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ENVIRONMENTAL PROTECTION AGENCY

■

Air Programs

Approval and Promulgation of Implementation Plans

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Title 40—PROTECTION OF ENVIRONMENT

Chapter I—Environmental Protection Agency

SUBCHAPTER C—AIR PROGRAMS

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

On April 30, 1971 (36 F.R. 8186), pursuant to section 109 of the Clean Air Act, as amended, the Administrator promulgated national ambient air quality standards for sulfur oxides, particulate matter, carbon monoxide, photochemical oxidants, hydrocarbons, and nitrogen dioxide. Within 9 months thereafter, each State was required by section 110 of the Act to adopt and submit to the Administrator a plan which provides for the implementation, maintenance, and enforcement of national ambient air quality standards within each air quality control region in the State. An additional period of no longer than 18 months may be allowed for adoption and submittal of that portion of a plan relating to implementation of secondary ambient air quality standards. State plans must provide for attainment of national primary ambient air quality standards within 3 years after the date of the Administrator's approval of such plans, except that a 2-year extension of this deadline may be granted by the Administrator. State plans must provide for attainment of national secondary ambient air quality standards within a reasonable time. Within 4 months from the date on which State plans were required to be submitted, the Administrator must approve or disapprove such plans or portions thereof.

On August 14, 1971 (36 F.R. 15486), the Administrator promulgated regulations (40 CFR Part 51) (formerly 42 CFR Part 420, but transferred to Chapter I of Title 40 by publication in the FEDERAL REGISTER, page 22369 et seq., November 25, 1971) setting forth requirements for preparation, adoption, and submittal of State implementation plans. These regulations were amended October 23, 1971 (36 F.R. 20513), and December 30, 1971 (36 F.R. 25233), to make certain additions and corrections. The Administrator's regulations (40 CFR Part 51) provided generally that State plans must set forth a control strategy for attainment and maintenance of the national standards; legally enforceable regulations and compliance schedules for implementation of the control strategy; a contingency plan for preventing the occurrence of air pollution levels which would cause significant harm to the health of persons; source surveillance procedures; procedures to assure that construction or modification of stationary sources will not interfere with attainment or maintenance of the national standards; provisions for air quality surveillance; a description of the resources needed to carry out the State plan; and provisions for intergovernmental cooperation. Some of the requirements vary by air quality control region in accordance with a classification scheme set forth in 40 CFR 51.3. Each State plan must also show that the State has the legal authority necessary to carry out the plan, as specified by 40 CFR 51.11. States were required to conduct one or more public hearings prior to adoption of their implementation plans.

All 50 States, plus the District of Columbia, Puerto Rico, Virgin Islands, Guam, and American Samoa have submitted implementation plans. The Administrator's approvals and disapprovals are set forth below. A more detailed description of disapproved portions, together with an explanation of the basis of disapproval, will be provided to the States; copies of these Evaluation Reports will be available for public inspection at the Environmental Protection Agency, 401 M Street SW., Washington, D.C., and in the Agency's Regional Offices.

Where the Administrator disapproves a State plan or portion thereof, or where a State fails to submit an implementation plan or portion thereof, the Administrator is required, under section 110(c) of the Act, to propose and subsequently promulgate regulations setting forth a substitute implementation plan or portion thereof. Where regulatory portions of a State plan, including control strategies and related rules and regulations, are disapproved or were not submitted, regulations setting forth substitute portions will be proposed and promulgated. When disapproved portions are of a nonregulatory nature, e.g., air quality surveillance, resources, intergovernmental cooperation, and therefore are not susceptible to correction through promulgation of regulations by the Administrator, detailed comments will be included in the evaluation report; in such cases, the Environmental Protection Agency will work with the States to correct the deficiencies.

To the extent possible, the Administrator's evaluation of State plans reflects the latest information submitted by the States. In the interest of giving States every opportunity to bring their implementation plans into full compliance with the Act and 40 CFR Part 51, the Environmental Protection Agency has notified States that modifications submitted after the statutory deadline for submittal of State plans would be accepted and considered: *Provided,* That such modifications were made and submitted in accordance with the requirements of 40 CFR Part 51. Accordingly, many States have been, and still are, making and submitting modifications of their implementation plans. Where such modifications affect the Administrator's approval or disapproval of a State plan or portion thereof, but are not reflected herein, appropriate changes to this part will be published as soon as the Administrator's evaluation of such modifications is completed.

The Act directs the Administrator to require a State to revise its implementation plan whenever he finds that it is substantially inadequate for attainment and maintenance of a national standard. In accordance with the statutory mandate, the Environmental Protection Agency will make a continuing evaluation of the State plans and will, as necessary, call upon the States to make revisions.

EVALUATION OF LEGAL AUTHORITY

States were required to have the legal authority specified in the Administrator's regulations. With one exception, States were required to have the specified legal authority available to them at the time they submitted their implementation plans. The one exception is authority to carry out land-use and transportation control measures; where a State's control strategy includes such measures, the State plan must set forth a timetable for obtaining the necessary legal authority. Where it was determined that a State's air pollution control statute does not explicitly provide all of the required legal authority, the State's attorney general was consulted for an opinion as to whether the necessary authority is conferred by a general grant of powers in the air pollution control statute or provided in other statutes. Where a State plan indicated that one or more local agencies will be responsible for carrying out any portion of the implementation plan, a similar assessment was made of the legal authority available to such local agencies. A complete record of the Environmental Protection Agency's assessment of legal authority is maintained in the Office of the Associate General Counsel, Air Quality and Radiation Division, Rockville, Md. 20852.

DELEGATION OF LEGAL AUTHORITY

The legal authority which each State was required to have carry out its implementation plan is specified by 40 CFR 51.11. Subparagraphs (5) and (6) of § 51.11(a) require each State to have the authority to obtain information to determine compliance with applicable laws and regulations; require recordkeeping; make inspections; conduct tests; require sources to install and maintain monitoring equipment; require periodic reporting; and release emission data to the public. The Administrator has such authority under section 114 of the Act and can delegate it to States. Where a State lacks the authority required by 40 CFR 51.11(a) (5) or (6), that portion of its implementation plan is disapproved herein; however, if the State has requested delegation of the Administrator's authority, and if the State's source surveillance procedures are approvable, the needed authority is delegated herein. Where a State lacks the authority required by 40 CFR 51.11(a) (5) or (6) but has not requested delegation of authority, the Administrator cannot approve source surveillance procedures even though the procedures may be technically adequate. The State can correct this deficiency by requesting a delegation of authority; such requests may be made at any time and should be addressed to the appropriate Regional Administrator.

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ATTAINMENT OF PRIMARY STANDARDS

The Act requires attainment of primary standards as expeditiously as practicable, but not later than 3 years from the date of the Administrator's approval of a State plan except where an extension is granted by the Administrator; it requires attainment of secondary standards within a reasonable time. Except where extensions have been requested, State plans generally provide for attainment of the primary standards in 3 years. Whether more expeditious attainment of the primary standards is practicable is a question that will be subject to continuing examination in connection with the Administrator's review of the compliance schedules and progress reports to be submitted by the States and as part of the Administrator's continuing surveillance of State activities. It is already clear, however, that the aggregate emission control requirements of the 55 State plans will create such a great demand for clean fuels, emission control equipment, and other items that attainment of the primary standards in many urban areas in significantly less time than 3 years generally will not be feasible.

ATTAINMENT DATES

Each State plan must specify the projected dates of attainment of primary and secondary standards. Where a State plan sets forth a control strategy and regulations adequate for attainment of the national standards within the time periods prescribed by the Act but fails to specify an attainment date, the Administrator will promulgate attainment dates meeting the requirements of the Act.

MAINTENANCE OF STANDARDS

Where existing air pollution levels exceed the national standards, State plans were expected to provide for the degree of emission reduction necessary for attainment and maintenance of the national standards, including the degree of emission reduction necessary to offset the probable impact of projected growth of population, industrial activity, motor vehicle traffic, or other factors. There is a great deal of uncertainty involved in projecting growth and predicting its impact on air quality. Growth projections extending more than 2 or 3 years into the future are necessarily generalized and inevitably are based on a variety of assumptions, many of them which are, at best, tenuous. Even where growth policies have been adopted by State or local governments, they normally provide only general guidelines. Techniques for translating generalized projections of population and industrial growth into predictions of future air quality do not exist. Accordingly, States were limited in the extent to which they could develop control strategies adequate not only for attainment, but also for maintenance, of the national standards. Since the Environmental Protection Agency's capability of planning for continued maintenance of the national standards is subject to the same limitations, and since State and local governments clearly should not lightly be deprived of the opportunity to plan and control growth in a manner best suited to the needs and preferences of individual communities and their inhabitants, with due consideration of environmental impacts, the Administrator, at this time, is not proposing substitute control strategies based on considerations related solely to maintenance of national standards. States are required, however, to prevent construction, modification, or operation of any stationary source at any location where its emissions will prevent the attainment or maintenance of a national standard; the Administrator will promulgate appropriate regulations wherever State plans are judged inadequate in this regard. Thus, all State plans will include this mechanism for minimizing the effects of growth on air quality. New source performance standards promulgated by the Administrator under section 111 of the Act will also serve to minimize the impact of growth. Furthermore, the Act authorizes the Administrator to require revision of a State plan whenever he finds that it is substantially inadequate to attain or maintain a national standard. It is the Administrator's intention to make a continuing examination of the adequacy of State plans, and, where necessary, to call for revisions. States should be aware that failure to provide for maintenance of the national standards could necessitate restraints on population and industrial growth and/or further restrictions on emissions from existing sources of air pollution.

EVALUATION OF CONTROL STRATEGIES

A "control strategy" is a combination of measures designed to achieve the aggregate reduction of emissions necessary for the purposes of attainment and maintenance of a national standard. The Administrator's regulations (40 CFR 51.13 and 51.14) set forth procedures, i.e., proportional or diffusion modeling, to be employed by the States in demonstrating that their control strategies will be adequate for these purposes. Evaluation of the control strategies generally included assessment of the accuracy of the data relied upon by a State in demonstrating the adequacy of control strategies, the validity of any assumptions made by the State, and the accuracy of the calculations employed in the modeling exercises. In addition, a determination was made as to whether the control strategy would be sufficiently comprehensive.

SULFUR OXIDES AND PARTICULATE MATTER

The national standards for sulfur oxides and particulate matter include both short-term standards, e.g., maximum 24-hour concentrations not to be exceeded more than once per year, and long-term standards, i.e., annual average concentrations. State plans were required to set forth control strategies adequate for attainment and maintenance of both the short-term and long-term standards, with the exception of the 24-hour secondary standard for sulfur oxides and the annual average secondary standard for particulate matter, both of which are guidelines. Where State plans did not explicitly demonstrate that a control strategy is adequate for attainment and maintenance of short-term, as well as long-term standards, the Administrator has made judgments based on available data regard peak-to-mean ratios; point-source control measures, for example, are likely to reduce the frequency and intensity of peak concentrations, thus altering peak-to-mean ratios and increasing the likelihood that a control strategy adequate for attainment of an annual average standard will also be adequate for attainment of short-term standards.

FUEL AVAILABILITY

The State implementation plans to control SO_x generally have been responsive to the mandates of the Clean Air Act. The plans provide for meeting by 1975 primary air quality standards which are designed to protect the public health. In most cases, the States determined 1975 to be the "reasonable time" allowed by the Act to meet the secondary air quality standards for SO_x which are designed to protect the public welfare. Fuel combustion regulations were designed to achieve both the primary and secondary standards by the 1975 date. In most States these emission regulations were made to apply statewide, without regard to the differing air quality in regions within the State.

It is clear that achieving these rigorous State standards in the time prescribed would significantly enhance air quality in many areas of the Nation, as contemplated by the Clean Air Act. However, in addition to reviewing the effectiveness of each State implementation plan, this Agency and the Federal Government have an obligation to assess the impact of the various plans in the aggregate. From this standpoint, there is strong evidence that the complete implementation of the plans as submitted may not be attainable in the time prescribed.

Because of physical limitations on our ability to clean the emissions of high sulfur fuels on a large scale in the time permitted by the statute, achievement of the particulars of the State plans would require the availability of large additional supplies of "clean" fuels—natural gas and low sulfur coal and oil. Since fuel desulfurization facilities are unlikely to be built on the scale which would be required to fully implement all State plans by 1975, it appears that all State plans can be completely implemented by 1975 only with a major short term shift to naturally clean fuels. Unfortunately, these naturally clean fuels are not likely to be available in quantities necessary to meet the projected demand.

Unfortunately, our long-overdue concern for air quality comes at a time when the abundance of cleaner energy fuels in the United States is rapidly disappearing and energy experts are becoming worried about our ability to meet our energy fuel needs even independent of environmental considerations. Given the limits on the supply of naturally clean fuels in the short run, the well publicized shortage of natural gas in this country, and the physically disruptive task of substituting

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the use of huge amounts of clean fuels by energy producers and users at a time when traditional fuels such as natural gas are in short supply, it is apparent that the Nation faces a difficult task.

It is also apparent that the cost of this effort, translated into costs of fuel and electric energy to our economy and to individual energy consumers, will be substantial and cannot be wholly ignored. On the other hand, appropriate enviromental costs must be recognized in the price of energy if we are to allocate our total resources properly.

There are alternative strategies which should permit achievement of the goals of the Clean Air Act within the legislative deadlines, but the approach must be twofold. First, implementation of the standards must take into account the limits on total availability of clean fuels. Second, government must also address the problem of creating economic and other incentives which ensure that natural or desulfurized clean fuels go to users in areas of greatest environmental need.

The Pure Air Act of 1972 (the sulfur emission tax), which is currently before Congress, is important to both aspects of this approach. The tax would permit clean fuels to reach users in areas of environmental need by providing a strong economic incentive for those users to bid for the clean fuels. The tax would also increase the availability of clean fuels by providing an economic stimulus both to develop new clean fuel resources, and to perfect technology for cleaning fuels before combustion, and for purifying exhaust gases.

Preliminary analysis by EPA indicates the real possibility that, under current conditions in the domestic and world fuel markets including the absence of the sulfur tax, all aspects of the State Plans in the aggregate cannot be achieved by 1975 despite the best efforts of both government and the private sector. Pending further study, EPA is approving or promulgating regulations for meeting both the primary and secondary SO_x standards. The States should proceed to develop compliance schedules on the assumption that both standards can be met. In the meantime EPA will be completing its studies of the aggregate situation and will suggest necessary changes to the States, and likewise modify federally promulgated SO_x regulations for achievement of the secondary standard where appropriate. Highest priority must be given to achieving the primary standards (health related) by the statutory deadline.

At this time, the States most likely to be affected by this shortage of clean fuels include Illinois, Indiana, Kentucky, Wisconsin, Michigan, Ohio, Tennessee, Alabama, Pennsylvania, West Virginia, Georgia, and New York, but others will also need to consider the availability of fuels in developing compliance schedules.

For its part in addition to completing this work, EPA intends to be vigorous in urging other Federal agencies and the Congress to adopt energy policies which will stimulate the availability of needed clean fuels and insure their availability to areas of greatest need, consistent with environment, national security, consumer and other considerations.

Nitrogen Dioxide

Where attainment of the national standard for nitrogen dioxide would require additional emission reductions beyond those expected to result from Federal motor vechicle emission standards, the Admistrator's regulations (40 CFR 51.14) required States to provide for the degree of nitrogen oxides emission reduction attainable through the application of reasonably available technology for the control of stationary source emissions of nitrogen oxides, as defined by 40 CFR Part 51, Appendix B. Hydrocarbon emission reductions arising from the Federal motor vehicle standards or from transportation control measures undertaken to implement the national standards for photochemical oxidants will tend to reduce ambient air concentrations of nitrogen dioxide. In accordance with 40 CFR 51.14, this combination of stationary and mobile source control measures is considered an adequate control strategy for implementation of the national standards for nitrogen dioxide. Studies aimed at providing an improved basis for developing and evaluating nitrogen oxides control strategies are underway. Based on the results of these studies, the Administrator will determine whether revision of the State plans for implementation of the national standards for nitrogen dioxide will be necessary; such revisions may necessitate, among other things, the development and application of nitrogen oxides emission control techniques going beyond those which are now available. Pending such action, States' requests for 2-year extensions of the deadline for attainment of this national standard have not been evaluated.

Hydrocarbons

The national standard for hydrocarbons (40 CFR 50.10) is a guide to the formulation of control strategies for attainment and maintenance of the national standard for photochemical oxidants. Accordingly, State plans were not required to provide for attainment and maintenance of the national standard for hydrocarbons, per se.

