Compliance schedules.* The owner or operator of any stationary source in the Southeast Wisconsin AQCR subject to NR 154.13 shall notify the Administrator no later than October 1, 1973, of his intent either to install necessary control systems per Wisconsin Air Pollution Control Regulation NR 154.13(2) or to switch to an exempt solvent per Wisconsin Air Pollution Control Regulation NR 154.13(3) to comply with the requirements of Wisconsin Air Pollution Control Regulation NR 154.13.

(ii) Any owner or operator of a stationary source subject to paragraph (c)(2)(i) of this section who elects to comply with the requirements of NR 154.13 by installing a control system shall take the following actions with respect to the source no later than the specified dates.

(*a*) November 1, 1973—Advertise for bids for purchase and/or construction of control system or purchase of requisite material for process modification sufficient to control hydrocarbon emissions from the source.

(*b*) December 15, 1973—Award contracts or issued order for purchase and/or construction of control system or purchase of requisite material for process modification sufficient to control hydrocarbon emissions from the source.

(*c*) April 15, 1974—Initiate onsite construction or installation of control system or process modification.

(*d*) November 1, 1974—Complete onsite construction or installation of control system or process modification.

(*e*) January 1, 1975—Achieve final compliance with Wisconsin Air Pollution Control Regulation NR 154.13.

(iii) Any owner or operator of a stationary source subject to paragraph (c)(2)(i) of this section, who elects to comply with the requirements of Wisconsin Air Pollution Control Regulation NR 154.13 by switching to an exempt solvent, shall take the following actions with respect to the source no later than the dates specified.

(*a*) April 1, 1974—Begin testing exempt solvents.

(*b*) June 1, 1974—Issue purchase orders for exempt solvents.

(*c*) December 1, 1974—Convert to complete use of exempt solvent.

(*d*) January 1, 1975—Achieve full compliance with Wisconsin Air Pollution Control Regulation NR 154.13.

(iv) Any owner or operator subject to a compliance schedule above shall certify to the Administrator, within five days after the deadline for each increment of progress in that schedule, whether or not the increment has been met.

(3) (i) None of the above paragraphs shall apply to a source which is presently in compliance with applicable regulations and which has certified such compliance to the Administrator by October 1, 1973. The Administrator may request whatever supporting information he considers necessary for proper certification.

(ii) Any compliance schedule adopted by the State and approved by the Administrator shall satisfy the requirements of this paragraph for the affected source.

(iii) Any owner or operator subject to a compliance schedule in this paragraph may submit to the Administrator no later than October 1, 1973, a proposed alternative compliance schedule. No such compliance schedule may provide for final compliance after the final compliance date in the applicable compliance schedule of this paragraph. If promulgated by the Administrator, such schedule shall satisfy the requirements of this paragraph for the affected source.

(4) Nothing in this paragraph shall preclude the Administrator from promulgating a separate schedule for any source to which the application of the compliance schedule in paragraph (c)(2) of this section fails to satisfy the requirements of §§ 51.261 and 51.262(a) of this chapter.

(d) [Reserved]

(e) The compliance schedule for the source identified below is disapproved as not meeting the requirements of subpart N of this chapter. All regulations cited are air pollution control regulations of the State, unless otherwise noted.

Source	Location	Regulation involved	Date schedule adopted
DOUGLAS COUNTY			
M&O Elevators Inc. (c) Units 12–17	Superior	NR154.11(4)(b)	Sept. 25, 1973.
MARATHON COUNTY			
Mosinee Paper Co	Mosinee	NR154.11(4), (5)	May 19, 1973.

[38 FR 16170, June 20, 1973, as amended at 38 FR 22752, Aug. 23, 1973; 38 FR 24832, Sept. 7, 1973; 39 FR 28159, Aug. 5, 1974; 39 FR 32608, Sept. 10, 1974; 43 FR 53440, Nov. 16, 1978; 51 FR 40675, 40676, 40677, Nov. 7, 1986; 54 FR 25258, June 14, 1989]

§§ 52.2579–52.2580 [Reserved]

§ 52.2581 Significant deterioration of air quality.

(a)–(c) [Reserved]

(d) The requirements of sections 160 through 165 of the Clean Air Act are met, except for sources seeking permits to locate in Indian country within the State of Wisconsin.

(e) Regulations for the prevention of the significant deterioration of air quality. The provisions of § 52.21 except paragraph (a)(1) are hereby incorporated and made a part of the applicable State plan for the State of Wisconsin for sources wishing to locate in Indian country; and sources constructed under permits issued by EPA.

(f) Forest County Potawatomi Community Reservation.

(1) The provisions for prevention of significant deterioration of air quality at 40 CFR 52.21 are applicable to the Forest County Potawatomi Community Reservation, pursuant to § 52.21(a).

(2) In accordance with section 164 of the Clean Air Act and the provisions of 40 CFR 52.21(g), those parcels of the Forest County Potawatomi Community's land 80 acres and over in size which are located in Forest County are designated as a Class I area for the purposes of prevention of significant deterioration of air quality. For clarity, the individual parcels are described below, all consisting of a description from the Fourth Principal Meridian, with a baseline that is the Illinois-Wisconsin border:

(i) Section 14 of Township 36 north (T36N), range 13 east (R13E).

(ii) Section 26 of T36N R13E.

(iii) The west half (W½) of the east half (E½) of Section 27 of T36N R13E.

(iv) E½ of SW¼ of Section 27 of T36N R13E.

(v) N½ of N½ of Section 34 of T36N R13E.

(vi) S½ of NW¼ of Section 35 of T36N R13E.

(vii) Section 36 of T36N R13E.

(viii) Section 2 of T35N R13E.

(ix) W½ of Section 2 of T34N R15E.

(x) Section 10 of T34N R15E.

(xi) S½ of NW¼ of Section 16 of T34N R15E.

(xii) N½ of SE¼ of Section 20 of T34N R15E.

(xiii) NW¼ of Section 28 of T34N R15E.

(xiv) W½ of NE¼ of Section 28 of T34N R15E.

(xv) W½ of SW¼ of Section 28 of T34N R15E.

(xvi) W½ of NE¼ of Section 30 of T34N R15E.

(xvii) SW¼ of Section 2 of T34N R16E.

(xviii) W½ of NE¼ of Section 12 of T34N R16E.

(xix) SE¼ of Section 12 of T34N R16E.

(xx) E½ of SW¼ of Section 12 of T34N R16E.

(xxi) N½ of Section 14 of T34N R16E.

(xxii) SE¼ of Section 14 of T34N R16E.

(xxiii) E½ of Section 16 of T34N R16E.

(xxiv) NE¼ of Section 20 of T34N R16E.

(xxv) NE¼ of Section 24 of T34N R16E.

(xxvi) N½ of Section 22 of T35N R15E.

(xxvii) SE¼ of Section 22 of T35N R15E.

(xxviii) N½ of SW¼ of Section 24 of T35N R15E.

(xxix) NW¼ of Section 26 of T35N R15E.

(xxx) E½ of Section 28 of T35N R15E.

(xxxi) E½ of NW¼ of Section 28 of T35N R15E.

(xxxii) SW¼ of Section 32 of T35N R15E.

(xxxiii) E½ of NW¼ of Section 32 of T35N R15E.

(xxxiv) W½ of NE¼ of Section 32 of T35N R15E.

(xxxv) NW¼ of Section 34 of T35N R15E.

(xxxvi) N½ of SW¼ of Section 34 of T35N R15E.

(xxxvii) W½ of NE¼ of Section 34 of T35N R15E.

(xxxviii) E½ of Section 36 of T35N R15E.

(xxix) SW¼ of Section 36 of T35N R15E.

(xl) S½ of NW¼ of Section 36 of T35N R15E.

(xli) S½ of Section 24 of T35N R16E.

(xlii) N½ of Section 26 of T35N R16E.

(xliii) SW¼ of Section 26 of T35N R16E.

(xliv) W½ of SE¼ of Section 26 of T35N R16E.

(xlv) E½ of SW¼ of Section 30 of T35N R16E.

(xlvi) W½ of SE¼ of Section 30 of T35N R16E.

(xlvii) N½ of Section 34 of T35N R16E.

[45 FR 52741, Aug. 7, 1980, as amended at 46 FR 9585, Jan. 29, 1981; 64 FR 28748, May 27, 1999; 68 FR 11324, Mar. 10, 2003; 68 FR 74490, Dec. 24, 2003; 72 FR 18394, Apr. 12, 2007; 73 FR 23101, May 29, 2008]

§§ 52.2582–52.2583 [Reserved]

§ 52.2584 Control strategy; Particulate matter.

(a) Part D—Disapproval—USEPA disapproves Regulation NR 154.11(7)(b) of Wisconsin Administrative Code (RACT Requirements for Coking Operations), which is part of the control strategy to attain and maintain the standards for particulate matter, because it does not contain an enforceable RACT-level numerical visible emission limitation for charging operations.

(b) Approval—On April 30, 1988 and March 30, 1990, the State of Wisconsin submitted committal SIPs for particulate matter with an aerodynamic diameter equal to or less than 10 micrometers (PM_{10}) for the Group II areas within the Cities of DePere, Madison, Milwaukee, Superior, and Waukesha. This committal SIP meets all of the requirements identified in the July 1, 1987, promulgation of the SIP requirements for PM_{10}.

(c) Approval—On August 1, 2013, the State of Wisconsin submitted a revision to their Particulate Matter State Implementation Plan. The submittal established transportation conformity ''Conformity'' criteria and procedures related to interagency consultation, and enforceability of certain transportation related control and mitigation measures.

(d) Approval—On April 22, 2014, EPA approved the 2006 24-Hour $PM_{2.5}$ maintenance plan for the Milwaukee-Racine nonattainment area (Milwaukee, Racine and Waukesha Counties), as submitted on June 8, 2012. The maintenance plan establishes 2020 motor vehicle emissions budgets for the Milwaukee-Racine area of 2.33 tons per winter day 1 (tpwd) and 2.16 tpwd direct $PM_{2.5}$ and 32.62 tpwd and 28.69 tpwd NO_X for the years 2020 and 2025, respectively.

(e) Approval—On April 22, 2014, EPA approved the 2006 24-hour $PM_{2.5}$ comprehensive emissions inventories for the Milwaukee-Racine area (Milwaukee, Racine and Waukesha Counties). Wisconsin's 2006 NO_X, directly emitted $PM_{2.5}$, SO_2, VOC, as well as the 2007 supplemental ammonia emissions inventory satisfies the emission inventory requirements of section 172(c)(3) of the Clean Air Act for the Milwaukee-Racine area.

[48 FR 9862, Mar. 9, 1983, as amended at 55 FR 33120, Aug. 14, 1990; 79 FR 10998, Feb. 27, 2014; 79 FR 22417, Apr. 22, 2014]

§ 52.2585 Control strategy: Ozone.

(a) Disapproval—On November 6, 1986, the Wisconsin Department of Natural Resources submitted as a proposed revision to the State's ozone State Implementation Plan a site-specific reasonably available control technology determination for a miscellaneous metal parts and products dip coating line. This line is located at the Gehl facility in Washington County, Wisconsin. In a May 31, 1988 (53 FR 19806), notice of proposed rulemaking, United States Environmental Protection Agency proposed to disapprove this site-specific revision to the Wisconsin State Implementation Plan for ozone.

(b) Disapproval—On August 22, 1986, the Wisconsin Department of Natural Resources submitted a proposed revision to its ozone State Implementation Plan consisting of a site-specific reasonably available control technology determination for two miscellaneous metal parts and products spray coatings lines. These operations are located at the General Electric Company, Medical Systems facility in Milwaukee, Wisconsin, an area which has been designated as nonattainment for ozone, pursuant to section 107 of the Clean Air Act and 40 Code of Federal Regulations, part 81, § 81.350.

(c) [Reserved]

(d) Approval—On November 15, 1992, the Wisconsin Department of Natural Resources submitted a revision to the ozone State Implementation Plan. The submittal pertained to the development of a process for assessing conformity of any federally-funded transportation and other federally funded projects in the nonattainment area.

(e) Approval—On January 15, 1993, the Wisconsin Department of Natural Resources submitted a revision to the ozone State Implementation Plan for the 1990 base year inventory. The inventory was submitted by the State of Wisconsin to satisfy Federal requirements under section 182(a)(1) of the Clean Air Act as amended in 1990 (the Act), as a revision to the ozone State Implementation Plan (SIP) for all areas in Wisconsin designated nonattainment, classified marginal to extreme. These areas include counties of Walworth, Door, Kewaunee, Manitowoc, Sheboygan, and the six county Milwaukee area (counties of Washington, Ozaukee, Waukesha, Milwaukee, Racine, and Kenosha).

(f) Approval—The Administrator approves the incorporation of the photochemical assessment ambient monitoring system submitted by Wisconsin on November 15, 1993, into the Wisconsin State Implementation Plan. This submittal satisfies 40 CFR 58.20(f) which requires the State to provide for the establishment and maintenance of photochemical assessment monitoring stations (PAMS).

(g) Approval—On November 15, 1993, the Wisconsin Department of Natural Resources submitted a revision to the ozone State Implementation Plan. The submittal pertained to a plan for forecasting VMT in the severe ozone nonattainment area of southeastern Wisconsin and demonstrated that Transportation Control Measures would not be necessary to offset growth in emissions.

(h) Approval—On November 15, 1993, the Wisconsin Department of Natural Resources submitted a revision to the ozone State Implementation Plan. The submittal pertained to a plan for forecasting VMT in the severe ozone nonattainment area of southeastern Wisconsin and demonstrated that Transportation Control Measures would not be necessary to meet the 15 percent Rate-of-Progress milestone.

(i) Approval—EPA is approving the section 182(f) oxides of nitrogen (NO_X) reasonably available control technology (RACT), new source review (NSR), vehicle inspection/maintenance (I/M), and general conformity exemptions for the moderate and above ozone nonattainment areas within Wisconsin as requested by the States of Illinois, Indiana, Michigan, and Wisconsin in a July 13, 1994 submittal. This approval also covers the exemption of transportation and general conformity requirements of section 176(c) for the Door and Walworth marginal ozone nonattainment areas. Approval of these exemptions is contingent on the results of the final ozone attainment demonstration expected to be submitted in mid-1997. The approval will be modified if the final attainment demonstration demonstrates that NO_X emission controls are needed in any of the nonattainment areas to attain the ozone standard in the Lake Michigan Ozone Study modeling domain.

(j) Approval—On June 14, 1995, the Wisconsin Department of Natural Resources submitted a revision to the ozone State Implementation Plan. The submittal pertained to a plan for the implementation and enforcement of the Federal transportation conformity requirements at the State or local level in accordance with 40 CFR part 51, subpart T—Conformity to State or Federal Implementation Plans of Transportation Plans, Programs, and

Projects Developed, Funded or Approved Under Title 23 U.S.C. or the Federal Transit Act.

(k) Approval—On December 15, 1995, and May 15, 1996, the Wisconsin Department of Natural Resources submitted requests to redesignate Walworth County and Sheboygan and Kewaunee Counties, respectively, from nonattainment to attainment for ozone. The State also submitted maintenance plans as required by section 175A of the Clean Air Act, 42 U.S.C. 7505a. Elements of the section 175A maintenance plans include attainment emission inventories for NO_X and VOC, demonstrations of maintenance of the ozone NAAQS with projected emission inventories to the year 2007 for NO_X and VOC, plans to verify continued attainment, and contingency plans. If a violation of the ozone NAAQS, determined to be caused by local sources is monitored, Wisconsin will implement one or more appropriate contingency measure(s) contained in the contingency plan. Once a violation of the ozone NAAQS is recorded, the State will notify EPA and review the data for quality assurance. A plan to analyze the violation, including an analysis of meteorological conditions, will be submitted within 60 days to EPA-Region 5 for approval. Within 14 months of the violation, Wisconsin will complete and public notice the analysis and submit it to EPA-Region 5 for review. If the analysis shows that local sources caused the violation, Wisconsin will implement the contingency measures within 24 months after the violation. The contingency measures to be implemented in Walworth County are Stage II vapor recovery and non-Control Technology Guideline (non-CTG) Reasonably available control technology (RACT) limits. Contingency measures to be implemented in either Kewaunee or Sheboygan County are lower major source applicability thresholds for industrial sources and new gasoline standards which will lower VOC emissions. The redesignation request and maintenance plan meet the redesignation requirements in section 107(d)(3)(E) and 175A of the Act, respectively.

(l) Wisconsin's November 15, 1994 request for a temporary delay of the ozone attainment date for Manitowoc County from 1996 to 2007 and suspension of the automatic reclassification of Manitowoc County to serious nonattainment for ozone is approved, based on Wisconsin's demonstration through photochemical grid modeling that transport from upwind areas makes it ''practicably impossible'' for the County to attain the ozone National Ambient Air Quality Standard by its original attainment date.

(m) Approval—On July 10, 1996, the Wisconsin Department of Natural Resources submitted a revision to the ozone State Implementation Plan. The submittal pertained to a request to waive the Oxide of Nitrogen requirements for transportation conformity in the Milwaukee and Manitowoc ozone nonattainment areas.

(n) Approval—On September 8, 2000, Wisconsin submitted a revision to the ozone maintenance plan for the Walworth County area. The revision consists of allocating a portion of the Walworth County area's Volatile Organic Compounds (VOC) safety margin to the transportation conformity Motor Vehicle Emission Budget (MVEB). The MVEB for transportation conformity purposes for the Walworth County area are now: 5.39 tons per day of VOC emissions and 7.20 tons per day of oxides of nitrogen emissions for the year 2007. This approval only changes the VOC transportation conformity MVEB for Walworth County.

(o) Approval—On December 11, 1997, Wisconsin submitted a post-1996 Rate Of Progress plan for the Milwaukee-Racine ozone nonattainment area as a requested revision to the Wisconsin State Implementation Plan. Supplements to the December 11, 1997 plan were submitted on August 5, 1999, January 31, 2000, March 3, 2000, and February 21, 2001 establishing the post-1996 ROP plan for the Milwaukee-Racine ozone nonattainment area. This plan reduces ozone precursor emissions by 9 percent from 1990 baseline emissions by November 15, 1999.

(p) Approval—On December 27, 2000, Wisconsin submitted a one-hour ozone attainment demonstration plan as a revision to the Wisconsin State Implementation Plan (SIP). Supplements to

the December 27, 2001 plan were submitted on May 28, 2001, June 6, 2001, and August 29, 2001. This plan includes a modeled demonstration of attainment, rules for the reduction of ozone precursor emissions, a plan to reduce ozone precursor emissions by three percent per year from 2000 to 2007, an analysis of reasonably achievable control measures, an analysis of transportation conformity budgets, a revision of the waiver for emission of oxides of nitrogen, and commitments to conduct a mid-course review of the area's attainment status and to use the new MOBILE6 emissions model.

(q) Approval—On January 28, 2003, the Wisconsin Department of Natural Resources submitted a request to redesignate Manitowoc and Door Counties to attainment. Additional information was submitted on February 5, 2003 and February 27, 2003. As part of the redesignation request, the State submitted a maintenance plan as required by section 175A of the Clean Air Act, as amended in 1990. Elements of the section 175 maintenance plan include a contingency plan and an obligation to submit a subsequent maintenance plan revision in 8 years as required by the Clean Air Act. The 2013 motor vehicle emission budgets for Door County are 0.74 tons of volatile organic compounds (VOC) per day and 1.17 tons of oxides of nitrogen (NO_X) per day. The 2013 motor vehicle emission budgets for Manitowoc County are 1.89 tons of VOC per day and 3.59 tons of NO_X per day.

(r) Approval—On January 28, 2003, the Wisconsin Department of Natural Resources submitted a 1999 periodic emissions inventory for the Milwaukee-Racine area. Additional information was submitted on February 5, 2003 and February 27, 2003. The inventory meets the requirement of section 182(2)(3)(A) of the Clean Air Act as amended in 1990.

(s) Approval—On January 31, 2003, Wisconsin submitted a revision to the ozone attainment plan for the Milwaukee severe ozone area and maintenance plan for Sheboygan County. These plans revised 2007 motor vehicle emission inventories and 2007 Motor Vehicle Emissions Budgets (MVEB) recalculated using the emissions factor model MOBILE6. The plan also included a new 2012 projected MVEB for the Sheboygan County. The following table outlines the MVEB for transportation conformity purposes for the Milwaukee severe ozone area and the Sheboygan ozone maintenance area:

2007 AND 2012 MOTOR VEHICLE EMISSIONS BUDGETS

Area	2007		2012	
	VOC (tpd)	NO_X (tpd)	VOC (tpd)	NO_X (tpd)
Milwaukee Severe Area	32.20	71.40	na	na
Sheboygan Maintenance	3.24	6.40	1.99	3.97

na means not applicable

(t) Approval—On January 28, 2003, Wisconsin submitted a request to update the ozone maintenance plan for Kewaunee County. Additional information was submitted on February 5, 2003 and February 27, 2003. As part of the request, the state submitted a maintenance plan as required by section 175A of the Clean Air Act, as amended in 1990. Elements of the section 175 maintenance plan include a contingency plan and Motor Vehicle Emissions Budgets (MVEB) for 2007 and 2012. The following table outlines the MVEB for transportation conformity purposes for the Kewaunee ozone maintenance area.

KEWAUNEE MOBILE VEHICLE EMISSIONS BUDGETS

[Tons/day]

Year	VOC	NO_X
2007	0.61	0.97
2012	0.41	0.63

(u) Approval—On June 12, 2007, Wisconsin submitted a request to redesignate Kewaunee County to attainment of the 8-hour ozone standard. As part of the redesignation request, the State

submitted an ozone maintenance plan as required by section 175A of the Clean Air Act. Part of the section 175A maintenance plan includes a contingency plan. The ozone maintenance plan establishes 2012 motor vehicle emissions budgets for Kewaunee County of 0.43 tons per day of volatile organic compounds (VOC) and 0.80 tons per day of nitrogen oxIdes (NO_X) and 2018 motor vehicle emissions budgets for Kewaunee County of 0.32 tons per day of VOCs and 0.47 tons per day of NO_X.

(v) On July 28, 2008, the Wisconsin Department of Natural Resources requested that EPA find that the Milwaukee-Racine, WI nonattainment area, attained the revoked 1-hour ozone National Ambient Air Quality Standard (NAAQS). After review of this submission, EPA approves this request.

(w) Approval—On June 12, 2007, Wisconsin submitted 2005 VOC and NO_X base year emissions inventories for the Manitowoc County and Door County areas. Wisconsin's 2005 inventories satisfy the base year emissions inventory requirements of section 172(c)(3) of the Clean Air Act for the Manitowoc County and Door County areas under the 1997 8-hour ozone standard.

(x) Approval—On September 11, 2009, Wisconsin submitted requests to redesignate the Manitowoc County and Door County areas to attainment of the 1997 8-hour ozone standard. As part of the redesignation requests, the State submitted maintenance plans as required by section 175A of the Clean Air Act. Elements of the section 175 maintenance plans include contingency plans and an obligation to submit subsequent maintenance plan revisions in 8 years as required by the Clean Air Act. The ozone maintenance plans also establish 2012 and 2020 Motor Vehicle Emission Budgets (MVEBs) for the areas. The 2012 MVEBs for the Manitowoc County and Door County areas are 1.76 tons per day (tpd) for VOC and 3.76 tpd for NO_X, and 0.78 tpd for VOC and 1.55 tpd for NO_X, respectively. The 2020 MVEBs for the Manitowoc County and Door County areas are 1.25 tpd for VOC and 1.86 tpd for NO_X, and 0.53 tpd for VOC and 0.74 tpd for NO_X, respectively.

(y) *Determination of attainment.* EPA has determined, as of March 1, 2011 that the Milwaukee-Racine, WI and Sheboygan, WI areas have attained the 1997 8-hour ozone standard. These determinations suspend the requirements for these areas to submit attainment demonstrations and associated reasonably available control measures (RACM), reasonable further progress plans (RFP), contingency measures, and other State Implementation Plan (SIP) revisions related to attainment of the standard for as long as the areas continue to attain the 1997 8-hour ozone standard. These determinations also stay the requirement for EPA to promulgate attainment demonstration and RFP Federal Implementation Plans (FIPs) for these areas.

(z) Approval—Wisconsin submitted 2005 VOC and NO_X emissions inventories for the Milwaukee-Racine and Sheboygan areas on September 11, 2009, and supplemented the submittal on November 16, 2011. Wisconsin's 2005 inventories satisfy the emissions inventory requirements of section 182(a)(1) of the Clean Air Act for the Milwaukee-Racine and Sheboygan areas under the 1997 8-hour ozone standard.

(aa) Approval—On September 11, 2009, Wisconsin submitted a request to redesignate the Milwaukee-Racine area to attainment of the 1997 8-hour ozone standard. The state supplemented this submittal on November 16, 2011. As part of the redesignation request, the State submitted a maintenance plan as required by section 175A of the Clean Air Act. Elements of the section 175 maintenance plan include a contingency plan and an obligation to submit a subsequent maintenance plan revision in 8 years as required by the Clean Air Act. The ozone maintenance plan also establishes 2015 and 2022 Motor Vehicle Emission Budgets (MVEBs) for the area. The 2015 MVEBs for the Milwaukee-Racine area is 21.08 tpd for VOC and 51.22 tpd for NO_X. The 2022 MVEBs for the Milwaukee-Racine area is 15.98 tpd for VOC and 31.91 tpd for NO_X.

(bb) Approval—On August 1, 2013, the State of Wisconsin submitted a revision to their Ozone State Implementation Plan. The submittal established transportation conformity ''Conformity'' criteria and procedures related to interagency consultation, and

enforceability of certain transportation related control and mitigation measures.

[54 FR 29557, July 13, 1989]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.2585, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at *www.fdsys.gov*.

§ 52.2586 Small business stationary source technical and environmental compliance assistance program.

The Wisconsin small business stationary source technical and environmental compliance assistance program submitted on November 18, 1992 and January 21, 1993, satisfies the requirements of Section 507 of the Clean Air Act.

[59 FR 40826, Aug. 10, 1994]

§ 52.2587 Interstate pollutant transport provisions; What are the FIP requirements for decreases in emissions of nitrogen oxides?

(a)(1) The owner and operator of each source located within the State of Wisconsin and for which requirements are set forth under the Federal CAIR NO_X Annual Trading Program in subparts AA through II of part 97 of this chapter must comply with such applicable requirements. The obligation to comply with these requirements in part 97 of this chapter will be eliminated by the promulgation of an approval by the Administrator of a revision to the Wisconsin State Implementation Plan (SIP) as meeting the requirements of CAIR for $PM_{2.5}$ relating to NO_X under § 51.123 of this chapter, except to the extent the Administrator's approval is partial or conditional or unless such approval is under § 51.123(p) of this chapter.

(2) Notwithstanding any provisions of paragraph (a)(1) of this section, if, at the time of such approval of the State's SIP, the Administrator has already allocated CAIR NO_X allowances to sources in the State for any years, the provisions of part 97 of this chapter authorizing the Administrator to complete the allocation of CAIR NO_X allowances for those years shall continue to apply, unless the Administrator approves a SIP provision that provides for the allocation of the remaining CAIR NO_X allowances for those years.

(b)(1) The owner and operator of each NO_X source located within the State of Wisconsin and for which requirements are set forth under the Federal CAIR NO_X Ozone Season Trading Program in subparts AAAA through IIII of part 97 of this chapter must comply with such applicable requirements. The obligation to comply with these requirements in part 97 of this chapter will be eliminated by the promulgation of an approval by the Administrator of a revision to the Wisconsin State Implementation Plan (SIP) as meeting the requirements of CAIR for ozone relating to NO_X under § 51.123 of this chapter, except to the extent the Administrator's approval is partial or conditional or unless such approval is under § 51.123(ee) of this chapter.

