

IMPLEMENTATION PLAN
FOR THE CONTROL OF AIR POLLUTION
FOR THE STATE OF NORTH DAKOTA

1. INTRODUCTION

1.1 PURPOSE

On April 30, 1971 (36 Federal Register 8186) pursuant to Section 109 of the Clean Air Act (42 U.S.C. 1857-1857I, as amended by Public Law 91-604, 84 Stat. 1676) the Administrator of the Environmental Protection Agency promulgated national ambient air quality standards for sulfur oxides, particulate matter, carbon monoxide, photochemical oxidants, hydrocarbons, and nitrogen dioxide as Part 410 of Chapter IV, Title 42, Code of Federal Regulations. The standards were republished on November 25, 1971 (36 Federal Register 22384), as Part 50 of Chapter I, Title 40, Code of Federal Regulations.

Within nine months after April 30, 1971, i.e., no later than January 30, 1972, each State is required by Section 110 of the Clean Air Act to adopt and submit to the Administrator of the Environmental Protection Agency a plan which provides for the implementation, maintenance, and enforcement of such national ambient air quality standards within each air quality region (or portion thereof) within the State.

On August 14, 1971 (36 Federal Register 15486) the Administrator of the Environmental Protection Agency promulgated the Requirements for Preparation, Adoption, and Submittal of Implementation Plans as Part 420 Chapter IV, Title 42, Code of Federal Regulations. The Requirements for Preparation, Adoption, and Submittal of Implementation Plans were amended on October 23, 1971 (36 Federal Register 20513); republished on November 1971 (36 Federal Register 22398) as Part 51 of Chapter I, Title 40, Code of Federal Regulations; and further amended on December 30, 1971 (36 Federal Register 25233). The numbering of sections of the Requirements for Preparation, Adoption, and Submittal of Implementation Plans referenced in this plan correspond to the numbering as published on August 14, 1971 as Part of Chapter IV, Title 42, Code of Federal Regulations.

The Implementation Plan for the Control of Air Pollution for the State of North Dakota, was prepared and approved by the North Dakota State Department of Health and adopted by the North Dakota State Health Council as required by Section 110 of the Clean Air Act and in conformance with the Requirements for the Preparation, Adoption and Submittal of Implementation Plans promulgated by the Administrator of the Environmental Protection Agency.

1.2 SCOPE

The State of North Dakota is divided into two air quality control regions. These regions are Region No. 130, the Metropolitan Fargo-Moorhead Interstate Air Quality Control Region (North Dakota-Minnesota), and Region No. 172, the North Dakota Intrastate Air Quality Control Region. Region No. 130 consists of Clay County in Minnesota and Cass County in North Dakota. Region No. 172 consists of the remaining 52 counties in North Dakota. Figure 1 presents a North Dakota map which shows the geographic locations of these regions.

and Submittal of Implementation Plans have been further amended on June 8, 1973 (38 Federal Register 15194); June 18, 1973 (38 Federal Register 15834); June 19, 1973 (38 Federal Register 15958); August 3, 1973 (38 Federal Register 20832); August 15, 1973 (38 Federal Register 22025); and October 2, 1973 (38 Federal Register 27286).

The Implementation Plan for the Control of Air Pollution for the State of North Dakota applies to the entire State of North Dakota, including the North Dakota portion of Region No. 130 (Cass County) and Region No. 172.

1.3 CLASSIFICATION OF REGIONS

Section 420.3 of the Requirements for Preparation, Adoption, and Submittal of Implementation Plans establishes a classification system to categorize air quality control regions for purposes of plan development and evaluation. The classification is based upon measured ambient air quality, where known, or where not known, estimated air quality in the area of maximum pollutant concentration. All regions have been classified by the Administrator of the Environmental Protection Agency after consultation with State agencies. Each region has been classified separately with respect to each of the following five pollutants: sulfur oxides, particulate matter, carbon monoxide, nitrogen dioxide and photochemical oxidants.