Transportation Control Measures

The Act and the Administrator's regulations (40 CFR Part 51) require States to take steps to reduce emissions from transportation sources wherever such steps are necessary for attainment and maintenance of national ambient air quality standards. In August 1971, when the Administrator's regulations were promulgated, it was recognized that States have had practically no experience with transportation control measures as a means of dealing with air quality problems and that available data were not sufficient to permit States to develop meaningful transportation control schemes and predict their impact on air quality. The Environmental Protection Agency had already begun an assessment of the extent to which various transportation control measures, including motor vehicle inspection and installation of emission control devices on in-use automobiles, could be expected to produce improvements in air quality, but it was apparent that the results would not be available within the time allowed for development of State plans. Accordingly, the States were advised that adoption of transportation control schemes could be deferred beyond the statutory deadline for submittal of implementation plans but that State plans would have to define the degree of emission reduction to be achieved through transportation control measures and identify the measures being considered. States were further advised that they would have to submit, no later than February 15, 1973, together with their first semiannual progress reports, definitive transportation control plans, including identification of the specific measures to be implemented, demonstration of the adequacy of these measures for attainment and maintenance of the national standards, and a detailed timetable for obtaining any necessary legal authority and taking all other steps necessary to implement the various measures. The Environmental Protection Agency, in cooperation with the Department of Transportation, will provide assistance to the States in the development of their transportation control plans.

Compliance Schedules

State plans were required to specify the dates by which all sources must be in compliance with applicable regulations, except that, where a State plan provides for negotiating compliance schedules for individual sources, such schedules are required to be submitted to the Administrator no later than the time of submittal of the State's first semiannual progress report. States generally have either prescribed a terminal date for compliance by all sources, with individual source schedules, including schedules of incremental steps toward compliance, to be negotiated, or have made regulations effective almost immediately, with compliance schedules to be negotiated and effectuated through a variance procedure. Either approach is considered acceptable: *Provided, first,* That compliance with all regulations related to attainment of national ambient air quality standards will be achieved by the attainment date specified in the State plan or prescribed by the Administrator, and second, that provision is made for negotiating compliance schedules, including incremental steps in cases where the terminal date is more than 18 months away.

Emergency Episodes

State plans were required to set forth episode criteria, i.e., pollutant concentrations at which specified emission control actions will be initiated in order to prevent significant harm to the health of persons. Episode criteria were required to be adequate to protect against occurrence of the significant harm levels prescribed by the Administrator (40 CFR 51.16). Emission control action plans were required to provide for abate-

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ment action dealing with area sources, e.g., open burning, commercial and residential incinerators, and motor vehicles, and to provide for development of individual standby abatement plans for all stationary sources emitting 100 tons per year or more. Where episode criteria and/or emission control action plans applicable to area sources and motor vehicles were not submitted or were disapproved, the Administrator is not prescribing substitute provisions, but, rather, in carrying out his responsibilities under section 303 of the Act, will be guided by the suggested episode criteria and emission control action plans set forth in the Administrator's regulations (40 CFR Part 51, Appendix L). Where episode criteria and/or emission control action plans are approved, the Administrator will make use of them in the event that it is necessary to initiate action under section 303. In either case, the Administrator, in acting under section 303, may also take into consideration other relevant information and advice, including medical-scientific opinions on endangerment to the health of persons. Where a State plan fails to provide for public announcements of episode stages or fails to provide for development of standby abatement plans for stationary sources emitting 100 tons per year or more, the Administrator will promulgate regulations to correct such deficiencies.

Air Quality Surveillance

Where a State's provisions for air quality surveillance do not meet the requirements of the Administrator's regulations (40 CFR 51.17), the deficiencies will be identified in the evaluation report, and the Environmental Protection Agency will work with the State in correcting the deficiencies. Insofar as air quality monitoring methods are concerned, the only methods currently approved are the reference methods prescribed by the Administrator (40 CFR Part 50) simultaneously with a promulgation of the national standards. With respect to carbon monoxide, photochemical oxidants, and hydrocarbons, the Administrator prescribed an analytical principle; any method employing exactly the same analytical principle is considered a reference method, provided that it meets the performance specifications set forth in the Administrator's regulations (40 CFR 51.17). For all pollutants, methods other than the reference methods prescribed by the Administrator may be approved if they are shown to be equivalent to the reference methods. Equivalency testing guidelines are being developed by the Environmental Protection Agency.

New Sources and Modifications

State plans were required to provide for review of new sources and modifications of existing sources and for preventing construction or modification if it would result in violations of applicable portions of a control strategy or interfere with attainment or maintenance of national standards.

Resources

States were required by section 110 of the Act to provide assurances that they will have adequate resources, i.e., personnel and funding, to carry out their implementation plans. The Administrator's judgment as to the probable adequacy of projected resources is based on a number of considerations, including estimates of manpower needs in relation to factors affecting the nature and magnitude of air pollution problems and previous evaluations of the performance of State and local air pollution control agencies. Where it is the Administrator's judgment that a State's projected resources may be inadequate, the Environmental Protection Agency will work with the State in correcting this deficiency. The Administrator's judgment on the adequacy of resources should not be construed as a commitment to provide financial support; such support is subject to the limitations of funds appropriated under the Clean Air Act.

Two-Year Extensions

The Act provides for 2-year, or shorter, extensions of the statutory deadline for attainment of national primary ambient air quality standards where needed technology or other alternatives are not available or will not be available soon enough to permit attainment of the primary standards within the 3-year period prescribed by the Act. For the most part, States' requests for such extensions were related to identified needs for application of transportation control measures. The Administrator has determined that the leadtime necessary for development, adoption, and implementation of transportation control measures generally precludes their application on any significant scale within the next 3 years, i.e., they will not be available soon enough to permit attainment of the primary standards within the time period prescribed by the Act. This determination was reflected in 40 CFR 51, in which emission control measures applicable to mobile sources, with minor exceptions, were not included among the various emission control measures judged to be attainable with reasonably available technology. Accordingly, it is the Administrator's judgment that 2-year extensions are justified in cases where transportation control measures will be necessary. It should be emphasized, however, that timetables for attainment of primary standards will be subject to continuing examination, and, where the Administrator finds that more expeditious attainment is practicable, States will be required to revise their timetables.

Where States have submitted implementation plans that do not provide for attainment of the primary standards within the 3-year period prescribed by the Act and have not requested an extension, the Administrator has evaluated such State plans to determine whether an extension is justified under the provisions of the Act. The Administrator's determinations in such cases are reflected below; these determinations will also be subject to continuing examination, and where necessary, revision.

Eighteen-Month Extensions

Under the Act, the Administrator may, wherever he determines necessary, extend for a period of not more than 18 months the deadline for submittal of a State plan or portion thereof which would implement a national secondary standard. 40 CFR 51.31 provides that such extensions may be granted where attainment of a secondary standard will require emission reductions exceeding those which can be achieved through the application of reasonably available control technology, as defined in 40 CFR Part 51, Appendix B. Where a State plan fails to provide for attainment of a secondary standard, and where attainment would require emission reductions exceeding those which can be achieved through the application of reasonably available control technology, the Administrator is providing for an 18-month extension regardless of whether the State has requested one. Such extensions will be applicable to adoption of an adequate plan for implementation of the secondary standard by the State or promulgation of an adequate implementation plan by the Administrator.

Emission Data Availability

The Act requires assurance that States will provide for public availability of emission data. Where a State lacks legal authority to obtain and/or release emission data or where the State plan is deficient with respect to source-reporting requirements or procedures for public access to emission data, the Administrator is disapproving the pertinent provisions of the State plan. The Administrator will promulgate regulations to remedy such deficiencies. Under section 114 of the Clean Air Act, States may request delegation of the Administrator's authority to obtain and release information.

Source Monitoring

States must have legal authority to require stationary source owners or operators to install, maintain, and use emission monitoring devices. The Environmental Protection Agency is making an analysis of the performance of currently available emission (in-stack) monitoring devices. Accordingly, States were not required by 40 CFR Part 51 to impose specific source-by-source requirements for in-stack monitoring at this time.

Optional Control

Several State plans include regulations under which a source owner or operator could be exempt from compliance with an applicable emission limitation if he can show that emissions from the source will not interfere with attainment or maintenance of the national standards. The Administrator neither approves nor disapproves such optional control features. States are advised, however, that action taken to allow any such exemptions will constitute revision of a State plan and

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therefore will be subject at that time to the Administrator's approval.

REVISIONS

In accordance with the Act and the Administrator's regulations (40 CFR 51.6), all State plans are subject to revision, as necessary, to take account of revisions of the national standards, availability of improved or more expeditious methods of attaining the national standards, or a finding by the Administrator that a State plan is substantially inadequate to attain or maintain a national standard. Accordingly, whether a State has acknowledged that its implementation plan is subject to revision is considered immaterial.

ENFORCEMENT

Upon approval by the Administrator, a State plan is enforceable by the Administrator under the Clean Air Act. All approved provisions relating to attainment and maintenance of national standards, including approved rules and regulations, are subject to such enforcement action. Where a State plan includes regulations designed to attain and maintain air quality better than that required by the national standards, such regulations are subject to enforcement action under the Clean Air Act unless they are separate from those necessary for attainment and maintenance of the national standards.

PROGRESS REPORTS

States are required to submit semiannual reports on their progress in carrying out approved implementation plans or portions thereof. For implementation plans approved herein, the first progress reports will be due February 15, 1973. A format for use in preparing and submitting such reports is being prepared and will be made available to the States.

PREVIOUS APPROVALS

The State implementation plans approved herein supplement the portions previously approved by the Administrator, notice of which was published February 3, 1972 (37 F.R. 2581), at Part 52 of Title 40 of the Code of Federal Regulations. Portions of State plans which have previously been approved remain in effect and unaffected by the approvals published today.

SCOPE OF APPROVALS

In general, all portions of State plans which are related to attainment and and maintenance of national standards are approved unless specifically disapproved herein.

JUDICIAL REVIEW

The Administrator's approval or promulgation of implementation plans, or portions thereof, is subject to judicial review under section 307(b)(1) of the Clean Air Act. For purposes of section 307(b)(1), the 30-day period within which a petition for review may be filed will be considered to run from the date of publication in the FEDERAL REGISTER of a notice of approval or promulgation of a plan or portion thereof.

NOTE

Subpart A of the regulations includes general statements regarding the type of provisions which will be promulgated by the Agency as necessary in various subparts. These statements are expressed in the present tense in order to avoid revisions of verb tenses at the time of promulgation.

EFFECTIVE DATE

These regulations are effective on the date of their publication in the FEDERAL REGISTER (5-31-72). The Agency finds that good cause exists for not publishing these regulations as a notice of proposed rule making and for making them effective immediately upon publication, for the following reasons:

1. The implementation plans were prepared, adopted, and submitted by the States, and reviewed and evaluated by the Administrator pursuant to 40 CFR Part 51, which, prior to promulgation, had been published as a notice of proposed rule-making for comment by interested persons, and

2. The approved implementation plan provisions were adopted in accordance with procedural requirements of State and Federal law, which provided for adequate public participation through notice, public hearings, and time for comment, and consequently further public participation is unnecessary.

(42 U.S.C. 1857c-5)

Dated: May 26, 1972.

WILLIAM D. RUCKELSHAUS,
Administrator.

NOTE: Incorporation by reference provisions approved by the Director of the Federal Register on May 18, 1972.

Part 52 of Chapter I of Title 40 of the Code of Federal Regulations is amended by redesignating existing § 52.1 as new Subpart EEE, § 52.2850 and by adding new Subparts A-DDD as follows:

Subpart A—General Provisions

§ 52.01 Definitions.

All terms used in this part but not defined herein shall have the meaning given them in the Clean Air Act and in Part 51 of this chapter.

§ 52.02 Introduction.

(a) This part sets forth the Administrator's approval and disapproval of State plans and the Administrator's promulgation of such plans or portions thereof. Approval of a plan or any portion thereof is based upon a determination by the Administrator that such plan or portion meets the requirements of section 110 of the Act and the provisions of Part 51 of this chapter.

(b) Any plan or portion thereof promulgated by the Administrator substitutes for a State plan or portion thereof disapproved by the Administrator or not submitted by a State, or supplements a State plan or portion thereof. The promulgated provisions, together with any portions of a State plan approved by the Administrator, constitute the applicable plan for purposes of the Act.

(c) Where nonregulatory provisions of a plan are disapproved, the disapproval is noted in this part and a detailed evaluation is provided to the State, but no substitute provisions are promulgated by the Administrator.

(d) All approved regulatory provisions of each plan are incorporated by reference in this part. Regulatory provisions of a plan approved or promulgated by the Administrator are enforceable by the Administrator and the State, and by local agencies in accordance with their assigned responsibilities under the plan.

(e) Each State's plan is dealt with in a separate subpart, which includes an introductory section identifying the plan by name and the date of its submittal, a section classifying regions, and a section setting forth dates for attainment of the national standards. Additional sections are included as necessary to specifically identify disapproved provisions, to set forth reasons for disapproval, and to set forth provisions of the plan promulgated by the Administrator.

(f) Revisions to applicable plans will be included in this part when approved or promulgated by the Administrator.

§ 52.03 Extensions.

Each subpart includes the Administrator's determination with respect to any request under section 110(b) of the Act for an extension of the deadline for submitting that portion of a plan which implements a secondary standard or any request under section 110(c) of the Act for an extension of the 3-year deadline for attainment of a primary standard.

§ 52.04 Classification of regions.

Each subpart sets forth the priority classification, by pollutant, for each region in the State. Each plan for each region was evaluated according to the requirements of Part 51 of this chapter applicable to regions of that priority.

§ 52.05 Public availability of emission data.

Each subpart sets forth the Administrator's disapproval of plan procedures for making emission data available to the public after correlation with applicable emission limitations, and includes the promulgation of requirements that sources report emission data to the Administrator for correlation and public disclosure.

§ 52.06 Legal authority.

(a) The Administrator's determination of the absence or inadequacy of legal authority required to be included in the plan is set forth in each subpart. This includes the legal authority of local agencies and State governmental agencies other than an air pollution control agency if such other agencies are assigned responsibility for carrying out a plan or portion thereof.

(b) No legal authority as such is promulgated by the Administrator. Where required regulatory provisions are not included in the plan by the State because of inadequate legal authority, substitute provisions are promulgated by the Administrator.

(c) Where a State plan did not clearly set forth a timetable for obtaining legal authority to establish transportation and land-use controls necessary to attain or

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maintain the national standards, the subpart sets forth a timetable for the acquisition of such authority and the adoption of the necessary control measures. The State's failure to comply with the timetable set forth in the subpart will be grounds for promulgation of the required measures by the Administrator.

§ 52.07 Control strategies.

(a) Each subpart specifies in what respects the control strategies are approved or disapproved, and also specifies the date by which an approved or promulgated control strategy will result in the attainment of the pertinent national standards.

(b) A control strategy may be disapproved as inadequate because it is not sufficiently comprehensive, although all regulations provided to carry out the strategy may themselves be approved. In this case, regulations for carrying out necessary additional measures are promulgated in the subpart.

(c) Where a control strategy is adequate to attain and maintain a national standard but one or more of the regulations to carry it out is not adopted or not enforceable by the State, the control strategy is approved and the necessary regulations are promulgated by the Administrator.

(d) Where a control strategy is adequate to attain and maintain air quality better than that provided for by a national standard but one or more of the regulations to carry it out is not adopted or not enforceable by the State, the control strategy is approved and substitute regulations necessary to attain and maintain the national standard are promulgated.

§ 52.08 Rules and regulations.

Each subpart identifies the regulations, including emission limitations, which are disapproved by the Administrator, and includes the regulations which the Administrator promulgates.

§ 52.09 Compliance schedules.

(a) In each subpart, compliance schedules disapproved by the Administrator are identified, and compliance schedules promulgated by the Administrator are set forth.

(b) Individual source compliance schedules submitted with certain plans have not yet been evaluated, and are not approved or disapproved.

§ 52.10 Review of new sources and modifications.

In any plan where the review procedure for new sources and source modifications does not meet the requirements of § 51.18 of this chapter, provisions are promulgated which enable the Administrator to obtain the necessary information and to prevent construction or modification.

§ 52.11 Prevention of air pollution emergency episodes.

(a) Each subpart identifies portions of the air pollution emergency episode contingency plan which are disapproved, and sets forth the Administrator's promulgation of substitute provisions.

(b) No provisions are promulgated to replace any disapproved air quality monitoring or communications portions of a contingency plan, but detailed critiques of such portions are provided to the State.

§ 52.12 Source surveillance.

(a) Each subpart identifies the plan provisions for source surveillance which are disapproved, and sets forth the Administrator's promulgation of necessary provisions for requiring sources to maintain records, make reports, and submit information.

(b) No provisions are promulgated for any disapproved State or local agency procedures for testing, inspection, investigation, or detection, but detailed critiques of such portions are provided to the State.