(2) Notwithstanding any provisions of paragraph (b)(1) of this section, if, at the time of such approval of the State's SIP, the Administrator has already allocated CAIR NO_X Ozone Season allowances to sources in the State for any years, the provisions of part 97 of this chapter authorizing the Administrator to complete the allocation of CAIR NO_X Ozone Season allowances for those years shall continue to apply, unless the Administrator approves a SIP provision that provides for the allocation of the remaining CAIR NO_X Ozone Season allowances for those years.

(c) Notwithstanding any provisions of paragraphs (a) and (b) of this section and subparts AA through II and AAAA through IIII of part 97 of this chapter to the contrary:

(1) With regard to any control period that begins after December 31, 2011,

(i) The provisions in paragraphs (a) and (b) of this section relating to NO_X annual or ozone season emissions shall not be applicable; and

(ii) The Administrator will not carry out any of the functions set forth for the Administrator in subparts AA through II and AAAA through IIII of part 97 of this chapter; and

(2) The Administrator will not deduct for excess emissions any CAIR NO_X allowances or CAIR NO_X Ozone Season allowances allocated for 2012 or any year thereafter;

(3) By November 7, 2011, the Administrator will remove from the CAIR NO_X Allowance Tracking System accounts all CAIR NO_X allowances allocated for a control period in 2012 and any subsequent year, and, thereafter, no holding or surrender of CAIR NO_X allowances will be required with regard to emissions or excess emissions for such control periods; and

(4) By November 7, 2011, the Administrator will remove from the CAIR NO_X Ozone Season Allowance Tracking System accounts all CAIR NO_X Ozone Season allowances allocated for a control period in 2012 and any subsequent year, and, thereafter, no holding or surrender of CAIR NO_X Ozone Season allowances will be required with regard to emissions or excess emissions for such control periods.

(d)(1) The owner and operator of each source and each unit located in the State of Wisconsin and Indian country within the borders of the State and for which requirements are set forth under the TR NO_X Annual Trading Program in subpart AAAAA of part 97 of this chapter must comply with such requirements. The obligation to comply with such requirements with regard to sources and units in the State will be eliminated by the promulgation of an approval by the Administrator of a revision to Wisconsin's State Implementation Plan (SIP) as correcting in part the SIP's deficiency that is the basis for the TR Federal Implementation Plan under § 52.38(a), except to the extent the Administrator's approval is partial or conditional. The obligation to comply with such requirements with regard to sources and units located in Indian country within the borders of the State will not be eliminated by the promulgation of an approval by the Administrator of a revision to Wisconsin's SIP.

(2) Notwithstanding the provisions of paragraph (d)(1) of this section, if, at the time of the approval of Wisconsin's SIP revision described in paragraph (d)(1) of this section, the Administrator has already started recording any allocations of TR NO_X Annual allowances under subpart AAAAA of part 97 of this chapter to units in the State for a control period in any year, the provisions of subpart AAAAA of part 97 of this chapter authorizing the Administrator to complete the allocation and recordation of TR NO_X Annual allowances to units in the State for each such control period shall continue to apply, unless provided otherwise by such approval of the State's SIP revision.

(e)(1) The owner and operator of each source and each unit located in the State of Wisconsin and Indian country within the borders of the State and for which requirements are set forth under the TR NO_X Ozone Season Trading Program in subpart BBBBB of part 97 of this chapter must comply with such requirements. The obligation to comply with such requirements with regard to sources and units in the State will be eliminated by the promulgation of an approval by the Administrator of a revision to Wisconsin's State Implementation Plan (SIP) as correcting the SIP's deficiency that is the basis for the TR Federal Implementation Plan under § 52.38(b), except to the extent the Administrator's approval is partial or conditional. The obligation to comply with such requirements with regard to sources and units located in Indian country within the borders of the State will not be eliminated by the promulgation of an approval by the Administrator of a revision to Wisconsin's SIP.

(2) Notwithstanding the provisions of paragraph (e)(1) of this section, if, at the time of the approval of Wisconsin's SIP revision described in paragraph (e)(1) of this section, the Administrator has already started recording any allocations of TR NO_X Ozone Season allowances under subpart BBBBB of part 97 of this chapter to units in the State for a control period in any year, the provisions of subpart BBBBB of part 97 of this chapter authorizing the Administrator to complete the allocation and recordation of TR NO_X Ozone Season allowances to units in the State for each such control period shall continue to apply, unless provided otherwise by such approval of the State's SIP revision.

[72 FR 62356, Nov. 2, 2007, as amended at 76 FR 48377, Aug. 8, 2011; 76 FR 80775, Dec. 27, 2011]

§ 52.2588 Interstate pollutant transport provisions; What are the FIP requirements for decreases in emissions of sulfur dioxide?

(a) The owner and operator of each SO_2 source located within the State of Wisconsin and for which requirements are set forth under the Federal CAIR SO_2 Trading Program in subparts AAA through III of part 97 of this chapter must comply with such applicable requirements. The obligation to comply with these requirements in part 97 of this chapter will be eliminated by the promulgation of an approval by the Administrator of a revision to the Wisconsin State Implementation Plan as meeting the requirements of CAIR for $PM_{2.5}$ relating to SO_2 under § 51.124 of this chapter, except to the extent the Administrator's approval is partial or conditional or unless such approval is under § 51.124(r) of this chapter.

(b) Notwithstanding any provisions of paragraph (a) of this section and subparts AAA through III of part 97 of this chapter and any State's SIP to the contrary:

(1) With regard to any control period that begins after December 31, 2011,

(i) The provisions of paragraph (a) of this section relating to SO_2 emissions shall not be applicable; and

(ii) The Administrator will not carry out any of the functions set forth for the Administrator in subparts AAA through III of part 97 of this chapter; and

(2) The Administrator will not deduct for excess emissions any CAIR SO_2 allowances allocated for 2012 or any year thereafter.

(c)(1) The owner and operator of each source and each unit located in the State of Wisconsin and Indian country within the borders of the State and for which requirements are set forth under the TR SO_2 Group 1 Trading Program in subpart CCCCC of part 97 of this chapter must comply with such requirements. The obligation to comply with such requirements with regard to sources and units in the State will be eliminated by the promulgation of an approval by the Administrator of a revision to Wisconsin's State Implementation Plan (SIP) as correcting in part the SIP's deficiency that is the basis for the TR Federal Implementation Plan under § 52.39, except to the extent the Administrator's approval is partial or conditional. The obligation to comply with such requirements with regard to sources and units located in Indian country within the borders of the State will not be eliminated by the promulgation of an approval by the Administrator of a revision to Wisconsin's SIP.

(2) Notwithstanding the provisions of paragraph (c)(1) of this section, if, at the time of the approval of Wisconsin's SIP revision described in paragraph (c)(1) of this section, the Administrator has already started recording any allocations of TR SO_2 Group 1 allowances under subpart CCCCC of part 97 of this chapter to units in the State for a control period in any year, the provisions of subpart CCCCC of part 97 of this chapter authorizing the Administrator to complete the allocation and recordation of TR SO_2 Group 1 allowances to units in the State for each such control period shall continue to apply, unless provided otherwise by such approval of the State's SIP revision.

[72 FR 62357, Nov. 2, 2007, as amended at 76 FR 48378, Aug. 8, 2011]

§ 52.2589 Wisconsin construction permit permanency revision.

This plan was originally submitted as Wis. Stat. 144.396 by Wisconsin on July 12, 1979 and approved into Wisconsin's SIP on June 25, 1986 (51 FR 23056). Wis. Stat. 144.396 was renumbered Wis. Stat. 285.66 in 1995 Wisconsin Act 227, effective January 1, 1997. On December 8, 2005, Wisconsin submitted for EPA approval into the Wisconsin SIP a revision to Wis. Stats. 285.66(1), as amended in 2005 Wisconsin Act 25, effective July 26, 2005. This revision makes all conditions in Wisconsin's construction permits permanent. EPA has determined that this statutory revision is approvable under the Act.

[71 FR 9936, Feb. 28, 2006]

§ 52.2590 Operating permits.

For any permitting program located in the State, insofar as the permitting threshold provisions in Chapter NR 407 of the Wisconsin Administrative Code concern the treatment of sources of greenhouse gas emissions as major

sources for purposes of title V operating permits, EPA approves such provisions only to the extent they require permits for such sources where the source emits or has the potential to emit at least 100,000 tpy CO_2 equivalent emissions, as well as 100 tpy on a mass basis, as of July 1, 2011.

[75 FR 82266, Dec. 30, 2010]

§ 52.2591 Section 110(a)(2) infrastructure requirements.

(a) *Approval*. In a December 12, 2007 submittal, supplemented on January 24, 2011 and March 28, 2011, Wisconsin certified that the State has satisfied the infrastructure SIP requirements of section 110(a)(2)(A) through (C), (D)(ii), (E) through (H), and (J) through (M) for the 1997 8-hour ozone NAAQS. EPA is not finalizing its proposed approval of the submission from the State of Wisconsin with respect to two narrow issues that relate to section 110(a)(2)(C): The requirement for consideration of NOx as a precursor to ozone; and (ii) the definition of ''major modification'' related to fuel changes for certain sources. EPA will address these issues in a later action.

(b) *Approval*. In a December 12, 2007 submittal, supplemented on January 24, 2011 and March 28, 2011, Wisconsin certified that the State has satisfied the infrastructure SIP requirements of section 110(a)(2)(A) through (C), (D)(ii), (E) through (H), and (J) through (M) for the 1997 $PM_{2.5}$ NAAQS. EPA is not finalizing its proposed approval of the submission from the State of Wisconsin with respect to two narrow issues that relate to section 110(a)(2)(C): The requirement for consideration of NOx as a precursor to ozone; and the definition of ''major modification'' related to fuel changes for certain sources. EPA will address these issues in a later action.

(c) *Disapproval*. EPA is disapproving the portions of Wisconsin's infrastructure SIP for the 1997 ozone NAAQS with respect to two narrow issues that relate to section 110(a)(2)(C):

(1) The requirement for consideration of NOx as a precursor to ozone; and

(2) The definition of ''major modification'' related to fuel changes for certain sources.

(d) *Disapproval*. EPA is disapproving the portions of Wisconsin's infrastructure SIP for the 1997 $PM_{2.5}$ NAAQS with respect to two narrow issues that relate to section 110(a)(2)(C):

(1) The requirement for consideration of NOx as a precursor to ozone; and

(2) The definition of ''major modification'' related to fuel changes for certain sources.

(e) Approval and Disapproval—In a January 24, 2011, submittal, supplemented on March 28, 2011, and June 29, 2012, Wisconsin certified that the State has satisfied the infrastructure SIP requirements of section 110(a)(2)(A) through (H), and (J) through (M) for the 2006 24-hour $PM_{2.5}$ NAAQS. We are not finalizing action on (D)(i)(I), the visibility protection requirements of (D)(i)(II), and the state board requirements of (E)(ii). We will address these requirements in a separate action. We are disapproving narrow portions of Wisconsin's infrastructure SIP submission addressing the relevant prevention of significant deterioration requirements of the 2008 NSR Rule (identifying $PM_{2.5}$ precursors and the regulation of $PM_{2.5}$ and PM_{10} condensables in permits) with respect to section 110(a)(2)(C), (D)(i)(II), and (J).

[76 FR 41086, July 13, 2011, as amended at 77 FR 35873, June 15, 2012; 77 FR 65488, Oct. 29, 2012]

§ 52.2592 Review of new sources and modifications.

Disapproval—On May 12, 2011, the Wisconsin Department of Natural Resources submitted a proposed revision to its State Implementation Plan to update its rules to match the 2008 New Source Review Implementation Rule for $PM_{2.5}$. The State supplemented the submittal on March 5, 2012. EPA determined that this submittal was not approvable because the revisions did not explicitly identify the precursors to $PM_{2.5}$ and did not contain the prescribed language to ensure that gases that condense to form PM, known as condensables, are regulated within $PM_{2.5}$ and PM_{10} emission limits.

[78 FR 44884, July 25, 2013]

Subpart ZZ—Wyoming

§ 52.2620 Identification of plan.

(a) *Purpose and scope.* This section sets forth the applicable State Implementation Plan for Wyoming under section 110 of the Clean Air Act, 42 U.S.C. 7410 and 40 CFR part 51 to meet national ambient air quality standards or other requirements under the Clean Air Act.

(b) *Incorporation by reference.* (1) Material listed in paragraphs (c) and (d) of this section with an EPA approval date prior to August 31, 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 submitted by the state to EPA, and notice of any change in the material will be published in the FEDERAL REGISTER. Entries for paragraphs (c) and (d) of this section with EPA approval dates after August 31, 2006, will be incorporated by reference in the next update to the SIP compilation.

(2) EPA Region 8 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 August 31, 2006.

(3) Copies of the materials incorporated by reference may be inspected at the Environmental Protection Agency, Region 8, 1595 Wynkoop Street, Denver, Colorado 80202–1129; the Environmental Protection Agency, Air and Radiation Docket and Information Center, Air Docket (6102), 1200 Pennsylvania Ave., NW., Washington, DC 20460; or the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to *http://www.archives.gov/federal-register/cfr/ibr-locations.html.*

(c) *EPA approved regulations.*

(1) State of Wyoming Regulations

State citation	Title/subject	State adopted and effective date	EPA approval date and citation [1]	Explanations
	Chapter 1			
Section 2	Authority	9/13/99, 10/29/99	7/28/04, 69 FR 44965.	
Section 3	Definitions	10/5/12, 2/14/13	11/22/13, 78 FR 69998.	
Section 4	Prevention of Significant Deterioration	7/8/10 and 9/7/10	6/30/11, 7/25/11, 76 FR 44265.	
Section 5	Unavoidable Equipment Malfunction	11/16/05, 1/30/06	4/16/10, 75 FR 19886.	
Section 6	Credible Evidence	10/23/00, 12/8/00	4/16/10, 75 FR 19886.	
Section 7	Greenhouse gases	10/5/12, 2/14/13	11/22/13, 78 FR 69998.	
	Chapter 2			
Section 2	Ambient standards for particulate matter	9/13/99, 10/29/99	7/28/04, 69 FR 44965.	
Section 3	Ambient standards for nitrogen oxides	9/13/99, 10/29/99	7/28/04, 69 FR 44965.	
Section 4	Ambient standards for sulfur oxides	9/13/99, 10/29/99	7/28/04, 69 FR 44965.	
Section 5	Ambient standards for carbon monoxide	9/13/99, 10/29/00	7/28/04, 69 FR 44965.	
Section 6	Ambient standards for ozone	9/13/99, 10/29/99	7/28/04, 69 FR 44965.	
Section 8	Ambient standards for suspended sulfates	9/13/99, 10/29/99	7/28/04, 69 FR 44965.	
Section 10	Ambient standards for lead	9/13/99, 10/29/99	7/28/04, 69 FR 44965.	
	Chapter 3			
Section 2	Emission standards for particulate matter	9/13/99, 10/29/99	7/28/04, 69 FR 44965.	
Section 3	Emission standards for nitrogen oxides	9/13/99, 10/29/99	7/28/04, 69 FR 44965.	
Section 4	Emission standards for sulfur oxides	9/13/99, 10/29/99	7/28/04, 69 FR 44965.	
Section 5	Emission standards for carbon monoxide	9/13/99, 10/29/99	7/28/04, 69 FR 44965.	
Section 6	Emission standards for volatile organic compounds.	9/13/99, 10/29/99	7/28/04, 69 FR 44965.	
	Chapter 4			
Section 2	Existing sulfuric acid production units	9/13/99, 10/29/99	7/28/04, 69 FR 44965.	
Section 3	Existing nitric acid manufacturing plants	9/13/99, 10/29/99	7/28/04, 69 FR 44965.	
	Chapter 6			
Section 2	Permit requirements for construction, modification, and operation.	9/13/99, 10/29/99	7/28/04, 69 FR 44965.	

State citation	Title/subject	State adopted and effective date	EPA approval date and citation [1]	Explanations
Section 4	Prevention of significant deterioration	1/13/2012, 3/28/2012	12/6/13, 78 FR 73445.	
Section 14	Incorporation by reference	1/13/2012, 3/28/2012	12/6/13, 78 FR 73445.	
Chapter 7				
Section 2	Continuous monitoring requirements for existing sources.	9/13/99, 10/29/99	7/28/04, 69 FR 44965.	
Chapter 8				
Section 2	Sweetwater County particulate matter regulations.	9/13/99, 10/29/99	7/28/04, 69 FR 44965.	
Section 3	Conformity of general federal actions to state implementation plans..	10/5/12, 12/19/12	8/15/13, 78 FR 49685.	
Section 5	Incorporation by reference.	10/5/12, 12/19/12	8/15/13, 78 FR 49685.	
Chapter 9				
Section 2	Visibility	9/13/99, 10/29/99	7/28/04, 69 FR 44965.	
Chapter 10				
Section 2	Open burning restrictions	9/13/99, 10/29/99	7/28/04, 69 FR 44965.	
Section 3	Wood waste burners	9/13/99, 10/29/99	7/28/04, 69 FR 44965.	
Section 4	Smoke Management	2/17/2005, 4/5/2005	12/12/2012, 77 FR 73926.	
Chapter 12				
Section 2	Air pollution emergency episodes	9/13/99, 10/29/99	7/28/04, 69 FR 44965.	
Chapter 13				
Section 2	Motor vehicle pollution control	9/13/99, 10/29/99	7/28/04, 69 FR 44965.	
Chapter 14				
Section 2	Western Backstop Sulfur Dioxide Trading Program.	2/27/2008, 5/7/2008	12/12/2012, 77 FR 73926.	
Section 3	Sulfur Dioxide Milestone Inventory	2/27/2008, 5/7/2008	12/12/2012, 77 FR 73926.	

[1] In order to determine the EPA effective date for a specific provision that is listed in this table, consult the FEDERAL REGISTER cited in this column for that particular provision.

(d) *EPA-approved source-specific requirements.*

Name of source	Nature of requirement	State submittal and effective date	EPA approval date and citation [2]	Explanations
FMC Corporation	Order containing schedule for compliance, interim requirements, and monitoring and reporting requirements.	1/25/79, 4/25/79	7/2/79, 44 FR 38473.	
Black Hills Power and Light.	Order containing schedule for compliance, interim requirements, and monitoring and reporting requirements.	1/25/79, 4/25/79	7/2/79, 44 FR 38473.	

[2] In order to determine the EPA effective date for a specific provision that is listed in this table, consult the FEDERAL REGISTER cited in this column for that particular provision.

(e) *EPA-approved nonregulatory provisions.*

Name of nonregulatory SIP provision	Applicable geographic or non-attainment area	State submittal date/adopted date	EPA approval date and citation [3]	Explanations
I. Implementation Plan for the State of Wyoming I. Introduction II. Legal Authority III. Control Strategy IV. Compliance Schedule V. Emergency Plan VI. Air Quality Surveillance VII. Review of New Sources and Modifications VIII. Source Surveillance IX. Resources X. Intergovernmental Cooperation IX. Reports and Revisions Appendices	Statewide	Submitted: 1/28/72, Adopted: 1/22/72, Additional letters submitted on 3/28/72 and 5/3/72.	5/31/72, 37 FR 10842.	Excluding: (1) the Wyoming Air Quality Act of 1967 and Wyoming Air Quality Standards and Regulations contained in Appendix E (more recent versions of these documents have been approved in the SIP); (2) Section III, paragraph following table I and Section IV, paragraph G (revisions to these paragraphs have subsequently been approved). (See II below.)
II. Revisions to Sections III (paragraph following Table I and IV (paragraph G) of the SIP	Statewide	Submitted: 5/29/73	7/3/74, 39 FR 24504.	
III. Inclusion of the Wyoming Environmental Quality Act, 1973, with amendments incorporated by the 1975 Wyoming State Legislature	Statewide	Submitted: 2/19/76	8/31/76, 41 FR 36652.	
IV. Revisions to Implementation Plan for Air Quality Control Plan State of Wyoming: addition of sections for Implementation Plan Reviews: Added to Air Quality Surveillance Chapter—Public Notification of Air Quality; and added to Intergovernmental Cooperation Chapter—Consultation	Statewide	Submitted: 1/25/79	7/2/79, 44 FR 38473.	
V. SIP for Total Suspended Particulate (TSP) Trona Area of Sweetwater County nonattainment area	Trona area of Sweetwater County.	Submitted: 1/25/79	7/2/79, 44 FR 38473.	SIP also contained source specific regulations that are now in Chapter 8, Section 2.
VI. Revision to Implementation Plan for Air Quality Control Plan State of Wyoming: Addition of section to Control Strategy Chapter for Implementation Plan Reviews	Statewide	4/30/91	4/19/83, 48 FR 16682.	
VII. SIP to meet Air Quality Monitoring 40 CFR part 58	Statewide	Submitted: 8/26/81	2/9/82, 47 FR 5892.	
VIII. Emergency Episode Contingency Plan	Statewide	Submitted: 8/26/81	2/9/82, 47 FR 5892.	
IX. Implementation Plan for Lead	Statewide	Submitted: 8/30/84	10/11/84, 49 FR 39843.	
X. Implementation Plan for Class I Visibility Protection	Statewide	Submitted: 9/6/88 ..	2/15/89, 54 FR 6912.	
XI. Commitment to conduct stack height evaluations in accordance with the ''Guideline for Determination of Good Engineering Practice Stack Height (Technical Support Document for the Stack Height Regulations),'' EPA 450/4–80–023R, June, 1985.	Statewide	Submitted: 12/9/88	3/17/89, 54 FR 11186.	
XII. Stack Height Demonstration Analyses	Statewide	Submitted: 8/5/86 ..	6/7/89, 54 FR 24334.	
XIII. Implementation Plan on Air Quality Surveillance for Inhalable Particulate Matter (PM10)	Statewide	Submitted: 3/14/89, Adopted: 12/13/88.	7/10/89 55 FR 28197.	
XIV. NO_X Increment Implementation	Statewide	Submitted: 11/20/90.	5/24/91, 56 FR 23811.	
XV. Small Business Program	Statewide	Submitted: 11/1/93	6/20/94, 59 FR 31548.	

Name of nonregulatory SIP provision	Applicable geographic or non-attainment area	State submittal date/adopted date	EPA approval date and citation [3]	Explanations
XVI. Implementation Plan for PM–10 Control Strategies Sheridan, Wyoming (includes City of Sheridan—Air Quality Maintenance Plan)	Sheridan	Submitted: 8/28/89, Adopted: 7/17/89.	6/23/94, 59 FR 32360.	Approval does not include sections 2 and 3, Voluntary Curtailment of Solid Fuel Combustion and Industrial Sources.
XVII. Memorandum of Agreement on Procedures for Protecting PM10 NAAQS in the Powder River Basin	Powder River Basin	Signed: 12/22/93	9/12/95, 60 FR 47290.	
XVIII. Interstate Transport. Wyoming Interstate Transport SIP satisfying the requirement of Section 110(a)(2)(D)(i) of the CAA for the 1997 8-hour ozone and $PM_{2.5}$ standards	Statewide	Submitted: 5/3/07 Adopted: 4/15/07	5/8/08, 73 FR 26019..	
XIX. Section 110(a)(2) Infrastructure Requirements for the 1997 8-hour Ozone NAAQS.	Statewide	12/7/2007 and 12/10/2007.	6/30/11, 7/25/11, 76 FR 44265.	
XX. Wyoming State Implementation Plan for Regional Haze for 309.	Statewide	Submitted: 1/12/2011.	12/12/2012, 77 FR 73926.	
XXI. Section 110(a)(2) Infrastructure Requirements for the 1997 $PM_{2.5}$ NAAQS.	Statewide	3/26/2008	12/6/13, 78 FR 73445.	Element (E)(ii) is disapproved.
XXII. Section 110(a)(2) Infrastructure Requirements for the 2006 $PM_{2.5}$ NAAQS.	Statewide	8/19/2011	12/6/13, 78 FR 73445.	Element (E)(ii) is disapproved.
XXIII. Wyoming State Implementation Plan for Regional Haze for 309(g).	Statewide	Submitted: 1/12/2011	1/30/14, 79 FR 5032.	Excluding portions of the following: Chapter 6.4, Chapter 6.5.5, Chapter 6.5.7, Chapter 6.5.8, and Chapter 7.5. We are excluding portions of these chapters because EPA disapproved: (1) The NO_X BART determinations for: (1) Laramie River Units 1–3, Dave Johnston Unit 3, and Wyodak Unit 1; (2) the State's monitoring, recordkeeping, and reporting requirements for BART units; (3) the State's reasonable progress goals.

[3] In order to determine the EPA effective date for a specific provision listed in this table, consult the FEDERAL REGISTER notice cited in this column for the particular provision.

[3] In order to determine the EPA effective date for a specific provision that is listed in this table, consult the FEDERAL REGISTER cited in this column for that particular provision.

[71 FR 64462, Nov. 2, 2006, as amended at 73 FR 26025, May 8, 2008; 73 FR 40752, July 16, 2008; 75 FR 19890, Apr. 16, 2010; 76 FR 44270, July 25, 2011; 77 FR 73933, Dec. 12, 2012; 78 FR 49690, Aug. 15, 2013; 78 FR 70000, Nov. 22, 2013; 78 FR 73448, Dec. 6, 2013; 79 FR 5219, Jan. 30, 2014]

§ 52.2621 Classification of regions.

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

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
Cheyenne Intrastate	II	III	III	III	III
Casper Intrastate	II	III	III	III	III
Wyoming Intrastate	III	III	III	III	III

[37 FR 10904, May 31, 1972]

§ 52.2622 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Wyoming's plans as meeting the requirements of section 110 of the Clean Air Act, as amended in 1977. Furthermore, the Administrator finds that the plans satisfy the requirements of Part D, Title I, of the Clean Air Act.

[44 FR 38475, July 2, 1979]

§§ 52.2623–52.2624 [Reserved]

§ 52.2625 Compliance schedules.

(a) The compliance schedules for the sources identified below are approved as meeting the requirements of Subpart N of this chapter. All regulations cited are found in the ''Wyoming Air Quality Standards and Regulations, 1975.''

WYOMING

Source	Location	Regulations involved	Date of adoption	Effective date	Final compliance date
Pacific Power & Light	Glenrock	14 (b), (e), (h)	Feb. 26, 1973	Immediately	Sept. 1, 1976.
Montana-Dakota Utilities	Sheridan	14 (b), (e), (h)	do	do	Dec. 31, 1976.
Utah Power & Light	Kemmerer	14 (b), (e), (h)	do	do	Do.
Black Hills Power & Light	Wyodak	14 (b), (e), (h)	do	do	May 1, 1978.
Do	Osage	14 (b), (e)	do	do	May 15, 1977.
American Oil	Casper	14 (b), (e), (h)	Jan. 26, 1973	do	Jan. 31, 1974.
Basins Engineering	Wheatland	14 (b), (e), (f), (g).	June 6, 1974	do	Apr. 5, 1974.
Stauffer Chemical Co	Green River	14 (b), (e), (f), (g).	do	do	Oct. 31, 1973.
Do	Leefe	14 (b), (e), (f), (g).	Feb. 26, 1973	do	Nov. 1, 1976.
Barold Division of National Lead	Osage	14 (b), (e), (f), (g).	Jan. 26, 1973	do	Dec. 31, 1975.
Do	Colony	14 (b), (e), (f), (g).	June 6, 1973	do	Mar. 1, 1974.
Holly Sugar	Torrington	14 (b), (e), (f), (g).	do	do	Oct. 31, 1976.
Do	Worland	14 (b), (d), (f), (g).	do	do	Do.
Reeves Concrete	Gillette	14 (b), (e), (f), (g).	Jan. 26, 1973	do	Dec. 1, 1973.
Do	Sheridan	14 (b), (e), (f), (g).	do	do	Do.
Do	Buffalo	14 (b), (e), (f), (g).	do	do	Do.
American Colloid	Lovell	14 (b), (e), (f), (g).	June 6, 1974	do	Apr, 30, 1974.
Star Valley Swiss Cheese	Thayne	14 (b), (e), (h)	Jan. 26, 1973	do	Dec. 31, 1973.
Sheridan Commercial	Sheridan	14 (b), (e), (f), (g).	do	do	Do.
Federal Bentonite	Upton	14 (b), (e), (f), (g).	June 6, 1973	do	June 30, 1974.
Do	Lovell	14 (b), (e), (f), (g).	do	do	Do.
Wyo-Ben Products	Greybull	14 (b), (e), (f), (g).	Jan. 26, 1973	do	Jan. 30, 1974.
Do	Lovell	14 (b), (e), (f), (g).	June 6, 1974	do	Do.
FMC	Kemmerer	14 (e), (f), (g), (i).	Jan. 26, 1973	do	Dec. 31, 1976.