The regions within the State of North Dakota, Region No. 130 and Region No. 172, have both been classified Priority II for particulate matter and Priority III for the remaining four pollutant classes. The region classifications for each pollutant class and the basis for the classifications are presented in Table 1.

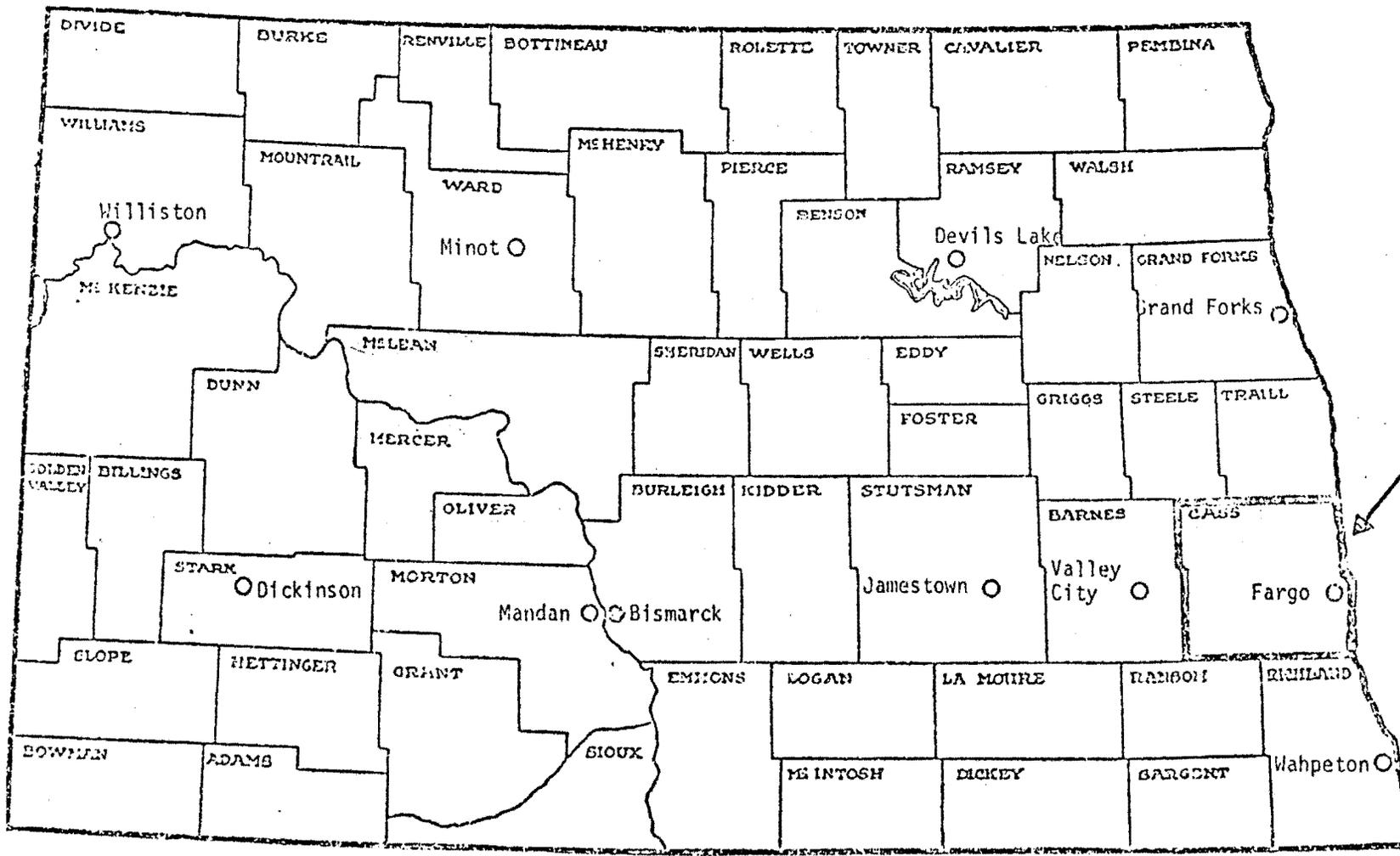
1.4 PUBLIC HEARINGS - *January 5, 1972*

The North Dakota State Department of Health has, prior to the adoption of the Implementation Plan and after reasonable notice thereof, conducted a public hearing on the plan as required by Section 420.4 of Requirements for Preparation, Adoption, and Submittal of Implementation Plans.

One public hearing on the Implementation Plan and on additions and revisions to Regulation No. 23-25, the North Dakota Air Pollution Control Regulations (formerly Regulation No. 82), which is included in the plan, was held on January 5, 1972, in the Highway Building on the State Capitol grounds in Bismarck. Written comments were accepted until January 12, 1972.

Notice of the public hearing was given by two publications of a notice of the hearing in each of the official county newspapers within the State, one week apart, the last publication being 30 days prior to the hearing. The Administrator of the Environmental Protection Agency and the Director of the State of Minnesota Pollution Control Agency were notified of the public hearing at the same time by registered mail. In addition, radio and television stations received notices of the hearing as well as approximately 500 groups and individuals included on the State Department of Health's air pollution mailing list.

The complete Implementation Plan and all rules and regulations which are included in the Plan were available for public inspection as of December 1, 1971, until January 12, 1972, during normal working hours at the offices of the State Department of Health at the State Capitol in



REGION NO. 130, METROPOLITAN FARGO-MOORHEAD INTERSTATE AIR QUALITY CONTROL REGION
 (Cass County, North Dakota-Clay County, Minnesota)