(c) For purposes of Federal enforcement, emissions from sources subject to provisions of a plan which did not specify a test procedure or subject to provisions promulgated by the Administrator will be tested by means of the procedures and methods prescribed in the appendix to Part 60 of this title, and emissions from sources subject to approved provisions of a plan wherein a test procedure was specified will be tested by the specified procedure.

§ 52.13 Air quality surveillance; resources; intergovernmental cooperation.

Disapproved portions of the plan related to the air quality surveillance system, resources, and intergovernmental cooperation are identified in each subpart, and detailed critiques of such portions are provided to the State. No provisions are promulgated by the Administrator.

§ 52.14 State ambient air quality standards.

Any ambient air quality standard submitted with a plan which is less stringent than a national standard is not considered part of the plan.

§ 52.15 Public availability of plans.

Each State shall make available for public inspection at least one copy of the plan in at least one city in each region to which such plan is applicable. All such copies shall be kept current.

Subpart B—Alabama

§ 52.50 Identification of plan.

(a) Title of plan: "Air Quality Implementation Plan for the State of Alabama."
(b) The plan was officially submitted on January 25, 1972.
(c) Supplemental information was submitted on March 21, April 18, and April 28, 1972, by the Alabama Air Pollution Control Commission.

§ 52.51 Classification of regions.

The Alabama 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)
Alabama & Tombigbee Rivers Intrastate	II	III	III	III	III
Columbus (Georgia)-Phenix City (Alabama) Interstate	I	III	III	III	III
East Alabama Intrastate	I	III	III	III	III
Metropolitan Birmingham Intrastate	I	II	III	I	I
Mobile (Alabama)-Pensacola-Panama City (Florida)-Southern Mississippi Interstate	I	I	III	III	I
Southeast Alabama Intrastate	II	III	III	III	III
Tennessee River Valley (Alabama)-Cumberland Mountains (Tennessee) Interstate	I	I	III	III	III

§ 52.52 Extensions.

The Administrator hereby extends for 2 years the attainment date for the national standards for photochemical oxidants and carbon monoxide in the Metropolitan Birmingham Intrastate Region and for photochemical oxidants in the Alabama portion of the Mobile (Alabama)-Pensacola-Panama City (Florida)-Southern Mississippi Interstate Region.

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§ 52.53 Approval status.

The Administrator approves Alabama's plan for the attainment and maintenance of the national standards.

§ 52.54 Attainment 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 Alabama's plan.

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
	Primary	Secondary	Primary	Secondary			
Alabama & Tombigbee Rivers Intrastate	c	a	d	d	d	d	d
Columbus (Georgia)-Phenix City (Alabama) Interstate	a	a	d	d	d	d	d
East Alabama Intrastate	a	a	d	d	d	d	d
Metropolitan Birmingham Intrastate	a	a	d	d	a	b	b
Mobile (Alabama)-Pensacola-Panama City (Florida)-Southern Mississippi Interstate	a	a	a	a	d	b	b
Southeast Alabama Intrastate	c	a	d	d	d	d	d
Tennessee River Valley (Alabama)-Cumberland Mountains (Tennessee) Interstate	a	a	a	a	d	d	d

a. 3 years from plan approval or promulgation.
b. 5 years from plan approval or promulgation.
c. Air quality levels presently below primary standards.
d. Air quality levels presently below secondary standards.

Subpart C—Alaska

§ 52.70 Identification of plan.

(a) Title of plan: "State of Alaska Air Quality Control Plan."
(b) The plan was officially submitted on April 25, 1972.

§ 52.71 Classification of regions.

The Alaska 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)
Cook Inlet Intrastate	I	III	III	III	III
Northern Alaska Intrastate	I	III	III	I	III
South Central Alaska Intrastate	III	III	III	III	III
Southeastern Alaska Intrastate	III	IA	III	III	III

§ 52.72 Approval status.

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

§ 52.73 General requirements.

(a) The requirements of § 51.10(e) of this chapter are not met since the plan does not provide the necessary procedures for making emission data, as correlated with allowable emissions, available to the public.

§ 52.74 Legal authority.

(a) The requirements of § 51.11 of this chapter are not met since in:
(1) Alaska Department of Environmental Conservation.
(i) Authority to make emission data available is inadequate since AS46.03.180 might prohibit disclosure [§ 51.11(a)(6) of this chapter].
(ii) Authority to enforce local regulations or State regulations is lacking in areas where a local agency is organized [§ 51.11(f) of this chapter].
(2) Cook Inlet Air Resources Management District.
(i) Authority to require recordkeeping is inadequate [§ 51.11(a)(5) of this chapter].
(ii) Authority to require installation of monitoring devices is inadequate [§ 51.11(a)(6) of this chapter].
(iii) Authority to make emission data available to the public is inadequate [§ 51.11(a)(6) of this chapter].
(iv) Authority to obtain injunctions is inadequate [§ 51.11(a)(2) of this chapter].
(3) Fairbanks North Star Borough.
(i) Authority to obtain injunctions is inadequate [§ 51.11(a)(2) of this chapter].
(ii) Authority to require recordkeeping is inadequate [§ 51.11(a)(5) of this chapter].
(iii) Authority to require installation of monitoring devices is inadequate [§ 51.11(a)(6) of this chapter].
(iv) Authority to make emission data available to the public is inadequate since 45.05.130 of the Fairbanks North Star Borough ordinance could require it to be confidential [§ 51.11(a)(6) of this chapter].

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(v) Authority to abate emergency air pollution episodes is inadequate because 45.05.100 of the Fairbanks North Star Borough ordinance is limited to generalized conditions of air pollution and because the order of the Commission is subject to review de novo [§ 51.11(a)(3) of this chapter].

(vi) Authority for necessary transportation controls is not set forth nor is a timetable for obtaining it included [§ 51.11(b) of this chapter].

§ 52.75 Control strategy and regulations: Sulfur oxides and particulate matter.

(a) Because of the late submission of the plan, the Administrator has not had adequate time to complete his evaluation of this section and associated regulations. Therefore, the Administrator disapproves these portions of the plan pending completion of his evaluation.

§ 52.76 Control strategy and regulations: Carbon monoxide.

(a) Because of the late submission of the plan, the Administrator has not had adequate time to complete his evaluation of this section and associated regulations. Therefore, the Administrator disapproves these portions of the plan pending completion of his evaluation.

§ 52.77 Prevention of air pollution emergency episodes.

(a) Because of the late submission of the plan, the Administrator has not had adequate time to complete his evaluation of this section. Therefore, the Administrator disapproves this section of the plan pending completion of his evaluation.

§ 52.78 Review of new sources and modifications.

(a) Because of the late submission of the plan, the Administrator has not had adequate time to complete his evaluation of this section. Therefore, the Administrator disapproves this section of the plan pending completion of his evaluation.

§ 52.79 Source surveillance.

(a) The requirements of § 51.19(a) of this chapter are not met since the plan does not set forth legally enforceable procedures for requiring owners or operators of stationary sources to maintain records of, and periodically report to the State information on, the nature and amounts of emissions as may be necessary to enable the State to determine whether such sources are in compliance with applicable portions of the control strategy.

(b) Because of the late submission of the plan, the Administrator has not had adequate time to complete his evaluation of the remaining portions of this section. Therefore, the Administrator disapproves these portions of this section of the plan pending completion of his evaluation.

§ 52.80 Intergovernmental cooperation.

(a) The requirements of § 51.21 of this chapter are not met since the plan does not clearly delineate the responsibilities of the State and local air pollution control agencies, nor does it adequately discuss the responsibilities of other State or local agencies implementing portions of the plan. Specifically, the emergency avoidance plan and the control strategies, which are to be further developed by the Cook Inlet and Fairbanks North Star Borough agencies, do not adequately explain agency responsibilities.

§ 52.81 Attainment dates for national standards.

Because of the late submission of the plan, the Administrator has not had adequate time to complete his evaluation of this section. Therefore, the Administrator disapproves this section of the plan pending completion of his evaluation.

Subpart D—Arizona

§ 52.120 Identification of plan.

(a) Title of plan: "The State of Arizona Air Pollution Control Implementation Plan."

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

(c) Supplemental information was submitted on:

(1) March 1, 1972, by the Arizona State Board of Health, and

(2) March 2, 1972.

§ 52.121 Classification of regions.

The Arizona 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)
Arizona-New Mexico Southern Border Interstate	I-A	I-A	III	III	III
Clark-Mohave Interstate	I	I-A	I	I	I
Four Corners Interstate	I-A	I-A	I-A	III	III
Phoenix-Tucson Intrastate	I	I	I	I	I

§ 52.122 Extensions.

(a) The Administrator hereby extends for 2 years the attainment date for the national standards for carbon monoxide in the Phoenix-Tucson Intrastate Region.

§ 52.123 Approval status.

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

§ 52.124 Legal authority.

(a) The requirements of § 51.11(f) of this chapter are not met since the State lacks the authority to enforce local regulations which are necessary to the control strategy.

§ 52.125 Control strategy and regulations: Sulfur oxides.

(a) The requirements of §§ 51.13 and 51.22 of this chapter are not met since the plan does not contain a control strategy nor regulations which provide for the attainment and maintenance of the national standards for sulfur oxides in the Phoenix-Tucson Intrastate Region, and the Arizona portions of the Arizona-New Mexico Southern Border and Four Corners Interstate Regions.

§ 52.126 Control strategy and regulations: Particulate matter.

(a) The requirements of §§ 51.13 and 51.22 of this chapter are not met since the plan does not provide for the attainment and maintenance of the national standards for particulate matter in the Phoenix-Tucson Intrastate Region, and the Arizona portions of the Arizona-New Mexico Southern Border, Clark-Mohave, and Four Corners Interstate Regions.

§ 52.127 Control strategy and regulations: Nitrogen dioxide.

(a) The requirements of §§ 51.14(c)(3) and 51.22 of this chapter are not met since the plan does not provide for the degree of nitrogen oxides emission reduction attainable through the application of reasonably available control technology in the Phoenix-Tucson Intrastate Region.

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§ 52.128 Air quality surveillance.

(a) The requirements of § 51.17(a)(2) of this chapter are not met since the plan does not provide for a sampler in the area of estimated maximum sulfur dioxide concentrations in the Phoenix-Tucson Intrastate and the Arizona portion of the Arizona-New Mexico Southern Border Interstate Region.

§ 52.129 Review of new sources and modifications.

(a) The requirements of § 51.18(c) of this chapter are not met since the plan does not contain legally enforceable State procedures for disapproving construction of a source which would interfere with attainment or maintenance of the secondary standards for particulate matter.

(b) The requirements of § 51.18(c) of this chapter are not met in the Phoenix-Tucson Intrastate Region since the Maricopa County procedures are not adequate to prevent construction of a source which would interfere with the attainment or maintenance of the secondary standards for particulate matter. The Pima County regulations are not adequate to prevent construction of a source which would interfere with the attainment or maintenance of the national standards.

§ 52.130 Source surveillance.

(a) The requirements of § 51.19(a) of this chapter are not met since the plan does not contain legally enforceable procedures for requiring sources to periodically report on the nature and amounts of emissions.

(b) The requirements of § 51.19(c) of this chapter are not met since the plan does not provide visible emission limitations.

§ 52.131 Attainment 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 Arizona's plan, except where noted.

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
	Primary	Secondary	Primary	Secondary			
Arizona-New Mexico Southern Border Interstate	a	a	a	b	c	c	c
Clark-Mohave Interstate	a	a	a	a	c	a	a
Four Corners Interstate	a	a	a	a	c	c	c
Phoenix-Tucson Intrastate	July 1975[e]	July 1977[e]	a	b	a	July 1977[d]	July 1975[d]

NOTE.—Dates of footnotes which are underlined are proposed by the Administrator because the plan does not provide a specific date or the date provided was not acceptable.

a. 3 years from plan approval or promulgation.

b. 5 years from plan approval or promulgation.

c. Air quality levels presently below secondary standards.

d. Transportation and/or land use control strategy to be submitted no later than Feb. 15, 1973, with the first semiannual report.

e. Transportation and/or land use measures will be proposed by the Administrator no later than Feb. 15, 1973.

§ 52.132 Transportation and land use controls.

(a) To complete the requirements of §§ 51.11(b) and 51.14 of this chapter for the Phoenix-Tucson Intrastate Region, the Governor of Arizona must submit to the Administrator:

(1) No later than February 15, 1973, the selection of the appropriate transportation control alternatives and a demonstration that said alternatives, along with the presently adopted stationary source hydrocarbon emission limitations included in the plan and the Federal Motor Vehicle Control Program, will attain and maintain the national standards for carbon monoxide by July 1977 and photochemical oxidants (hydrocarbons) by July 1975. By this date (February 15, 1973), the State must also include a detailed timetable for implementing the legislative authority, regulations, and control alternatives necessary to attain and maintain the national standards for carbon monoxide and photochemical oxidants (hydrocarbons) by the dates prescribed above.

(2) No later than July 30, 1973, the legislative authority that is needed for carrying out the transportation control alternatives.

(3) No later than December 30, 1973, the necessary adopted regulations and administrative policies needed to implement the transportation control alternatives.

Subpart E—Arkansas

§ 52.170 Identification of plan.

(a) Title of plan: "Arkansas Plan of Implementation for Air Pollution Control."

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

(c) Supplemental information was submitted on January 25, 1972, and February 24, 1972, by the State of Arkansas Department of Pollution Control and Ecology.

§ 52.171 Classification of regions.

The Arkansas 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)
Central Arkansas Intrastate	II	III	III	III	III
Metropolitan Fort Smith Interstate	II	III	III	III	III
Metropolitan Memphis Interstate	I	III	I	III	I
Monroe (Louisiana)-El Dorado (Arkansas) Interstate	II	III	III	III	III
Northeast Arkansas Intrastate	III	III	III	III	III
Northwest Arkansas Intrastate	III	III	III	III	III
Shreveport-Texarkana-Tyler Interstate	II	III	III	III	III

§ 52.172 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Arkansas' plan for the attainment and maintenance of the national standards.

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§ 52.173 **Compliance schedules.**

(a) The requirements of § 51.15(a)(2) of this chapter are not met since individual source compliance schedules already in effect were not submitted with the plan.

§ 52.174 **Source surveillance.**

(a) The requirements of § 51.19(a) of this chapter are not met since the plan does not contain adequate legally enforceable procedures requiring owners or operators of stationary sources to maintain records of, and periodically report to the State, information on emissions.

§ 52.175 **Resources.**

(a) The requirements of § 51.20 of this chapter are not met since the plan shows a lack of manpower resources and the associated funds necessary to carry out the plan during the 5-year period following its submission.

§ 52.176 **Attainment 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 Arkansas' plan, except where noted.

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons
	Primary	Secondary	Primary	Secondary			
Central Arkansas Intrastate	a	a	c	c	c	c	c
Metropolitan Fort Smith Interstate	b	a	c	c	c	c	c
Metropolitan Memphis Interstate	a	a	c	c	a	c	a
Monroe (Louisiana)-El Dorado (Arkansas Interstate	b	a	c	c	c	c	c
Northeast Arkansas Intrastate	c	c	c	c	c	c	c

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
	Primary	Secondary	Primary	Secondary			
Northwest Arkansas Intrastate	c	c	c	c	c	c	c
Shreveport-Texarkana-Tyler Interstate	b	a	c	c	c	c	c

NOTE.—Footnotes which are underlined are proposed by the Administrator because the plan does not provide a specific date.

a. 3 years from plan approval or promulgation.
b. Air quality levels presently below primary standards.
c. Air quality levels presently below secondary standards.

Subpart F—California

§ 52.220 **Identification of plan.**

(a) Title of plan: "The State of California Implementation Plan for Achieving and Maintaining the National Ambient Air Quality Standards".
(b) The plan was officially submitted on February 21, 1972.
(c) Supplemental information was submitted on April 3, 10, 19, 21, 26, and May 5, 1972, by the California Air Resources Board.

§ 52.221 **Classification of regions.**

The California 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)
North Coast Intrastate	II	III	III	III	III
San Francisco Bay Area Intrastate	II	II	I	I	I
North Central Coast Intrastate	II	III	III	III	I
South Central Coast Intrastate	III	III	III	III	III
Metropolitan Los Angeles Intrastate	I	II	I	I	I
Northeast Plateau Intrastate	III	III	III	III	III
Sacramento Valley Intrastate	II	III	III	I	I
San Joaquin Valley Intrastate	I	III	III	I	I
Great Basin Valley Intrastate	III	III	III	III	III
Southeast Desert Intrastate	I	III	III	III	I
San Diego Intrastate	II	III	I	I	I

§ 52.222 **Extensions.**

(a) The Administrator hereby extends for 18 months the statutory timetable for submittal of the plan for attainment and maintenance of the secondary standards for particulate matter in the Metropolitan Los Angeles Intrastate Region.
(b) The Administrator hereby extends for 2 years the attainment date for the national standards for carbon monoxide in the Sacramento Valley Intrastate Region and the national standard for photochemical oxidants (hydrocarbons) in the San Francisco Bay Area, Metropolitan Los Angeles, Sacramento Valley, San Joaquin Valley, and Southeast Desert Intrastate Regions.

