

Environmental Protection Agency

§ 62.7852

MWCs). The Federal plans will be administered by both NJDEP and EPA, pursuant to the following: “Federal Plan Requirements for Municipal Solid Waste Landfills That Commenced Construction Prior to May 30, 1991 and Have Not Been Modified or Reconstructed Since May 30, 1991,” 40 CFR part 62, subpart GGG; “Federal Plan Requirements for Hospital/Medical/Infectious Waste Incinerators Constructed on or Before June 20, 1996,” 40 CFR part 62, subpart HHH; and “Federal Plan Requirements for Small Municipal Waste Combustion Units Constructed on or Before August 30, 1999,” 40 CFR part 62, subpart JJJ.

(b) Identification of sources: The three Federal plans apply to existing facilities as follows: MSW Landfills which commenced construction, reconstruction, or modification before May 30, 1991 and a MSW Landfill that has accepted waste at any time since November 8, 1987 or the landfill has additional capacity for future waste deposition; HMIWIs that combust any amount of hospital, medical or infectious waste and that commenced construction on or before June 20, 1996; and Small MWCs with a capacity to combust at least 35 tons per day of municipal solid waste or refuse-derived fuel but no more than 250 tons per day of municipal solid waste or refuse-derived fuel and if the Small MWC commenced construction on or before August 30, 1999.

(c) On April 24, 2006, EPA prepared and signed Memorandums of Agreement (MOAs) between EPA and NJDEP that define the policies, responsibilities and procedures pursuant to the three Federal plans identified in (a) above by which the Federal plans will be administered by both NJDEP and EPA. On May 15, 2006, Lisa P. Jackson, NJDEP Commissioner, signed the MOAs, therefore agreeing to the terms and conditions of the MOAs and accepting responsibility to enforce and implement the policies, responsibilities, and procedures for MSW Landfills, HMIWIs and Small MWCs.

(d) The delegation became fully effective on May 15, 2006, the date the MOAs were signed by the NJDEP Commissioner.

[72 FR 1670, Jan. 16, 2007]

Subpart GG—New Mexico

SOURCE: 47 FR 10005, Mar. 9, 1982, unless otherwise noted.

§ 62.7850 Identification of plan.

(a) *Title of plan.* “State of New Mexico Designated Facility Plan” (§ 111(d)).

(b) The plan was officially submitted as follows:

(1) Sulfuric acid plants on May 15, 1981.

(c) Affected facilities: The plan includes the following facilities:

(1) Sulfuric acid plants.

SULFURIC ACID MIST EMISSIONS FROM SULFURIC ACID PLANTS

§ 62.7851 Identification of sources.

(a) The plan includes the following sources:

(1) Kerr-McGee Nuclear Corporation in McKinley County.

(2) Climax Chemical Corporation in Lea County.

(b) Negative declaration for Bernalillo County.

Letter from the City of Albuquerque Air Pollution Control Division dated November 23, 2004, certifying that there are no existing sulfuric acid plants subject to 40 CFR 60 subpart Cd in Bernalillo County on lands under the jurisdiction of the Albuquerque/Bernalillo County Air Quality Control Board.

[47 FR 10005, Mar. 9, 1982, as amended at 70 FR 57764, Oct. 4, 2005]

FLUORIDE EMISSIONS FROM PRIMARY ALUMINUM PLANTS

§ 62.7852 Identification of plan—negative declaration.

The New Mexico Environmental Improvement Division and the Albuquerque Air Pollution Control Division submitted letters of July 8, 1980 and September 23, 1980, respectively, certifying that there are no existing primary aluminum plants in the State subject to part 60, subpart B of this chapter.

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**TOTAL REDUCED SULFUR EMISSIONS
FROM KRAFT PULP MILLS**

§ 62.7853 Identification of plan—negative declaration.

(a) Letter from the New Mexico Environmental Improvement Division dated November 5, 1979 certifying that there are no existing kraft pulp mills in the State subject to part 60 subpart B of this chapter.

(b) Letters from the City of Albuquerque Air Pollution Control Division dated July 8, 1980, and November 23, 2004, certifying that there are no existing kraft pulp mills subject to 40 CFR 60 subpart B in Bernalillo County on lands under the jurisdiction of the Albuquerque/Bernalillo County Air Quality Control Board.

[70 FR 57764, Oct. 4, 2005]

**FLUORIDE EMISSIONS FROM PHOSPHATE
FERTILIZER PLANTS**

§ 62.7854 Identification of plan—negative declaration.

(a) The State Department of Health and Social Services submitted on October 31, 1977, a letter certifying that there are no existing phosphate fertilizer plants in the State subject to part 60, subpart B of this chapter.

(b) Letter from the City of Albuquerque Air Pollution Control Division dated November 23, 2004, certifying that there are no phosphate fertilizer plants subject to 40 CFR 60 subpart B in Bernalillo County on lands under the jurisdiction of the Albuquerque/Bernalillo County Air Quality Control Board.

[43 FR 51393, Nov. 3, 1978. Redesignated at 47 FR 10005, Mar. 9, 1982, as amended at 70 FR 57764, Oct. 4, 2005]

**LANDFILL GAS EMISSIONS FROM EXISTING
MUNICIPAL SOLID WASTE LANDFILLS**

§ 62.7855 New Mexico Environmental Improvement Board.

(a) *Identification of Plan.* Control of landfill gas emissions from existing municipal solid waste landfills, submitted on January 7, 1997.

(b) *Identification of Sources.* The plan applies to all existing municipal solid waste landfills with design capacities

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greater than or equal to 2.5 million megagrams and non-methane organic emissions greater than or equal to 50 megagrams per year as described in 40 CFR part 60, subpart Cc, under the jurisdiction of the New Mexico State Environmental Improvement Board.

[71 FR 67809, Nov. 24, 2006]

**§ 62.7856 Albuquerque/Bernalillo
County Air Quality Control Board.**

(a) *Identification of Plan.* Albuquerque-Bernalillo County Municipal Solid Waste Landfill Designated Pollutant Plan, as adopted by the Albuquerque/Bernalillo County Air Quality Control Board on November 9, 2005.

(b) *Identification of Sources.* The plan applies to all existing municipal solid waste landfills under the jurisdiction of the Albuquerque/Bernalillo County Air Quality Control Board that commenced construction prior to May 30, 1991, and have not been modified or reconstructed since May 30, 1991, and are subject to the requirements of 40 CFR part 60, subpart Cc.

[71 FR 67809, Nov. 24, 2006]

**EMISSIONS FROM EXISTING MUNICIPAL
WASTE COMBUSTORS WITH THE CAPACITY
TO BURN GREATER THAN 250 TONS
PER DAY OF MUNICIPAL SOLID
WASTE**

§ 62.7857 Identification of plan—negative declaration.

Letter from the Environment Department submitted January 10, 1997 certifying that there are no existing municipal waste combustor units in the State of New Mexico that are subject to part 60, subpart Cb, of this chapter.

[65 FR 33467, May 24, 2000]

**EMISSIONS FROM EXISTING LARGE
MUNICIPAL WASTE COMBUSTION UNITS**

§ 62.7860 Identification of sources—negative declaration.

Letter from the City of Albuquerque Air Pollution Control Division dated September 10, 2002, certifying that there are no existing municipal waste combustion units in Bernalillo County on lands under the jurisdiction of the Albuquerque/Bernalillo county Air