WYOMING—Continued

Source	Location	Regulations involved	Date of adoption	Effective date	Final compliance date
Do	Green River	14 (b), (e), (f), (g).	June 6, 1974	.....do	Oct. 31, 1974.
Gunn-Quealy Coal	Rock Springs	14 (b), (e), (f), (g).	.....do	.....do	Mar. 31, 1974.
Allied Chemical	Green River	14 (b), (e), (f), (g).	.....do	.....do	Aug. 1, 1976.
IMC Corp	Colony	14 (b), (e), (f), (g).	.....do	.....do	Oct. 31, 1974.
Wyodak Resources Develop	Gillette	14 (b), (e), (f), (g).	.....do	.....do	Feb. 28, 1974.
Church and Dwight	Green River	14 (b), (e), (f), (g).	.....do	.....do	Nov. 1, 1973.
Wycon Chemical	Cheyenne	14 (b), (e), (f), (g).	Sept. 11, 1975	.....do	June 1, 1976.
Dresser Minerals	Greybull	14 (b), (e), (f), (g).	.....do	.....do	Feb. 15, 1976.
Town of Byron	Byron	13	Jan. 26, 1973	.....do	July 1, 1974.
Town of Chugwater	Chugwater	13	.....do	.....do	Do.
Town of Cowley	Cowley	13	.....do	.....do	Do.
Town of Lovell	Lovell	13	May 24, 1973	.....do	Do.
Big Horn County	Big Horn County.	13	Jan. 26, 1973	.....do	Do.

[41 FR 36653, Aug. 31, 1976, as amended at 51 FR 40676, Nov. 7, 1986]

§§ 52.2626–52.2629 [Reserved]

§ 52.2630 Prevention of significant deterioration of air quality.

(a) The Wyoming plan, as submitted, is approved as meeting the requirements of Part C of the Clean Air Act except that designation of the Savage Run Wilderness Area, as established in Pub. L. 95–237, from Class II to Class I is disapproved.

(b) Regulation for preventing significant deterioration of air quality. The Wyoming plan, as submitted, does not apply to certain sources in the State. Therefore, the provisions of § 52.21 except paragraph (a)(1) are hereby incorporated and made a part of the State implementation plan for the State of Wyoming and are applicable to the following proposed major stationary sources or major modifications:

(1) Sources proposing to construct on Indian Reservations in Wyoming; and

(2) Sources that received an air quality permit from the Wyoming State Department of Environmental Quality prior to September 6, 1979.

(c) The State of Wyoming has clarified the generalized language contained in section 24 of the Wyoming Air Quality Standards and Regulations on the use of the ''Guidelines for Air Quality Models.'' In a letter to Douglas M. Skie, EPA, dated May 18, 1989, Charles A. Collins, Administrator of the Air Quality Divisions stated:

* * * The Division, will, as a matter of practice, utilize the ''Guideline on Air Quality Models'' as revised, including Supplement A, in all PSD permit application reviews. The Division will utilize any future revisions to the Guideline in PSD permitting reviews as revisions become effective.

[44 FR 51979, Sept. 6, 1979, as amended at 54 FR 27881, July 3, 1989; 68 FR 11324, Mar. 10, 2003; 68 FR 74491, Dec. 24, 2003]

§ 52.2631 [Reserved]

§ 52.2632 Visibility protection. [Reserved]

§ 52.2633 Stack height regulations.

In a letter dated December 9, 1988, to Douglas M. Skie, EPA, from Charles A. Collins, Administrator of The Air Quality Division, the State committed to conduct stack height evaluations in accordance with the ''Guideline for Determination of Good Engineering Practice Stack Height (Technical Support Document for the Stack Height Regulations)'', EPA 450/4–80–023R, June 1985.

[54 FR 11188, Mar. 17, 1989]

§ 52.2634 Correction of approved plan.

The following rules of the Wyoming Air Quality Standards and Regulations have been removed from the approved plan pursuant to section 110(k)(6) of the Clean Air Act (as amended in 1990): Section 7, Hydrogen Sulfide; Section 11, Fluorides; and Section 16, Odors.

[61 FR 47059, Sept. 6, 1996]

§ 52.2635 Original identification of plan section.

(a) This section identifies the original ''Air Implementation Plan for the State of Wyoming'' and all revisions submitted by Wyoming that were federally approved prior to August 31, 2006.

(b) The plan was officially submitted on January 26, 1972.

(c) The plan revisions listed below were submitted on the dates specified.

(1) Compliance schedule information in three plants submitted March 28, 1972, by the Department of Health and Social Services (DHSS). (Non-regulatory.)

(2) Procedural clarification to emergency episodes plan submitted May 3, 1972, by DHSS.

(3) Particulate compliance schedules submitted February 9, 1973, by DHSS.

(4) Emergency episode plan submitted February 27, 1973, by DHSS. (Non-regulatory).

(5) Compliance schedules submitted on March 1, 1973, by DHSS.

(6) Revision of Wyoming's Standards and Regulations (Chapter I, Section 1–20) submitted April 18, 1973, by DHSS.

(7) Revision of particulate control strategy to require compliance with particulate standards not later than January 31, 1974, except where approved by EPA and compliance schedule portions of the plan submitted May 29, 1973, by DHSS.

(8) Compliance schedule revisions, legal authority additions, update of Wyoming's Air Quality Standards and Regulations, non-regulatory source surveillance and new source review procedures submitted on August 7, 1974, by the Governor.

(9) Legal authority additions and compliance schedule revisions submitted on February 19, 1976, by the Governor.

(10) Requirements for continuous opacity monitoring by all fossil fuel fired steam generators with heat inputs in excess of 250 million Btu per hour and other miscellaneous revisions to the State regulations as submitted by the Air Quality Division (AQD) on May 9, 1978.

(11) Provisions to meet the requirements of Parts C and D and sections 110, 126, and 127 of the Clean Air Act, as amended in 1977 were submitted on January 26, 1979.

(12) A revision to Section 14 of the Wyoming Air Quality Standards and Regulations was submitted on July 18, 1980, and October 27, 1980.

(13) On August 26, 1981 and August 27, 1981, Wyoming submitted revisions to the requirements for Prevention of Significant Deterioration, the Air Quality Monitoring Plan, revisions to the Emergency Episode Contingency Plan, and revisions to stationary source permitting regulations.

(14) Revisions to the new source permit requirements in Sections 21 and 24 of the Wyoming regulations were submitted on April 30, 1981, and February 8, 1982.

(15) On August 30, 1984, the State of Wyoming submitted a plan revision for lead.

(16) Revisions to the new source permit requirements in sections 21 and 24 of the Wyoming regulation for visibility protection were submitted on April 12, 1985.

(i) Incorporation by reference.

(A) Letter from Randolph Wood, Administrator, Wyoming Air Quality Division, dated April 12, 1985, submitting the Wyoming Visibility SIP and Regulations.

(B)(*1*) Wyoming Air Quality Standards and Regulations (WAQSR), Section 21.n. (1) and (2) adopted on January 22, 1985.

(*2*) WAQSR, Section 24.b.(1)(f) adopted on January 22, 1985.

(*3*) WAQSR, Section 24.b.(6) (a) and (b) revised and adopted on January 22, 1985.

(17) A revision to the SIP was submitted by the Administrator of the Wyoming Air Quality Division on September 6, 1988, for visibility general plan requirements, monitoring, and long-term strategies.

(i) Incorporation by reference.

(A) Letter dated September 6, 1988, Charles A. Collins, Administrator of the Wyoming Air Quality Division, submitting a SIP revision for visibility protection.

(B) The SIP revision for visibility protection, ''Section 28 *Visibility*'' of the Wyoming Air Quality Standards and Regulations, and ''Wyoming State Implementation Plan for Class I Visibility Protection'' was adopted by the Wyoming Environmental Quality Council on March 23, 1988, and became effective on May 10, 1988.

(18) On September 6, 1988, the Administrator of the Air Quality Division, as the Governor's designee, submitted a plan revising the stack height regulations, Wyoming Air Quality Standards and Regulations (WAQSR) section 21(d).

(i) Incorporation by reference.

(A) Revisions to the Wyoming Air Quality Standards and Regulation section 21(d), stack heights, were adopted and effective on May 10, 1988.

(19) In a letter dated August 5, 1986, the Administrator of the Air Quality Division of Wyoming, submitted the stack height demonstration analysis. EPA is approving the demonstration analysis for all of the stacks.

(i) Incorporation by reference.

(A) Stack height demonstration analysis submitted by the State in a letter dated August 5, 1986.

(20) A revision to the SIP was submitted by the Administrator of the Wyoming Air Quality Division on March 14, 1989, to address the Group III PM–10 SIP requirements and Group II PM–10 SIP requirements for Lander, Wyoming.

(i) Incorporation by reference.

(A) Amendments to the Wyoming Air Quality Standards and Regulations: section 2 (Definitions) (a)(xxx), section 3 (Ambient Standards for Particulate Matter) (a), section 20 (Air Pollution Emergency Episodes) (b)(ii), section 21 (Permit Requirements for Construction, Modification, and Operation) (c)(ii) and section 24 (Prevention of Significant Deterioration) (a)(xx)(A), (b)(i)(E)(VI)(1.)(c.)(f.)(h.) & (1.), (b)(iii), (b)(iv), (b)(viii), and (b)(xii)(D)(E)(F) & (G), effective February 13, 1989.

(B) March 14, 1989 letter from Charles A. Collins, Administrator of the Wyoming Air Quality Division to James J. Scherer, EPA Region VIII Regional Administrator, identifying the effective date of the above regulation amendments.

(21) On November 20, 1990, the Governor of Wyoming submitted revisions to the plan. The revisions include amendments to the prevention of significant deterioration of air quality (PSD) regulations to incorporate the nitrogen dioxide (NO_2) increments, revisions to the new source review requirements and PSD regulations to make them federally enforceable, and revisions to the PSD regulations to allow establishment of multiple baseline areas which may have different baseline dates and different baseline concentrations.

(i) Incorporation by reference.

(A) Revisions to the Wyoming Air Quality Standards and Regulations, Section 2, *Definitions*, Section 21, *Permit Requirements for Construction, Modification, and Operation*, and Section 24, *Prevention of Significant Deterioration*, effective October 30, 1990.

(ii) Additional material.

(A) November 5, 1990, letter from Douglas Skie, EPA, to Charles A. Collins, Administrator, Air Quality Division, Wyoming Department of Environmental Quality.

(22) On September 6, 1988, the Governor of Wyoming submitted revisions to Section 3 of the Wyoming Air Quality Standards and Regulations, adding subsection (d) which defines ''ambient air'' for surface coal mines located in Wyoming's Powder River Basin.

(i) Incorporation by reference.

(A) Revisions to Section 3(d) of the Wyoming Air Quality Standards and Regulations, effective June 5, 1987.

(ii) Additional material.

(A) Memorandum of Agreement signed on December 22, 1993 by Dennis Hemmer, Director, Department of Environmental Quality, State of Wyoming, and on January 24, 1994 by Patricia D. Hull, Director, Air, Radiation and Toxics Division, EPA Region VIII.

(23) On November 1, 1993, the Governor of Wyoming submitted a plan for the establishment and implementation

of a Small Business Assistance Program to be incorporated into the Wyoming State Implementation Plan as required by section 507 of the Clean air Act.

(i) Incorporation by reference.

(A) November 1, 1993, letter from the Governor of Wyoming submitting a Small Business Assistance Program plan to EPA.

(B) The State of Wyoming plan for the establishment and implementation of a Small Business Assistance Program, adopted September 16, 1993, by the Wyoming Environmental Quality Council.

(24) On August 28, 1989, the Governor of Wyoming submitted revisions to the Wyoming State implementation plan (SIP) for Sheridan, Wyoming. In addition to the original August 28 submittal, eight submittals containing information in response to EPA requests and to the new Clean Air Act Amendments were submitted. The August 28, 1989, submittal, in combination with the eight subsequent submittals, satisfy those moderate PM_{10} nonattainment SIP requirements due on November 15, 1991. Included in the August 28, 1989, submittal were PM_{10} contingency measures for Sheridan to satisfy the requirements of section 172(c)(9) of the Act that were due by November 15, 1993.

(i) Incorporation by reference.

(A) ''The City of Sheridan, Air Quality Maintenance Plan,'' including the Street Winter Maintenance Plan and the contingency plan calling for the use of deicing chemicals on downtown streets, adopted on February 21, 1989.

(ii) Additional material.

(A) Letter dated November 21, 1989, from the Wyoming Department of Environmental Quality to EPA which includes a memorandum dated November 15, 1989 from the Wyoming Attorney General's Office to the Wyoming Department of Environmental Quality; the memorandum includes Wyoming Statute 35–11–201.

(25) On November 12, 1993, the Governor of Wyoming submitted revisions to the Wyoming State Implementation Plan (SIP). Specifically, the State submitted revisions to the Wyoming Air Quality Standards and Regulations (WAQSR), section 21 ''Permit requirements for construction, modification and operation.'' Among other things, these revisions were made to address the non-attainment New Source Review (NSR) provisions of part D of the Act for PM_{10} nonattainment areas, which were due to EPA on June 30, 1992.

(i) Incorporation by reference.

(A) The following subsections of section 21 of the Wyoming Air Quality Standards and Regulations ''Permit requirements for construction, modification and operation,'' adopted on September 16, 1993 and effective October 26, 1993: subsections (a)(ii), (a)(iii), (a)(v), (c)(ii)(B), (k)(vii) and (o).

(ii) Additional material.

(A) Letter from Mary A. Throne, Assistant Attorney General, to the Governor of Wyoming, dated October 1, 1993, documenting the necessary legal authority under state law to adopt and implement the revised regulation.

(26) On March 14, 1995, the Governor of Wyoming submitted revisions to the prevention of significant deterioration permitting regulations in Section 24 of the Wyoming Air Quality Standards to incorporate changes in the Federal PSD permitting regulations for utility pollution control projects, PM–10 increments, and to make other minor changes.

(i) Incorporation by reference.

(A) Revisions to Section 24 of the Wyoming Air Quality Standards, subsections (a)(ix)(B), (a)(x)(H)–(K), (a)(xii)(D), (a)(xv), (a)(xix)(D) and (E), (a)(xxviii)–(xxxv), (b)(i)(A)(I), (b)(i)(E)(VI)(1), (b)(viii), and (b)(xii)(I), effective 2/13/95.

(27) On September 15, 1982, the Administrator of the Wyoming Air Quality Division submitted clarifications and revisions to the particulate matter control requirements of Section 25 of the Wyoming Air Quality Standards and Regulations (WAQSR) for FMC Corporation in the Trona Industrial Area. In addition, on May 16, 1985, the Administrator of the Wyoming Air Quality Division submitted revisions to the construction permitting requirements in Section 21 of the WAQSR to specify guidelines for best available control technology for new large mining operations. The Governor of Wyoming submitted revisions to Section 21

of the WAQSR, ''Permit requirements for construction, modification, and operation,'' on November 12, 1993. Last, the Governor of Wyoming submitted revisions to Section 24 of the WAQSR, ''Prevention of Significant Deterioration,'' on March 14, 1995.

(i) Incorporation by reference.

(A) Revisions to Section 25 of the WAQSR, ''Sweetwater County Non-Attainment Area Particulate Matter Regulations,'' subsection c.(2), effective September 13, 1982.

(B) Revisions to Section 21 of the WAQSR, ''Permit requirements for construction, modification, and operation,'' subsection c.(5), effective May 10, 1985.

(C) Revisions to Section 21 of the WAQSR, ''Permit requirements for construction, modification, and operation,'' subsection (a)(iv), effective October 26, 1993.

(D) Revisions to Section 24 of the WAQSR, ''Prevention of Significant Deterioration,'' subsections (a)(xix), (b)(iv), and (b)(xii)(H), effective February 13, 1995.

(28) On March 14, 1995, the Governor of Wyoming submitted revisions to the SIP that incorporate the General Conformity requirements of 40 CFR part 93, Subpart B into State regulation.

(i) Incorporation by reference.

(A) Section 32 of the Wyoming Air Quality Standards, ''Conformity of General Federal Actions to State Implementation Plans,'' effective February 13, 1995.

(29) The Governor of Wyoming submitted revisions to sections 2, 4, 5, 8, 9, 10, 14, and 21 of the Wyoming Air Quality Standards and Regulations (WAQSR) on May 21, 1999.

(i) Incorporation by reference.

(A) Revisions to the WAQSR, section 2 Definitions, subsection 2(a)(xxx)(B) excluding the words ''or an equivalent or alternative method approved by the Administrator,'' effective October 15, 1998.

(B) Revisions to the WAQSR, section 4 Sulfur oxides, subsection 4(h) excluding the words ''or an equivalent method,'' effective October 15, 1998.

(C) Revisions to the WAQSR, section 5 Sulfuric acid mist excluding the words ''or an equivalent method,'' effective October 15, 1998.

(D) Revisions to the WAQSR, section 8 Ozone, effective October 15, 1998.

(E) Revisions to the WAQSR, section 9 Volatile organic compounds, effective October 15, 1998.

(F) Revisions to the WAQSR, section 10 Nitrogen oxides, subsections 10(b), 10(b)(vii), 10(b)(viii), and 10(b)(ix), excluding the words ''or by an equivalent method'' in subsection 10(b), effective October 15, 1998.

(G) Revisions to the WAQSR, section 14 Control of particulate emissions, subsection 14(h)(iv) excluding the sentence, ''Provided that the Administrator may require that variations to said methods be included or that entirely different methods be utilized if he determines that such variations or different methods are necessary in order for the test data to reflect the actual emission rate of particulate matter,'' effective October 15, 1998.

(H) Revisions to the WAQSR, section 21 Permit requirements for construction, modification and operation, subsections 21(a)(vi) and 21(h), effective October 15, 1998.

(ii) Additional material.

(A) September 1, 1998 letter from Dan Olson, Administrator, Wyoming Air Quality Division, to Richard R. Long, Director, Air and Radiation Program, EPA Region 8.

(B) June 23, 2000 letter from Dan Olson, Administrator, Wyoming Air Quality Division, to Richard R. Long, Program Manager, Air and Radiation, EPA Region VIII.

(30) On September 12, 2003, the Governor of Wyoming submitted a revision to the State Implementation Plan. The revision restructures the Wyoming Air Quality Standards and Regulations (WAQS&R) from a single chapter into thirteen separate chapters and renumbers the provisions within each chapter. The submitted revision contains no substantive changes to the existing SIP-approved regulations. The provisions listed in paragraph (c)(30)(i)(A) are approved into the SIP and supersede and replace the prior codification of the corresponding provisions of the SIP.

(i) Incorporation by reference.

(A) Wyoming Air Quality Standards and Regulations: Chapter 1: Section 2—

Authority, Section 3—Definitions, Section 4—Diluting and concealing emissions, Section 5—Abnormal conditions and equipment malfunction; Chapter 2: Section 2—Ambient standards for particulate matter, paragraphs 2(a) and 2(c) only, Section 3—Ambient standards for nitrogen oxides, Section 4—Ambient standards for sulfur oxides, Section 5—Ambient standards for carbon monoxide, Section 6—Ambient standards for ozone, Section 8—Ambient standard for suspended sulfates, Section 10—Ambient standards for lead; Chapter 3: Section 2—Emission standards for particulate matter, Section 3—Emission standards for nitrogen oxides, Section 4—Emission standards for sulfur oxides, Section 5—Emission standards for carbon monoxide, Section 6—Emission standards for volatile organic compounds; Chapter 4: Section 2—Existing sulfuric acid production units, Section 3—Existing nitric acid manufacturing plants; Chapter 6: Section 2—Permit requirements for construction, modification and operation, Section 4—Prevention of significant deterioration; Chapter 7: Section 2—Continuous monitoring requirements for existing sources; Chapter 8: Section 2—Sweetwater County particulate matter regulations, Section 3—Conformity of general federal actions to state implementation plans; Chapter 9: Section 2—Visibility; Chapter 10: Section 2—Open burning restrictions, Section 3—Wood waste burners; Chapter 12: Section 2—Air pollution emergency episodes; Chapter 13: Section 2—Motor vehicle pollution control; all adopted September 13, 1999 and effective October 29, 1999.

(ii) Additional Material.

(A) Remainder of the September 12, 2003 State submittal.

(B) January 12, 2004 letter from Dan Olson, Wyoming Department of Environmental Quality (DEQ), to Richard Long, EPA Region VIII, to address typographical errors and incorrect cross references identified in the September 12, 2003 submittal.

(C) March 22, 2004 letter from Richard Long, EPA Region VIII, to John Corra, Wyoming DEQ, requesting clarification on the State's commitment to submit substantive SIP revisions following EPA's approval of the restructured and renumbered WAQS&R provisions. In this letter, EPA also asked DEQ to indicate time frames in which DEQ would submit substantive SIP revisions.

(D) March 29, 2004 letter from John Corra, Wyoming DEQ, to Richard Long, EPA Region VIII, addressing the concerns expressed in Mr. Long's March 22, 2004 letter.

[37 FR 10903, May 31, 1972. Redesignated at 71 FR 64462, Nov. 2, 2006]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.2635, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at *www.fdsys.gov*.

§ 52.2636 Implementation plan for regional haze.

(a) *Applicability*. (1) This section applies to each owner and operator of the following emissions units in the State of Wyoming for which EPA approved the State's BART determination:

(i) FMC Westvaco Trona Plant Units NS–1A and NS–1B (PM and NO_X);

(ii) TATA Chemicals Partners (previously General Chemical) Boilers C and D (PM and NO_X);

(iii) Basin Electric Power Cooperative Laramie River Station Units 1, 2, and 3 (PM);

(iv) PacifiCorp Dave Johnston Power Plant Unit 3 (PM);

(v) PacifiCorp Dave Johnston Power Plant Unit 4 (PM and NO_X);

(vi) PacifiCorp Jim Bridger Power Plant Units 1, 2, 3, and 4 (PM and NO_X);

(vii) PacifiCorp Naughton Power Plant Units 1, 2, and 3 (PM and NO_X); and

(viii) PacifiCorp Wyodak Power Plant Unit 1 (PM).

(2) This section also applies to each owner and operator of the following emissions units in the State of Wyoming for which EPA disapproved the State's BART determination and issued a NO_X BART Federal Implementation Plan:

(i) Basin Electric Power Cooperative Laramie River Station Units 1, 2, and 3;

(ii) PacifiCorp Dave Johnston Unit 3; and

(iii) PacifiCorp Wyodak Power Plant Unit 1.

(b) *Definitions*. Terms not defined below shall have the meaning given

them in the Clean Air Act or EPA's regulations implementing the Clean Air Act. For purposes of this section:

(1) *BART* means Best Available Retrofit Technology.

(2) *BART unit* means any unit subject to a Regional Haze emission limit in Table 1 and Table 2 of this section.

(3) *CAM* means Compliance Assurance Monitoring as required by 40 CFR part 64.

(4) *Continuous emission monitoring system or CEMS* means the equipment required by this section to sample, analyze, measure, and provide, by means of readings recorded at least once every 15 minutes (using an automated data acquisition and handling system (DAHS)), a permanent record of NO_X emissions, diluent, or stack gas volumetric flow rate.

(5) *FIP* means Federal Implementation Plan.

(6) The term *lb/hr* means pounds per hour.

(7) The term *lb/MMBtu* means pounds per million British thermal units of heat input to the fuel-burning unit.

(8) NO_X means nitrogen oxides.

(9) *Operating day* means a 24-hour period between 12 midnight and the following midnight during which any fuel is combusted at any time in the BART unit. It is not necessary for fuel to be combusted for the entire 24-hour period.

(10) The *owner/operator* means any person who owns or who operates, controls, or supervises a unit identified in paragraph (a) of this section.

(11) *PM* means filterable total particulate matter.

(12) *Unit* means any of the units identified in paragraph (a) of this section.

(c) *Emissions limitations.* (1) The owners/operators of emissions units subject to this section shall not emit, or cause to be emitted, PM or NO_X in excess of the following limitations:

TABLE 1 TO § 52.2636

[Emission limits for BART units for which EPA approved the State's BART and Reasonable Progress determinations]

Source name/BART unit	PM emission limits—lb/MMBtu	NO_X emission limits—lb/MMBtu (30-day rolling average)
FMC Westvaco Trona Plant/Unit NS–1A	0.05	0.35
FMC Westvaco Trona Plant/Unit NS–1B	0.05	0.35
TATA Chemicals Partners (General Chemical) Green River Trona Plant/Boiler C	0.09	0.28
TATA Chemicals Partners (General Chemical) Green River Trona Plant/Boiler D	0.09	0.28
Basin Electric Power Cooperative Laramie River Station/Unit 1	0.03	N/A
Basin Electric Power Cooperative Laramie River Station/Unit 2	0.03	N/A
Basin Electric Power Cooperative Laramie River Station/Unit 3	0.03	N/A
PacifiCorp Dave Johnston Power Plant/Unit 3	0.015	N/A
PacifiCorp Dave Johnston Power Plant/Unit 4	0.015	0.15
PacifiCorp Jim Bridger Power Plant/Unit 1 [1]	0.03	0.26/0.07
PacifiCorp Jim Bridger Power Plant/Unit 2 [1]	0.03	0.26/0.07
PacifiCorp Jim Bridger Power Plant/Unit 3 [1]	0.03	0.26/0.07
PacifiCorp Jim Bridger Power Plant/Unit 4 [1]	0.03	0.26/0.07
PacifiCorp Naughton Power Plant/Unit 1	0.04	0.26
PacifiCorp Naughton Power Plant/Unit 2	0.04	0.26
PacifiCorp Naughton Power Plant/Unit 3	0.015	0.07
PacifiCorp Wyodak Power Plant/Unit 1	0.015	N/A

[1] The owners and operators of PacifiCorp Jim Bridger Units 1, 2, 3, and 4 shall comply with the NO_X emission limit for BART of 0.26 lb/MMBtu and PM emission limit for BART of 0.03 lb/MMBtu and other requirements of this section by March 4, 2019. The owners and operators of PacifiCorp Jim Bridger Units 1, 2, 3 and 4 shall comply with the NO_X emission limit for reasonable progress of 0.07 lb/MMBtu by: December 31, 2022 for Unit 1, December 31, 2021 for Unit 2, December 31, 2015, for Unit 3, and December 31, 2016, for Unit 4.

TABLE 2 TO § 52.2636

[Emission limits for BART units for which EPA disapproved the State's BART determination and implemented a FIP]

Source name/BART unit	NO_X emission limit—lb/MMBtu (30-day rolling average)
Basin Electric Power Cooperative Laramie River Station/Unit 1	0.07
Basin Electric Power Cooperative Laramie River Station/Unit 2	0.07
Basin Electric Power Cooperative Laramie River Station/Unit 3	0.07
PacifiCorp Dave Johnston Unit 3	*0.07
PacifiCorp Wyodak Power Plant/Unit 1	0.07

* (or 0.28 and shut-down-by December 31, 2027).

(2) These emission limitations shall apply at all times, including startups, shutdowns, emergencies, and malfunctions.