HeinOnline -- 37 Fed. Reg. 10851 (1972)

§ 52.223 Approval status.

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

§ 52.224 General requirements.

(a) The requirements of § 51.10(e) of this chapter are not met since the plan does not provide procedures by which emission data, as correlated with applicable emission limitations, will be made available to the public.

§ 52.225 Legal authority.

(a) The requirements of § 51.11(a)(3) of this chapter are not met since the State Emergency Services Act does not apply to air pollution emergencies in a manner comparable to section 303 of the Clean Air Act, as amended.

(b) The requirements of § 51.11(a)(6) of this chapter are not met since authority to make emission data available to the public is inadequate. Such release is precluded under certain circumstances.

§ 52.226 Control strategy and regulations: Particulate matter, San Joaquin Valley Intrastate Region.

(a) The requirements of § 51.13 are not met since the plan does not provide for the attainment and maintenance of the national standards for particulate matter in the San Joaquin Valley Intrastate Region.

(b) The following regulations are disapproved since they do not provide the degree of control needed to attain and maintain the national standards for particulate matter in the San Joaquin Valley Intrastate Region:

(1) Amador County Air Pollution Control District:
(i) Regulation V, 10.
(ii) Regulation V, 11, B.
(2) Calaveras County Air Pollution Control District:
(i) Rule 4.10.
(ii) Rule 4.11.B.
(3) Fresno County Air Pollution Control District:
(i) Rule 4.10.b.
(ii) Rule 4.9.
(4) Kern County Air Pollution Control District:
(i) Rule 4.8.
(ii) Rule 4.9.b.
(5) Kings County Air Pollution Control District:
(i) Section 24–13B, Article III.
(ii) Section 24–12, Article III.
(6) Merced County Air Pollution Control District:
(i) Rule 4.10.b.
(ii) Rule 4.9.
(7) San Joaquin County Air Pollution Control District:
(i) Rule 4.12.b.
(ii) Rule 4.10.
(8) Stanislaus County Air Pollution Control District:
(i) Rule VI B.4.
(ii) Rule VI A.2.
(9) Tulare County Air Pollution Control District:
(i) Section 305.
(10) Tuolumne County Air Pollution Control District:
(i) Rule 52.b.

§ 52.227 Control strategy and regulations: Particulate matter, Metropolitan Los Angeles Intrastate Region.

(a) The requirements of § 51.13 of this chapter are not met since the plan does not provide for attainment and maintenance of the secondary standards for particulate matter in the Metropolitan Los Angeles Intrastate Region.

(b) The following regulations are disapproved since they are not part of the approved control strategy and do not provide for the degree of control needed to attain and maintain the primary standards for particulate matter in the Metropolitan Los Angeles Intrastate Region.

(1) Los Angeles County Air Pollution Control District:
(i) Regulation IV, Rule 52.
(ii) Regulation IV, Rule 53.b.
(iii) Regulation IV, Rule 54.
(2) Orange County Air Pollution Control District:
(i) Regulation IV, Rule 52.
(ii) Regulation IV, Rule 53.b.
(iii) Regulation IV, Rule 54.
(3) Riverside County Air Pollution Control District:
(i) Regulation IV, Rule 52.
(ii) Regulation IV, Rule 53.b.
(iii) Regulation IV, Rule 54.
(4) Santa Barbara County Air Pollution Control District:
(i) Regulation III, Rule 18.
(ii) Regulation III, Rule 19.b.
(iii) Regulation III, Rule 21.
(5) San Bernardino County Air Pollution Control District:
(i) Regulation IV, Rule 52.
(ii) Regulation IV, Rule 53.b.
(iii) Regulation IV, Rule 54.
(6) Ventura County Air Pollution Control District:
(i) Regulation IV, Rule 52.
(ii) Regulation IV, Rule 53.
(iii) Regulation IV, Rule 54.3.

§ 52.228 Regulations: Particulate matter, Southeast Desert Intrastate Region.

(a) The following regulations are disapproved since they are not part of the approved control strategy and do not provide for the degree of control needed to attain and maintain the national standards for particulate matter in the Southeast Desert Intrastate Region.

(1) Imperial County Air Pollution Control District:
(i) Rule 114.
(ii) Rule 116.
(2) Kern County Air Pollution Control District:
(i) Rule 4.9.
(ii) Rule 4.10.b.
(3) Los Angeles County Air Pollution Control District:
(i) Regulation IV, Rule 52.
(ii) Regulation IV, Rule 53.b.
(4) Riverside County Air Pollution Control District:
(i) Regulation IV, Rule 52.
(ii) Regulation IV, Rule 53.b.
(5) San Bernardino County Air Pollution Control District:
(i) Regulation IV, Rule 52.
(ii) Regulation IV, Rule 53.b.
(6) San Diego County Air Pollution Control District:
(i) Regulation IV, Rule 52.
(ii) Regulation IV, Rule 53.b.

§ 52.229 Control strategy and regulations: Photochemical oxidants (hydrocarbons), Metropolitan Los Angeles Intrastate Region.

(a) The requirements of § 51.14 of this chapter are not met since the plan does not provide for the attainment and maintenance of the national standard for photochemical oxidants (hydrocarbons) in the Metropolitan Los Angeles Intrastate Region.

(b) Regulation IV, Rule 55, of the Ventura County Air Pollution Control District is disapproved since it does not provide for the degree of control needed to attain and maintain the national standard for photochemical oxidants (hydrocarbons).

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§ 52.230 Control strategy: Nitrogen dioxide, Metropolitan Los Angeles Intrastate Region.

(a) The requirements of § 51.14(c)(3) of this chapter are not met since the plan does not provide for the degree of nitrogen oxides emission reduction attainable through application of reasonably available control technology in the Metropolitan Los Angeles Intrastate Region.

§ 52.231 Prevention of air pollution emergency episodes.

(a) The requirements of § 51.16 of this chapter are not met since the plan provides no means of taking necessary emission control actions, specifies no episode criteria, nor delineates any of the procedures to be implemented during an emergency episode.

§ 52.232 Air quality surveillance.

(a) The requirements of § 51.17(a) of this chapter are not met since the plan does not specify which air quality monitoring stations have been designated for the purpose of monitoring in an area of maximum pollutant concentrations and the proposed network does not provide for the required number of samplers in all regions.

(b) The requirements of § 51.17(b) of this chapter are not met since methods of sampling analysis, data handling, and data analysis were not adequately described in the plan.

(c) The requirements of § 51.17(c) of this chapter are not met since the plan does not provide for monitoring air quality during an emergency episode.

§ 52.233 Review of new sources and modifications.

(a) The requirements of § 51.18(a) of this chapter are not met in the indicated portions of the following Regions since the regulations of the Air Pollution Control Districts (APCD) do not provide procedures for obtaining information prior to construction, nor the means of preventing construction.

(1) Sacramento Valley Intrastate:
(i) Colusa County APCD.
(ii) Sutter County APCD.
(2) San Joaquin Valley Intrastate:
(i) Calaveras County APCD.
(ii) Fresno County APCD.
(iii) Kern County APCD.
(iv) Kings County APCD.
(v) Madera County APCD.
(vi) Mariposa County APCD.
(vii) Merced County APCD.
(viii) San Joaquin County APCD.
(ix) Stanislaus County APCD.
(x) Tulare County APCD.
(3) Southeast Desert Intrastate:
(i) Kern County APCD.

(b) The requirements of § 51.18(a) of this chapter are not met in the indicated portions of the following Regions since the regulations of the Air Pollution Control Districts (APCD) do not provide procedures for the review of new sources and modifications.

(1) San Francisco Bay Area Intrastate:
(i) Bay Area APCD.
(2) Sacramento Valley Intrastate:
(i) Sacramento County APCD.

(c) The requirements of § 51.18(a) of this chapter are not met in the indicated portions of the following Regions since the regulations of the Air Pollution Control Districts (APCD) do not provide the means to prevent construction.

(1) Metropolitan Los Angeles Intrastate:
(i) Santa Barbara County APCD.
(ii) Ventura County APCD.
(2) South Central Coast Intrastate:
(i) Santa Barbara County APCD.

(d) The requirements of § 51.18(c) of this chapter are not met in the indicated portions of the following Regions since the regulations of the Air Pollution Control Districts (APCD) do not include a means to prevent construction or modification of sources if such construction or modification would interfere with the attainment or maintenance of a national standard.

(1) Great Basin Valley Intrastate:
(i) Inyo County APCD.
(ii) Mono County APCD.
(2) Metropolitan Los Angeles Intrastate:
(i) Los Angeles County APCD.
(ii) Orange County APCD.
(iii) Riverside County APCD.
(iv) San Bernardino County APCD.
(3) North-Central Coast Intrastate:
(i) Monterey-Santa Cruz Unified APCD.
(ii) San Benito County APCD.
(4) North Coast Intrastate:
(i) Humboldt County APCD.
(ii) Mendocino County APCD.
(iii) Siskiyou County APCD.
(5) Northeast Plateau Intrastate:
(i) Lassen County APCD.

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(ii) Siskiyou County APCD.
(iii) Modoc County APCD.
(iv) Shasta County APCD.
(6) Sacramento Valley Intrastate:
(i) El Dorado County APCD.
(ii) Nevada County APCD.
(iii) Placer County APCD.
(iv) Plumas County APCD.
(v) Shasta County APCD.
(vi) Sierra County APCD.
(vii) Yolo-Solano Unified APCD.
(7) San Diego Intrastate:
(i) San Diego County APCD.
(8) San Joaquin Intrastate:
(i) Amador County APCD.
(ii) Tuolumne County APCD.
(9) Southeast Desert Intrastate:
(i) Los Angeles County APCD.
(ii) Riverside County APCD.
(iii) San Bernadino County APCD.
(iv) San Diego County APCD.
(v) Imperial County APCD.
(10) San Francisco Bay Area Intrastate:
(i) Yolo-Solano Unified APCD.

(e) The requirements of §§ 51.18 and 51.22 of this chapter are not met in the indicated portions of the following Regions since the adopted regulations for the Air Pollution Control Districts (APCD) were not submitted with the plan.
(1) Great Basin Valley Intrastate:
(i) Alpine County APCD.
(2) North Coast Intrastate:
(i) Lake County APCD.
(ii) Trinity County APCD.
(3) Sacramento Valley Intrastate:
(i) Glenn County APCD.
(ii) Yuba County APCD.
(4) San Francisco Bay Area Intrastate:
(i) Sonoma County APCD.

§ 52.234 Source surveillance.

(a) The requirements of § 51.19(a) of this chapter are not met except in the Bay Area Air Pollution Control District portion of the San Francisco Bay Area Intrastate Region since the plan does not provide for periodic reporting and record keeping of emission data by sources.

(b) The requirements of § 51.19(b) of this chapter are not met since the plan does not adequately provide for periodic testing and inspection of stationary sources within the Bay Area Air Pollution Control District portion of the San Francisco Bay Area Intrastate Region.

(c) The requirements of § 51.19(c) of this chapter are not met since the system for detecting violations through enforcement of visible emission regulations and complaint handling is not adequately described.

§ 52.235 Resources.

(a) The requirements of § 51.20 of this chapter are not met since resources have not been delineated according to regions, and resources for local agencies are not provided according to subcategories within each function as indicated in Appendix K of Part 51 of this chapter.

§ 52.236 Rules and regulations.

(a) The requirements of § 51.22 of this chapter are not met since emission limitations necessary for the attainment and maintenance of the national standard for photochemical oxidants (hydrocarbons) in the San Diego, Sacramento Valley, and San Joaquin Valley Intrastate Regions were not adopted as rules and regulations.

§ 52.237 Request for 2-year extensions.

(a) California's request for a 2-year extension under § 51.30 of this chapter for the attainment of the national standards for carbon monoxide in the Metropolitan Los Angeles Intrastate Region is not applicable since the plan indicates the national standards will be attained by 1975 in the Region.

(b) The request for a 2-year extension under § 51.30 of this chapter for the attainment of the secondary standards for particulate matter in the San Joaquin Valley Intrastate Region is not pertinent since 2-year extensions are not applicable to the attainment date for a secondary standard.

§ 52.238 Attainment 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 California's plan, except where noted.

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
	Primary	Secondary	Primary	Secondary			
North Coast Intrastate	a	a	e	e	e	e	e
San Francisco Bay Area Intrastate	d	a	e	e	July 1975,f	July 1975,f	July 1977,f
North Central Coast Intrastate	d	a	e	e	e	e	a
South Central Coast Intrastate	d	a	e	e	e	e	a
Metropolitan Los Angeles Intrastate	July 1975,f	c	d	a	a	July 1975,f	July 1977,f,g
San Diego Intrastate	a	a	e	e	a	July 1975,f	July 1975,f
Northeast Plateau Intrastate	e	e	e	e	e	e	e
Sacramento Valley Intrastate	d	a	e	e	e	July 1977, f	July 1977,f
San Joaquin Valley Intrastate	July 1975g	July 1977g	e	e	e	July 1975,f	July 1977,f
Great Basin Valley Intrastate	e	e	e	e	e	e	e
Southeast Desert Intrastate	a	a	e	e	e	e	b

NOTE.—Dates or footnotes which are underlined are proposed by the Administrator because the plan does not provide a specific date or the date provided was not acceptable.
a. Three years from plan approval or promulgation.
b. Five years from plan approval or promulgation.
c. Eighteen-month extension granted.

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d. Air quality levels presently below primary standards.
e. Air quality levels presently below secondary standards.
f. A timetable for implementing the land use and transportation control strategies is to be submitted no later than February 15, 1973, with the first semiannual report.
g. Transportation and land use measures will be proposed by the Administrator no later than February 15, 1973.

§ 52.239 Transportation and land use controls.

(a) To complete the requirements of §§ 51.11(b) and 51.14 of this chapter for the attainment of the national standards for photochemical oxidants (hydrocarbons) and carbon monoxide in the San Francisco Bay Area, Metropolitan Los Angeles, San Diego, Sacramento Valley, and San Joaquin Valley Intrastate Regions, and the attainment of the national standard for nitrogen dioxide in the San Francisco Bay Intrastate Region, the Governor of California must submit to the Administrator:
(1) No later than February 15, 1973, a detailed timetable for implementing the legislative authority, regulations, and administrative policies required for carrying out the land use and transportation controls presented in the plan.
(2) No later than December 31, 1973, the legislative authority that is needed
(3) No later than March 31, 1974, the adopted regulations and administrative policies needed.

Subpart G—Colorado

§ 52.320 Identification of plan.

(a) Title of plan: "Air Quality Implementation Plan for State of Colorado".
(b) The plan was officially submitted on January 26, 1972.
(c) Supplemental information was submitted on:
(1) February 14, and March 20, 1972.
(2) May 1, 1972 by the Colorado Air Pollution Control Commission, and
(3) May 1, 1972, by the Colorado Air Pollution Control Division.

§ 52.321 Classification of regions.

The Colorado 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)
Pawnee Intrastate	I	III	III	III	III
Metropolitan Denver Intrastate	I	III	III	I	I
Comanche Intrastate	III	III	III	III	III
San Isabel Intrastate	I	III	III	III	III
San Luis Intrastate	III	III	III	III	III
Four Corners Interstate	IA	IA	IA	III	III
Grand Mesa Intrastate	III	III	III	III	III
Yampa Intrastate	III	III	III	III	III

§ 52.322 Extensions.

(a) The Administrator hereby extends for 18 months the statutory timetable for submission of Colorado's plan for attainment and maintenance of the secondary standards for particulate matter in the Metropolitan Denver, San Isabel, and Pawnee Intrastate Regions.
(b) The Administrator hereby extends for 2 years the attainment date for the national standards for carbon monoxide and photochemical oxidants (hydrocarbons) in the Metropolitan Denver Intrastate Region.

§ 52.323 Approval status.

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

§ 52.324 Legal authority.

(a) The requirements of § 51.11(a)(6) of this chapter are not met since the State lacks the authority to require owners or operators of stationary sources to install, maintain, and use emission monitoring devices and to make periodic reports to the State on the nature and amounts of emissions from such stationary sources.
(b) Delegation of authority: Pursuant to section 114 of the Act, Colorado requested a delegation of authority to enable it to require sources to install and maintain monitoring equipment and to report periodically on the nature and amount of their emissions. The Administrator has determined that Colorado is qualified to receive a delegation of the authority it requested. Accordingly, the Administrator delegates to Colorado his authority under section 114(a)(1) (B) and (C) of the Act, i.e., authority to require sources within the State of Colorado to install and maintain monitoring equipment and to report periodically on the nature and amount of their emissions.