REGION NO. 172, NORTH DAKOTA INTRASTATE AIR QUALITY CONTROL REGION
 (Remaining Area)

Figure 1. Boundaries of North Dakota Air Quality Control Regions

Table 1. CLASSIFICATION OF REGIONS

Air Quality Control Region	Regional Classification ¹					Basis for Classification ^{2,3}				
	Particulate	SO _x	CO	NO ₂	Photo-chemical Oxidants	Particulate	SO _x	CO	NO ₂	Photo-chemical Oxidants
1. Region No. 130, Metropolitan Fargo-Moorhead Interstate Air Quality Control Region (North Dakota-Minnesota)	II	III	III	III	III	A	A,B,C	E	E	E
2. Region No. 172, North Dakota Intrastate Air Quality Control Region	II	III	III	III	III	A	A,B,C	E	E	E

¹Regional Classification Codes:

<u>Code</u>	<u>Definition</u>
I	Priority I Region
Ia	Priority Ia Region
II	Priority II Region
III	Priority III Region

²Basis for Classification Code:

<u>Code</u>	<u>Basis</u>
A	Measured Air Quality Data
B	Estimated Air Quality Miller-Holzworth Area Model
C	Estimated Air Quality Point Source Model
D	Urban Place Population >200,000
E	Urban Place Population <200,000

³Measured Air Quality Data and Estimated Air Quality from Area and Point Source Models are presented in Section 2 Control Strategy

Bismarck and at the offices of the Fargo City Health Department at the Fargo Civic Center, 204 North 4th Street in Fargo. Copies of proposed additions and revisions to Regulation No. 23-25, the North Dakota Air Pollution Control Regulations, were furnished upon request to the public as of December 1, 1971, until January 12, 1972.

The North Dakota State Department of Health has prepared and retained a complete record of the public hearing for submission to the Administrator of the Environmental Protection Agency upon his request. Copies of the record of the hearing will be furnished to the public upon request.

Copies of the notices of the public hearing and a certification that the hearing was held in accordance with the notice required by Section 420.4 of the Requirements for Preparation, Adoption, and Submittal of Implementation Plans are attached as Appendix A.