(d) *Compliance date.* (1) The owners and operators of PacifiCorp Jim Bridger Units 1, 2, 3, and 4 shall comply with the NO_X emission limit of 0.26 lb/MMBtu and PM emission limit of 0.03 lb/MMBtu and other requirements of this section by March 4, 2019. The owners and operators of PacifiCorp Jim Bridger Units 1, 2, 3 and 4 shall comply with the NO_X emission limit of 0.07 lb/MMBtu by: December 31, 2022 for Unit 1, December 31, 2021 for Unit 2, December 31, 2015, for Unit 3, and December 31, 2016, for Unit 4.

(2) The owners and operators of the other BART sources subject to this section shall comply with the emissions limitations and other requirements of this section by March 4, 2019.

(3) *Compliance alternatives for PacifiCorp Dave Johnston Unit 3.* (i) The owners and operators of PacifiCorp Dave Johnston Unit 3 will meet a NO_X emission limit of 0.07 lb/MMBtu (30-day rolling average) by March 4, 2019; or

(ii) Alternatively, the owners and operators of PacifiCorp Dave Johnston Unit 3 will permanently cease operation of this unit on or before December 31, 2027.

(e) *Compliance determinations for NO_X.* (1) For all BART units other than Trona Plant units:

(i) *CEMS.* At all times after the earliest compliance date specified in paragraph (d) of this section, the owner/operator of each unit shall maintain, calibrate, and operate a CEMS, in full compliance with the requirements found at 40 CFR part 75, to accurately measure NO_X, diluent, and stack gas volumetric flow rate from each unit. The CEMS shall be used to determine compliance with the emission limitations in paragraph (c) of this section for each unit.

(ii) *Method.* (A) For any hour in which fuel is combusted in a unit, the owner/operator of each unit shall calculate the hourly average NO_X emission rate in lb/MMBtu at the CEMS in accordance with the requirements of 40 CFR part 75. At the end of each operating day, the owner/operator shall calculate and record a new 30-day rolling average emission rate in lb/MMBtu from the arithmetic average of all valid hourly emission rates from the CEMS for the current operating day and the previous 29 successive operating days.

(B) An hourly average NO_X emission rate in lb/MMBtu is valid only if the minimum number of data points, as specified in 40 CFR part 75, is acquired by both the pollutant concentration monitor (NO_X) and the diluent monitor (O_2 or CO_2).

(C) Data reported to meet the requirements of this section shall not include data substituted using the missing data substitution procedures of subpart D of 40 CFR part 75, nor shall the data have been bias adjusted according to the procedures of 40 CFR part 75.

(2) For all Trona Plant BART units:

(i) *CEMS.* At all times after the compliance date specified in paragraph (d) of this section, the owner/operator of each unit shall maintain, calibrate, and operate a CEMS, in full compliance with the requirements found at 40 CFR part 60, to accurately measure NO_X, diluent, and stack gas volumetric flow rate from each unit, including the CEMS quality assurance requirements in appendix F of 40 CFR part 60. The CEMS shall be used to determine compliance with the emission limitations in paragraph (c) of this section for each unit.

(ii) *Method.* (A) For any hour in which fuel is combusted in a unit, the owner/operator of each unit shall calculate the hourly average NO_X emission rate in lb/MMBtu at the CEMS in

accordance with the requirements of 40 CFR part 60. At the end of each operating day, the owner/operator shall calculate and record a new 30-day rolling average emission rate in lb/MMBtu from the arithmetic average of all valid hourly emission rates from the CEMS for the current operating day and the previous 29 successive operating days.

(B) An hourly average NO_X emission rate in lb/MMBtu is valid only if the minimum number of data points, as specified in 40 CFR part 60, is acquired by both the pollutant concentration monitor (NO_X) and the diluent monitor (O_2 or CO_2).

(f) *Compliance determinations for particulate matter*. Compliance with the particulate matter emission limit for each BART unit shall be determined from annual performance stack tests. Within 60 days of the compliance deadline specified in paragraph (d) of this section, and on at least an annual basis thereafter, the owner/operator of each unit shall conduct a stack test on each unit to measure particulate emissions using EPA Method 5, 5B, 5D, or 17, as appropriate, in 40 CFR part 60, Appendix A. A test shall consist of three runs, with each run at least 120 minutes in duration and each run collecting a minimum sample of 60 dry standard cubic feet. Results shall be reported in lb/MMBtu. In addition to annual stack tests, the owner/operator shall monitor particulate emissions for compliance with the BART emission limits in accordance with the applicable Compliance Assurance Monitoring (CAM) plan developed and approved by the State in accordance with 40 CFR part 64.

(g) *Recordkeeping*. The owner/operator shall maintain the following records for at least five years:

(1) All CEMS data, including the date, place, and time of sampling or measurement; parameters sampled or measured; and results.

(2) Records of quality assurance and quality control activities for emissions measuring systems including, but not limited to, any records required by 40 CFR part 75. Or, for Trona Plant units, records of quality assurance and quality control activities for emissions measuring systems including, but not limited to appendix F of 40 CFR part 60.

(3) Records of all major maintenance activities conducted on emission units, air pollution control equipment, and CEMS.

(4) Any other CEMS records required by 40 CFR part 75. Or, for Trona Plant units, any other CEMs records required by 40 CFR part 60.

(5) Records of all particulate stack test results.

(6) All data collected pursuant to the CAM plan.

(h) *Reporting*. All reports under this section shall be submitted to the Director, Office of Enforcement, Compliance and Environmental Justice, U.S. Environmental Protection Agency, Region 8, Mail Code 8ENF–AT, 1595 Wynkoop Street, Denver, Colorado 80202–1129.

(1) The owner/operator of each unit shall submit quarterly excess emissions reports for NO_X BART units no later than the 30th day following the end of each calendar quarter. Excess emissions means emissions that exceed the emissions limits specified in paragraph (c) of this section. The reports shall include the magnitude, date(s), and duration of each period of excess emissions, specific identification of each period of excess emissions that occurs during startups, shutdowns, and malfunctions of the unit, the nature and cause of any malfunction (if known), and the corrective action taken or preventative measures adopted.

(2) The owner/operator of each unit shall submit quarterly CEMS performance reports, to include dates and duration of each period during which the CEMS was inoperative (except for zero and span adjustments and calibration checks), reason(s) why the CEMS was inoperative and steps taken to prevent recurrence, and any CEMS repairs or adjustments. The owner/operator of each unit shall also submit results of any CEMS performance tests required by 40 CFR part 75. Or, for Trona Plant units, the owner/operator of each unit shall also submit results of any CEMs performance test required appendix F of 40 CFR part 60 (Relative Accuracy Test Audits, Relative Accuracy Audits, and Cylinder Gas Audits).

(3) When no excess emissions have occurred or the CEMS has not been inoperative, repaired, or adjusted during the reporting period, such information shall be stated in the quarterly reports required by paragraphs (h)(1) and (2) of this section.

(4) The owner/operator of each unit shall submit results of any particulate matter stack tests conducted for demonstrating compliance with the particulate matter BART limits in paragraphs (c) of this section, within 60 calendar days after completion of the test.

(5) The owner/operator of each unit shall submit semi-annual reports of any excursions under the approved CAM plan in accordance with the schedule specified in the source's title V permit.

(i) *Notifications.* (1) The owner/operator shall promptly submit notification of commencement of construction of any equipment which is being constructed to comply with the NO_X emission limits in paragraph (c) of this section.

(2) The owner/operator shall promptly submit semi-annual progress reports on construction of any such equipment.

(3) The owner/operator shall promptly submit notification of initial startup of any such equipment.

(j) *Equipment operation.* At all times, the owner/operator shall maintain each unit, including associated air pollution control equipment, in a manner consistent with good air pollution control practices for minimizing emissions.

(k) *Credible evidence.* Nothing in this section shall preclude the use, including the exclusive use, of any credible evidence or information, relevant to whether a source would have been in compliance with requirements of this section if the appropriate performance or compliance test procedures or method had been performed.

[79 FR 5220, Jan. 30, 2014]

§ 52.2637 Federal implementation plan for reasonable attributable visibility impairment long-term strategy.

As required by 40 CFR 41.306(c), EPA will ensure that the review of the State's reasonably attributable visibility impairment long-term strategy is coordinated with the regional haze long-term strategy under 40 CFR 51.308(g). EPA's review will be in accordance with the requirements of 40 CFR 51.306(c).

[79 FR 5222, Jan. 30, 2014]

Subpart AAA—Guam

§ 52.2670 Identification of plan.

(a) *Purpose and scope.* This section sets forth the applicable State implementation plan for Guam 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 paragraphs (c) and (d) of this section with an EPA approval date prior to January 1, 2005, 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 January 1, 2005, will be incorporated by reference in the next update to the SIP compilation.

(2) EPA Region IX 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 January 1, 2005.

(3) Copies of the materials incorporated by reference may be inspected at the Region IX EPA Office at 75 Hawthorne Street, San Francisco, CA 94105; the Air and Radiation Docket and Information Center, U.S. Environmental Protection Agency, 1301 Constitution Avenue, NW., Room B108, Washington, DC; or the National Archives and Records Administration (NARA). 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.*

TABLE 52.2670—EPA APPROVED TERRITORY OF GUAM REGULATIONS

State citation	Title/subject	Effective date	EPA approval date	Explanation
Air Pollution Control Standards and Regulations.	Table of Contents	8/8/1973	12/19/1978 43 FR 48638.	
Chapter 01	Definitions (1.1–1.17, 1.20–1.43)	8/24/79	05/12/81, 46 FR 26303	
Chapter 02.1–02.2	Ambient Air Quality Standards	8/8/73	12/19/78, 43 FR 48638	
Chapter 02.3–02.4	Ambient Air Quality Standards	1/13/72	5/31/72, 37 FR 10842	
Chapter 03.01–03.09	Permits Required, etc.	8/24/79	5/12/81, 46 FR 26303	
Chapter 03.10, 3.11 and 03.13.	Responsibility of the Permit Holder, etc. (for complex sources only).	8/08/73	12/19/78, 43 FR 48638	
Section 1104.26	Permit Compliance	06/03/05	02/27/06, 71 FR 9716	
Chapter 04.1–04.4	Monitoring, Records and Reporting	8/24/79	5/12/81, 46 FR 26303	
Chapter 05.1–05.2	Sampling and Testing Methods	1/13/72	5/31/72, 37 FR 10842	
Chapter 05.3	Sampling and Testing Methods	8/24/79	5/12/81, 46 FR 26303	
Chapter 06.1	Control of Open Burning	1/13/72	5/31/72, 37 FR 10842	
Chapter 06.2	Exceptions	8/24/79	5/12/81, 46 FR 26303	
Chapter 06.3	Outdoor Cooking Waiver	1/13/72	5/31/72, 37 FR 10842	
Chapter 07.1	Control of Particulate Emissions from Process Industries.	8/24/79	5/12/81, 46 FR 26303	
Chapter 07.2–07.3	Process Weight	8/08/73	12/19/78, 43 FR 48638	
Chapter 07.4–07.5	Process Weight Table	8/24/79	5/12/81, 46 FR 26303	
Chapter 08.1–08.2	Control of Fugitive Dust	8/08/73	12/19/78, 43 FR 48638	
Chapter 08.3–08.6	Specific Requirements	8/24/79	5/12/81, 46 FR 26303	
Chapter 08.8–08.9	Compliance Schedule	8/08/73	12/19/78, 43 FR 48638	
Chapter 09.1–09.9	Control of Particulate Emission from Incinerator; Design and Operation.	1/13/72	5/31/72, 37 FR 10842	
Chapter 10.1–10.2	Control of Visible Emission of Particulates for Stationary Sources.	8/24/79	5/12/81, 46 FR 26303	
Chapter 11.1–11.3	Control of Odors in Ambient Air	1/13/72	5/31/72, 37 FR 10842	
Chapter 12.1; 12.2 & 12.4.	Air Pollution Emergencies	8/24/79	5/12/81, 46 FR 26303	
Chapter 13.1	Control of Sulfur Dioxide Emissions	8/24/79	5/12/81, 46 FR 26303	For All Sources except Tanguisson Power Plant.
Chapter 13.1	Addendum to 13.1	1/28/80	5/12/81, 46 FR 26303	Compliance Order for Inductance.
Chapter 13.2	Control of Sulfur Dioxide Emissions	1/13/72	5/31/72, 37 FR 10842	For Tanguisson Power Plant only.
Chapter 13.3 & 13.4	Control of Sulfur Dioxide Emissions	8/24/79	3/06/80, 45 FR 14559	
Chapter 14.1–14.7	Motor Vehicle Pollution Control	8/24/79	5/12/81, 46 FR 26303	
Chapter 17.1–17.4	Appeal Procedures, Circumvention, Severability, and Effective Date.	12/11/81	9/30/82, 47 FR 43054	

(d) *EPA approved State source specific requirements.*

Name of source	Permit no.	Effective date	EPA approval date	Explanation
none				

(e) [Reserved]

[70 FR 20475, Apr. 20, 2005; 70 FR 21496, Apr. 26, 2005, as amended at 71 FR 9719, Feb. 27, 2006]

§ 52.2671 Classification of regions.

The Guam plan was evaluated on the basis of the following classifications.

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
Guam	III	II	III	III	III

§ 52.2672 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Guam's plan for the attainment and maintenance of the National Standards.

[46 FR 25303, May 6, 1981]

§ 52.2673 Original identification of plan.

(a) This section identified the original ''Implementation Plan for Compliance With the Ambient Air Quality Standards for the Territory of Guam'' and all revisions submitted by the Territory of Guam that were federally approved prior to January 1, 2005.

(b) The plan was officially submitted on January 25, 1972.

(c) The plan revision listed below was submitted on the date specified.

(1) Revised implementation plan submitted on August 14, 1973, by the Governor.

Section I—Public hearing.
Section II—Introduction.
Section III—Legal authority (narrative).
Section IV—Ambient air quality standards and air pollution control regulations (narrative).
Section V—Emissions inventory.
Section VI—Air quality data.
Section VIII (B and C)—Control strategies.
Section IX—Complex sources (narrative).
Section X—Air quality surveillance network (narrative).
Section XI—Source surveillance system (narrative).
Section XIII—Compliance schedule.
Section XV—Resources.
Section XVI—Intergovernmental cooperation (narrative).
Appendix A—Notice and minutes of public hearing.
Appendix C—Pub. L. 11–191 (enacted on December 7, 1972).
Appendix E (Regulations):
Chapter 1, Definitions: 1.1–1.8, 1.10–1.14, 1.16, 1.19, and 1.21–1.32.
Chapter 2, Ambient Air Quality Standards: 2.1 and 2.2.
Chapter 3, Permits (for complex sources only): 3.1–3.13.
Chapter 4, Monitoring, Records, and Reporting: 4.2, and 4.4.
Chapter 5, Sampling and Testing: 5.3.
Chapter 6, Control of Open Burning: 6.2(g)(1–3).
Chapter 7, Control of Particulate Emission from Process Industries: 7.1–7.4 (7.1 and 7.6 deleted without replacement).
Chapter 8, Control of Fugitive Dust: 8.1–8.9.
Chapter 10, Control of Visible Emissions: 10.1(b) and the deletion of 10.1(c).
Chapter 14, Motor Vehicle Pollution Controls: 14.1–14.7.
Chapter 15, Appeal Procedures, Circumvention, Severability, and Effective Date: 15.1–15.4
Appendix F—Summary of air quality data.
Appendix G—Steam powerplant parameters.
Appendix H—Diffusion model computer printout.
Appendix J—Minutes and letters of public hearing on compliance schedules.
Appendix K—Emissions inventory data.

(2) Amendments to the Guam Air Pollution Control Standards and Regulation submitted on October 12, 1979 by the Governor's designee.

(i) Chapter 13—*Control of Sulfur Dioxide Emission*, 13.3, 13.4.

(ii) Deleted without replacement Rule 13.3 (submitted January 25, 1972).

(iii) Chapters 1 (except 1.18 and 1.19), 4, 10, 12 and 14; Rules 3.1–3.9, 5.3, 6.2, 7.1, 7.4, 7.5, 8.3–8.7, 13.1, 13.2 and 18.1–18.4; and deletion of Rules 3.12, 3.17 and 12.3.

(3) Amendments to the Guam Air Pollution Control Standards and Regulations submitted on April 1, 1980 by the Governor's designee.

(i) Addendum to 13.1—Compliance Order for the Guam Power Authority's Power Barge ''Inductance''.

(4) Amendments to the Guam Air Pollution Control Standards and Regulations submitted on January 6, 1982 by the Governor's designee.

(i) Chapter 17—Appeals Procedures, Circumvention, Severability, and Effective Date.

(5) Amendments to the Guam Air Pollution Control Standards and Regulations submitted on June 30, 1982 by the Governor's designee.

(i) ''Territory of Guam NAP for SO_2,'' consisting of the narrative or Control Strategy portion of the Piti NAP; Addendum B, ''Preliminary Results of SO_2 Dispersion Modeling;'' and ''Official Report of Public Hearing.'' The remaining portions of the addenda are for informational purposes only.

EDITORIAL NOTE: At 50 FR 2820, Jan. 22, 1985, the following paragraph (c)(5) was added to § 52.2670. Redesignated as § 52.2673, at 70 FR 20475, Apr. 20, 2005.

(5) Amendments to the Guam Air Pollution Standards and Regulations submitted on May 22, 1984.

(i) Section X. Air Quality Surveillance Network.

(6) The following amendments to the plan were submitted on November 24, 1982, by the Governor.

(i) Negative declaration indicating no Lead Sources in Guam.

[37 FR 10904, May 31, 1972, as amended at 41 FR 8968, Mar. 2, 1976; 43 FR 48639, Oct. 19, 1978; 43 FR 59067, Dec. 19, 1978; 45 FR 14560, Mar. 6, 1980; 46 FR 26303, May 12, 1981; 47 FR 43054, Sept. 30, 1982; 49 FR 20496, May 15, 1984; 50 FR 2820, Jan. 22, 1985; 50 FR 32698, Aug. 14, 1985. Redesignated and amended at 70 FR 20475, Apr. 20, 2005]

§§ 52.2674–52.2675 [Reserved]

§ 52.2676 Significant deterioration of air quality.

(a) The requirements of sections 160 through 165 of the Clean Air Act are not met, since the plan does not include approvable procedures for preventing the significant deterioration of air quality.

(b) Regulations for preventing significant deterioration of air quality. The provisions of § 52.21 except paragraph (a)(1) are hereby incorporated and made a part of the applicable State plan for the State of Guam.

[43 FR 26410, June 19, 1978, as amended at 45 FR 52741, Aug. 7, 1980; 68 FR 11325, Mar. 10, 2003; 68 FR 74491, Dec. 24, 2003]

§ 52.2677 [Reserved]

§ 52.2678 Control strategy and regulations: Particulate matter.

(a) The requirements of § 51.110(a) and subpart G of this chapter are not met since the plan does not provide for the attainment and maintenance of the national standards.

(b) Chapter 6, Regulations 6.2(g)(1–3) of the ''Guam Air Pollution Control Standards and Regulations'' (control of open burning—agricultural crops) are disapproved since they do not provide criteria upon which to base the approval or denial of permit requests.

(c) The following rules are disapproved because they could allow an emissions increase, and a control strategy demonstration has not been submitted showing that any increased emissions would not interfere with the attainment or maintenance of the NAAQS.

(1) Rule 8.7, submitted on October 12, 1979.

[43 FR 59067, Dec. 19, 1978, as amended at 46 FR 26303, May 12, 1981; 51 FR 40676, Nov. 7, 1986]

§ 52.2679 Control strategy and regulations: Sulfur dioxide.

(a) Approvals of the following rules are limited to specific sources, since a control strategy demonstration has not been submitted showing that any increased emissions would not interfere with the attainment or maintenance of the NAAQS.

(1) Rule 13.1, submitted on October 12, 1979, for all applicable sources except the Tanguisson Power Plant.

(2) Rule 13.2, submitted on January 25, 1972, for the Tanguisson Power Plant.

(b) The following rules are disapproved because they are inconsistent with section 123(a)(2) of the Clean Air Act which requires continuous control strategies.

(1) Rule 13.2, submitted on October 12, 1979.

[46 FR 26304, May 6, 1981]

§§ 52.2680–52.2681 [Reserved]

§ 52.2682 Air quality surveillance.

(a) The requirements of § 51.27(a)(2) of this chapter as of December 19, 1978 (43 FR 59067), are not met. In addition, Chapter 1, Regulation 1.8 and Chapter 5, Regulation 5.3 of the ''Guam Air Pollution Control Standards and Regulations'' (buffer zones—air quality sampling) are not in conformance with the intent of the Clean Air Act and the definition of ''ambient air'' promulgated at § 50.1(e) of this chapter. Regulations 1.8 and 5.3 are disapproved because they could prohibit ambient air quality sampling at places of expected maximum concentration and/or at places where the public has access.

[43 FR 59067, Dec. 19, 1978, as amended at 51 FR 40677, Nov. 7, 1986]

§ 52.2683 [Reserved]

§ 52.2684 Source surveillance.

(a) The requirements of § 51.214 and Appendix P of this chapter are not met

since the plan does not contain sufficient regulations pertaining to continuous in-stack monitoring.

[43 FR 59067, Dec. 19, 1978, as amended at 51 FR 40677, Nov. 7, 1986]

§ 52.2685 [Reserved]

§ 52.2686 Upset-breakdown reporting.

(a) Chapter 4, Regulation 4.4 of the ''Guam Air Pollution Control Standards and Regulations'' (reporting of upsets and breakdowns) is disapproved since criteria for further enforcement action are not specified, thus permitting the Guam Administratorunlimited discretion.

[43 FR 59067, Dec. 19, 1978]

Subpart BBB—Puerto Rico

§ 52.2720 Identification of plan.

(a) Title of plan: ''Clean Air for Puerto Rico.''

(b) The plan was submitted on January 31, 1972.

(c) The plan revisions listed below were submitted on the date specified.

(1) Compliance schedules submitted on April 5, 1973, by the Commonwealth of Puerto Rico Environmental Quality Board.

(2) Compliance schedules submitted on April 9, 1973, by the Commonwealth of Puerto Rico Environmental Quality Board.

(3) Compliance schedules submitted on April 17, 1973, by the Commonwealth of Puerto Rico Environmental Quality Board.

(4) Compliance schedules submitted on May 30, 1973, by the Commonwealth of Puerto Rico Environmental Quality Board.

(5) Compliance schedules submitted on June 18, 1973, by the Commonwealth of Puerto Rico Environmental Quality Board.

(6) Compliance schedules submitted on September 10, 1973, by the Commonwealth of Puerto Rico Environmental Quality Board.

(7) Compliance schedules submitted December 6, 1973, by the Commonwealth of Puerto Rico Environmental Quality Board.

(8) Information on procedures followed in adoption of compliance schedules submitted on February 1, 1974, by the Commonwealth of Puerto Rico Environmental Quality Board.

(9) Compliance schedules submitted February 7, 1974, by the Commonwealth of Puerto Rico Environmental Quality Board.

(10) Compliance schedules submitted February 7, 1974, by the Commonwealth of Puerto Rico Environmental Quality Board.

(11) Information on procedures followed in adoption of compliance schedules submitted on February 12, 1974, by the Commonwealth of Puerto Rico Environmental Quality Board.

(12) Information on procedures followed in adoption of compliance schedules submitted on March 13, 1974, by the Puerto Rico Environmental Quality Board.

(13) Information on procedures followed in adoption of compliance schedules submitted on March 15, 1974, by the Puerto Rico Environmental Quality Board.

(14) Information on procedures followed in adoption of compliance schedules submitted on March 20, 1974, by the Puerto Rico Environmental Quality Board.

(15) AQMA designations were submitted on May 5, 1974, by the Governor of Puerto Rico.

(16) Compliance schedules submitted June 11, 1974, by the Commonwealth of Puerto Rico Environmental Quality Board.

(17) Compliance schedules submitted on September 6, 1974, by the Commonwealth of Puerto Rico Environmental Quality Board.

(18) Revised Article 6 (Control of Sulfur Compound Emissions) was submitted on January 3, 1975, by the Governor of Puerto Rico.

(19) Public hearing information regarding revised Article 6 was submitted on January 17, 1975, by the Executive Director of the Environmental Quality Board.

(20) Information regarding Guayanilla and Aguirre Air Basins was submitted on February 14, 1975, by the Environmental Quality Board.

(21) Emission limitation for one source in the Ponce Air Basin was submitted on March 26, 1976, by the Environmental Quality Board.

(22) Predicted SO_2 concentrations for Aguirre Air Basin was submitted on May 8, 1975, by the Environmental Quality Board.

(23) Additional information regarding revised Article 6 was submitted on May 15, 1975, by the Environmental Quality Board.

(24) Predicted SO_2 ambient concentrations for Barceloneta and Ensenada submitted on June 2, 1975, by the Environmental Quality Board.

(25) Predicted SO_2 ambient concentrations for Barceloneta and Ensenada submitted on January 8, 1976, by the Environmental Quality Board.

(26) A document entitled, ''Clean Air for Puerto Rico,'' submitted, pursuant to requirements of Part D of the Clean Air Act, on June 29, 1979 by the Governor of the Commonwealth of Puerto Rico.

(27) Supplementary submittals of SIP revision material from the Puerto Rico Environmental Quality Board, dated:

(i) October 30, 1979, containing policy statements of EQB with regard to: Its objective to attain both the primary and secondary particulate matter air quality standards by December 31, 1982, assurances with regard to meeting the requirements of reasonable further progress, verification of the detail of its annual reporting effort, clarification of the operation of its offset program and correction of the related inventory and graphical presentations.

(ii) July 24, 1980, providing a comprehensive set of adopted regulations, entitled ''Regulation for the Control of Atmospheric Pollution.'' Rules 115 and 116 revised in 2011; see paragraph 38 of this section.

(iii) August 6, 1980, providing a commitment to submit ''external offsets'' as SIP revisions.

(28) A submittal by the Puerto Rico Environmental Quality Board entitled, ''Revised Provisions for SIP Air Quality Monitoring Plan,'' April 1980.

(29) Revision submitted by the Puerto Rico Environmental Quality Board on April 26, 1982, as modified by a July 8, 1982 letter, which grants a visible emissions standard variance to ovens ''A'' and ''B'' of the Owens-Illinois, Inc. Vega Alta plant. This variance remains in effect until November 2, 1985.

(30) Revision submitted on March 3, 1981 by the Commonwealth of Puerto Rico's Environmental Quality Board which establishes fuel oil sulfur content limitations (known as ''sulfur assignments'') applicable to the 110 sources. On October 20, 1983, 78 of these 110 sources had their sulfur assignments approved by EPA.

(31) Revision submitted on May 30, 1984 by the Commonwealth of Puerto Rico's Environmental Quality Board which establishes fuel oil sulfur content limitations (known as ''sulfur assignments'') applicable to the Bristol Alpha Corporation.

(32) An Implementation Plan for attainment of the lead standard was submitted on September 28, 1984 by the Chairman of the Puerto Rico Environmental Quality Board. On December 12, 1984, the Chairman submitted a schedule for establishing a program to review new sources of lead.

(33) Revision submitted by the Puerto Rico Environmental Quality Board on September 6, 1983, which grants a visible emissions variance from Commonwealth Rule 403, ''Visible Emissions,'' from 20 percent to 45 percent for the crude unit and from 20 percent to 35 percent for the hot oil/final lube unit located at the Yabucoa Sun Oil Company's plant in Yabucoa.

(34) Revision submitted by the Puerto Rico Environmental Quality Board on December 31, 1986, which grants a visible emissions standard variance to Owen-Illinois, Inc. Vega Alta plant.

(i) Incorporation by reference. Resolution and notification announcing a Certificate of Renewal to Commonwealth of Puerto Rico Law 403 of the Regulation for Control of Atmospheric Pollution; adopted on July 9, 1986.

(ii) Additional material. Documents submitted on December 31, 1986 in support of the above resolution.