§ 52.325 Attainment dates for national standards.

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

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
	Primary	Secondary	Primary	Secondary			
Pawnee Intrastate	a	b	d	d	d	d	d
Metropolitan Denver Intrastate	a	b	d	d	d	July 1977[c]	July 1977[c]
Comanche Intrastate	d	d	d	d	d	d	d
San Isabel Intrastate	a	b	d	d	d	d	d
San Luis Intrastate	c	a	d	d	d	d	d
Grand Mesa Intrastate	a	a	d	d	d	d	d
Yampa Intrastate	d	d	d	d	d	d	d
Four Corners Interstate	a	a	d	d	a	d	d

NOTE.—Footnotes which are underlined are proposed by the Administrator because the plan did not provide a specific date.
a. Three years from plan approval or promulgation.
b. 18-month extension granted.

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c. Air quality levels presently below primary standards.
d. Air quality levels presently below secondary standards.
e. Transportation and/or land use control strategies are to be submitted no later than February 15, 1973, with the first semiannual report.

§ 52.326 Transportation and land-use controls.

(a) To complete the requirements of §§ 51.11(b) and 51.14 of this chapter, the Governor of Colorado must submit to the Administrator:

(1) No later than February 15, 1973, the selection of the appropriate transportation control alternative and a demonstration that said alternative, along with the Federal Motor Vehicle Control program, will attain and maintain the national standards for carbon monoxide and photochemical oxidants (hydrocarbons) in the Metropolitan Denver Intrastate Region by July 1977. By this date (February 15, 1973), the State also must include a detailed timetable for implementing the legislative authority, regulations, and administrative policies required for carrying out the transportation control alternative by July 1977.

(2) No later than December 31, 1973, the legislative authority that is needed for carrying out the required transportation control alternative. By December 31, 1973, the State must also submit the necessary adopted regulations and administrative policies needed to implement the transportation control alternative.

Subpart H—Connecticut

§ 52.370 Identification of plan.

(a) Title of plan: "State of Connecticut Air Implementation Plan."
(b) The plan was officially submitted on March 3, 1972.
(c) Supplemental information was submitted on March 21, and April 6, 1972, by the Connecticut Department of Environmental Protection.

§ 52.371 Classification of regions.

The Connecticut 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)
New Jersey-New York-Connecticut Interstate	I	I	I	I	I
Hartford-New Haven-Springfield Interstate	I	I	I	I	I
Northwestern Intrastate	III	III	III	III	III
Eastern Intrastate	II	III	III	III	III

§ 52.372 Extensions.

The Administrator hereby extends for 18 months the statutory timetable for submission of Connecticut's plan for attainment and maintenance of the secondary standards for particulate matter in the Connecticut portion of the New Jersey-New York-Connecticut and Hartford-New Haven-Springfield Interstate Regions.

§ 52.373 Approval status.

The Administrator approves Connecticut's plan for the attainment and maintenance of the national standards.

§ 52.374 Attainment 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 Connecticut's plan, except where noted.

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
	Primary	Secondary	Primary	Secondary			
New Jersey-New York-Connecticut Interstate	a	b	a	a	a	a	a
Hartford-New Haven-Springfield Interstate	a	b	a	a	a	a	a
Northwestern Intrastate	d	d	d	d	d	d	d
Eastern Intrastate	c	a	d	d	d	d	d

NOTE.—Dates or footnotes which are underlined are proposed by the Administrator because the plan did not provide a specific date or the date provided was not acceptable.
a. Three years from plan approval or promulgation.
b. 18-month extension granted.
c. Air quality levels below primary standards.
d. Air quality levels below secondary standards.

Subpart I—Delaware

§ 52.420 Identification of plan.

(a) Title of plan: "State of Delaware Implementation Plans for Attainment and Maintenance of National Ambient Air Quality Standards."
(b) The plan was officially submitted on January 28, 1972.
(c) Supplemental information was submitted on February 11, March 10, and May 5, 1972, by the State of Delaware, Department of Natural Resources and Environmental Control.

§ 52.421 Classification of regions.

The Delaware 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)
Metropolitan Philadelphia Interstate	I	I	I	I	I
Southern Delaware Intrastate	III	III	III	III	III

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§ 52.422 Approval status.

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

§ 52.423 General requirements.

(a) The requirements of § 51.10(e) of this chapter are not met since the plan does not provide for public availability of emission data.

§ 52.424 Legal authority.

(a) The requirements of § 51.11(a)(6) of this chapter are not met. 7 Del. Code section 6014 will preclude release of emission data to the public in certain situations.

§ 52.425 Prevention of air pollution emergency episodes.

(a) The requirements of § 51.16(b) of this chapter are not met since the plan does not specify two or more stages of episode criteria for carbon monoxide.

§ 52.426 Review of new sources and modifications.

(a) The requirements of § 51.18(c) of this chapter are not met since the plan does not provide for a means of disapproving construction or modification of a stationary source if such construction or modification will interfere with attainment or maintenance of a national standard.

§ 52.427 Source surveillance.

(a) The requirements of § 51.19(b) of this chapter are not met since the plan does not provide for periodic testing of stationary sources.

§ 52.428 Attainment 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 Delaware's plan, except where noted.

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
	Primary	Secondary	Primary	Secondary			
Metropolitan Philadelphia Interstate	a	a	a	a	a	a	b
Southern Delaware Intrastate	b	b	b	b	b	b	b

NOTE.—Footnotes which are underlined are proposed by the Administrator because the plan did not provide a specific date or the date provided was not acceptable.

a. Three years from plan approval or promulgation.

b. Air quality levels presently below secondary standards.

Subpart J—District of Columbia

§ 52.470 Identification of plan.

(a) Title of plan: "Implementation Plan for the Control of Carbon Monoxide Nitrogen Dioxide, Hydrocarbons, and Oxidants."

(b) The plan was officially submitted on January 31, 1972.

(c) Supplemental information to the above plan was submitted on April 28, 1972, by the District of Columbia. In addition, the control strategies for sulfur oxides and particulate matter were defined by the District's "Implementation Plan for Controlling Sulfur Oxide and Particulate Air Pollutants" submitted on August 14, 1970.

§ 52.471 Classification of regions.

The District of Columbia 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)
National Capital Interstate	I	I	I	I	I

§ 52.472 Approval status.

With the exceptions set forth in this subpart, the Administrator approves the District of Columbia's plan for the attainment and maintenance of the national standards.

§ 52.473 General requirements.

(a) The requirements of § 51.10(e) of this chapter are not met since the plan does not provide for public availability of emission data.

§ 52.474 Legal authority.

(a) The requirements of § 51.11(a)(6) of this chapter are not met. Authority to make emission data available to the public is inadequate because disclosure might be prohibited in certain circumstances.

§ 52.475 Control strategy and regulations: Particulate matter and sulfur oxides.

(a) The following sections of the "Air Quality Control Regulations of the District of Columbia" (February 1969) are disapproved since they are not part of the approved control strategy and do not provide the degree of control needed to attain and maintain the national standards for particulate matter and sulfur oxides in the District of Columbia's portion of the National Capital Interstate Region:

(1) 8-2:704 Use of Certain Fuel Oils Forbidden
(2) 8-2:705 Use of Certain Coal Forbidden
(3) 8-2:706 Fuel-Burning Particulate Emission
(4) 8-2:707 Incinerators

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§ 52.476 **Compliance schedules.**

(a) The requirements of §§ 51.15 and 51.22 of this chapter are not met since the regulations referred to in § 52.480, specifying the dates by which all sources will be in compliance with applicable portions of the control strategy, have not been adopted.

§ 52.477 **Prevention of air pollution emergency episodes.**

(a) The requirements of § 51.16(b) of this chapter are not met since the episode criteria, public notification, and emission reduction plan are presented in Section 8-2:719 of the proposed "Air Quality Control Regulations of the District of Columbia," which has not been adopted, making the District's contingency plan unenforceable.

(b) The requirements of § 51.16(c) of this chapter are not met since the District of Columbia cannot require specific legally enforceable emission control action programs from stationary sources emitting 100 tons per year or more of any pollutant for which the Administrator has designated significant harm levels under § 51.16(a) of this chapter.

§ 52.478 **Review of new sources and modifications.**

(a) The requirements of §§ 51.18 and 51.22 of this chapter are not met since the regulations specifying procedures for the review of new sources and modifications have not been adopted.

§ 52.479 **Source surveillance.**

(a) The requirements of §§ 51.19(a) and 51.22 of this chapter are not met since the plan did not contain adopted regulations requiring owners or operators of stationary sources to maintain records of, and periodically submit information on the nature and amounts of emissions from such stationary sources to the District of Columbia.

§ 52.480 **Rules and regulations.**

(a) The requirements of § 51.22 of this chapter are not met since the following emission limitations of the proposed "Air Quality Control Regulations of the District of Columbia," which were a part of the approved control strategy, have not been adopted:

(1) 8-2:710 Process Emissions
(2) 8-2:711 Open Burning
(3) 8-2:712 Control of Fugitive Dust
(4) 8-2:713 Visible Emissions
(5) 8-2:714 Exhaust Emissions

§ 52.481 **Attainment 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 the District of Columbia's plan, except where noted.

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
	Primary	Secondary	Primary	Secondary			
National Capital Interstate	a	a	a	a	July 1975	July 1975	July 1975

NOTE.—Dates or footnotes which are underlined are proposed by the Administrator because the plan did not provide a specific date or the date provided was not acceptable.

a. Three years from plan approval or promulgation.

§ 52.482 **Transportation and land-use controls.**

To complete the requirements of §§ 51.11(b) and 51.14 of this chapter, the mayor of the District of Columbia must submit to the Administrator:

(a) No later than February 15, 1973, a detailed timetable for implementing the legislative authority, regulations, and administrative policies required for carrying out the transportation control strategy by 1975.

(b) No later than July 30, 1973, the legislative authority that is needed for carrying out the required transportation control strategy.

(c) No later than December 30, 1973, the necessary adopted regulations and administrative policies needed to implement the transportation control strategy.

Subpart K—Florida

§ 52.520 **Identification of plan.**

(a) Title of plan: "State of Florida Air Implementation Plan."

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

(c) Supplemental information was submitted on April 10 and May 5, 1972, by the State of Florida Department of Pollution Control.

§ 52.521 **Classification of regions.**

The Florida 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)
Mobile (Alabama)-Pensacola-Panama City (Florida)-Southern Mississippi Interstate	I	I	III	III	I
Jacksonville (Florida)-Brunswick (Georgia) Interstate	I	II	III	III	I
West Central Florida Intrastate	I	I	I	III	III
Central Florida Intrastate	II	III	III	III	III
Southwest Florida Intrastate	III	III	III	III	III
Southeast Florida Intrastate	III	III	I	III	III

§ 52.522 **Approval status.**

The Administrator approves Florida's plan for the attainment and maintenance of the national standards.

§ 52.523 **Attainment 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 Florida's plan, except where noted.

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Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
	Primary	Secondary	Primary	Secondary			
Mobile (Alabama)-Pensacola-Panama City (Florida)-Southern Mississippi Interstate	July 1975	July 1975	July 1975	July 1975	c	c	July 1975
Jacksonville (Florida)-Brunswick (Georgia) Interstate	July 1975	July 1975	b	July 1975	c	c	July 1975
West Central Florida Intrastate	July 1975	July 1975	July 1975	July 1975	a	c	c
Central Florida Intrastate	b	July 1975	c	c	c	c	c
Southwest Florida Intrastate	c	c	c	c	c	c	c
Southeast Florida Intrastate	b	July 1975	c	c	a	c	c

NOTE.—Footnotes which are underlined are proposed by the Administrator because the plan does not provide a specific date.

a. Three years from plan approval or promulgation.
b. Air quality levels presently below primary standards.
c. Air quality levels presently below secondary standards.

Subpart L—Georgia

§ 52.570 Identification of plan.

(a) Title of plan: "Implementation Plan for Attainment of State and National Ambient Air Standards."
(b) The plan was officially submitted on January 27, 1972.
(c) Supplemental information was submitted on:
(1) March 28, 1972, by the Assistant Attorney General, and
(2) February 14, March 9, and May 5, 1972, by the Director of the Air Quality Control Branch, Georgia Department of Health.

§ 52.571 Classification of regions.

The Georgia 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	II	III	III	III
Metropolitan Atlanta Intrastate	I	I	I	III	III
Chattanooga Interstate	I	II	I	III	III
Columbus (Georgia)-Phenix City (Alabama) Interstate	I	III	III	III	III
Central Georgia Intrastate	I	I	III	III	III
Jacksonville (Florida)-Brunswick (Georgia) Interstate	I	II	III	III	I
Northeast Georgia Intrastate	II	III	III	III	III
Savannah (Georgia)-Beaufort (South Carolina) Interstate	I	I	III	III	III
Southwest Georgia Intrastate	II	II	III	III	III

§ 52.572 Approval status.

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

§ 52.573 Control strategy: Nitrogen dioxide.

(a) The requirements of § 51.14(c)(3) are not met since the plan does not provide for the degree of nitrogen oxides emission reduction attainable through the application of reasonably available control technology in the Metropolitan Atlanta Intrastate Region.

§ 52.574 Source surveillance.

(a) The requirements of § 51.19(a) are not met since the plan does not provide for procedures for requiring owners or operators of stationary sources to maintain records of, and periodically report to the State information on, the nature and amounts of emissions from such sources.

§ 52.575 Attainment 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 Georgia's plan, except where noted.

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Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
	Primary	Secondary	Primary	Secondary			
Augusta (Georgia)-Aiken (South Carolina) Interstate	a	a	b	a	c	c	c
Metropolitan Atlanta Intrastate	a	a	a	a	a	c	c
Chattanooga Interstate	a	a	b	a	a	c	c
Columbus (Georgia)-Phenix City (Alabama) Interstate	a	a	c	c	c	c	c
Central Georgia Intrastate	a	a	a	a	c	c	c
Jacksonville (Florida)-Brunswick (Georgia) Interstate	a	a	b	a	c	c	a
Northeast Georgia Intrastate	b	a	c	c	c	c	c
Savannah (Georgia)-Beaufort (South Carolina) Interstate	a	a	a	a	c	c	c
Southwest Georgia Intrastate	b	a	b	a	c	c	c

NOTE.—Footnotes which are underlined are proposed by the Administrator because the plan did not provide a specific date for attainment.

a. 3 years from plan approval or promulgation.
b. Air quality levels presently below primary standards.
c. Air quality levels presently below secondary standards.

Subpart M—Hawaii

§ 52.620 Identification of plan.

(a) Title of plan: "State of Hawaii Air Pollution Control Implementation Plan".
(b) The plan was officially submitted on January 28, 1972.
(c) Supplemental information was submitted on:
(1) April 4, 1972, by the Department of Health,
(2) May 8 and May 22, 1972.

§ 52.621 Classification of regions.

The Hawaii 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)
State of Hawaii	II	III	III	III	III

§ 52.622 Extensions.

(a) The Administrator hereby extends for 18 months the statutory timetable for submittal of the plan for attainment and maintenance of the secondary standards for particulate matter in the State of Hawaii region.

§ 52.623 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Hawaii's plan for the attainment and maintenance of the national standards. The State included various provisions in its plan to provide for the attainment of State ambient air quality standards. As described in the Governor's letters of January 28, May 8, and May 22, 1972, these provisions were included for information purposes only and were not to be considered a part of the plan to implement national standards. Accordingly, these additional provisions are not considered a part of the applicable plan.

§ 52.624 General requirements.

(a) The requirements of § 51.10(e) of this chapter are not met since the State lacks the legal authority to make emission data, as correlated with allowable emissions, available to the public.

§ 52.625 Legal authority.

(a) The requirements of § 51.11(a)(3) of this chapter are not met since the State's authority to abate emergencies is inadequate.
(b) The requirements of § 51.11(a)(5) of this chapter are not met since the State's authority to require recordkeeping and reporting is inadequate. Section 322-64(4) of the State of Hawaii Air Pollution Control Law limits such requirements to certain sources.
(c) The requirements of § 51.11(a)(6) of this chapter are not met since the State's authority to require installation of emission monitoring devices and authority to make emission data available to the public are inadequate.

§ 52.626 Compliance schedules.

(a) The requirements of § 51.15(a)(2) of this chapter are not met since the plan does not provide a legally enforceable final date by which all individual source compliance schedules must be negotiated.

§ 52.627 Source surveillance.

(a) The requirements of § 51.19(a) of this chapter are not met since the plan does not contain legally enforceable procedures for requiring stationary sources to maintain records of, and periodically report to the State on the nature and amount of emissions.

§ 52.628 Attainment 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 Hawaii's plan, except where noted.