1.5 REPORTS

The North Dakota State Department of Health will submit to the Administrator of the Environmental Protection Agency information on air quality and reports on progress in carrying out the Implementation Plan as required by Section 420.7 of the Requirements for Preparation, Adoption, and Submittal of Implementation Plans.

Information on air quality will be submitted on a quarterly basis commencing with the end of the first full quarter after approval of the Plan by the Administrator. Reports on progress in carrying out the Implementation Plan will be submitted on a semi-annual basis commencing with the end of the first full semi-annual period after approval of the Plan. The information and reports will be submitted within 45 days after each reporting period through the Environmental Protection Agency Regional Office in Denver, Colorado.

Copies of the information on air quality and reports on progress in carrying out the Implementation Plan will be furnished to the public upon request.

1.6 PROVISIONS FOR MAKING EMISSIONS DATA AVAILABLE TO THE PUBLIC

Section 420.10(e) of the Requirements for Preparation, Adoption, and Submittal of Implementation Plans requires that each plan shall provide for public availability of emission data reported by source owners or operators or otherwise obtained by a State or local agency. Such emission data shall be correlated with applicable emission limitations or other measures.

Commencing with the submission of this Implementation Plan to the Administrator of the Environmental Protection Agency, summary sheets of existing and allowable emission will be furnished to the public upon request. Existing and allowable emissions for any individual source will be furnished to the public upon request.

Revisions to
The Implementation Plan for the Control of Air Pollution
for the State of North Dakota

Approved By:

North Dakota State Department of Health
State Capitol
Bismarck, North Dakota
June 1, 1973

Chapter	Section	Page	Revision
1. Introduction	1.1 Purpose	1	Third Paragraph Ninth Line Register 25233)----Add: and on December 9, 1972 (37 Federal Register 26311).-----
	1.7 Revisions, Individually Negotiated Compliance Schedules- Public Hearing	5	Add new section as follows: 1.7 Revisions, Individually Negotiated Compliance Schedules - Public Hearing- <i>May 15, 1973</i>

The North Dakota State Department of Health has, prior to the revision of the Implementation Plan and the approval and issuance of Conditional Permits to Operate and Compliance Schedules for major individual sources of air contaminants, which become a part of the Plan, and after reasonable notice thereof, conducted a public hearing on the revisions to the Plan and the Conditional Permits to Operate and Compliance Schedules as required by Section 420.4 of Requirements for Preparation, Adoption, and Submittal of Implementation Plans.

One public hearing on the revisions to the Implementation Plan and the Conditional Permits to Operate and Compliance Schedules was held on May 15, 1973, in the Hearing Room, State Capitol, Bismarck.

Notice of the public hearing was given by two publications of a notice of the hearing in each of the official county newspapers within the State, one week apart, the last publication being 30 days prior to the hearing. The Administrator of the Environmental Protection Agency and the Director of the State of Minnesota Pollution Control Agency were notified of the public hearing at the same time by registered mail. In addition, radio and television stations received notices of the hearing as well as approximately 400 groups and individuals included on the State Department of Health's air pollution mailing list.

The revisions to the Implementation Plan and the Conditional Permits to Operate and Compliance Schedules which become a part of the Plan were available for public inspection as of April 15, 1973, until May 15, 1973, during normal working hours at the offices of

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the State Department of Health at the State Capitol in Bismarck and at the offices of the Fargo City Health Department at the Fargo Civic Center, 204 North 4th Street in Fargo,

The North Dakota State Department of Health has prepared and retained a complete record of the public hearing for submission to the Administrator of the Environmental Protection Agency upon his request. Copies of the record of the hearing will be furnished to the public upon request.

Copies of the notices of the public hearing and a certification that the hearing was held in accordance with the notice required by Section 420.4 of the Requirements for Preparation, Adoption, and Submittal of Implementation Plans are attached in Appendix A.