(35) A revision submitted on November 14, 1993 by the Chairman of the Puerto Rico Environmental Quality Board (EQB) for the Municipality of Guaynabo. The submittal was made to satisfy those moderate PM_{10} nonattainment area SIP requirements due for the Municipality of Guaynabo as outlined in the Clean Air Act of 1990.

(i) Incorporation by reference:

(A) Regulations:

(*1*) Amendments to Part I, Rule 102, ''Definitions,'' of the Puerto Rico Regulations for the Control of Atmospheric Pollution, effective April 2, 1994.

(*2*) Amendments to Part II, Rule 201, ''Location Approval,'' Rule 202, ''Air Quality Impact Analysis,'' and Rule 203, ''Permit to Construct a Source,'' of the Puerto Rico Regulations for the Control of Atmospheric Pollution, effective April 2, 1994.

(*3*) Amendments to Part IV, Rule 401, ''Generic Prohibitions,'' Rule 402, ''Open Burning,'' Rule 403, ''Visible Emissions,'' Rule 404, ''Fugitive Dust,'' and Rule 423, ''Limitations for the Guaynabo PM_{10} Nonattainment Area,'' of the Puerto Rico Regulations for the Control of Atmospheric Pollution, effective April 2, 1994.

(B) Memoranda of Understanding (MOU):

(*1*) MOU signed by the Chairman of EQB and the Executive Director of Puerto Rico Electrical Power Authority, San Juan plant, limiting the sulfur-in-fuel level, annual operation capacity, and requiring the submittal of monthly sampling reports of its fuel's sulfur content, effective January 31, 1994.

(*2*) MOU signed by the Chairman of EQB and the Secretary of Puerto Rico Department of Transportation and Public Works and the Executive Director of the Highway Authority to maintain and control the reconstruction of existing roads and the construction of new roads, effective July 2, 1993.

(*3*) MOU signed by the Chairman of EQB and the Mayor of the Municipality of Guaynabo to pave and maintain the streets, roads and parking areas located in the Municipality of Guaynabo, effective December 13, 1993.

(*4*) MOU signed by the Chairman of EQB and the Executive Director of the Puerto Rico Port Authority to pave and maintain the streets, roads, and parking areas that lead into the port area in Puerto Nuevo, Guaynabo and San Juan, effective October 14, 1993.

(36) Revisions to the Puerto Rico Regulations for the Control of Atmospheric Pollution (the Regulations) submitted on September 29, 1995 by the Puerto Rico Environmental Quality Board (EQB).

(i) Incorporation by reference.

(A) Regulations:

(*1*) Amendments to Part I, ''General Provisions'', Rules 102, 105, 106, 107, 109, 110, 111, 114, 117, and 121, effective September 28, 1995. Rule 111 revised in 2011; see paragraph 38 of this section.

(*2*) Amendments to Part II, ''Approval and Permit'', Rules 201, 203, 204, 205, 206, and 209, effective September 28, 1995.

(*3*) Amendments to Part III, ''Variance'', Rule 301, effective September 28, 1995.

(*4*) Amendments to Part IV, ''Prohibitions'', Rules 401, 402, 403, 404, 405, 406, 408, 409, 410, 412, 413, 414, and 417, effective September 28, 1995.

(*5*) Amendments to Part V, ''Fees'', Rule 501, effective September 28, 1995.

(ii) Additional information.

(A) Request by EQB to remove Rules 411, 418, 419, 420 and 421 of Part IV, ''Prohibitions'' of the Regulations from the federally approved SIP dated September 29, 1995.

(B) An October 4, 1996 letter from EQB to EPA requesting that EPA delay approval of Rules 112 and 211.

(37) On March 31, 2009, the Puerto Rico Environmental Quality Board submitted a Particulate Matter (PM_{10}) Limited Maintenance Plan and requested the redesignation of the Municipality of Guaynabo PM_{10} Nonattainment area to attainment for PM_{10}. EPA approves Puerto Rico's Limited Maintenance Plan including the 2002 PM_{10} attainment emissions inventory, attainment plan, maintenance demonstration, contingency measures, monitoring network, transportation conformity analysis and revisions to Rules 102 and 423 of the Puerto Rico Regulation for the Control of Atmospheric Pollution. On July 15, 2009, the Puerto Rico Environmental Quality Board submitted the official copy of the adopted revisions to Rules 102 and 423.

(i) Limited Maintenance Plan 24-Hour PM_{10} National Ambient Air Quality Standards (NAAQS) for the Municipality of Guaynabo Moderate Nonattainment Area which includes amendments to Rules 102 and 423 of the Regulation for the Control of Atmospheric Pollution, approved by the Puerto Rico Environmental Quality Board March 5, 2009; filed with the Secretary

of State April 28, 2009; effective May 28, 2009.

(A) Rule 102 Definitions, Guaynabo PM_{10} Maintenance Area; filed with the Secretary of State April 28, 2009; effective May 28, 2009. Rule 102 revised in 2011; see paragraph 38 of this section.

(B) Rule 423 Limitations for the Guaynabo PM_{10} Maintenance Area; filed with the Secretary of State April 28, 2009; effective May 28, 2009.

(38) Revisions to the Puerto Rico Regulations for the Control of Atmospheric Pollution submitted on July 13, 2011 by the Puerto Rico Environmental Quality Board.

(i) Rule 102, Definitions, filed with the Secretary of State January 19, 2011; effective February 18, 2011. Supersedes version in paragraph 37.

(ii) Rule 111, Applications, Public Hearings and Public Notice; filed with the Secretary of State January 19, 2011; effective February 18, 2011. Supersedes version in paragraph 36.

(iii) Rule 115, Penalties; filed with the Secretary of State January 19, 2011; effective February 18, 2011. Supersedes version in paragraph 27.

(iv) Rule 116, Public Nuisance; filed with the Secretary of State January 19, 2011; effective February 18, 2011. Supersedes version in paragraph 27.

(v) Appendix A, Hazardous Air Pollutants—Section 112(b) of the Clean Air Act; filed with the Secretary of State January 19, 2011; effective February 18, 2011.

[37 FR 10905, May 31, 1972, as amended at 41 FR 8968, Mar. 2, 1976; 41 FR 51017, Nov. 19, 1976; 45 FR 72658, Nov. 3, 1980; 46 FR 23417, Apr. 27, 1981; 48 FR 28271, June 21, 1983; 48 FR 48669, Oct. 20, 1983; 49 FR 38103, Sept. 27, 1984; 50 FR 7338, Feb. 22, 1985; 50 FR 15423, Apr. 18, 1985; 52 FR 38419, Oct. 16, 1987; 60 FR 28338, May 31, 1995; 62 FR 3213, Jan. 22, 1997; 75 FR 1546, Jan. 12, 2010; 77 FR 16678, Mar. 22, 2012]

§ 52.2721 Classification of regions.

The Puerto Rico plan was evaluated on the basis of the following classifications.

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
Puerto Rico	IA	IA	III	III	III

[37 FR 10905, May 31, 1972]

§ 52.2722 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Puerto Rico's plans for the attainment and maintenance of national standards under section 110 of the Clean Air Act. Furthermore, the Administrator finds that the plan satisfies all requirements of Part D, Title I, of the Clean Air Act, as amended in 1977.

§ 52.2723 EPA-approved Puerto Rico regulations.

REGULATION FOR THE CONTROL OF ATMOSPHERIC POLLUTION

Puerto Rico regulation	Commonwealth effective date	EPA approval date	Comments
PART I, GENERAL PROVISIONS			
Rule 101—Title	9/28/95	1/22/97, 62 FR 3213	
Rule 102—Definitions	2/18/11	8/29/12, 77 FR 52235	Puerto Rico's Environmental Public Policy Act Law No. 9 of June 18, 1970 was replaced with Law 416 of September 22, 2004.
Rule 103—Source Monitoring, Recordkeeping, Reporting, Sampling and Testing Methods.	9/28/95	1/22/97, 62 FR 3213.	
Rule 104—Emission Data Available to Public Participation.	9/28/95	.....do	
Rule 105—Malfunction	9/28/95	.....do	
Rule 106—Test Methods	9/28/95	.....do	
Rule 107—Air Pollution Emergencies	9/28/95	.....do	
Rule 108—Air Pollution Control Equipment	9/28/95	.....do	
Rule 109—Notice of Violation	9/28/95	.....do	
Rule 110—Revision of Applicable Rules and Regulations.	9/28/95	.....do	

REGULATION FOR THE CONTROL OF ATMOSPHERIC POLLUTION—Continued

Puerto Rico regulation	Commonwealth effective date	EPA approval date	Comments
Rule 111—Applications, Public Hearings and Public Notice.	2/18/11	8/29/12, 77 FR 52235	Puerto Rico's Environmental Public Policy Act Law No. 9 of June 18, 1970 was replaced with Law 416 of September 22, 2004.
Rule 113—Closure of a Source	9/28/95	1/22/97, 62 FR 3213.	
Rule 114—Compulsory and Optional Hearing	9/28/95	.....do	
Rule 115— Penalties	2/18/11	8/29/12, 77 FR 52235	Puerto Rico's Environmental Public Policy Act Law No. 9 of June 18, 1970 was replaced with Law 416 of September 22, 2004.
Rule 116— Public Nuisance	2/18/11	8/29/12, 77 FR 52235	Puerto Rico's Environmental Public Policy Act Law No. 9 of June 18, 1970 was replaced with Law 416 of September 22, 2004.
Rule 117—Overlapping or Contradictory Provisions.	9/28/95	1/22/97, 62 FR 3213.	
Rule 118—Segregation and Combination of Emissions.	9/28/95	.....do	
Rule 119—Derogation	9/28/95	.....do	
Rule 120—Separability Clause	9/28/95	.....do	
Rule 121—Effectiveness	9/28/95	.....do	
PART II, APPROVAL AND PERMIT			
Rule 201—Location Approval	9/28/95	.....do	
Rule 202—Air Quality Impact Analysis	9/28/95	.....do	
Rule 203—Permit to Construct a Source	9/28/95	.....do	
Rule 204—Permit to Operate a Source	9/28/95	.....do	
Rule 205—Compliance Plan for Existing Emission Sources.	9/28/95	.....do	
Rule 206—Exemptions	9/28/95	.....do	
Rule 207—Continuing Responsibility for Compliance.	9/28/95	.....do	
Rule 208—Agricultural Burning Authorized	9/28/95	.....do	
Rule 209—Modification of the Allowed Sulfur-in-Fuel Percentage.	9/28/95	.....do	
Rule 210—(Reserved) Part III, "Variance".			
PART III, VARIANCE			
Rule 301—Variances Authorized	9/28/95	.....do	
Rule 302—Emergency Variances	9/28/95	.....do	
PART IV, PROHIBITIONS			
Rule 401—Generic Prohibitions	9/28/95	.....do	
Rule 402—Open Burning	9/28/95	.....do	
Rule 403—Visible Emissions	9/28/95	.....do	
Rule 404—Fugitive Emissions	9/28/95	.....do	
Rule 405—Incineration	9/28/95	.....do	
Rule 406—Fuel Burning Equipment	9/28/95	.....do	
Rule 407—Process Sources	9/28/95	.....do	
Rule 408—Asphaltic Concrete Batching Plants	9/28/95	.....do	
Rule 409—Non-Process Sources	9/28/95	.....do	
Rule 410—Maximum Sulfur Content in Fuels	9/28/95	.....do	
Rule 412—Sulfur Dioxide Emissions: General	9/28/95	.....do	
Rule 413—Sulfuric Acid Plants	9/28/95	.....do	
Rule 414—Sulfur Recovery Plants	9/28/95	.....do	
Rule 415—Non-Ferrous Smelters	9/28/95	.....do	
Rule 416—Sulfite Pulp Mills	9/28/95	.....do	
Rule 417—Storage of Volatile Organic Compounds.	9/28/95	.....do	
Rule 423, Limitations for the Guaynabo PM_{10} Maintenance Area.	5/28/09	1/12/10, 75 FR 1543.	
PART V, FEES			
Rule 501—Permit Fees	9/28/95	1/22/97; 62 FR 3213.	
Rule 502—Excess Emission Fees	9/28/95	.....do	
Rule 503—Test Fees	9/28/95	.....do	
Rule 504—Modification	9/28/95	.....do	

REGULATION FOR THE CONTROL OF ATMOSPHERIC POLLUTION—Continued

Puerto Rico regulation	Commonwealth effective date	EPA approval date	Comments
APPENDICES			
Appendix A, Hazardous Air Pollutants—Section 112(b) of the Clean Air Act.	2/18/11	8/29/12, 77 FR 52235.	

[62 FR 3213, Jan. 22, 1997; 62 FR 6619, Feb. 12, 1997, as amended at 75 FR 1546, Jan. 12, 2010; 77 FR 16679, Mar. 22, 2012; 77 FR 52235, Aug. 29, 2012]

§52.2724 [Reserved]

§52.2725 General requirements.

(a) The requirements of §51.116(c) of this chapter are not met, since section 2.4 of the Puerto Rico Regulation for Control of Atmospheric Pollution could, in some circumstances, prohibit the disclosure of emission data to the public. Therefore, section 2.4 is disapproved.

(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 to June 30 and July 1 to 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.

[39 FR 34537, Sept. 26, 1974, as amended at 40 FR 55334, Nov. 28, 1975; 51 FR 40676, Nov. 7, 1986]

§52.2726 Legal authority.

(a) The requirements of §51.230(f) of this chapter are not met, since Article 17 of Puerto Rico Act 9 could, in some circumstances, prohibit the disclosure of emission data to the public. Therefore, Article 17 is disapproved.

[39 FR 34537, Sept. 26, 1974, as amended at 51 FR 40676, Nov. 7, 1986]

§§52.2727–52.2728 [Reserved]

§52.2729 Significant deterioration of air quality.

(a) The requirements of sections 160 through 165 of the Clean Air Act are

not met, since the plan does not include approvable procedures for preventing the significant deterioration of air quality.

(b) Regulations for preventing significant deterioration of air quality. The provisions of § 52.21 except paragraph (a)(1) are hereby incorporated and made a part of the applicable State plan for the State of Puerto Rico.

[43 FR 26410, June 19, 1978, as amended at 45 FR 52741, Aug. 7, 1980; 68 FR 11325, Mar. 10, 2003; 68 FR 74491, Dec. 24, 2003]

§ 52.2730 [Reserved]

§ 52.2731 Control strategy and regulations: Sulfur oxides.

(a) The requirements of subpart G of this chapter are not met since the Puerto Rico plan does not provide for attainment and maintenance of the national standards for sulfur oxides in the areas of Aguirre, Barceloneta, Trujillo Alto-Dorado and Ensenada.

(b) Article 6, as submitted to EPA on January 3, 1975, of the Puerto Rico Regulations for Control of Atmospheric Pollution, as it applies to those areas listed in paragraph (a) of this section is disapproved for the following facilities: Puerto RicoWater Resources Authority—Aguirre Complex, Abbott, Merck and Company, Bristol Meyers, Pfizer, Union Carbide, Upjohn, located in the Barceloneta air basin, and Central Guanica, located in the Aquada air basin. Accordingly, these sources, with the exception of the Puerto Rico Water Resources Authority—Aguirre Complex, are required to conform to the sulfur in fuel limitations contained in Article 6 of the Puerto Rico implementation plan as submitted to EPA on January 31, 1972.

(c) On and after the effective date of this paragraph, the maximum allowable sulfur in fuel limitation, by weight, for the Puerto Rico Water Resources Authority Aguirre complex shall be 2.5 percent.

(d) The requirements of section 110 of the Clean Air Act are not met since Article 6 of the Puerto Rico Regulation for Control of Atmospheric Pollution would permit the use of stack height increases in lieu of available methods for emission reduction. Therefore, Section H of Appendix A of Article 6 of the Puerto Rico Regulation for Control of Atmospheric Pollution is disapproved to the extent that it would permit increases in stack height in lieu of available methods of emission reduction.

[40 FR 42194, Sept. 11, 1975. Correctly designated at 41 FR 24586, June 17, 1976, and amended at 51 FR 40676, Nov. 7, 1986]

§ 52.2732 Small business technical and environmental compliance assistance program.

On November 16, 1992, the Puerto Rico Environmental Quality Board submitted a plan for the establishment and implementation of a Small Business Stationary Source Technical and Environmental Compliance Assistance Program for incorporation in the Puerto Rico state implementation plan. This plan meets the requirements of section 507 of the Clean Air Act, and Puerto Rico must implement the plan as approved by EPA.

[59 FR 34386, July 5, 1994]

Subpart CCC—Virgin Islands

SOURCE: 37 FR 10905, May 31, 1972, unless otherwise noted.

§ 52.2770 Identification of plan.

(a) Title of plan: ''Air Quality Implementation Plan for the U.S. Virgin Islands.''

(b) The plan was officially submitted on January 31, 1972.

(c) The plan revisions listed below were submitted on the dates specified.

(1) Procedures for making emission data available to the public submitted April 26, 1972, by the Division of Environmental Health, Virgin Islands Department of Health.

(2) Revision to construction permit regulation, Rule 12, section 206–26(a) of the Virgin Islands Rules and Regulations, submitted on August 17, 1972, by the Governor.

(3) Sections 206–30 (Review of new sources and modifications) and 206–31 (Review of new or modified indirect sources) were submitted on February 12, 1974, by the Governor of Virgin Islands.

(4) Additional information on sections 206–30 and 206–31 was submitted

on April 10, 1975, by the Governor of the Virgin Islands.

(5) Exemption of the St. John Municipal Incinerator from the requirements of section 204–23, paragraph (c)(2) of the Virgin Islands Air Pollution Control Code submitted on July 9, 1975, by the Governor.

(6) Revised Section 204–26 (Sulfur Compounds Emissions Control) submitted on January 21, 1976 by the Governor of the Virgin Islands, as it applies to the islands of St. Thomas and St. John.

(7) Amended revised Section 204–26 submitted on June 3, 1976 by the Governor of the Virgin Islands, as it applies to the islands of St. Thomas and St. John.

(8) As it applies to the island of St. Croix, per an August 16, 1976 request from the Virgin Islands, revised 12 V.I.R. & R. 9:204–26 (Sulfur Compounds Emission Control) excluding subsection (a)(2), as submitted on January 21, 1976 by the Governor of the Virgin Islands.

(9) Revision submitted on August 29, 1977, by the Governor of the Virgin Islands which allows, under provisions of 12 V.I.R. & R. 9:204–26, the relaxation of the sulfur-in-fuel-oil limitation to 1.5 percent, by weight, for the Virgin Islands Water and Power Authority's Christiansted Power Plant.

(10) Revision submitted on February 9, 1980 by the Commissioner of the Department of Conservation and Cultural Affairs of the Government of the Virgin Islands of the United States which grants an ''administrative order'' under Title 12 V.I.C. section 211 and Title 12 V.I.R. & R. sections 204–26(d). This ''administrative order'' relaxes, until one year from the date of EPA approval, the sulfur-in-fuel-oil limitation to 1.5 percent, by weight, applicable to Martin Marietta Alumina and the Hess Oil Virgin Islands Corporation, both located in the Southern Industrial Complex on the Island of St. Croix.

(11) A document entitled ''Air Monitoring Plan,'' November 1979, submitted on February 23, 1981, by the Virgin Islands Department of Conservation and Cultural Affairs.

(12) Revision submitted on April 9, 1981 by the Commissioner of the Department of Conservation and Cultural Affairs of the Government of the Virgin Islands of the United States which grants an ''administrative order'' under Title 12 V.I.C. section 211 and Title 12 V.I.R. and R. sections 204–26(d). This ''administrative order'' relaxes, until one year from the date of EPA approval, the sulfur-in-fuel-oil limitation to 1.5 percent, by weight, applicable to Martin Marietta Alumina and the Hess Oil Virgin Islands Corporation, both located in the Southern Industrial Complex on the Island of St. Croix.

(13) Revision submitted on January 12, 1983 by the Commissioner of the Department of Conservation and Cultural Affairs of the Government of the Virgin Islands of the United States which grants an ''administrative order'' under Title 12 V.I.C. section 211 and Title 12 V.I.R. and R. sections 204–26(d). This ''administrative order'' relaxes, until one year from the date of EPA approval, the sulfur-in-fuel-oil limitation to 1.5 percent, by weight, applicable to Martin Marietta Alumina and the Hess Oil Virgin Islands Corporation, both located in the Southern Industrial Complex on the Island of Saint Croix.

(14) An Implementation Plan for attainment of the lead standard was submitted by the Governor of the U.S. Virgin Islands on November 16, 1984.

(15) Revision submitted on December 1, 1983 by the Virgin Islands Department of Environmental Conservation and Cultural Affairs which grants a variance establishing, for one year from February 26, 1985, a maximum sulfur-in-fuel-oil limitation of 1.5 percent, by weight, for the Hess Oil Virgin Islands Corporation and the Martin Marietta Aluminum Properties, Inc. facilities located on the Island of Saint Croix.

(16) Revision submitted on February 11, 1986 by the Virgin Islands Department of Environmental Conservation and Cultural Affairs which grants a variance establishing, for one year from April 14, 1987, a maximum sulfur-in-fuel-oil limitation of 1.5 percent, by weight, for the Hess Oil Virgin Islands Corporation and the Martin Marietta Properties facilities located on the Island of St. Croix.

(17) Comprehensive revisions to Virgin Islands air pollution control regulations submitted on March 20, 1987, by the Virgin Islands Department of Planning and Natural Resources.

(i) Incorporation by reference:

(A) Revised sections 20 through 23, 25, 26, 28, 29, 33, 35 through 41, and 45 of subchapter 204, chapter 9, title 12 of the Virgin Islands Code, effective January 15, 1987.

(B) Revised sections 20 through 31 of subchapter 206, chapter 9, title 12 of the Virgin Islands Code, effective January 15, 1987.

(ii) Additional material:

(A) July 1988 Modeling Analysis for CEC Energy Co., Inc.

(B) July 11, 1989, letter from Ted Helfgott, Amerada Hess Corporation to Raymond Werner, U.S. Environmental Protection Agency, Region II, New York.

(C) December 28, 1992, Prevention of Significant Deterioration of Air Quality permit for Virgin Islands Water and Power Authority at St. Croix's north shore facility.

[37 FR 10905, May 31, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.2770, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at *www.fdsys.gov*.

§ 52.2771 Classification of regions.

The U.S. Virgin Islands plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
U.S. Virgin Islands	IA	IA	III	III	III

§ 52.2772 Approval status.

With the exceptions set forth in this subpart, the Administrator approves the U.S. Virgin Islands plan for attainment and maintenance of the national standards.

§ 52.2773 EPA-approved Virgin Islands regulations.

Territory regulation	Effective date	EPA approval date	Comments
Section 204–20, "Definitions"	1/15/87	4/18/94, 59 FR 18309	"Fugitive emissions" will be defined as at 40 CFR 52.21(b)(20).
Section 204–21, "Regulations to Control Open Burning".	1/15/87	.....do.	
Section 204–22, "Regulations to Control Emission of Visible Air Contaminants".	1/15/87	.....do.	
Section 204–23, "Regulations Governing Emission of Particulate Matter".	1/15/87	.....do.	
Section 204–24, "Storage of Petroleum or Other Volatile Products".	3/2/71	5/31/72, 37 FR 10905.	
Section 204–25, "Fugitive Emissions".	1/15/87	4/18/94, 59 FR 18309.	
Section 204–26, "Sulfur Compounds Emission Control".	1/15/87	.....do	Subsection 204–26(a)(2) is disapproved for three Martin Marietta (VI Alumina Corp), St. Croix, sources. For applicable limits, refer to PSD permit for the facility.
Section 204–27, "Air Pollution Nuisances Prohibited".	3/2/71	5/31/72, 37 FR 10905.	

Territory regulation	Effective date	EPA approval date	Comments
Section 204–28, ''Internal Combustion Engine Limits''.	1/15/87	4/18/94, 59 FR 18309.	
Section 204–29, ''Upset, Breakdown or Scheduled Maintenance''.	1/15/87	.....do.	
Section 204–30, ''Circumvention''	3/2/71	5/31/72, 37 FR 10905.	
Section 204–31, ''Duty to Report Discontinuance or Dismantlement''.	3/2/71	5/31/72, 37 FR 10905.	
Section 204–32, ''Variance Clauses''	3/2/71	5/31/72, 37 FR 10905.	
Section 204–33, ''Air Pollution Emergencies''.	1/15/87	4/18/94, 59 FR 18309.	
Section 204–35, ''Continuous Emission Monitoring''.	1/15/87	.....do.	
Section 204–36, ''Eligibility to Burn Waste Fuel A''.	1/15/87	.....do.	
Section 204–37, ''Eligibility to Burn Waste Fuels A and B''.	1/15/87	.....do.	
Section 204–38, ''Permit and/or Certificate Requirement for Waste Oil Facilities''.	1/15/87	.....do.	
Section 204–39, ''Sale or Use of Waste Fuels A and B''.	1/15/87	.....do	Reference to Table 1 in this subsection refers to Table 1 found in Section 204–20.
Section 204–40, ''Reports, Sampling and Analysis of Waste Fuels A and B''.	1/15/87	.....do	Variances adopted pursuant to subsection 204–40(e) become applicable only if approved by EPA as SIP revisions.
Section 204–41, ''Existing Air Contamination Sources for Waste Fuel''.	1/15/87	.....do.	
Section 204–45, ''Standards of Performance for Sulfur Recovery Units at Petroleum Refineries''.	1/15/87	.....do.	
Section 206–20, ''Permits Required''	1/15/87	.....do.	
Section 206–21, ''Transfer''	1/15/87	.....do.	
Section 206–22, ''Applications''	1/15/87	.....do.	
Section 206–23, ''Application and Permit Fees''.	1/15/87	.....do.	
Section 206–24, ''Cancellation of Applications''.	1/15/87	.....do.	
Section 206–25, ''Test Methods''	1/15/87	.....do	Variances adopted pursuant to subsection 206–25(c) become applicable only if approved by EPA as SIP revisions.
Section 206–26, ''Permits to Construct''.	1/15/87	.....do.	
Section 206–27, ''Permits to Operate''.	1/15/87	.....do.	
Section 206–28, ''Permit Modifications, Suspensions or Revocations and Denials''.	1/15/87	.....do.	
Section 206–29, ''Further Information''.	1/15/87	.....do.	
Section 206–30, ''Appeals''	1/15/87	.....do.	
Section 206–30, ''Review of New Sources and Modifications''.	10/11/73	8/10/75, 40 FR 42013	Subsection 206–30(f)(6) is disapproved since sources of minor significance are not identified in Section 206–30. A federally promulgated regulation (40 CFR 52.2775(g)), correcting this deficiency and a public participation deficiency, is applicable. Two separate subsections are numbered 206–30 and are listed here with their separate titles.
Section 206–31, ''Review of New or Modified Indirect Sources''.	10/11/73	8/10/75, 40 FR 42013.	

[59 FR 18309, Apr. 18, 1994]

§ 52.2774 [Reserved]

§ 52.2775 Review of new sources and modifications.

(a)–(d) [Reserved]

(e) The requirements of 40 CFR 51.18(h) are not met since section 206–30 of Chapter 9, Title 12 of the Virgin Islands' Code does not provide that information submitted by the owner or operator and the agency's analysis including its proposed approval/disapproval decision, be made available for public comment for a period of 30 days prior to final action.

(f) Subsection 206–30(f)(6) of section 206–30 of Chapter 9, Title 12 of the Virgin Islands' Code is disapproved since sources of minor significance are not identified in the regulation. Accordingly, all sources not listed in subsection 206–30 (f)(1) through (f)(5) will be subject to review in accordance with the requirements of section 206–30.

(g) Regulation for review of new sources and modifications.

(1) This requirement is applicable to any stationary source subject to review under section 206–30 of Chapter 9, Title 12 of the Virgin Islands' Code or 40 CFR 52.2775(f).

(2) Within 30 days after receipt of an application, the Commissioner of the Department of Conservation and Cultural Affairs, will notify the public, by prominent advertisement in the local news media, of the opportunity for public comment on the information submitted by the owner or operator.