Air quality control region	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
	Primary	Secondary	Primary	Secondary			
State of Hawaii	a	b	c	c	c	c	c

NOTE.—The footnote which is underlined is proposed by the Administrator because the plan did not provide a specific date.

a. 3 years from plan approval or promulgation.
b. 18-month extension granted.
c. Air quality levels presently below secondary standards.

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Subpart N—Idaho

§ 52.670 Identification of plan.

(a) Title of plan: "Idaho Air Quality Implementation Plan."
(b) The plan was officially submitted on January 31, 1972.
(c) Supplemental information was submitted on:
(1) February 23 and April 12, 1972, by the Idaho Air Pollution Control Commission, and
(2) March 2 and May 5, 1972.

§ 52.671 Classification of regions.

The Idaho 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 Idaho Intrastate	I	IA	III	III	III
Eastern Washington-Northern Idaho Interstate	I	IA	III	I	III
Idaho Intrastate	I	III	III	III	III
Metropolitan Boise Intrastate	II	III	III	III	III

§ 52.672 Extensions.

(a) The Administrator hereby extends for 18 months the statutory timetable for submission of Idaho's plan for the attainment and maintenance of the secondary standards for sulfur oxides in the Idaho portion of the Eastern Washington-Northern Idaho Interstate Region and of the secondary standards for particulate matter in all regions in Idaho.

§ 52.673 Approval status.

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

§ 52.674 Legal authority.

(a) The requirements of § 51.11(a)(6) of this chapter are not met since the authority to release emission data to the public could be precluded in certain circumstances by section 39-2024 of the Idaho Code Annotated.
(b) Delegation of Authority: Pursuant to section 114 of the Act, Idaho requested a delegation of authority to enable it to collect, correlate, and release emission data to the public. The Administrator has determined that Idaho is qualified to receive a delegation of the authority it requested. Accordingly, the Administrator delegates to Idaho his authority under section 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.

§ 52.675 Control strategy: Sulfur oxides—Eastern Idaho Intrastate Region.

(a) The requirements of § 51.13 of this chapter are not met in the Eastern Idaho Intrastate Region since the plan does not provide for the necessary emission reductions for the attainment and maintenance of the national standards for sulfur oxides.

§ 52.676 Control strategy: Sulfur oxides—Eastern Washington-Northern Idaho Interstate Region.

(a) The requirements of § 51.13 of this chapter are not met in the Idaho portion of the Eastern Washington-Northern Idaho Interstate Region since the plan does not prove for the necessary emission reductions for the attainment and maintenance of the primary standards for sulfur oxides.

§ 52.677 Compliance schedules.

(a) The requirements of § 51.15(a)(1) of this chapter are not met since the compliance schedules for the control of sulfur oxides from the sulfuric acid plant in the Eastern Idaho Intrastate Region and for the control of sulfur oxides from the lead and zinc smelter in the Idaho portion of the Eastern Washington-Northern Idaho Interstate Region are not legally enforceable.

§ 52.678 Air quality surveillance.

(a) The requirements of § 51.17(c) of this chapter are not met since the plan does not provide for monitoring of air quality during emergency episodes within 1 year of plan approval.

§ 52.679 Review of new sources and modifications.

(a) The requirements of § 51.18 of this chapter are not met since the definition of "New Source" in A—General Provision, Section 2 of the Rules and Regulations for the Control of Air Polution in Idaho precludes certain modified sources from review.
(b) The requirements of § 51.18(d) of this chapter are not met since there are no legally enforceable procedures which provide that approval of construction will not relieve source owners and operators from responsibility to comply with other applicable portions of the control stategy.

§ 52.680 Attainment 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 in Idaho's plan, except where noted.

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
	Primary	Secondary	Primary	Secondary			
Eastern Idaho Intrastate	a	b	a	a	c	c	c
Eastern Washington-Northern Idaho Interstate	a	b	a	b	c	c	c
Idaho Intrastate	a	b	c	c	c	c	c
Metropolitan Boise Intrastate	a	b	c	c	c	c	c

NOTE.—Footnotes which are underlined are proposed by the Administrator because the plan did not provide a specific date.
a. 3 years from plan approval or promulgation.
b. 18-month extension granted.
c. Air quality levels presently below secondary standards.

HeinOnline -- 37 Fed. Reg. 10861 (1972)

Subpart O—Illinois

§ 52.720 Identification of plan.

(a) Title of plan: "State of Illinois Air Pollution Implementation Plan."
(b) The plan was officially submitted on January 31, 1972.
(c) Supplemental information was submitted on:
(1) March 13 and April 18, 1972, by the Illinois Environmental Protection Agency, and
(2) May 4, 1972.

§ 52.721 Classification of regions.

The Illinois 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)
Burlington-Keokuk Interstate	I	I	III	III	III
East Central Illinois Intrastate	III	II	III	III	III
Metropolitan Chicago Interstate (Indiana-Illinois)	I	I	I	I	I
Metropolitan Dubuque Interstate	I	III	IA	III	III
Metropolitan Quad Cities Interstate	I	III	III	III	III
Metropolitan St. Louis Interstate (Missouri-Illinois)	I	I	I	I	I
North Central Illinois Intrastate	II	IA	III	III	III
Paducah (Kentucky)-Cairo (Illinois) Interstate	I	II	III	III	III
Rockford (Illinois)-Janesville-Beloit (Wisconsin) Interstate	II	III	III	III	III
Southeast Illinois Intrastate	III	II	III	III	III
West Central Illinois Intrastate	I	IA	III	III	III

§ 52.722 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Illinois' plan for the attainment and maintenance of the national standards.

§ 52.723 Prevention of air pollution emergency episodes.

(a) The requirements of § 51.16(b) of this chapter are not met since the criteria in the plan for sulfur dioxide and particulate matter product and carbon monoxide do not prevent reaching the "significant harm" levels established by the Administrator in § 51.16(a) of this chapter. Also, no criteria levels were established by the State for particulate matter, photochemical oxidants, and nitrogen dioxide. Rules 103 and 110, Part I, Chapter 3 of the Illinois Pollution Control Board Rules and Regulations, as amended on November 24, 1970, are disapproved.

(b) The requirements of § 51.16(c) of this chapter are not met since the plan requires emission control action programs from only certain types and sizes of sources of sulfur oxides and particulate matter and not for all sources emitting 100 tons per year or more of any pollutant for which a region is classified Priority I. Rule 111, Part I, Chapter 3 of the Illinois Pollution Control Board Rules and Regulations, as amended on November 24, 1970, is disapproved.

§ 52.724 Resources.

(a) The requirements of § 51.20 of this chapter are not met since the plan does not provide a description of the resources available to the State and any additional resources needed to carry out the plan within the city limits of Chicago.

§ 52.725 Intergovernmental cooperation.

(a) The requirements of § 51.21 of this chapter are not met since the Department of Environmental Control for the city of Chicago has not agreed to perform the duties outlined for it in the plan.

§ 52.726 Rules and regulations.

(a) The requirements of § 51.22 of this chapter are not met since the particulate matter fuel combustion emission limitation in Chapter 2, Part II, Rule 203(g)(1) of the Illinois Pollution Control Board Rules and Regulations, which is necessary for attainment and maintenance of the national standards for particulate matter and sulfur oxides in the Illinois portion of the Metropolitan Chicago Interstate Region, is not enforceable by the State agency on residential and commercial solid fuel users.

§ 52.727 Attainment 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 Illinois' plan.

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Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
	Primary	Secondary	Primary	Secondary			
Burlington-Keokuk Interstate	July 1975	July 1975	July 1975	July 1975	b	b	b
East Central Illinois Intrastate	b	b	July 1975	July 1975	b	b	b
Metropolitan Chicago Interstate (Indiana-Illinois)	July 1975	July 1975	July 1975	July 1975	July 1975	July 1975,c	July 1975
Metropolitan Dubuque Interstate	July 1975	July 1975	b	b	July 1975	b	b
Metropolitan Quad Cities Interstate	July 1975	July 1975	b	b	b	b	b
Metropolitan St. Louis Interstate (Missouri-Illinois)	July 1975	July 1975	July 1975	July 1975	July 1975	July 1975	July 1975
North Central Illinois Intrastate	July 1975	July 1975	July 1975	July 1975	b	b	b
Paducah (Kentucky)-Cairo (Illinois) Interstate	July 1975	July 1975	a	July 1975	b	b	b
Rockford (Illinois)-Janesville-Beloit (Wisconsin) Interstate	July 1975	July 1975	b	b	b	b	b
Southeast Illinois Intrastate	b	b	July 1975	July 1975	b	b	b
West Central Illinois Intrastate	July 1975	July 1975	July 1975	July 1975	b	b	b

a. Air quality levels presently below primary standards.
b. Air quality levels presently below secondary standards.
c. Transportation control strategy is to be submitted no later than Feb. 15, 1973.

§ 52.728 Transportation controls.

(a) To complete the requirements of §§ 51.11(b) and 51.14 of this chapter, the Governor of Illinois must submit to the Administrator:

(1) No later than February 15, 1973, the selection of the appropriate transportation control alternatives and a demonstration that said alternatives, along with Illinois' presently adopted stationary source emission limitations for carbon monoxide and the Federal Motor Vehicle Control Program, will attain and maintain the national standards for carbon monoxide in the Illinois portion of the Metropolitan Chicago Interstate Region by 1975. By this date (February 15, 1973), the State also must include a detailed timetable for implementing the legislative authority, regulations, and administrative policies required for carrying out the transportation control alternatives by 1975.

(2) No later than July 30, 1973, the legislative authority that is needed for carrying out the required transportation control alternatives.

(3) No later than December 30, 1973, the necessary adopted regulations and administrative policies needed to implement the transportation control alternatives.

Subpart P—Indiana

§ 52.770 Identification of plan.

(a) Title of plan: "State of Indiana Air Pollution Control Implementation Plan."
(b) The plan was officially submitted on January 31, 1972.
(c) Supplemental information was submitted on:
(1) March 16, 1972, by the Indiana Air Pollution Control Board, and
(2) April 11, May 1 and 16, 1972.

§ 52.771 Classification of regions.

The Indiana 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)
East Central Indiana Intrastate	II	II	III	III	III
Evansville (Indiana)-Owensboro-Henderson (Kentucky) Interstate	I	II	III	III	III
Louisville Interstate	I	I	I	III	I
Metropolitan Chicago Interstate (Indiana-Illinois)	I	I	I	I	I
Metropolitan Cincinnati Interstate	I	II	I	III	I
Metropolitan Indianapolis Intrastate	I	I	I	I	I
Northeast Indiana Intrastate	II	III	III	III	III
South Bend-Elkhart (Indiana)-Benton Harbor (Michigan) Interstate	I	IA	III	III	III
Southern Indiana Intrastate	IA	IA	III	III	III
Wabash Valley Intrastate	I	I	III	III	III

§ 52.772 Extensions.

(a) The Administrator hereby extends for 18 months the statutory timetable for submission of Indiana's plan for attainment and maintenance of the secondary standards for sulfur oxides and particulate matter in the Indiana portion of the Metropolitan Chicago Interstate Region and for 9 months for sulfur oxides in the Metropolitan Indianapolis Intrastate Region.

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(b) The Administrator hereby extends for 2 years the attainment date for the national standards for carbon monoxide and photochemical oxidants in the Metropolitan Indianapolis Intrastate Region.

§ 52.773 Approval status.

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

§ 52.774 General requirements.

(a) The requirements of § 51.10(e) of this chapter are not met since the plan does not provide for public availability of emission data.

§ 52.775 Legal authority.

(a) The requirements of § 51.11(f) of this chapter are not met since the following deficiencies exist in the local agency legal authority:

(1) East Chicago:

(i) Authority to require recordkeeping is inadequate (§ 51.11(a)(5) of this chapter).

(ii) Authority to require installation of monitoring devices is inadequate (§ 51.11(a)(6) of this chapter).

(2) Evansville:

(i) Authority to prevent construction, modification, or operation of any stationary source at any location where emissions from such source will prevent the attainment or maintenance of a national standard is inadequate (§ 51.11(a)(4) of this chapter).

(ii) Authority to require recordkeeping is inadequate (§ 51.11(a)(5) of this chapter).

(iii) Authority to require installation of monitoring devices is inadequate (§ 51.11(a)(6) of this chapter).

(3) Gary:

(i) Authority to require recordkeeping is inadequate (§ 51.11(a)(5) of this chapter).

(ii) Authority to require installation of monitoring devices is inadequate (§ 51.11(a)(6) of this chapter).

(4) Hammond:

(i) Authority to require recordkeeping is inadequate (§ 51.11(a)(5) of this chapter).

(ii) Authority to require installation of monitoring devices is inadequate (§ 51.11(a)(6) of this chapter).

(5) Indianapolis:

(i) Authority to require recordkeeping is inadequate (§ 51.11(a)(5) of this chapter).

(ii) Authority to require installation of monitoring devices is inadequate (§ 51.11(a)(6) of this chapter).

(6) Michigan City:

(i) Authority to require recordkeeping is inadequate (§ 51.11(a)(5) of this chapter).

(ii) Authority to require installation of monitoring devices is inadequate (§ 51.11(a)(6) of this chapter).

(7) Wayne County:

(i) Authority to require recordkeeping and to make inspections and conduct tests of air pollution sources is inadequate (§ 51.11(a)(5) of this chapter).

(ii) Authority to require installation of monitoring devices is inadequate (§ 51.11(a)(6) of this chapter).

(iii) Authority to prevent construction, modification, or operation of any stationary source at any location where emissions from such source will prevent the attainment or maintenance of a national standard is inadequate (§51.11(a)(4) of this chapter).

(8) Lake County:

(i) Authority to require installation of monitoring devices is inadequate (§ 51.11(a)(6) of this chapter).

(ii) Authority to prevent construction, modification, or operation of any stationary source at any location where emissions from such source will prevent the attainment or maintenance of a national standard is inadequate (§ 51.11(a)(4) of this chapter).

(9) St. Joseph County:

(i) Authority to prevent construction, modification, or operation of any stationary source at any location where emissions from such source will prevent the attainment or maintenance of a national standard is inadequate (§ 51.11(a)(4) of this chapter).

(ii) Authority to require recordkeeping is inadequate (§ 51.11(a)(5) of this chapter).

(iii) Authority to require installation of monitoring devices is inadequate (§ 51.11(a)(6) of this chapter).

(10) Vigo County:

(i) Authority to require recordkeeping is inadequate (§ 51.11(a)(5) of this chapter).

(ii) Authority to require installation of monitoring devices is inadequate (§ 51.11(a)(6) of this chapter).

(iii) Authority to prevent construction, modification, or operation of any stationary source at any location where emissions from such source will prevent the attainment or maintenance of a national standard is inadequate (§ 51.11(a)(4) of this chapter).

(11) Anderson County:

(i) Authority to require installation of monitoring devices is inadequate (§ 51.11(a)(6) of this chapter).

§ 52.776 Control strategy: Particulate matter.

(a) The requirements of § 51.13 of this chapter are not met since the plan does not provide for attainment and maintenance of the national standards for particulate matter in the Metropolitan Indianapolis Intrastate Region.

(b) APC-4 of Indiana's "Air Pollution Control Regulations" (emission limitation for particulate matter from fuel combustion sources), which is a part of the particulate matter control strategy, is disapproved for the Metropolitan Indianapolis Intrastate Region.

§ 52.777 Control strategy: Photochemical oxidants (hydrocarbons).

(a) The requirements of § 51.14 of this chapter are not met since the plan does not provide for attainment and maintenance of the national standard for photochemical oxidants in the Metropolitan Indianapolis Intrastate Region.

§ 52.778 Compliance schedules.

(a) The requirements of § 51.15(c) of this chapter are not met since the compliance schedules for sources of carbon monoxide, nitrogen dioxide, and hydrocarbons extend over a period of more than 18 months and periodic increments of progress are not included.

(b) The requirements of §§ 51.15(a)(1) and 51.22 of this chapter are not met since legally enforceable compliance schedules for sources of sulfur oxides are not set forth in the plan.

§ 52.779 Air quality surveillance.

(a) The requirements of § 51.17(b)(1) of this chapter are not met since the plan does not provide sufficient detail on the basis for the design of the air quality surveillance system.

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(b) The requirements of § 51.17(b)(4) of this chapter are not met since the plan does not give any indication of the existence of the necessary laboratory analytical capability.

(c) The requirements of § 51.17(b)(5) of this chapter are not met since the plan contains an incomplete description of the air quality data handling and analysis procedures.

(d) The requirements of § 51.17(c) of this chapter are not met since the monitoring stations selected for use during any air pollution emergency episode stage are not to be in operation within 1 year after the date of the Administrator's approval of the plan.

§ 52.780 Review of new sources and modifications.

(a) The requirements of § 51.18(a) of this chapter are not met since the plan does not contain adequate procedures to enable the State to determine whether construction or modification of stationary sources will result in violations of applicable portions of the control strategy and APC-1 of Indiana's "Air Pollution Control Regulations" is disapproved.

(b) The requirements of § 51.18(c) of this chapter are not met since the plan does not have legally enforceable procedures that include a means of disapproving construction or modification of stationary sources.

(c) The requirements of § 51.18(d) of this chapter are not met since the plan does not indicate that approval of any construction or modification shall not affect the responsibility of the owner or operator of a source to comply with applicable portions of the control strategy.

§ 52.781 Rules and regulations.

(a) The requirements of § 51.22 of this chapter are not met since the emission limitations for fuel combustion sources, which are necessary for attainment and maintenance of the primary standards for particulate matter in the Indiana portion of the Metropolitan Chicago Interstate Region, have not been adopted and are not enforceable by the State agency.

(b) A part of the second sentence in section 2, APC-15; section 1, APC-16; and section 3, APC-17, which states: "Where there is a violation or potential violation of ambient air quality standards, existing emission sources or any existing air pollution control equipment shall comply with this regulation * * *", is disapproved since it makes the regulations unenforceable by the State agency.

(c) A part of the third sentence of section 3(1), APC-13, which states: "* * * or a combination of fuels for averaging emissions may be used to comply with this regulation.", is disapproved since it makes the regulation unenforceable by the State agency.

(d) The first two sentences of section 4, APC-13, which state: "For existing sources, the Board shall require corrective action when sulfur dioxide emissions contribute to a violation of the Ambient Air Quality Standards. When the Board designates a region as not meeting the Ambient Air Quality Standards, it has the authority to require all sources in that region to comply with the provisions of this regulation.", are disapproved since they make the regulation unenforceable by the State agency.

§ 52.782 Request for 18-month extension.

(a) The requirements of § 51.31(c) of this chapter are not met since the request for an 18-month extension for submitting that portion of the plan that implements the secondary standards for particulate matter in the Metropolitan Indianapolis Intrastate Region does not show that attainment of the secondary standards will require emission reductions exceeding those which can be achieved through the application of reasonably available control technology.

§ 52.783 Attainment 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 Indiana's plan, except where noted.

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
	Primary	Secondary	Primary	Secondary			
East Central Indiana Intrastate	a	a	a	a	e	e	e
Evansville(Indiana)-Owensboro-Henderson (Kentucky) Interstate	a	a	d	a	e	e	e
Louisville Interstate	a	a	a	a	a	a	a
Metropolitan Chicago Interstate (Indiana-Illinois)	a	c	a	c	a	a	a
Metropolitan Cincinnati Interstate	a	a	d	a	a	a	a
Metropolitan Indianapolis Intrastate	a	a	a	f	a	b	b
Northeast Indiana Intrastate	a	a	e	e	e	e	e
South Bend-Elkhart (Indiana)-Benton Harbor (Michigan) Interstate	a	a	a	a	e	e	e
Southern Indiana Intrastate	a	a	a	a	e	e	e
Wabash Valley Intrastate	a	a	a	a	e	e	e

NOTE.—Footnotes which are underlined are proposed by the Administrator because the plan did not provide a specific date or the date provided was not acceptable.

a. Three years from plan approval or promulgation.
b. Five years from plan approval or promulgation.
c. Eighteen-month extension granted.
d. Air quality levels presently below the primary standards.
e. Air quality levels presently below the secondary standard.
f. Nine-month extension granted.

Subpart Q—Iowa

§ 52.820 Identification of plan.

(a) Title of plan: "State of Iowa Air Pollution Control Implementation Plan."
(b) The plan was officially submitted on January 27, 1972.
(c) Supplemental information was submitted on:
(1) February 2 and March 2, 1972, by the Iowa Department of Health, and
(2) May 4, 1972.

§ 52.821 Classification of regions.

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

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Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
Metropolitan Omaha-Council Bluffs Interstate	I	II	II	III	III
Metropolitan Sioux Falls Interstate	II	III	III	III	III
Metropolitan Sioux City Interstate	III	III	III	III	III
Metropolitan Dubuque Interstate	I	III	IA	III	III
Metropolitan Quad Cities Interstate	I	III	III	III	III
Burlington-Keokuk Interstate	I	I	III	III	III
Northwest Iowa Intrastate	III	III	III	III	III
North Central Iowa Intrastate	IA	III	III	III	III
Northeast Iowa Intrastate	I	III	III	III	III
Southwest Iowa Intrastate	III	III	III	III	III
South Central Iowa Intrastate	I	III	III	III	I
Southeast Iowa Intrastate	III	III	III	III	III

§ 52.822 Approval status.

With the execptions set forth in this subpart, the Administrator approves Iowa's plan for the attainment and maintenance of the national standards.

§ 52.823 General requirements.

(a) The requirements of § 51.10(e) of this chapter are not met since the plan does not set forth procedures by which emission data as correlated with allowable emissions will be made available to the public.

§ 52.824 Legal authority.

(a) The requirements of § 51.11(a)(6) of this chapter are not met since 136B.8 of the Iowa Air Pollution Control Act may preclude the release of emission data to the public in certain circumstances.

§ 52.825 Compliance schedules.

(a) The requirements of § 51.15(c) of this chapter are not met since increments of progress toward compliance are not provided for in the Iowa Regulation 4.3 (3)(b).

§ 52.826 Source surveillance.

(a) The requirement of § 51.19(a) of this chapter is not met since the plan does not provide legally enforceable procedures to require owners or operators of stationary sources to maintain records and make periodic reports to the State on the nature and amount of emissions.

§ 52.827 Attainment 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 Iowa's plan, except where noted.

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
	Primary	Secondary	Primary	Secondary			
Metropolitan Omaha-Council Bluffs Interstate	a	a	b	a	a	c	c
Metropolitan Sioux Falls Interstate	b	a	c	c	c	c	c
Metropolitan Sioux City Interstate	b	a	c	c	c	c	c
Metropolitan Dubuque Interstate	a	a	c	c	a	c	c
Metropolitan Quad Cities Interstate	a	a	c	c	c	c	c
Burlington-Keokuk Interstate	a	a	a	a	c	c	c
Northwest Iowa Intrastate	c	c	c	c	c	c	c
North Central Iowa Intrastate	a	a	c	c	c	c	c
Northeast Iowa Intrastate	a	a	c	c	c	c	c
Southwest Iowa Intrastate	c	c	c	c	c	c	c
South Central Iowa Intrastate	a	a	c	c	c	c	a
Southeast Iowa Intrastate	c	c	c	c	c	c	c

NOTE.—Footnotes which are underlined are proposed by the Administrator because the plan does not provide a specific date.

a. Three years from plan approval or promulgation.
b. Air quality levels presently below primary standards.
c. Air quality levels presently below secondary standards.

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Subpart R—Kansas

§ 52.870 Identification of plan.

(a) Title of plan: "State of Kansas Implementation Plan for the Attainment and Maintenance of National Air Quality Standards."

(b) The plan was officially submitted on January 31, 1972.

(c) Supplemental information was submitted on March 24, 1972, by the Kansas Department of Health.

§ 52.871 Classification of regions.

The Kansas 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)
Metropolitan Kansas City Interstate	I	III	III	I	I
South Central Kansas Intrastate	I	III	III	III	I
Northeast Kansas Intrastate	I	III	III	III	III
Southeast Kansas Intrastate	III	III	III	III	III
North Central Kansas Intrastate	I	III	III	III	III
Northwest Kansas Intrastate	I	III	III	III	III
Southwest Kansas Intrastate	I	III	III	III	III

§ 52.872 Extensions.

(a) The Administrator hereby extends for 2 years the attainment date for the national standards for carbon monoxide in the Kansas portion of the Metropolitan Kansas City Interstate Region.

§ 52.873 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Kansas' plan for the attainment and maintenance of the national standards.

§ 52.874 Legal authority.

(a) The requirements of § 51.11(a)(6) of this chapter are not met since authority to make emission data available to the public is inadequate. Kansas Statutes Annotated 65-3015 would require confidential treatment if the data related to processes or production unique to the owner or would tend to affect adversely the competitive position of the owner.

(b) The requirements of § 51.11(f) of this chapter are not met since the following deficiencies exist in the local agency legal authority:

(1) *Kansas City, Kans.-Wyandotte County Health Department.* (i) Authority to make emission data available to the public is inadequate because the Kansas Statutes Annotated 65-3016 provides a designated local air quality conservation authority with the same authority as the State (§ 51.11(a)(6) of this chapter).

(2) *Topeka-Shawnee County Health Department.* (i) Authority to make emission data available to the public is inadequate because the Kansas Statutes Annotated 65-3016 provides a designated air quality conservation authority with the same authority as the State (§ 51.11(a)(6) of this chapter).

(3) *Wichita-Sedgwick County Health Department.* (i) Authority to make emission data available to the public is inadequate because the Kansas Statutes Annotated 65-3016 provides a designated local air quality conservation authority with the same authority as the State (§ 51.11(a)(6) of this chapter).

§ 52.875 General requirements.

(a) The requirements of § 51.10(e) of this chapter are not met since the plan does not provide procedures for making emission data, as correlated with applicable emission limitations, available to the public.

§ 52.876 Compliance schedules.

(a) The requirements of § 51.15 (a)(1) and (a)(2) of this chapter are not met since the plan does not contain legally enforceable compliance schedules setting forth the dates by which all stationary sources or categories of such sources must be in compliance with applicable portions of the control strategy. Kansas Regulation 28-19-9 specifies that all sources not in compliance must submit an acceptable compliance schedule within 180 days after receiving notification from the State. There are no assurances that all sources will be notified by the State in a timely manner, therefore, Regulation 28-19-9 is disapproved.

§ 52.877 Prevention of air pollution emergency episodes.

(a) The requirements of § 51.16(b)(1) of this chapter are not met since the plan does not specify adequate episode criteria. The episode criteria are set forth in State Regulation 28-19-56 which is therefore disapproved.

§ 52.878 Review of new sources and modifications.

(a) The requirements of § 51.18 of this chapter are not met since the plan does not provide legally enforceable procedures for preventing construction of sources which will interfere with the attainment or maintenance of all national standards.

§ 52.879 Attainment 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 Kansas' plan, except where noted.

HeinOnline -- 37 Fed. Reg. 10867 (1972)

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
	Primary	Secondary	Primary	Secondary			
Metropolitan Kansas City Interstate	a	a	c	c	c	b	a
South Central Kansas Intrastate	a	a	c	c	c	c	a
Northeast Kansas Intrastate	a	a	c	c	c	c	c
Southeast Kansas Intrastate	c	c	c	c	c	c	c
North Central Kansas Intrastate	a	a	c	c	c	c	c
Northwest Kansas Intrastate	a	a	c	c	c	c	c
Southwest Kansas Intrastate	a	a	c	c	c	c	c

NOTE.—Footnotes which are underlined are proposed by the Administrator because the plan did not provide a specific date.

a. 3 years from plan approval or promulgation.

b. 5 years from plan approval or promulgation.

c. Air quality levels presently below secondary standards.

Subpart S—Kentucky

§ 52.920 Identification of plan.

(a) Title of plan: "Implementation Plan for the Attainment and Maintenance of the National and State Ambient Air Quality Standards."

(b) The plan was officially submitted on February 8, 1972.

(c) Supplemental information was submitted on:

(1) March 6 and May 3, 1972, by the Kentucky Air Pollution Control Office, and

(2) March 17, 1972.

§ 52.921 Classification of regions.

The Kentucky 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)
Appalachian Intrastate	II	III	III	III	III
Bluegrass Intrastate	II	III	III	III	III
Evansville (Indiana)-Owensboro-Henderson (Kentucky) Interstate	I	II	III	III	III
Huntington (West Virginia)-Ashland (Kentucky)-Portsmouth-Ironton (Ohio) Interstate	I	III	III	III	III
Louisville Interstate	I	I	I	III	I
Metropolitan Cincinnati Interstate	I	II	I	III	I
North Central Kentucky Intrastate	II	III	III	III	III
Paducah (Kentucky)-Cairo (Illinois) Interstate	I	II	III	III	III
South Central Kentucky Intrastate	III	III	III	III	III

§ 52.922 Extensions.

The Administrator hereby extends for 2 years the attainment date for the primary standards for sulfur oxides in the Kentucky portion of the Louisville Interstate Region.

§ 52.923 Approval status.

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

§ 52.924 Legal authority.

(a) The requirements of § 51.11(a)(6) of this chapter are not met since K.R.S. 224.380 of the Air Pollution Control Law of the Commonwealth of Kentucky (June 18, 1970) does not provide for the release, under certain circumstances, of emission data to the public.

HeinOnline -- 37 Fed. Reg. 10868 (1972)

§ 52.925 General requirements.

(a) The requirements of § 51.10(e) of this chapter are not met since the plan does not provide for public availability of emission data.

§ 52.926 Attainment 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 Kentucky's plan, except where noted.

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
	Primary	Secondary	Primary	Secondary			
Appalachian Intrastate	April 1975	April 1975	c	c	c	c	c
Bluegrass Intrastate	b	April 1975	c	c	c	c	c
Evansville (Indiana)-Owensboro-Henderson (Kentucky) Interstate	April 1975	April 1975	b	July 1978	c	c	c
Huntington (West Virginia)-Ashland (Kentucky)-Portsmouth-Ironton (Ohio) Interstate	April 1975	April 1975	c	c	c	c	c
Louisville Interstate	April 1975	April 1975	July 1977	July 1977	a	a	April 1975
Metropolitan Cincinnati Interstate	April 1975	April 1975	b	a	a	a	April 1975
North Central Kentucky Intrastate	b	April 1975	c	c	c	c	c
Paducah (Kentucky)-Cairo (Illinois) Interstate	April 1975	April 1975	b	July 1978	c	c	c
South Central Kentucky Intrastate	c	c	c	c	c	c	c

NOTE.—Dates or footnotes which are underlined are proposed by the Administrator because the plan does not provide a specific date or the date provided is not acceptable.

a. 3 years from plan approval or promulgation.
b. Air quality levels precently below primary standards.
c. Air quality levels presently below secondary standards.

Subpart T—Louisiana

§ 52.970 Identification of plan.

(a) Title of plan: "The Louisiana Air Control Commission Implementation Plan."
(b) The plan was officially submitted on January 28, 1972.
(c) Supplemental information was submitted on February 28 and May 8, 1972, by the Louisiana Air Control Commission.

§ 52.971 Classification of regions.

The Louisiana 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)
Southern Louisiana-Southeast Texas Interstate	II	I	III	III	I
Shreveport-Texarkana-Tyler Interstate	II	III	III	III	III
Monroe-El Dorado Interstate	II	III	III	III	III

§ 52.972 Approval status.

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

§ 52.973 Control strategy and regulations: Photochemical oxidants (hydrocarbons).

(a) The requirements of §§ 51.14(a) and 51.22 of this chapter are not met since the control strategy for photochemical oxidants (hydrocarbons) in the Southern Louisiana-Southeast Texas Interstate Region has no regulatory effect because there is no enforceable obligation upon any pollution source.

§ 52.974 Emergency episodes and regulations.

(a) The requirements of §§ 51.16(b)(1) and 51.22 of this chapter are not met since the State's episode criteria, which are contained in section 27.3 of Regulation 27.0, Prevention of Air Pollution Emergency Episodes, are inadequate. Therefore, section 27.3 of Regulation 27.0 is disapproved.
(b) The requirements of § 51.16(f) of this chapter are not met since the plan does provide a timetable for developing emergency contingency plans.

§ 52.975 Air quality surveillance.

(a) The requirements of § 51.17(a)(2) of this chapter are not met since the plan does not provide for location of at least one sampling site in the areas of estimated maximum pollutant concentration.
(b) The requirements of § 51.17(b)(1) of this chapter are not met since the plan lacks sufficient detail to judge the design strategy of the sampling network.
(c) The requirements of § 51.17(b)(4) of this chapter are not met since the plan gives no indication of the existence of the necessary laboratory analytical capability.
(d) The requirements of § 51.17(b)(5) of this chapter are not met since the plan is incomplete in its description of the monitoring data handling and analysis.
(e) The requirements of § 51.17(b)(6) of this chapter are not met since the timetable for installation of new monitoring instruments is incomplete or missing.

§ 52.976 Review of new sources and modifications: Rules and regulations.

(a) The requirements of §§ 51.18(a) and 51.22 of this chapter are not met since section 6.1.2 of Louisiana's Regulation 6.0 is not legally enforceable. Section 6.1.2 was not adopted according to the provisions of section 2206 of the Louisiana Revised Statutes, Act 259, and is, therefore, disapproved.

§ 52.977 Sources surveillance.

(a) The requirements of § 51.19(a) of this chapter are not met since the plan does not provide legally enforceable procedures for requiring sources to maintain records and periodically report emissions data to the State.

§ 52.978 Resources.