(i) Such information, together with the Commissioner's analysis of the effect of the construction or modification on air quality including the Commissioner's proposed approval or disapproval, will be available in at least one location in the affected region.

(ii) Written public comments submitted within 30 days of the date such information is made available will be considered by the Commissioner in making his final decision on the application.

(iii) The Commissioner will make a final decision on the application within 30 days after the close of the public comment period. The Commissioner will notify the applicant in writing of his approval, conditional approval, or disapproval of the application and will set forth his reasons for conditional approval or disapproval.

(iv) A copy of the notice required by paragraph (h)(2) of this section shall also be sent to the Administrator through the appropriate regional office, and to all other State and local air pollution control agencies having jurisdiction in the region in which such new or modified installation will be located. The notice shall also be sent to any other agency in the region having responsibility for implementing the procedures required under this section.

[37 FR 10905, May 31, 1972, as amended at 40 FR 42013, Sept. 10, 1975]

§§ 52.2776–52.2778 [Reserved]

§ 52.2779 Significant deterioration of air quality.

(a) The requirements of sections 160 through 165 of the Clean Air Act are not met, since the plan does not include approvable procedures for preventing the significant deterioration of air quality.

(b) Regulations for preventing significant deterioration of air quality. The provisions of § 52.21 except paragraph (a)(1) are hereby incorporated and made a part of the applicable State plan for the Virgin Islands.

[43 FR 26410, June 19, 1978, as amended at 45 FR 52741, Aug. 7, 1980; 68 FR 11325, Mar. 10, 2003; 68 FR 74491, Dec. 24, 2003]

§ 52.2780 Control strategy for sulfur oxides.

(a) The requirements of subpart G of this chapter are not met since there has not been a satisfactory demonstration that the Virgin Islands plan provides for the attainment and maintenance of the national ambient air quality standards for sulfur oxides on the island of St. Croix.

(b) The following parts of regulation 12 V.I.R. and R. 9:204–26, ''Sulfur Compounds Emission Control,'' as submitted to EPA on January 21, 1976 and as amended and resubmitted to EPA on June 3, 1976 are approved:

(1) The entire regulation as it applies to the islands of St. Thomas and St. John.

(2) The entire regulation as it applies to the Virgin Islands Water and Power

Authority's Christiansted Power Plant on the island of St. Croix.

(3) The entire regulation excluding subsection (a)(2) as it applies to the remaining sources on the island of St. Croix.

Subsection (a)(2) of the regulation is not approved as it applies to the remaining sources on St. Croix because of the inadequacy of the control strategy demonstration noted in paragraph (a) of this section. Accordingly, all sources on St. Croix with the exception of the Virgin Islands Water and Power Authority's Christiansted Power Plant are required to conform to the sulfur-in-fuel-oil limitations contained in 12 V.I.R. and R. 9:204–26 as originally submitted to EPA on January 31, 1972.

(c) Reference to ''Section (a)(2)'' in subsection (d) of 12 V.I.R. and R. 9:204–26, as submitted to EPA on January 21, 1976 and as amended and resubmitted to EPA on June 3, 1976, refers to the following approved limitations: (1) For the islands of St. Thomas and St. John, subsection (a)(2) of section 204–26 as submitted to EPA on January 21, 1976 and as amended and resubmitted to EPA on June 3, 1976; (2) for the island of St. Croix, subsection (a)(2) of section 204–26 as originally submitted to EPA on January 31, 1972 and approved by EPA on May 31, 1972.

[41 FR 28493, July 12, 1976, as amended at 41 FR 55531, Dec. 21, 1976; 43 FR 4016, Jan. 31, 1978; 51 FR 40676, Nov. 7, 1986]

§52.2781 Visibility protection.

(a) The requirements of section 169A of the Clean Air Act are not met, because the plan does not include approvable procedures for protection of visibility in mandatory Class I Federal areas.

(b) Regulation for visibility monitoring. The provisions of §52.26 are hereby incorporated and made a part of the applicable plan for the Virgin Islands.

(c) *Long-term strategy*. The provisions of §52.29 are hereby incorporated and made part of the applicable plan for the Virgin Islands.

(d) Regional Haze Plan for Virgin Islands National Park. The regional haze plan for the Virgin Islands consists of a Federal Implementation Plan entitled: ''FEDERAL IMPLEMENTATION PLAN FOR REGIONAL HAZE FOR THE UNITED STATES VIRGIN ISLANDS.'' The applicable requirements consist of:

(1) *Applicability*. This section addresses Clean Air Act requirements and EPA's rules to prevent and remedy future and existing man-made impairment of visibility in the mandatory Class I area of the Virgin Islands National Park through a Regional Haze Program. This section applies to the owner and operator of HOVENSA L.L.C. (HOVENSA), a petroleum refinery located on St. Croix, U.S. Virgin Islands.

(2) *Definitions*. Terms not defined below shall have the meaning given them in the Clean Air Act or EPA's regulations implementing the Clean Air Act. For purposes of this section:NO_X means nitrogen oxides.

Owner/operator means any person who owns, leases, operates, controls, or supervises a facility or source identified in paragraph (d)(1) of this section.

PM means particulate matter.

Process unit means any collection of structures and/or equipment that processes, assembles, applies, blends, or otherwise uses material inputs to produce or store an intermediate or a completed product. A single stationary source may contain more than one process unit, and a process unit may contain more than one emissions unit. For a petroleum refinery, there are several categories of process units that could include: Those that separate and/or distill petroleum feedstocks; those that change molecular structures; petroleum treating processes; auxiliary facilities, such as steam generators and hydrogen production units; and those that load, unload, blend or store intermediate or completed products.

SO_2 means sulfur dioxide.

Startup means the setting in operation of an affected facility for any purpose.

(3) *Reasonable Progress Measures*. On June 7, 2011, EPA and HOVENSA entered into a Consent Decree (CD) in the U.S. District Court for the Virgin Islands to resolve alleged Clean Air Act violations at its St. Croix, Virgin Islands facility. The CD requires HOVENSA, among other things, to achieve emission limits and install new

pollution controls pursuant to a schedule for compliance. The measures required by the CD reduce emissions of NO_X by 5,031 tons per year (tpy) and SO_2 by 3,460 tpy. The emission limitations, pollution controls, schedules for compliance, reporting, and recordkeeping provisions of the HOVENSA CD constitute an element of the long term strategy and address the reasonable progress provisions of 40 CFR 51.308(d)(1). Should the existing federally enforceable HOVENSA CD be revised, EPA will reevaluate, and if necessary, revise the FIP after public notice and comment.

(4) *HOVENSA requirement for notification.* HOVENSA must notify EPA 60 days in advance of startup and resumption of operation of refinery process units at the HOVENSA, St. Croix, Virgin Islands facility. HOVENSA shall submit such notice to the Director of the Clean Air and Sustainability Division, U.S. Environmental Protection Agency Region 2, 290 Broadway, 25th Floor, New York, New York, 10007–1866. HOVENSA's notification to EPA that it intends to startup refinery process units must include information regarding those emission units that will be operating, including unit design parameters such as heat input and hourly emissions, information on potential to emit limitations, pollution controls and control efficiencies, and schedules for compliance. EPA will revise the FIP as necessary, after public notice and comment, in accordance with regional haze requirements including the ''reasonable progress'' provisions in 40 CFR 51.308(d)(1). HOVENSA will be required to install any controls that are required by the revised FIP as expeditiously as practicable, but no later than 5 years after the effective date of the revised FIP.

[50 FR 28553, July 12, 1985, as amended at 52 FR 45137, Nov. 24, 1987; 77 FR 64421, Oct. 22, 2012]

§ 52.2782 Small business technical and environmental compliance assistance program.

On January 15, 1993, the Virgin Islands Department of Planning and Natural Resources submitted a plan to establish and implement a Small Business Stationary Source Technical and Environmental Compliance Assistance Program for incorporation in the Virgin Islands state implementation plan. This plan meets the requirements of section 507 of the Clean Air Act, and the U.S. Virgin Islands must implement the program as approved by EPA.

[59 FR 34386, July 5, 1994]

Subpart DDD—American Samoa

§ 52.2820 Identification of plan.

(a) *Purpose and scope.* This section sets forth the applicable State implementation plan for American Samoa 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 paragraphs (c) and (d) of this section with an EPA approval date prior to June 1, 2005, 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 June 1, 2005, will be incorporated by reference in the next update to the SIP compilation.

(2) EPA Region IX 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 June 1, 2005.

(3) Copies of the materials incorporated by reference may be inspected at the Region IX EPA Office at 75 Hawthorne Street, San Francisco, CA 94105; the Air and Radiation Docket and Information Center, U.S. Environmental Protection Agency, 1301 Constitution Avenue, NW., Room B108, Washington, DC; or the National Archives and Records Administration (NARA). 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.*

TABLE 52.2820—EPA APPROVED TERRITORY OF AMERICAN SAMOA REGULATIONS

State citation	Title/subject	Effective date	EPA approval date	Explanation
Air Pollution Control Rules and Regulations				
Section 1.0	Definitions (1.0.1–1.0.18)	6/08/1972	3/02/1976, 41 FR 8956	
Section 1.1	Approval of New Sources: Permit to Operate (1.1.1–1.1.14).	6/08/1972	3/02/1976, 41 FR 8956	
Section 1.2	Source Monitoring, Record Keeping, and Reporting (1.2.1–1.2.2).	6/08/1972	3/02/1976, 41 FR 8956	
Section 1.3	Sampling and Testing Methods (1.3.1–1.3.2).	6/08/1972	3/02/1976, 41 FR 8956	
Section 1.4	Malfunction of Equipment; Reporting (1.4.1–1.4.2).	6/08/1972	3/02/1976, 41 FR 8956	
Section 1.5	Prohibition of Air Pollution	6/08/1972	3/02/1976, 41 FR 8956	
Section 1.6	Compliance Schedule (1.6.1, Existing Sources).	6/08/1972	3/02/1976, 41 FR 8956	
Section 1.7	Circumvention	6/08/1972	3/02/1976, 41 FR 8956	
Section 1.8	Severability	6/08/1972	3/02/1976, 41 FR 8956	
Section 1.9	Ambient Air Quality Standards (1.9.1–1.9.2).	6/08/1972	3/02/1976, 41 FR 8956	
Section 2.1	Control of Open Burning	6/08/1972	3/02/1976, 41 FR 8956	
	Control of Particulate Emissions			
Section 3.1	Visible Emissions (3.1.1–3.1.2)	6/08/1972	3/02/1976, 41 FR 8956	
Section 3.2	Fugitive Dust (3.2.1–3.2.3)	6/08/1972	3/02/1976, 41 FR 8956	
Section 3.3	Incineration (3.3.1–3.3.4)	6/08/1972	3/02/1976, 41 FR 8956	
Section 3.4	Fuel Burning Equipment (3.4.1–3.4.2)	6/08/1972	3/02/1976, 41 FR 8956	
Section 3.5	Process Industries—General (3.5.1, 3.5.3–3.5.5).	6/08/1972	3/02/1976, 41 FR 8956	
Table 1	Particulate Emission Allowable Based on Process Weight.	6/08/1972	3/02/1976, 41 FR 8956	
Section 3.6	Sampling Methods (3.6.1)	6/08/1972	3/02/1976, 41 FR 8956	
	Control of Sulfur Compound Emissions			
Section 4.1	Fuel Combustion (4.1.1)	6/08/1972	3/02/1976, 41 FR 8956	

(d) *EPA approved State source specific requirements.*

Name of source	Permit No.	Effective date	EPA approval date	Explanation
None				

(e) [Reserved]

[70 FR 53566, Sept. 9, 2005]

§ 52.2821 Classification of regions.

The American Samoa plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
American Samoa	III	III	III	III	III

[37 FR 10906, May 31, 1972]

§ 52.2822 Approval status.

With the exceptions set forth in this subpart, the Administrator approves American Samoa's plan for the attainment and maintenance of the national standards.

[39 FR 8617, Mar. 6, 1974]

§ 52.2823 Original identification of plan.

(a) This section identified the original ''Implementation Plan for Compliance With the Ambient Air Quality Standards for the Territory of American Samoa'' and all revisions submitted by the Territory of American Samoa that were federally approved prior to June 1, 2005.

(b) The plan was officially submitted on January 27, 1972.

(1) Previously approved on May 31, 1972 and now deleted without replacement Chapter 35.01, Section 35.0113 of the Environmental Quality Act.

(c) The plan revisions listed below were submitted on the dates specified.

(1) Revised legal authority submitted on March 9, 1972, by the Environmental Quality Commission.

(2) Letter indicating formal adoption of the implementation plan submitted on March 23, 1972, by the Environmental Quality Commission.

(3) Letter regarding comments on the plan and indicating intent to submit a revised plan submitted on April 28, 1972, by the Environmental Quality Commission.

(4) Formally adopted rules and regulations for the entire Territory submitted on June 8, 1972, by the Environmental Quality Commission.

(5) The following amendments to the plan were submitted on November 22, 1982, by the Governor.

(i) Negative declaration indicating no Lead sources in American Samoa.

[37 FR 10906, May 31, 1972, as amended at 41 FR 8969, Mar. 2, 1976; 50 FR 32698, Aug. 14, 1985; 62 FR 34648, June 27, 1997. Redesignated and amended at 70 FR 53566, Sept. 9, 2005]

§ 52.2824 Review of new sources and modifications.

(a) The requirements of subpart I of this chapter are not met since the Territory of American Samoa failed to submit a plan for review of new or modified indirect sources.

(b) Regulation for review of new or modified indirect sources: The provisions of § 52.22(b) are hereby incorporated by reference and made a part of the applicable implementation plan for the Territory of American Samoa.

[39 FR 8617, Mar. 6, 1974, as amended at 51 FR 40677, Nov. 7, 1986]

§§ 52.2825–52.2826 [Reserved]

§ 52.2827 Significant deterioration of air quality.

(a) The requirements of sections 160 through 165 of the Clean Air Act are not met, since the plan does not include approvable procedures for preventing the significant deterioration of air quality.

(b) Regulations for preventing significant deterioration of air quality. The provisions of § 52.21 except paragraph (a)(1) are hereby incorporated and made a part of the applicable State plan for American Samoa.

[43 FR 26410, June 19, 1978, as amended at 45 FR 52741, Aug. 7, 1980; 68 FR 11325, Mar. 10, 2003; 68 FR 74491, Dec. 24, 2003]

Subpart EEE—Approval and Promulgation of Plans

§ 52.2850 Approval and promulgation of implementation plans.

State plans consisting of control strategies, rules, and regulations, and, in certain instances, compliance schedules, which the Administrator has determined meet the requirements of section 16 of the ''Clean Air Amendments of 1970'' have been approved as follows:

DELAWARE

An implementation plan for the State's portion of the Philadelphia Interstate Air Quality Control Region was received by the Department of Health, Education, and Welfare on June 30, 1970. Supplemental information was received October 20, 1970. The Administrator has determined that the State's control strategy for sulfur oxides, as set forth in this implementation plan, is adequate for attainment of the national primary ambient air quality standards for sulfur oxides. Therefore, the Administrator has approved such control strategy, together with specified rules and regulations and the compliance schedule pertaining thereto.

NEW JERSEY

An implementation plan for the State's portion of the Philadelphia Interstate Air Quality Control Region was received by the Department of Health, Education, and Welfare on May 26, 1970. Supplemental information was submitted September 23, 1970. TheAdministrator has determined that the State's control strategy for sulfur oxides, as set forth in this implementation plan, is adequate for attainment of the national primary

ambient air quality standards for sulfur oxides. Therefore, the Administrator has approved such control strategy, together with specified rules and regulations and the compliance schedule pertaining thereto.

PENNSYLVANIA

An implementation plan for the State's portion of the Philadelphia Interstate Air Quality Control Region was received by the Department of Health, Education, and Welfare on May 4, 1970. Supplemental information was received August 4, 1970. The Administrator has determined that the State's control strategy for sulfur oxides, as set forth in this implementation plan, is adequate for attainment of the national primary ambient air quality standards for sulfur oxides. Therefore, the Administrator has approved such control strategy, together with specified rules and regulations pertaining thereto.

KANSAS

An implementation plan for the State's portion of the Kansas City Interstate Air Quality Control Region was received by the Department of Health, Education, and Welfare on November 19, 1970. The Administrator has determined that the State's control strategy for particulate matter, as set forth in this implementation plan, is adequate for attainment of the national primary and secondary ambient air quality standards for particulate matter. Therefore, the Administrator has approved such control strategy, together with specified rules and regulations and the compliance schedule pertaining thereto.

VIRGINIA

An implementation plan for the State's portion of the National Capital Interstate Air Quality Control Region was received by the Department of Health, Education, and Welfare on April 29, 1970. Supplemental information was received August 10 and 14, 1970. The Administrator has determined that the State's control strategy for sulfur oxides and particulate matter, as set forth in this implementation plan, is adequate for attainment of the National primary and secondary ambient air quality standards for sulfur oxides and particulate matter. Therefore, the Administrator has approved such control strategy, together with specified rules and regulations and the compliance schedules pertaining thereto.

MARYLAND

An implementation plan for the State's portion of the National Capital Interstate Air Quality Control Region was received by the Department of Health, Education, and Welfare on May 28, 1970. Supplemental information was submitted August 7 and 21, 1970. The Administrator has determined that the State's control strategy for sulfur oxides and particulate matter, as set forth in this implementation plan, is adequate for attainment of the national primary and secondary ambient air quality standards for sulfur oxides and particulate matter. Therefore, the Administrator has approved such control strategy, together with specified rules and regulations, as well as the compliance schedule pertaining to the sulfur oxides standards.

MARYLAND

An implementation plan for the Baltimore Intrastate Air Quality Control Region was submitted to the Environmental Protection Agency on December 23, 1970. The Administrator as determined that the State's control strategy for sulfur oxides, as set forth in this implementation plan, is adequate for attainment of the national primary ambient air quality standards for sulfur oxides. The Administrator has also determined that the State's control strategy for particulate matter, as set forth in this implementation plan, is adequate for attainment of the national primary and secondary ambient air quality standards for particulate matter. Therefore, the Administrator has approved such control strategies, together with specified rules and regulations, as well as the compliance schedule pertaining to the sulfur oxides standards.

COLORADO

An implementation plan for the Denver Intrastate Air Quality Control Region was received by the Department of Health, Education, and Welfare on May 12, 1970, and was amended by letter dated November 10, 1970. The Administrator has determined that the State's control strategy for particulate matter, as set forth in this implementation plan, is adequate for attainment of the national primary ambient air quality standards for particulate matter. The Administrator has also determined that the State's control strategy for sulfur oxides, as set forth in this implementation plan, is adequate for maintaining the national secondary ambient air quality standards for sulfur oxides. Therefore, the Administrator has approved such control strategies, together with specified rules and regulations and the compliance schedules pertaining thereto.

MISSOURI

An implementation plan for the State's portion of the Kansas City Intrastate Air Quality Control Region was received by the Department of Health, Education, and Welfare on October 14, 1970. The Administrator has determined that the State's control strategy for particulate matter, as set forth in this implementation plan, is adequate for attainment of the national primary and secondary ambient air quality standards for

particulate matter. Therefore, the Administrator has approved such control strategy, together with specified rules and regulations and the compliance schedules pertaining thereto.

DISTRICT OF COLUMBIA

An implementation plan for the District's portion of the National Capital Interstate Air Quality Control Region was received by the Department of Health, Education, and Welfare on May 6, 1970. Supplemental information was received August 24, 1970. The Administrator has determined that the District's control strategy for sulfur oxides and particulate matter, as set forth in this implementation plan, is adequate for attainment of the national primary and secondary ambient air quality standards for sulfur oxides and particulate matter. Therefore, the Administrator has approved such control strategy, together with specified rules and regulations pertaining thereto.

MASSACHUSETTS

An implementation plan for the Boston Intrastate Air Quality Control Region was received by the Department of Health, Education, and Welfare on September 16, 1970. The Administrator has determined that the State's control strategy for sulfur oxides,as set forth in this implementation plan, is adequate for attainment of the national primary ambient air quality standards for sulfur oxides. Therefore, the Administrator has approved such control strategy, together with specified rules and regulations and the compliance schedules pertaining thereto.

[37 FR 2581, Feb. 2, 1972. Redesignated at 37 FR 10846, May 31, 1972]

Subpart FFF—Commonwealth of the Northern Mariana Islands

§ 52.2900 Negative declaration.

(a) *Air Pollution Implementation Plan for the Commonwealth of the Northern Mariana Islands.* (1) Letter of December 15, 1982, from the Governor to EPA, which is a negative declaration indicating no major lead sources and continued attainment and maintenance of the National Standards for lead.

[51 FR 40799, Nov. 10, 1986]

§ 52.2920 Identification of plan.

(a) *Purpose and scope.* This section sets forth the applicable State implementation plan for the Commonwealth of the Northern Mariana Islands 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 paragraphs (c) and (d) of this section with an EPA approval date prior to June 1, 2005, 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 June 1, 2005, will be incorporated by reference in the next update to the SIP compilation.

(2) EPA Region IX 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 June 1, 2005.

(3) Copies of the materials incorporated by reference may be inspected at the Region IX EPA Office at 75 Hawthorne Street, San Francisco, CA 94105; the Air and Radiation Docket and Information Center, U.S. Environmental Protection Agency, 1301 Constitution Avenue, NW., Room B108, Washington, DC; or the National Archives and Records Administration (NARA). 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.*

TABLE 52.2920—EPA APPROVED COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS REGULATIONS

State citation	Title/subject	Effective date	EPA approval date	Explanation
Air Pollution Control Regulations:				

TABLE 52.2920—EPA APPROVED COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS REGULATIONS—Continued

State citation	Title/subject	Effective date	EPA approval date	Explanation
Part I	Authority	01/19/1987	11/13/1987, 52 FR 43574	
Part II	Purpose and Policy	01/19/1987	11/13/1987, 52 FR 43574	
Part III	Policy	01/19/1987	11/13/1987, 52 FR 43574	
Part IV	Definitions (a—www)	01/19/1987	11/13/1987, 52 FR 43574	
Part V	Permitting of New Sources And Modifications (A—M).	01/19/1987	11/13/1987, 52 FR 43574	
Part VI	Registration of Existing Sources (A—D)	01/19/1987	11/13/1987, 52 FR 43574	
Part VII	Sampling, Testing and Reporting Methods (A—D).	01/19/1987	11/13/1987, 52 FR 43574	
Part IX	Fees (A—B)	01/19/1987	11/13/1987, 52 FR 43574	
Part X	Public Participation (A-E)	01/19/1987	11/13/1987, 52 FR 43574	
Part XI	Enforcement (A-E)	01/19/1987	11/13/1987, 52 FR 43574	
Part XII	Severability	01/19/1987	11/13/1987, 52 FR 43574	
Part XIII	Effective Date	01/19/1987	11/13/1987, 52 FR 43574	
Part XIV	Certification	01/19/1987	11/13/1987, 52 FR 43574	

(d) *EPA approved State source specific requirements.*

Name of source	Permit number	Effective date	EPA approval date	Explanation
None				

(e) [Reserved]

[70 FR 44480, Aug. 3, 2005, as amended at 79 FR 22035, Apr. 21, 2014]

§ 52.2921 Original identification of plan.

(a) This section identified the original ''Implementation Plan for Compliance With the Ambient Air Quality Standards for the Commonwealth of the Northern Mariana Islands' and all revisions submitted by the Commonwealth of the Northern Mariana Islands that were federally approved prior to June 1, 2005.

(b) [Reserved]

(c) The plan revisions described below were officially submitted on the dates specified.

(1) On February 19, 1987 the Governor's representative submitted regulations adopted as signed on December 15, 1986 and published in the *Commonwealth Register*, Volume 9, Number 1, pages 4862–94, on January 19, 1987, as follows:

(i) *Incorporation by reference.*

(A) ''CNMI AIR POLLUTION CONTROL REGULATIONS'' pertaining to the preconstruction review of new and modified major sources, as follows.

Part I—Authority
Part II—Purpose and Policy
Part III—Policy
Part IV—Definitions
Part V—Permitting of New Sources and Modifications
Part VI—Registration of Existing Sources
Part VII—Sampling, Testing and Reporting Methods
Part IX—Fees
Part X—Public Participation
Part XI—Enforcement
Part XII—Severability
Part XIII—Effective Date
Part XIV—Certification

[52 FR 43574, Nov. 13, 1987. Redesignated and amended at 70 FR 44480, Aug. 3, 2005; 79 FR 22035, Apr. 21, 2014]

§ 52.2922 Significant deterioration of air quality.

(a) The requirements of sections 160 through 165 of the Clean Air Act are not met, since the plan does not include approvable procedures for preventing the significant deterioration of air quality.

(b) *Regulations for preventing significant deterioration of air quality.* The provisions of § 52.21 except paragraphs (a)(1), (b)(14)(i)(*a*) and (*b*), (b)(14)(ii)(*a*) and (*b*), (i)(5)(i)(*c*), and (k)(2) are hereby incorporated and made a part of the applicable plan for the Commonwealth of the Northern Mariana Islands.

(c) For the purposes of applying the requirements of § 52.21 within the Commonwealth of the Northern Mariana Islands, the terms ''major source baseline date'' and ''trigger date'' mean January 13, 1997 in the case of sulfur dioxide, PM_{10}, and nitrogen dioxide.

[79 FR 22035, Apr. 21, 2014]

§§ 52.2923–52.2999 [Reserved]

APPENDIXES A–C TO PART 52 [RESERVED]

APPENDIX D TO PART 52—DETERMINATION OF SULFUR DIOXIDE EMISSIONS FROM STATIONARY SOURCES BY CONTINUOUS MONITORS

1. *Definitions.*

1.1 *Concentration Measurement System.* The total equipment required for the continuous determination of SO_2 gas concentration in a given source effluent.

1.2 *Span.* The value of sulfur dioxide concentration at which the measurement system is set to produce the maximum data display output. For the purposes of this method, the span shall be set at the expected maximum sulfur dioxide concentration except as specified under section 5.2, Field Test for Accuracy.

1.3 *Accuracy* (*Relative*). The degree of correctness with which the measurement system yields the value of gas concentration of a sample relative to the value given by a defined reference method. This accuracy is expressed in terms of error which is the difference between the paired concentration measurements expressed as a percentage of the mean reference value.

1.4 *Calibration Error.* The difference between the pollutant concentration indicated by the measurement system and the known concentration of the test gas mixture.

1.5 *Zero Drift.* The change in measurement system output over a stated period of time of normal continuous operation when the pollutant concentration at the time for the measurement is zero.

1.6 *Calibration Drift.* The change in measurement system output over a stated period of time of normal continuous operation when the pollutant concentration at the time of the measurement is the same known upscale value.

1.7 *Response Time.* The time interval from a step change in pollutant concentration at the input to the measurement system to the time at which 95 percent of the corresponding final value is reached as displayed on the measurement system data presentation device.

1.8 *Operational Period.* A minimum period of time over which a measurement system is expected to operate within certain performance specifications without unscheduled maintenance, repair or adjustment.

1.9 *Reference Method.* The reference method for determination of SO_2 emissions shall be Method 8 as delineated in Part 60 of this chapter. The analytical and computational portions of Method 8 as they relate to determination of sulfuric acid mist and sulfur trioxide, as well as isokinetic sampling, may be omitted from the overall test procedure.

2. *Principle and Applicability.*

2.1 *Principle.* Gases are continuously sampled in the stack emissions and analyzed for sulfur dioxide by a continuously operating emission measurement system. Performance specifications for the continuous measurement systems are given. Test procedures are given to determine the capability of the measurement systems to conform to the performance specifications. Sampling may include either the extractive or nonextractive (in-situ) approach.

2.2 *Applicability.* The performance specifications are given for continuous sulfur dioxide measurement systems applied to nonferrous smelters.

3. *Apparatus.*

3.1 *Calibration Gas Mixture.* Mixture of a known concentrations of sulfur dioxide in oxygen-free nitrogen. Nominal volumetric concentrations of 50 percent and 90 percent of span are recommended. The mixture of 90 percent of span is to be used to set and to check the span and is referred to as the span gas. The gas mixtures shall be analyzed by the Reference Method at least two weeks prior to use or demonstrated to be accurate and stable by an alternate method subject to approval of the Administrator.

3.2 *Zero Gas.* A gas containing less than 1 ppm sulfur dioxide.

3.3 Equipment for measurement of sulfur dioxide concentration using the Reference Method.

3.4 *Chart Record.* Analog chart recorder, input voltage range compatible with analyzer system output.

3.5 Continuous measurement system for sulfur dioxide.

4. *Measurement System Performance Specifications.*

The following performance specifications shall be met in order that a measurement system shall be considered acceptable under this method.

TABLE I—PERFORMANCE SPECIFICATIONS

Parameter [a]	Specification
1. Accuracy [a]	≤20 percent of reference mean value.
2. Calibration Error [a]	≤5 percent of each (50%, and 30%) calibration gas mixture.
3. Zero Drift (2-hours) [a]	≤2 percent of emission standard.
4. Zero Drift (24-hours) [a]	≤4 percent of emission standard.
5. Calibration Drift (2-hours) [a]	≤2 percent of emission standard.
6. Calibration Drift (24-hours) [a]	≤5 percent of emission standard.
7. Response Time	≤5 minutes maximum.
8. Operational Period	≤168 hours minimum.

[a] Expressed as sum of absolute mean value plus 95 percent confidence interval of a series of tests.

5. *Performance Specification Test Procedures.* The following test procedures shall be used to determine compliance with the requirements of paragraph 4:

5.1 *Calibration test.*

5.1.1 Analyze each calibration gas mixture (50 percent, 90 percent) for sulfur dioxide by the Reference method and record the results on the example sheet shown in Figure D–1. This step may be omitted for nonextractive monitors where dynamic calibration gas mixtures are not used (see section 5.1.2).

5.1.2 Set up and calibrate the complete measurement system according to the manufacturer's written instructions. This may be accomplished either in the laboratory or in the field. Make a series of five nonconsecutive readings with span gas mixtures alternately at each concentration (example, 50 percent, 90 percent, 50 percent, 90 percent, 50 percent). For nonextractive measurement systems, this test may be performed using procedures specified by the manufacturer and two or more calibration gases whose concentrations are certified by the manufacturer and differ by a factor of two or more. Convert the measurement system output readings to ppm and record the results on the example sheet shown in Figure D–2.

5.2 *Field Test for Accuracy (Relative), Zero Drift and Calibration Drift.* Install and operate the measurement system in accordance with the manufacturer's written instructions and drawings as follows:

5.2.1 *Conditioning Period.* Offset the zero setting at least 10 percent of span so that negative zero drift may be quantified. Operate the system for an initial 168-hour conditioning period. During this period the system should measure the SO_2 content of the effluent in a normal operational manner.

5.2.2 *Operational Test Period.* Operate the system for an additional 168-hour period. The system shall be monitoring the source effluent at all times when not being zeroed, calibrated or backpurged.

5.2.2.1 *Field Test for Accuracy (Relative).* The analyzer output for the following test shall be maintained between 20 percent and 90 percent of span. It is recommended that a calibrated gas mixture be used to verify the span setting utilized. During this 168-hour test period, make a minimum of nine (9) SO_2 concentration measurements using the Reference Method with a sampling period of one hour. If a measurement system operates across the stack or a portion of it, the Reference Method test shall make a four-point traverse over the measurement system operating path. Isokinetic sampling and analysis for SO_3 and H_2SO_4 mist are not required. For measurement systems employing extractive sampling, place the measurement system and the Reference Method probe tips adjacent to each other in the duct. One test will consist of two simultaneous samples with not less than two analyses on each sample. Record the test data and measurement system concentrations on the example sheet shown in Figure D–3.

5.2.2.2 *Field Test for Zero Drift and Calibration Drift.* Determine the values given by zero and span gas SO_2 concentrations at 2-hour intervals until 15 sets of data are obtained. Alternatively, for nonextractive measurement systems, determine the values given by an electrically or mechanically produced zero condition, and by inserting a certified calibration gas concentration equivalent to not less than 20 percent of span, into the measurement system. Record these readings on the example sheet shown in Figure D–4. These 2-hour periods need not be consecutive but may not overlap. If the analyzer span is set at the expected maximum concentration for the tests performed under section 5.2.2, then the zero and span determinations to be made under this paragraph may be made concurrent with the tests under section 5.2.2.1. Zero and calibration corrections and adjustments are allowed only at 24-hour intervals (except as required under section 5.2.2) or at such shorter intervals as the manufacturer's written instructions specify. Automatic corrections made by the measurement system without operator intervention or initiation are allowable at any time. During the entire 168-hour test period, record the values given by zero and span gas SO_2 concentrations before and after adjustment at 24-hour intervals in the example sheet shown in Figure D–5.

5.3 *Field Test for Response Time.*

5.3.1 This test shall be accomplished using the entire measurement system as installed including sample transport lines if used. Flow rates, line diameters, pumping rates, pressures (do not allow the pressurized calibration gas to change the normal operating pressure in the sample line), etc., shall be at the nominal values for normal operation as specified in the manufacturer's written instructions. In the case of cyclic analyzers, the response time test shall include one cycle.

5.3.2 Introduce a zero concentration of SO_2 into the measurement system sampling interface or as close to the sampling interface as possible. When the system output reading has stabilized, switch quickly to a known concentration of SO_2 at 70 to 90 percent of span. Record the time from concentration switching to final stable response. After the system response has stabilized at the upper level, switch quickly to a zero concentration of SO_2. Record the time from concentration switching to final stable response. Alternatively, for nonextractive monitors, a calibration gas concentration equivalent to 20 percent of span or more may be switched into and out of the sample path and response times recorded. Perform this test sequence three (3) times. For each test record the results on the example sheet shown in Figure D–6.

6. *Calculations, Data Analysis and Reporting.*

6.1 Procedure for determination of mean values and confidence intervals.

6.1.1 The mean value of a data set is calculated according to equation D–1.

$$\overline{X}\ \frac{\sum_{i=1}^{n} x_i}{n} \qquad \text{Equation D-1}$$

Where:

x_i=individual values.

Σ=sum of the individual values.

x=mean value.

n=number of data points.

6.1.2 The 95 percent confidence interval (two-sided) is calculated according to equation D–2.

$$\text{C.I.}_{95} = \frac{t_{.975}}{n\sqrt{n-1}}\sqrt{n\left(\sum \chi_i^{\,2}\right)-\left(\sum \chi_i\right)^2} \qquad \text{Equation D-2}$$

Where:

Σx_i=sum of all data points.

$t_{.975} = t_{1-\alpha/2}$, and

C.I.$_{95}$=95 percent confidence interval estimated of the average mean value.

TYPICAL VALUES FOR $T_{1-A/2}$

n	t.975	n	t.975	n	t.975
2	12.706	7	2.447	12	2.201
3	4.303	8	2.365	13	2.179
4	3.182	9	2.306	14	2.160
5	2.776	10	2.262	15	2.145
6	2.571	11	2.228	16	2.131

The values in this table are already corrected for n–1 degrees of freedom. Use *n equal to the number of samples* as data points.

6.2 *Data Analysis and Reporting.*

6.2.1 *Accuracy* (*Relative*). For each of the nine reference method testing periods, determine the average sulfur dioxide concentration reported by the continuous measurement system. These average concentrations shall be determined from the measurement system data recorded under section 5.2.2.1 by integrating the pollutant concentrations over each of the time intervals concurrent with each reference method test, then dividing by the cumulative time of each applicable reference method testing period. Before proceeding to the next step, determine the basis (wet or dry) of the measurement system data and reference method test data concentrations.

If the bases are not consistent, apply a moisture correction to either the referenced method concentrations or the measurement system concentrations, as appropriate. Determine the correction factor by moisture tests concurrent with the reference method testing periods. Report the moisture test method and the correction procedure employed. For each of the nine test runs, subtract the Reference Method test concentrations from the continuous monitoring system average concentrations. Using these data, compute the mean difference and the 95 percent confidence interval using equations D–1 and D–2. Accuracy is reported as the sum of the absolute value of the mean difference and the 95 percent confidence interval expressed as a percentage of the mean reference method value. Use the example sheet shown in Figure D–3.

6.2.2 *Calibration Error.* Using the data from section 5.1 of this appendix, subtract the measured SO_2 value determined under section 5.1.1 (Figure D–1) from the value shown by the measurement system for each of the 5 readings at each concentration measured under section 5.1.2 (Figure D–2). Calculate the mean of these difference values and the 95 percent confidence intervals according to equations D–1 and D–2. The calibration error is reported as the sum of absolute value of the mean difference and the 95 percent confidence interval as a percentage of each respective calibration gas concentration. Use example sheet shown in Figure D–2.

6.2.3 *Zero Drift* (*2-hour*). Using the zero concentration values measured each two

hours during the field test, calculate the differences between *consecutive* two-hour readings expressed in ppm. Calculate the mean difference and the confidence interval using Equations D–1 and D–2. Report the zero drift as the sum of the absolute mean value and the confidence interval as a percentage of the emission standard. Use example sheet shown in Figure D–4.

6.2.4 *Zero Drift* (*24-hour*). Using the zero concentration values measured every 24 hours during the field test, calculate the differences between the zero point after zero adjustment and the zero value 24 hours later just prior to zero adjustment. Calculate the mean value of these points and the confidence interval using Equations D–1 and D–2. Report the zero drift as the sum of the absolute mean and confidence interval as a percentage of the emission standard. Use example sheet shown in Figure D–5.

6.2.5 *Calibration Drift* (*2-hour*). Using the calibration values obtained at two-hour intervals during the field test, calculate the differences between *consecutive* two-hour readings expressed as ppm. These values should be corrected for the corresponding zero drift during that two-hour period. Calculate the mean and confidence interval of these corrected difference values using Equations D–1 and D–2. Do not use the differences between non-consecutive readings. Report the calibration drift as the sum of the absolute mean and confidence interval as a percentage of the emission standard. Use the example sheet shown in Figure D–4.

6.2.6 *Calibration Drift* (*24-hour*). Using the calibration values measured every 24 hours during the field test, calculate the differences between the calibration concentration reading after zero and calibration adjustment and the calibration concentration reading 24 hours later after zero adjustment but before calibration adjustment. Calculate the mean value of these differences and the confidence interval using equations D–1 and D–2. Report the sum of the absolute mean and confidence interval as a percentage of the emission standard. Use the example sheet shown in Figure D–5.

6.2.7 *Response Time*. Using the charts from section 5.3 of this Appendix, calculate the time interval from concentration switching to 95 percent to the final stable value for all upscale and downscale tests. Report the mean of the three upscale test times and the mean of the three downscale test times. For nonextractive instruments using a calibration gas cell to determine response time, the observed times shall be extrapolated to 90 percent of full scale response time. For example, if the observed time for a 20 percent of span gas cell is one minute, this would be equivalent to a 4½-minute response time when extrapolated to 90 percent of span. The two average times should not differ by more than 15 percent of the slower time. Report the slower time as the system response time. Use the example sheet shown in Figure D–6.

6.2.8 *Operational Period*. During the 168-hour performance and operational test period, the measurement system shall not require any corrective maintenance, repair, replacement, or adjustment other than that clearly specified as required in the operation and maintenance manuals as routine and expected during a one-week period. If the measurement system operates within the specified performance parameters and does not require corrective maintenance, repair, replacement or adjustment other than specified above, during the 168-hour test period, the operational period will be successfully concluded. Failure of the measurement to meet this requirement shall call for a repetition of the 168-hour test period. Portions of the test which were satisfactorily completed need not be repeated. Failure to meet any performance specifications shall call for a repetition of the one-week performance test period and that portion of the testing which is related to the failed specification. All maintenance and adjustments required shall be recorded. Output readings shall be recorded before and after all adjustments.

6.2.9 *Performance Specifications Testing Frequency*. In the event that significant repair work is performed in the system, the company shall demonstrate to the Administrator that the system still meets the performance specifications listed in Table I of this appendix. The Administrator may require a performance test at any time he determines that such test is necessary to verify the performance of the measurement system.

7. *References*.

7.1 *Monitoring Instrumentation for the Measurement of Sulfur Dioxide in Stationary Source Emissions*, Environmental Protection Agency, Research Triangle Park, N.C., February 1973.

7.2 *Instrumentation for the Determination of Nitrogen Oxides Content of Stationary Source Emissions*, Environmental Protection Agency, Research Triangle Park, N.C., APTD 0847, Vol. I, October 1971; APTD 0942, Vol. II, January 1972.

7.3 *Experimental Statistics*, Department of Commerce, Handbook 91, 1963, p. 3–31, paragraphs 3–3.1.4.

7.4 *Performance Specifications for Stationary-Source Monitoring Systems for Gases, and Visible Emissions*, Environmental Protection Agency, Research Triangle Park, N.C., EPA–650/2–74–013, January 1974.

FIGURE D–1—ANALYSIS OF CALIBRATION GAS MIXTURES

Date _____ Reference Method Used _____

Mid Range Calibration Gas Mixture

Sample 1 ..... ppm
Sample 2 ..... ppm
Sample 3 ..... ppm
Average ..... ppm

FIGURE D–1—ANALYSIS OF CALIBRATION GAS MIXTURES—Continued

Date _____ Reference Method Used _____

High Range (span) Calibration Gas Mixture

Sample 1 ..... ppm

FIGURE D–1—ANALYSIS OF CALIBRATION GAS MIXTURES—Continued

Date _____ Reference Method Used _____

Sample 2 ..... ppm
Sample 3 ..... ppm
Average ..... ppm

FIGURE D–2—CALIBRATION ERROR DETERMINATION

Calibration gas mixture data (from fig. D–1): Mid (50 percent) average ____ p/m, high (90 percent) average ____ p/m

[See footnotes at end of table]

Run No.	Calibration gas concentration [1]	Measurement system reading, p/m	Differences, p/m [2]
1			
2			
3			
4			
5			
6			
7			
8			
9			
1			
11			
12			
13			
14			
15			

	Percent of full scale reading	
	50% mid	90% high
Mean difference	.....	.....
Confidence interval	±.....	±.....
Calibration error=Mean difference [3] + C.I. / Average calibration gas concentration × 100	%.....	%.....

[1] Mid or high.
[2] Calibration gas concentration—measurement system reading.
[3] Absolute value.

FIGURE D–3—ACCURACY

Date and time	Test No.	Reference method samples	Analyzer 1-hour average [1] (p/m)	Difference [2] (p/m)
1.				
2.				
3.				
4.				
5.				
6.				
7.				

FIGURE D–3—ACCURACY—Continued

Date and time	Test No.	Reference method samples	Analyzer 1-hour average [1] (p/m)	Difference [2] (p/m)
8.				
9.				

Mean difference= _____p/m.
95 percent confidence interval=+ _____p/m.
Mean Reference method value= _____p/m.
Accuracy=Mean difference (absolute value)+95 percent confidence interval/Mean reference method value×100_____percent

[1] Explain method used to determine average.
[2] Difference=the 1-h average minus the reference method average.

FIGURE D–4—ZERO AND CALIBRATION DRIFT (2 H)

Date	Time		Date set No.	Zero reading	Zero drift (Δ zero)	Span reading	(Δ span)	Calibration drift (Δ span-Δ zero)
	Begin	End						
			1					
			2					
			3					
			4					
			5					
			6					
			7					
			8					
			9					
			10					
			11					
			12					
			13					
			14					
			15					

Zero drift=[mean zero drift [1] _____ + CI (zero) _____ ÷emission standard]×100= _____.
Calibration drift=[mean span drift [1] _____ CI + CI (span) _____ ÷emission standard]×100= _____.

[1] Absolute value.

FIGURE D–5—ZERO AND CALIBRATION DRIFT (24 HR)

Date and time	Zero reading	Zero drift (Δ zero)	Span reading (after zero adjustment)	Calibration drift (Δ span)

Zero drift=[mean zero drift [1] _____ + CI (zero) _____ ÷emission standard]×100= _____.
Calibration drift=[mean span drift [1] _____ + CI (span) _____ ÷emission standard]×100= _____.

[1] Absolute value.

FIGURE D–6—RESPONSE TIME

Date of Test _____.
Span Gas Concentration _____ ppm.
Analyzer Span Setting _____ ppm.
Upscale:

1 _____ seconds.
2 _____ seconds.
3 _____ seconds.

Average upscale response _____ seconds.
Downscale:

1 _____ seconds.
2 _____ seconds.
3 _____ seconds.

Average downscale response _____ seconds.
System response time=slower time ____ seconds.

Percent deviation from slowest time = average upscale − average downscale × 100% / slower time

[40 FR 5517, Feb. 6, 1975]

APPENDIX E TO PART 52—PERFORMANCE SPECIFICATIONS AND, SPECIFICATION TEST PROCEDURES FOR MONITORING SYSTEMS FOR EFFLUENT STREAM GAS VOLUMETRIC FLOW RATE

1. *Principle and applicability.*

1.1 *Principle.* Effluent stream gas volumetric flow rates are sampled and analyzed by a continuous measurement system. To verify the measurement system performance, values obtained from the measurement system are compared against simultaneous values obtained using the reference method. These comparison tests will be performed to determine the relative accuracy, and drift of the measurement system over the range of operating conditions expected to occur during normal operation of the source. If the measurement system is such that the specified tests in section 5.1 for drift do not apply, those test procedures shall be disregarded.

1.2 *Applicability.* This method is applicable to subparts which require continuous gas volumetric flow rate measurement. Specifications are given in terms of performance. Test procedures are given for determining compliance with performance specifications.

2. *Apparatus.*

2.1 Continuous measurement system for determining stack gas volumetric flow rate.

2.2 Equipment for measurement of stack gas volumetric flow rate as specified in the reference method.

3. *Definitions.*

3.1 *Measurement system.* The total equipment required for the determination of the gas volumetric flow rate in a duct or stack. The system consists of three major subsystems:

3.1.1 *Sampling interface.* That portion of the measurement system that performs one or more of the following operations: Delineation, acquisition, transportation, and conditioning of a signal from the stack gas and protection of the analyzer from any hostile aspects of the source environment.

3.1.2 *Analyzer.* That portion of the measurement system which senses the stack gas flow rate or velocity pressure and generates a signal output that is a function of the flow rate or velocity of the gases.

3.1.3 *Data presentation.* That portion of the measurement system that provides a display of the output signal in terms of volumetric flow rate units, or other units which are convertible to volumetric flow rate units.

3.2 *Span.* The value of gas volumetric flow rate at which the measurement system is set to produce the maximum data display output. For the purposes of this method, the span shall be set at 1.5 times the maximum volumetric flow rate expected under varying operating conditions of the source.

3.3 *Zero drift.* The change in measurement system output over a stated period of time of normal continuous operation when gas volumetric flow rate at the time of the measurements is zero.

3.4 *Calibration drift.* The change in measurement system output over a stated time period of normal continuous operation when the gas volumetric flow rate at the time of the measurement is 67 percent of the span value.

3.5 *Operation period.* A minimum period of time over which a measurement system is expected to operate within certain performance specifications without unscheduled maintenance, repair, or adjustment.

3.6 *Orientation sensitivity.* The angular tolerance to which the sensor can be misaligned from its correct orientation to measure the flow rate vector before a specified error occurs in the indicated flow rate compared to the reference flow rate.

3.7 *Reference method.* Method 2 as delineated in 40 CFR Part 60.

4. *Measurement system performance specifications.* A measurement system must meet the performance specifications in Table E–1 to be considered acceptable under this method.

TABLE E–1

Parameter	Specifications
Accuracy (relative)	<10 percent of mean reference value (paragraph 6.3.1).
Zero drift (24 hours)	<3 percent of span (paragraph 6.3.2).
Calibration drift (24 hours)	<3 percent of span (paragraph 6.3.3).
Operational period	<168 hours minimum.

5. *Test procedures.*

5.1 Field test for accuracy, zero drift, calibration drift, and operation period.

5.1.1 *System conditioning.* Set up and operate the measurement system in accordance with the manufacturer's written instructions and drawings. Offset the zero point of the chart recorder so that negative values up to 5 percent of the span value may be registered. Operate the system for an initial 168-hour conditioning period. During this initial period, the system should measure the gas

stream volumetric flow rate in a normal operational manner. After completion of this conditioning period, the formal 168-hour performance and operational test period shall begin.

5.1.2 *Field test for accuracy and operational period.* During the 168-hour test period, the system should be continuously measuring gas volumetric flow rate at all times. During this period make a series of 14 volumetric flow rate determinations simultaneously using the reference method and the measurement system. The 14 determinations can be made at any time interval at least one hour apart during the 168-hour period except that at least one determination on five different days must be made with one determination on the last day of such period. The determinations shall be conducted over the range of volumetric flow rates expected to occur during normal operation of the source. The measurement system volumetric flow rate reading corresponding to the period of time during which each reference method run was made may be obtained by continuous integration of the measurement system signal over the test interval. Integration may be by use of mechanical integration of electrical units on the chart recorder or use of a planimeter on the strip chart recorder. The location and orientation of the reference method measurement device and the measurement system should be as close as practical without interference, but no closer than 1.3 cm (0.5 inch) to each other and shall be such that dilution air or other interferences cannot be interjected into the stack or duct between the pitot tube and the measurement system. Be careful not to locate the reference method pitot tube directly up or down stream of the measurement system sensor.

5.1.3 *Field test for calibration drift and zero drift.* At 24-hour intervals, but more frequently if recommended by the manufacturer, subject the measurement system to the manufacturer's specified zero and calibration procedures, if appropriate. Record the measurement system output readings before and after adjustment. Automatic corrections made by the system without operator intervention are allowable at anytime.

5.1.4 *Field test for orientation sensitivity.* If a velocity measurement system is either a single point measurement device or a pressure sensor or any other device such as pitot tube which uses the flow direction of the test gas, then the following test shall be followed and a performance specification of ±10 degrees device orientation sensitivity for ±4 percent flow rate determination accuracy must be met in order for the measurement system to be considered acceptable under this method. This is in addition to the performance specifications given in paragraph 4 of this appendix. During a period of relatively steady state gas flow, perform the following orientation test using the measurement system. The system should be continuously measuring gas velocity at all times. Rotate the measurement 10° on each side of the direction of flow in increments of 5°. Perform this test three times each at:

(1) Maximum operating velocity (±15 percent);

(2) 67 percent ±7.5 percent of the maximum operating velocity; and

(3) 33 percent ±7.5 percent of the maximum operating velocity if (2) and (3) are normal operating practices.

6. *Calculations data analysis and reporting.*

6.1 *Procedure for determination of stack gas volumetric flow rate.* Calculate the reference stack gas velocity and corresponding stack gas volumetric flow rate with the calibrated type S pitot tube measurements by the reference method. Calculate the measurement system stack gas volumetric flow rate as specified by the manufacturer's written instructions. Record the volumetric flow rates for each in the appropriate tables.

6.2 *Procedure for determination of mean values and 95 percent confidence intervals.*

6.2.1 *Mean value.* The mean value of a data set is calculated according to Equation E–1.

EQUATION E–1

$$\overline{\chi} = \frac{1}{n}\sum_{i=1}\chi_i$$

Where:

x_i=individual values.
Σ=sum of the individual values.
x=mean value.
n=data points.

6.2.2 *95 percent confidence level.* The 95 percent confidence level (two sided) is calculated according to Equation E–2.

EQUATION E–2

$$C.I._{95} = \frac{t_{.975}}{n\sqrt{n-1}}\sqrt{n\left(\sum \chi_i 2\right)-\left(\sum \chi_i\right)^2}$$

Where:

Σx_i=sum of all data points.
(Σx_i)=sum of squares of all data points.
$C.I._{95}$=95 percent confidence interval estimate of the average mean value.

VALUES FOR *t*.975

n	*t*.975	*n*	*t*.975	*n*	*t*.975
2	12.706	7	2.447	12	2.201
3	4.303	8	2.365	13	2.179
4	3.182	9	2.306	14	2.160
5	2.776	10	2.262	15	2.145
6	2.571	11	2.228	16	2.131

The values in this table are already corrected for n–1 degrees of freedom. Use n

equal to the number of samples as data points.

6.3 *Data analysis and reporting.*

6.3.1 *Accuracy* (*relative*). First, calculate the mean reference value (Equation E–1) of the 14 average volumetric flow rates calculated by the reference method. Second, from the 14 pairs of average volumetric flow rates calculated by the reference method and measurement system volumetric flow rate readings, calculate the mean value (Equation E–1) of the differences of the 14 paired readings. Calculate the 95 percent confidence interval (Equation E–2) using the differences of fourteen paired readings. To calculate the values in the second part of this section substitute d_i for x_i and d for x in Equations E–1 and E–2 where d_i equals the difference of each paired reading and d equals the mean value of the fourteen paired differences. Third, report the sum of the absolute mean value of the differences of the fourteen paired readings and the 95 percent confidence interval of the differences of value calculated in the first part of the section. Divide this total by the mean reference value and report the result as a percentage. This percentage is the relative accuracy.

6.3.2 *Zero drift* (*24 hour*). From the zero values measured each 24 hours during the field test, calculate the differences between successive readings expressed in volumetric flow rate units. Calculate the mean value of these differences and the confidence interval of these differences using Equations E–1 and E–2. Report the sum of the absolute value of the mean difference and the confidence interval as a percentage of the measurement system span. This percentage is the zero drift.

6.3.3 *Calibration drift* (*24 hour*). From the calibration values measured every 24 hours during the field test calculate the differences between: (1) The calibration reading after zero and calibration adjustment, and (2) the calibration reading 24 hours later after zero adjustment but before calibration adjustment. Calculate the mean value of these differences and the confidence interval using Equations E–1 and E–2. Report the sum of the absolute value of the mean difference and confidence interval as a percentage of the measurement system span. This percentage is the calibration drift.

6.3.4 *Operation period.* Other than that clearly specified as required in the operation and maintenance manual, the measurement system shall not require any corrective maintenance, repair, replacement or adjustment during the 168-hour performance and operational test period. If the measurement system operates within the specified performance parameters and does not require corrective maintenance, repair, replacement or adjustment other than as specified above during the 168-hour test period, the operational period will be successfully concluded. Failure of the measurement to meet this requirement shall call for a repetition of the 168-hour test period. Portions of the test, except for the 168-hour field test period, which were satisfactorily completed need not be repeated. Failure to meet any performance specifications shall call for a repetition of the one-week performance test period and that portion of the testing which is related to the failed specification. All maintenance and adjustments required shall be recorded. Output readings shall be recorded before and after all adjustments.

6.3.5 *Orientation sensitivity.* In the event the conditions of paragraph 5.1.4 of this appendix are required, the following calculations shall be performed. Calculate the ratio of each measurement system reading divided by the reference pitot tube readings. Graph the ratio vs. angle of deflection on each side of center. Report the points at which the ratio differs by more than ±4 percent from unity (1.00).

[40 FR 5521, Feb. 6, 1975]

APPENDIX F TO PART 52—CLEAN AIR ACT SECTION 126 PETITIONS FROM EIGHT NORTHEASTERN STATES: NAMED SOURCE CATEGORIES AND GEOGRAPHIC COVERAGE

The table and figures in this appendix are cross-referenced in § 52.34.

TABLE F–1—NAMED SOURCE CATEGORIES IN SECTION 126 PETITIONS

Petitioning state	Named source categories
Connecticut	Fossil fuel-fired boilers or other indirect heat exchangers with a maximum gross heat input rate of 250 mmBtu/hr or greater and electric utility generating facilities with a rated output of 15 MW or greater.
Maine	Electric utilities and steam-generating units with a heat input capacity of 250 mmBtu/hr or greater.
Massachusetts	Electricity generating plants.
New Hampshire	Fossil fuel-fired indirect heat exchange combustion units and fossil fuel-fired electric generating facilities which emit ten tons of NO_X or more per day.
New York	Fossil fuel-fired boilers or indirect heat exchangers with a maximum heat input rate of 250 mmBtu/hr or greater and electric utility generating facilities with a rated output of 15 MW or greater.

TABLE F–1—NAMED SOURCE CATEGORIES IN SECTION 126 PETITIONS—Continued

Petitioning state	Named source categories
Pennsylvania	Fossil fuel-fired indirect heat exchange combustion units with a maximum rated heat input capacity of 250 mmBtu/hr or greater, and fossil fuel-fired electric generating facilities rated at 15 MW or greater.
Rhode Island	Electricity generating plants.
Vermont	Fossil fuel-fired electric utility generating facilities with a maximum gross heat input rate of 250 mmBtu/hr or greater and potentially other unidentified major sources.

Figure F-1. Location of Ozone Transport Assessment Group (OTAG) Subregions

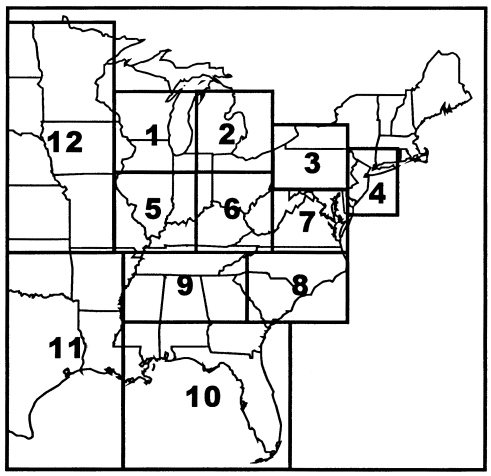


Figure F-2. Areas covered by the section 126 petition from Connecticut

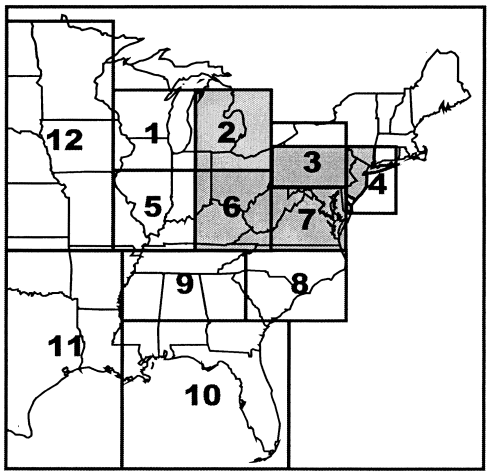


Figure F-3. Areas covered by the section 126 petition from Maine

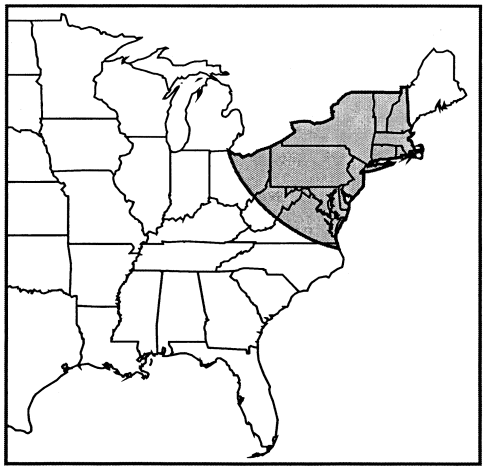


Figure F-4. Areas covered by the section 126 petition from Massachusetts

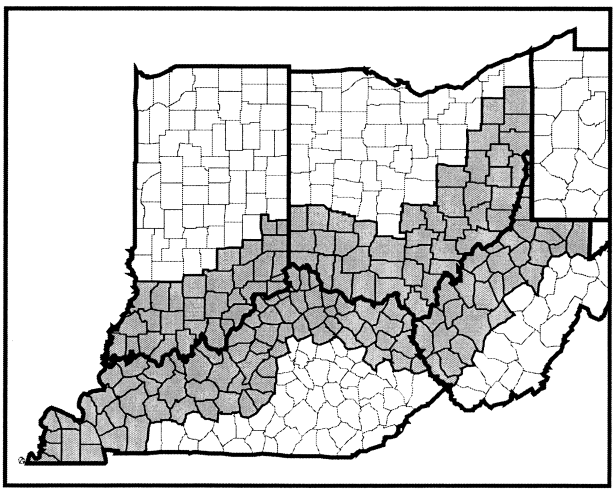


Figure F-5. Areas covered by the section 126 petition from New Hampshire

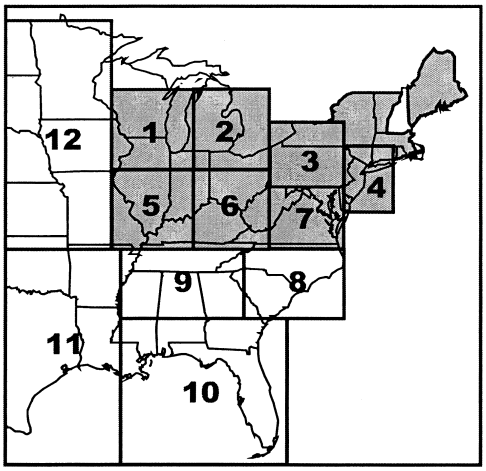


Figure F-6. Areas covered by the section 126 petition from New York

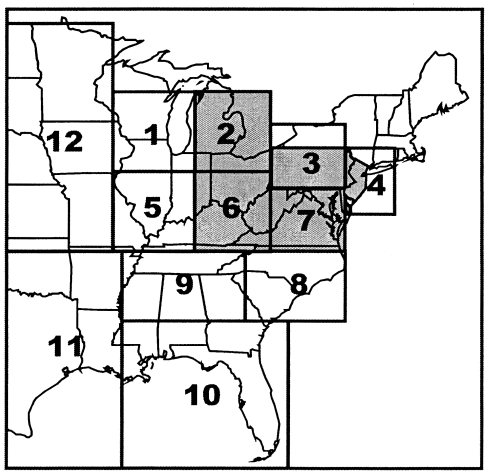


Figure F-7. Areas covered by the section 126 petition from Pennsylvania

Figure F-8. Areas covered by the section 126 petition from Rhode Island

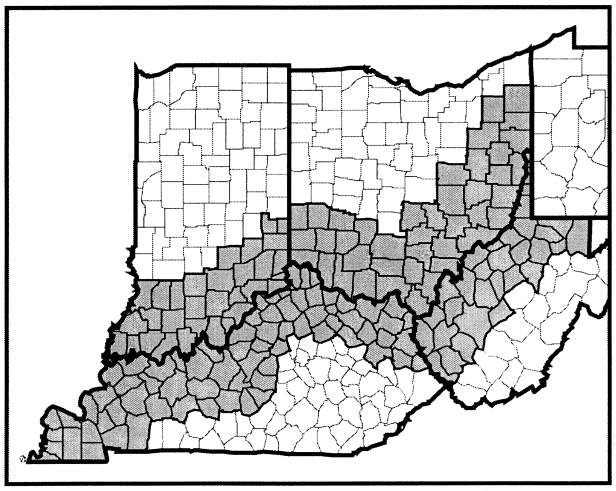


Figure F-9. Areas covered by the section 126 petition from Vermont

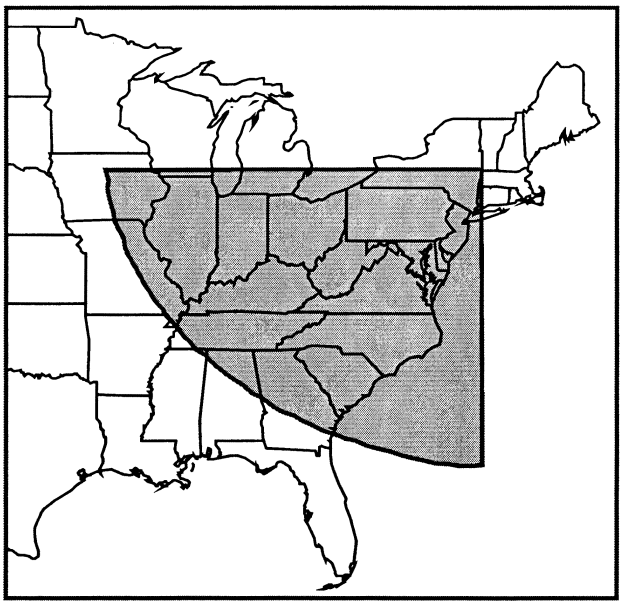
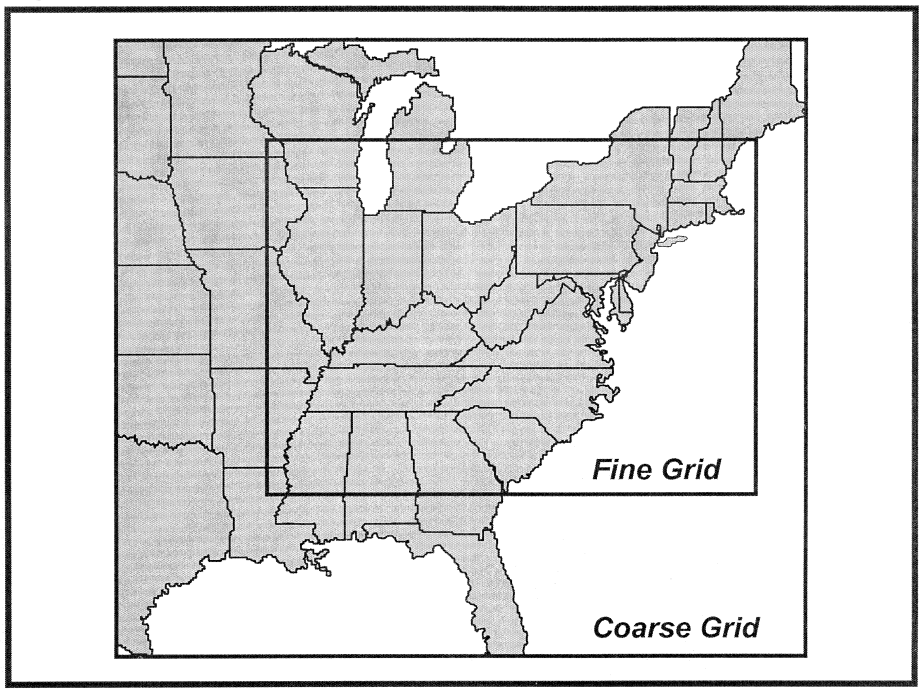


Figure F-10. Ozone Transport Assessment Group Modeling Domain



[64 FR 28323, May 25, 1999, as amended at 69 FR 31505, June 3, 2004]

FINDING AIDS

A list of CFR titles, subtitles, chapters, subchapters and parts and an alphabetical list of agencies publishing in the CFR are included in the CFR Index and Finding Aids volume to the Code of Federal Regulations which is published separately and revised annually.

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List of CFR Sections Affected

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For changes to this volume of the CFR prior to this listing, consult the annual edition of the monthly List of CFR Sections Affected (LSA). The LSA is available at *www.fdsys.gov*. For changes to this volume of the CFR prior to 2001, see the ''List of CFR Sections Affected, 1949–1963, 1964–1972, 1973–1985, and 1986–2000'' published in 11 separate volumes. The ''List of CFR Sections Affected 1986–2000'' is available at *www.fdsys.gov*.

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52.2020 (e)(1) table amended 11673, 11677, 19453
(b), (c), (d) and (e)(1) revised 13015
(c)(2) table amended 33331
(e)(1) table amended 40085, 40749
(c)(1) table amended 65448
52.2040 Removed 65449
52.2041 Removed 65449
52.2059 (d) added 48864
52.2089 Added 12567
52.2120 (d) table amended 18474
(e) table amended; eff. 7–31–09 26103
(e) table amended 37171
(c) table amended 53173
52.2131 (c) revised 55143
52.2220 (c) Table 3 amended; eff. 8–24–09 30237
(c) Table 1 amended 61537
52.2233 (c)(1) revised 55144
52.2270 (e) table amended 1926, 2391, 18302
(c) table amended 1934, 11856, 19145
(c) table and (e) table amended 33151
(c) table amended 34508, 38106, 10420, 11468
52.2275 (g) added 2391
52.2320 (c)(68) added 1903
52.2420 (c) table amended 11663
(d) table amended 12574
(e) table amended; eff. 7–16–09 28446
(b) through (e) revised 33333

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(c) table amended 45768, 54488, 60199
Regulation at 74 FR 54488 withdrawn 61037
(c) table , (d) table and (e) table amended 67078
52.2429 Added 1148
52.2499 Added 1593
52.2520 (b), (c) and (d) revised 6543
(c) table amended 6553, 12561
(c) table amended 38538
52.2526 Existing text designated as (a); (b) added 60203
52.2540 Removed 38544
52.2541 Removed 38544
52.2585 (v) added 18644

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52.2020 (c)(1) table amended 63719
(c)(2) table amended 81483
52.2072 Revised 82560
52.2088 (c) added; eff. 7–6–10 31290
(d) added 64951
52.2120 (e) table correctly amended 3871
52.2122 (c) added 82560
52.2172 Revised 82561
52.2220 (e) table amended 59
52.2222 (d) added 82561
52.2234 Removed 20785
52.2235 (c) added 62472

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52.2270 (c) table amended.....15350, 16675, 18066, 19493, 27646, 27649, 43065, 55987, 56452, 69001, 69888
(c) table and (e) table amended 64678
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52.2273 Existing text designated as (a); (b) added 19493
(c) added 41335
(d) added 56452
(e) added 69002
52.2275 (h) added.....64679
52.2303 (d) added; interim 82460
52.2323 Revised 82562
52.2372 Revised 82562
52.2420 (c) table amended.....8251, 8495, 11739, 81479
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52.2423 (t) added 82563
52.2520 (c) table amended 6307
(b) revised; (c) table and (e) table amended 81475
52.2570 (c)(121) added 17867
Regulation at 75 FR 17867 withdrawn 30711
(c)(122) added.....64161
52.2572 Revised 82563
52.2585 (w) and (x) added 39637
(y) added 78167
52.2590 Added 82266
52.2620 (b)(3) revised; (c)(1) table amended.....19890
52.2720 (c)(37) added 1546
52.2723 Table amended.....1546

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52.2020 (e)(1) table amended 6560
(c)(1) table amended 29651
(c)(1) table amended; eff. 7–5–11 31857
(e)(1) table amended; eff. 8–5–11 32323
(c)(2) table amended; eff. 8–9–11 34002
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(c)(1) table amended 42559, 45708, 52285, 52870, 58116
52.2036 Heading revised; (o) added 6561
52.2037 (o) and (p) added 6561

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(q) added 31239
52.2039 Added 69076
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52.2040 Added 48373
52.2041 Added 48373
52.2056 Added 45427
52.2070 (e) table amended.....40257
(b)(3) revised 49672
52.2119 Removed; eff. 7–25–11.....36878
52.2120 (b) through (e) revised 22819
(c) table amended; eff. 7–25–11 36878
(e) table amended 41123, 72849
(c) table and (e) table correctly amended 64018
52.2122 (d) and (e) added; eff. 7–25–11.....36879
52.2220 (e) table amended 5080, 12595
52.2125 Added 70660
52.2140 Revised 48373
52.2141 Revised 48374
52.2170 (c)(1) table and (e) table amended.....43917
52.2231 (c) added 31241
52.2232 Added 55775
52.2240 (c), (d) and (e) added.....48374
52.2241 Existing text designated as (a); (b) and (c) added.....48375
52.2270 (c) table amended.....16, 1531
(c) table and (e) table amended 10253, 81392
(c) table amended 44275, 67603, 70360, 71266
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52.2273 (f) added 1532
(g) added 71267
52.2283 (b), (c) and (d) added 48375
52.2284 Existing text designated as (a); (b) and (c) added.....48376
52.2305 Added 25209
52.2320 (c)(69) added.....41717
52.2355 Added 43905
52.2370 (c) table, (d) table and (e) table amended 42566
(b)(3) revised 49672
52.2420 (c) table amended.....2832, 3025, 4539, 8297, 13513, 22816, 27903, 52277, 54708, 64825, 68640, 77153
(e) table amended 58119, 62639
(b) revised; (c) table, (d) table and (e) table amended 71883
Regulation at 76 FR 4539 withdrawn 14805
(c) table amended; eff. 8–22–11 36329
52.2423 (t) removed 27904
52.2425 Heading revised; (e) added.....58120

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52.2428 (f) and (g) added 58120
52.2440 Added 48376
52.2441 Added 48376
52.2520 (c) table amended 30833
(e) table amended 47068, 56980
52.2526 (c) added 55544
(d) added 56643
(e) added 62641
(f) added 71451
52.2527 Added 55544
Existing text designated as (a); (b) added 56643
(c) added 62641
(d) added 75467
52.2532 Added 56981
(a) and (e) correctly revised 79540
52.2540 Added 48377
52.2541 Added 48377
52.2570 (c)(121) revised 5272
52.2585 Regulation at 75 FR 78167 withdrawn 5078
(y) added 11082
52.2587 (c) and (d) added 48377
(e) added 80775
52.2588 Existing text designated as (a); (b) and (c) added 48378
52.2591 Added 41086
52.2620 (c)(1) table and (e) table amended 44270

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52.2020 (c)(1) table amended 3387, 28263, 41277, 59092, 60913
(e)(1) table correctly amended 48062
(e)(1) table amended ... 51932, 58961, 74116
(c)(2) table amended 71116, 71119
52.2036 (p) added 74116
52.2037 (r) added 17344
52.2039 Regulation at 76 FR 79544 withdrawn 15609
Introductory text revised 26447
52.2042 Added; eff. 8-6-12 33658
52.2056 (f) added 3152, 17344
Regulation at 77 FR 3152 withdrawn 14697
(g) added 28785
(h) added 62150
52.2059 (e) added 3152, 18923
Regulation at 77 FR 3152 withdrawn 14697
(f) added 28785
(g) added 62150

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52.2070 (c) table and (e) table amended 14695
(e) table amended 30215
52.2086 (e) added 50601
52.2088 (e) added 50601
52.2120 (e) table amended; eff. 7-17-12 29543
(e) table amended; eff. 8-24-12 37815
(e) table amended; eff. 7-30-12 38515
≤(e) table amended 45494, 61727, 62460, 75864
(c) table correctly amended 75036
52.2125 (b) added 13494
52.2132 (a) revised; (d), (e) and (f) added; eff. 8-6-12 33658
(a) removed; eff. 8-7-12 38515
52.2170 (c)(1) table and (e) table amended 24856
52.2219 Added 43000
Existing text designated as (a); (b) added 45961
52.2220 (c) table amended 6018, 11748, 12487
(e) table amended 6471, 14978, 24397, 43000, 45961, 50381
(c) table amended 44484
(d) table and (e) table amended 70692
52.2222 (d) removed 11748
52.2231 (d) and (e) added 45956
52.2234 Added 24397
(a) revised; (c) and (d) added; eff. 8-6-12 33658
(b) removed 70693
52.2236 Existing text designated as (a); (b) added 52233
52.2270 (c) table and (e) table correctly amended 2643
(c) table and (e) table amended 65123
52.2273 (d)(1)(ii), (iii), (2), (3), (4)(i) through (vii), (ix) and (x) removed 65125
52.2275 (d) added; eff. 7-19-12 36403
52.2304 (a) revised; (c) added; eff. 8-6-12 33658
52.2320 (c)(70) added; eff. 7-16-12 35878
(c)(71) added 74372
52.2370 (c) table and (e) table amended 30213
(c) table amended 60909
52.2372 (b) removed 60910
52.2420 (c) table and (e) table amended 3930, 5402
(d) table amended 24845
(e) table amended; eff. 7-13-12 35290

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(c) table amended 44151, 55697, 65629, 75382
(e) table amended 60627, 65492
(e) table correctly amended 75387
52.2424 (c) added 65492
(c) correctly revised 75388
52.2425 (f) added.....60627
52.2428 (h) added.....11741
52.2430 Added 1414
Existing text designated as (a); (b) added 11741
52.2452 (a) revised; (d), (e) and (f) added; eff. 8-6-12 33659
(d) added; eff. 7-13-12 35291
52.2470 (c)(89) added.....72744
52.2475 (e)(4) added 53773
(g)(2) added 72744
52.2491 Added 30903
52.2520 (e) table amended.....16940, 41284, 55419, 73545, 73924, 73926, 76416
(c) table amended 56127, 65494
(c) table and (e) table amended 63740
52.2522 (i) added.....63743
52.2526 (g) added 28265
52.2527 (e) added.....1414
52.2531 Heading revised; existing text designated as (a); (b) added.....73545
(d) added 73924
(c) added 73926
52.2533 (d) added 16940
(a) and (d) revised; (e) and (f) added; eff. 8-6-12.....33659
52.2570 (c)(124) added 46959
(c)(125) added.....46961
(c)(123) revised 46963
52.2585 (z) and (aa) added 45261
52.2591 (c) and (d) added; eff. 7-16-12.....35873
(e) added 65488
52.2620 (c)(1) table and (e) table amended.....73933
52.2720 (c)(27)(ii), (36)(i)(A)(*I*) and (37)(i)(A) revised; (c)(38) added.....16678
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52.2723 Table amended 16679, 52235
Regulation at 77 FR 16679 withdrawn 31499
52.2781 (d) added 64421

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52.2020 (c)(2) table and (e)(1) table amended.....13495
(e)(1) table amended 19993, 48325, 75904, 78265
(e)(1) table correctly amended 25858
(e)(1) table amended; eff. 7-10-13 34586
(b) and (d)(1) table heading revised; (c)(2) amended 46518
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52.2022 Removed; eff. 8-5-13.....33985
52.2023 (d), (e) and (j) removed; (b) revised; eff. 8-5-13 33985
(l) added 75904
52.2024 Removed; eff. 8-5-13.....33985
52.2025 Removed; eff. 8-5-13.....33985
52.2030 Removed; eff. 8-5-13.....33985
52.2032 Removed; eff. 8-5-13.....33985
52.2033 (a) removed; eff. 8-5-13 33985
52.2034 Removed; eff. 8-5-13.....33985
52.2037 (s) added 20246
(a) removed; eff. 8-5-13 33985
52.2043 Added 48325, 78265
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52.2052 Added 48325, 78266
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52.2053 Added 19993
52.2055 Removed; eff. 8-5-13.....33985
52.2056 (i) added.....20246
(j) added 63883
52.2057 Removed; eff. 8-5-13.....33985
52.2058 Revised; eff. 8-5-13 33985
52.2059 (h) added.....885
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(i) added 63883
52.2063 (a) revised; eff. 8-5-13 33985
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52.2070 (c) table amended.....63387
52.2072 (b) removed.....63388
52.2120 (c) amended 19997
(e) table amended 21845
52.2219 (e) revised 18244
(c) and (d) added.....14456
(c) and (d) revised; eff. 7-18-13 36443
(c) correctly revised 67309
52.2220 (c) table amended.....11585, 13501, 29034, 71503
(c) table amended; eff. 7-16-13 29031
(e) table amended 11757, 14456. 48808
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(e) amended; eff. 7-18-13 36443
(c) Table 1 amended 44889
52.2270 (e) table amended 7673, 19602, 48322
(c) table amended; eff. 7-5-13 ..... 26254, 26257
(c) table amended 55224, 69776
Regulation at 78 FR 55224 withdrawn 66648
52.2273 (h) added 59257
52.2320 (c)(72) added 4073
(c)(73) added 59248
52.2346 (d) added 63886
52.2355 Existing text designated as (a); (b) added 63887
52.2420 (c) table amended 19423, 40013, 63880, 68367
(c) table amended; eff. 8-12-13 34917
(e) table amended 58464
52.2423 (d), (e), (g), (j) and (k) removed; (a), (f), (m) and (n) revised; eff. 8-5-13 33985
52.2427 Removed; eff. 8-5-13 33985
52.2433 Removed; eff. 8-5-13 33985
52.2436 Removed; eff. 8-5-13 33985
52.2450 Removed; eff. 8-5-13 33985
52.2453 Removed; eff. 8-5-13 33985
52.2465 Revised; eff. 8-5-13 33985
52.2470 Redesignated as 52.2477; new 52.2470 added 17110
(c) table 4 and (e) amended 32134
(c) table amended 57075
(e) table amended 57504
(c) table and (e) table amended 61189
52.2477 Redesignated from 52.2470 17110
Heading and (a) revised 17123
52.2479 Removed 17123
52.2491 Removed 17123
52.2499 Removed 17123
52.2520 (c) table amended 4336
(e) table amended 22424, 56170, 59843
(b) and (c) heading revised; (c) table amended 44885
52.2522 (j) added 27065
(a), (b), (c) and (h) removed; eff. 8-5-13 33985
52.2523 Removed; eff. 8-5-13 33985
52.2524 Removed; eff. 8-5-13 33985
52.2525 (a) removed; eff. 8-5-13 33985
52.2526 (h) added 56170
(i) added 59843
52.2528 (b) removed; eff. 8-5-13 33985
52.2531 (e) added 22425
(f) added 59843

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52.2565 Revised; eff. 8-5-13 33985
52.2570 (c)(126) added 30209
(c)(127) added 46521
(c)(128) added 57502
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52.2572 (b) removed 30209
52.2592 Added 44884
52.2620 (c)(1) table amended 49690, 70000, 73448

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(e)(1) table amended 17060, 17877, 19012, 24347
(e)(1) table amended; eff. 7-15-14 28438
(c)(1) table amended; eff. 8-18-14 34435
52.2036 (q) added 57
52.2037 (t) added; eff. 8-18-14 34435
52.2043 Existing text designated as (a); (b) added 17877
(c) added; eff. 7-15-14 28438
52.2052 Existing text designated as (a); (b) added 17878
(c) added; eff. 7-15-14 28438
52.2059 (j) added 25018
52.2120 (e) table amended 26149
52.2122 (a) revised 30051
52.2130 Revised 30051
52.2134 Revised 30051
52.2170 (c)(1) table amended 21854
(c)(1) table amended; eff. 7-28-14 36425
52.2219 (c) and (e) removed 1595
Removed 18455
52.2220 (e) table amended 1595, 26149
(c) table amended 18455
(e) table amended; eff. 8-11-14 33100
52.2222 (a) revised; (c) removed 30051
52.2223 Revised 30052
52.2226 Removed 30052
52.2230 Removed 30052
52.2233 (c) revised 30052
52.2239 Revised 30052
52.2270 Regulation at 78 FR 69776 withdrawn 551
(e) table amended 53, 1599, 21146

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(c) table and (e) table amended 59, 571, 14612
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52.2303 (a)(1)(x) added; (a)(2) revised.....31049
52.2320 (c)(74) added 7069
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(c)(77) added 11327
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52.2420 (c) table and (e) table amended.....10382
(e) table amended 15016, 25021
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52.2470 (c) table amended.....12078, 26630
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52.2475 (g) heading and (1) revised; eff. 7-11-14 33453

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52.2498 (c) added; eff. 7-11-14 33453
52.2500 Added; eff. 7-11-14 33453
52.2501 Added; eff. 7-11-14 33454
52.2502 Added; eff. 7-11-14 33454
52.2520 (e) table amended 3505, 15020, 17885, 19008
52.2526 (j) added.....17886
52.2531 (g) added 17886
52.2570 (c)(64)(i)(A), (65)(i)(A), (73)(i)(J) and (103)(i)(S) revised; (c)(130) added.....5293
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52.2584 (c) amended 10998
(d) and (e) added.....22417
52.2585 (bb) added 10998
52.2620 (e) table amended 5219
52.2636 Added 5220
52.2637 Added 5222
52.2920 (c) table amended.....22035
52.2921 (c)(1)(i)(A) amended.....22035
52.2922 Added 22035