(a) The requirements of § 51.20 of this chapter are not met since the plan does not indicate that adequate manpower and financial resources will be available to operate the State's air pollution control program.

HeinOnline -- 37 Fed. Reg. 10869 (1972)

§ 52.979 Attainment 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 Louisiana's plan, except where noted.

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
	Primary	Secondary	Primary	Secondary			
Southern Louisiana Southeast Texas Interstate	a	a	a	a	b	b	a
Shreveport-Texarkana-Tyler Interstate	a	a	b	b	b	b	b
Monroe-El Dorado Interstate	a	a	b	b	b	b	b

NOTE.—Footnotes which are underlined are proposed by the Administrator because the plan does not provide a specific date.
a. 3 years from plan approval or promulgation.
b. Air quality levels presently below secondary standards.

Subpart U—Maine

§ 52.1020 Identification of plan.

(a) Title of plan: "Implementation Plan for the Achievement of National Air Quality Standards."
(b) The plan was officially submitted on January 28, 1972.

§ 52.1021 Classification of regions.

The Maine 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)
Metropolitan Portland Intrastate	I	II	III	III	III
Androscoggin Valley Interstate	IA	IA	III	III	III
Down East Intrastate	IA	IA	III	III	III
Aroostook Intrastate	III	III	III	III	III
Northwest Maine Intrastate	III	III	III	III	III

§ 52.1022 Approval status.

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

§ 52.1023 Compliance schedules.

(a) The requirements of § 51.15(c) of this chapter are not met since the plan does not include periodic increments of progress for compliance schedules that extend over a period of 18 months or more for categories of stationary sources.

§ 52.1024 Attainment 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 Maine's plan, except where noted.

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
	Primary	Secondary	Primary	Secondary			
Metropolitan Portland Intrastate	a	a	a	a	b	b	b
Androscoggin Valley Interstate	a	a	a	a	b	b	b
Down East Intrastate	a	a	a	a	b	b	b
Aroostook Intrastate	b	b	b	b	b	b	b
Northwest Maine Intrastate	b	b	b	b	b	b	b

NOTE.—Dates or footnotes which are underlined are proposed by the Administrator because the plan did not provide a specific date or the date provided was not acceptable.
a. 3 years from plan approval or promulgation.
b. Air quality levels presently below secondary standards.

Subpart V—Maryland

§ 52.1070 Identification of plans.

(a) Title of plans:
(1) "Plan for Implementation of Ambient Air Quality Standards in Cumberland, Maryland-Keyser, West Virginia, Interstate Air Quality Control Region."
(2) "Plan for Implementation of Ambient Air Quality Standards in the Central Maryland Intrastate Air Quality Control Region."
(3) "Plan for Implementation of Ambient Air Quality Standards in the Metropolitan Baltimore Intrastate Air Quality Control Region."
(4) "Plan for Implementation of Ambient Air Quality Standards in the Maryland portion of the National Capital Interstate Air Quality Control Region."
(5) "Plan for Implementation of Ambient Air Quality Standards in the Southern Maryland Intrastate Air Quality Control Region."
(6) "Plan for Implementation of Ambient Air Quality Standards in the Eastern Shore Intrastate Air Quality Control Region."
(b) The plans were officially submitted on January 23, 1972.
(c) Supplemental information was submitted on February 25, March 3, March 7, April 4, April 28, and May 8, 1972, by the Maryland Bureau of Air Quality Control.

HeinOnline -- 37 Fed. Reg. 10870 (1972)

§ 52.1071 **Classification of regions.**

The Maryland plans were evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
Cumberland-Keyser Interstate	I	I	III	III	III
Central Maryland Intrastate	II	II	III	III	III
Metropolitan Baltimore Intrastate	I	I	I	I	I
National Capital Interstate	I	I	I	I	I
Southern Maryland Intrastate	III	III	III	III	III
Eastern Shore Intrastate	II	III	III	III	III

§ 52.1072 **Extensions.**

(a) The Administrator hereby extends for 18 months the statutory timetable for submission of Maryland's plan for attainment and maintenance of the secondary standards for sulfur oxides in the Metropolitan Baltimore Intrastate Region.

(b) The Administrator hereby extends for 2 years the attainment dates for the national standards for carbon monoxide in the Maryland portion of the National Capital Interstate Region and in the Metropolitan Baltimore Intrastate Region, and for photochemical oxidants in the Maryland portion of the National Capital Interstate Region.

§ 52.1073 **Approval status.**

With the exceptions set forth in this subpart, the Administrator approves Maryland's plans for the attainment and maintenance of the national standards.

§ 52.1074 **Legal authority.**

(a) The requirements of § 51.11(a)(4) of this chapter are not met. Authority to prevent construction or modification of power plants where such construction or modification would interfere with attainment or maintenance of a national standard is inadequate.

§ 52.1075 **Control strategy: Nitrogen dioxide.**

(a) The requirements of § 51.14(c)(3) of this chapter are not met since the plans do not provide for the degree of nitrogen oxides emission reduction attainable through the application of reasonably available control technology in the Maryland portion of the National Capital Interstate and in the Metropolitan Baltimore Intrastate Regions.

(b) Sections 04G2 of Maryland's "Regulations Governing the Control of Air Pollution in Area III" (regulation 10.03.38 for the Metropolitan Baltimore Intrastate Region), and "Regulations Governing the Control of Air Pollution in Area IV" (regulation 10.03.39 for the Maryland portion of the National Capital Interstate Region) which are a part of the nitrogen dioxide control strategy are disapproved.

§ 52.1076 **Review of new sources and modifications.**

(a) The requirements of § 51.18(a) of this chapter are not met since the plans lack legally enforceable procedures to prevent construction and modification of powerplants when such construction or modification will interfere with the attainment or maintenance of a national standard.

§ 52.1077 **Source surveillance.**

(a) The requirements of § 51.19(b) of this chapter are not met since the plans do not provide specific procedures for stationary sources to be periodically tested.

§ 52.1078 **Attainment 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 Maryland's plans, except where noted.

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
	Primary	Secondary	Primary	Secondary			
Cumberland-Keyser Interstate	a	a	a	a	d	d	d
Central Maryland Intrastate	a	a	c	a	d	d	d
Metropolitan Baltimore Intrastate	a	a	a	b	a	July 1977e	a
National Capital Interstate	a	a	a	a	a	July 1977e	July 1977e
Southern Maryland Intrastate	d	d	d	d	d	d	d
Eastern Shore Intrastate	c	a	d	d	d	d	d

NOTE.—Dates or footnotes which are underlind are proposed by the Administrator because the plan did not provide a specific date or the date provided was not acceptable.

a. 3 years from plan approval or promulgation.

b. 18-month extension granted.

c. Air quality levels presently below primary standards.

d. Air quality levels presently below secondary standards.

e. Transportation control strategy is to be submitted no later than Feb. 15, 1973, with the first semiannual report.

§ 52.1079 **Transportation and land-use controls.**

(a) To complete the requirements of §§ 51.11(b) and 51.14 of this chapter, the Governor of Maryland must submit to the Administrator:

(1) No later than February 15, 1973, the selection of the appropriate transportation control alternatives and a demonstration that said alternatives, along with Maryland's presently adopted stationary source emission limitations for carbon monoxide and hydrocarbons and the Federal Motor Vehicle Control Program, will attain and maintain the national standards for carbon monoxide in the Metropolitan Baltimore Intrastate Region and in the Maryland portion of the National Capital Interstate Region and for photochemical oxidants in the Maryland portion of the National Capital Interstate Region by 1977. By this date (February 15, 1973), the State also must include a detailed timetable for implementing the legislative authority, regulations, and administrative policies required for carrying out the required transportation control alternatives by 1977.

(2) No later than July 30, 1974, the legislative authority that is needed for carrying out the required transportation control alternatives.

(3) No later than December 30, 1974, the necessary adopted regulations and administrative policies needed to implement the transportation control alternatives.

HeinOnline -- 37 Fed. Reg. 10871 (1972)

Subpart W—Massachusetts

§ 52.1120 Identification of plan.

(a) Title of plan: "Plan for Implementation, Maintenance, and Enforcement of National Primary and Secondary Ambient Air Quality Standards."
(b) The plan was officially submitted on January 27, 1972.
(c) Supplemental information was submitted on:
(1) February 22 and May 5, 1972, by the Bureau of Air Quality Control, Massachusetts Department of Public Health.
(2) April 27, 1972, by the Division of Environmental Health, Massachusetts Department of Public Health.

§ 52.1121 Classification of regions.

The Massachusetts 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)
Metropolitan Boston Intrastate	I	I	I	I	I
Merrimack Valley-Southern New Hampshire Interstate	I	I	III	III	III
Metropolitan Providence Interstate	I	I	I	III	III
Central Massachusetts Intrastate	I	II	I	III	III
Hartford-New Haven-Springfield Interstate	I	I	I	I	I
Berkshire Intrastate	II	III	III	III	III

§ 52.1122 Extensions.

(a) The Administrator hereby extends for 18 months the statutory timetable for submission of Massachusetts' plan for attainment and maintenance of the secondary standards for particulate matter and sulfur oxides in the Metropolitan Boston Intrastate Region.
(b) The Administrator hereby extends for 2 years the attainment date for the national standards for carbon monoxide in the Massachusetts portion of the Hartford-New Haven-Springfield Interstate Region and for carbon monoxide and photochemical oxidants in the Metropolitan Boston Intrastate Region.

§ 52.1123 Approval status.

With the exceptions set forth in this subpart, the Administrator approves the Massachusetts plan for attainment and maintenance of the national standards.

§ 52.1124 Control strategy: Nitrogen dioxide.

(a) The requirements of § 51.14(c)(3) of this chapter are not met since the plan does not provide for the degree of nitrogen oxides emission reduction attainable through the application of reasonably available control technology in the Massachusetts portion of the Hartford-New Haven-Springfield Region.

§ 52.1125 Compliance schedule.

(a) The requirements of § 51.15(a)(2) of this chapter are not met since the plan precludes negotiation, finalization, and submission to the Administrator of all individual compliance schedules by the first semiannual report. Therefore, sections 2.5 of Massachusetts' "Regulations for the Control of Air Pollution in the Metropolitan Boston Air Pollution Control District," "Regulations for the Control of Air Pollution in the Berkshire Air Pollution Control District," "Regulations for the Control of Air Pollution in the Pioneer Valley Air Pollution Control District," "Regulations for the Control of Air Pollution in the Central Massachusetts Air Pollution Control District," "Regulations for the Control of Air Pollution in the Merrimack Valley Air Pollution Control District," and "Regulations for the Control of Air Pollution in the Southeastern Massachusetts Air Pollution Control District" are disapproved.

§ 52.1126 Review of new sources and modifications.

(a) The requirements of § 51.18(c) of this chapter are not met since the plan does not provide legally enforceable procedures to prevent construction and modification of stationary sources if such construction or modification will result in violation of applicable portions of a control strategy.

§ 52.1127 Attainment 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 Massachusetts' plan, except where noted.

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
	Primary	Secondary	Primary	Secondary			
Metropolitan Boston Intrastate	a	c	a	c	a	July 1977, f	July 1977, f
Merrimack Valley-Southern New Hampshire Interstate	a	a	a	a	e	e	e
Metropolitan Providence Interstate	a	a	a	a	e	e	e
Central Massachusetts Intrastate	a	a	d	a	a	e	e
Hartford-New Haven-Springfield Interstate	a	a	d	a	a	b	e
Berkshire Intrastate	a	a	e	e	e	e	e

NOTE.—Footnotes which are underlined are proposed by the Administrator because the plan did not provide a specific date or the date provided was not acceptable.
a. 3 years from plan approval or promulgation.
b. 5 years from plan approval or promulgation.
c. 18-month extension granted.
d. Air quality levels presently below primary standards.
e. Air quality levels presently below secondary standards.
f. Transportation control strategy is to be submitted no later than Feb. 15, 1973, with the first semiannual report.

HeinOnline -- 37 Fed. Reg. 10872 (1972)

§ 52.1128 Transportation and land use controls.

(a) To complete the requirements of §§ 51.11(b) and 51.14 of this chapter, the Governor of Massachusetts must submit to the Administrator:

(1) No later than February 15, 1973, the selection of the appropriate transportation control alternative and a demonstration that said alternative along with Massachusetts' presently adopted stationary source emission limitations for hydrocarbons and the Federal Motor Vehicle Control Program, will attain and maintain the national standards for photochemical oxidants and carbon monoxide in the Metropolitan Boston Intrastate Region. By this date (February 15, 1973), the State also must include a detailed timetable for implementing the legislative authority, regulations, and administrative policies required for carrying out the transportation control alternative by 1977.

(2) No later than June 30, 1974, the legislative authority that is needed for carrying out the required transportation control alternative.

(3) No later than December 30, 1974, the necessary adopted regulations and administrative policies needed to implement the transportation control alternative.

Subpart X—Michigan

§ 52.1170 Identification of plan.

(a) Title of plan: "Implementation Plan for the Control of Suspended Particulates, Sulfur Oxides, Carbon Monoxide, Hydrocarbons, Nitrogen Oxides, and Photochemical Oxidants in the State of Michigan."

(b) The plan was officially submitted on February 3, 1972.

(c) Supplemental information was submitted on:

(1) March 3, 1972, by the Department of Public Health, Air Pollution Control Division,

(2) May 4, 1972, by the Department of Environmental Protection, City of Grand Rapids, and

(3) March 30, 1972.

§ 52.1171 Classification of regions.

The Michigan 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)
Metropolitan Detroit-Port Huron Intrastate	I	I	I	III	III
Metropolitan Toledo Interstate	I	I	I	III	I
South Central Michigan Intrastate	II	II	III	III	III
South Bend-Elkhart (Indiana)-Benton Harbor (Michigan) Interstate	I	IA	III	III	III
Central Michigan Intrastate	II	III	I	III	III
Upper Michigan Intrastate	III	III	III	III	III

§ 52.1172 Approval status.

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

§ 52.1173 General requirements.

(a) The requirements of § 51.10(e) of this chapter are not met since the plan does not provide for public availability of emission data.

§ 52.1174 Control strategy: Nitrogen dioxide.

(a) The requirements of § 51.14(c)(3) of this chapter are not met since the plan does not provide for the degree of nitrogen oxides emission reduction attainable through the application of reasonably available control technology in the Metropolitan Detroit-Port Huron and Central Michigan Intrastate Regions and in the Michigan portion of the Metropolitan Toledo Interstate Region.

§ 52.1175 Compliance schedules.

(a) The requirements of § 51.15(a)(2) of this chapter are not met since Rule 336.49 of the Michigan Air Pollution Control Commission provides for individual compliance schedules to be submitted to the State Agency by January 1, 1974. This would not be in time for submittal with the first semiannual report required by § 51.7(b) of this chapter.

§ 52.1176 Review of new sources and modifications.

(a) The requirements of § 51.18(c) of this chapter are not met since the plan does not include a means of disapproving the construction or modification of a stationary source if it will interfere with the attainment or maintenance of a national standard.

§ 52.1177 Attainment 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 Michigan's plan, except where noted.

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
	Primary	Secondary	Primary	Secondary			
Metropolitan Detroit-Port Huron Intrastate	a	a	a	a	a	c	c
Metropolitan Toledo Interstate	a	a	a	July 1978	a	c	a
South Central Michigan Intrastate	a	a	b	a	c	c	c
South Bend-Elkhart (Indiana)-Benton Harbor (Michigan) Interstate	a	a	a	a	c	c	c
Central Michigan Intrastate	a	a	b	a	a	c	c
Upper Michigan Intrastate	c	c	c	c	c	c	c

HeinOnline -- 37 Fed. Reg. 10873 (1972)

NOTE.—Dates or footnotes which are underlined are proposed by the Administrator because the plan did not provide a specific date.

a. 3 years from plan approval or promulgation.
b. Air quality levels presently below primary standards.
c. Air quality levels presently below secondary standards.

Subpart Y—Minnesota

§ 52.1220 Identification of plan.

(a) Title of plan: "Implementation Plan to Achieve National Ambient Air Quality Standards."
(b) The plan was officially submitted on January 28, 1972.
(c) Supplemental information was submitted on February 7, March 27, April 28, and May 2, 1972, by the Minnesota Pollution Control Agency.

§ 52.1221 Classification of regions.

The Minnesota 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)
Central Minnesota Intrastate	II	III	III	III	III
Southeast Minnesota-La Crosse (Wisconsin) Interstate	II	Ia	III	III	III
Duluth (Minnesota)-Superior (Wisconsin) Interstate	I	II	III	III	III
Metropolitan Fargo-Moorhead Interstate	II	III	III	III	III
Minneapolis-St. Paul Intrastate	I	I	I	I	III
Northwest Minnesota Intrastate	II	III	III	III	III
Southwest Minnesota Intrastate	III	III	III	III	III

§ 52.1222 Extensions.

The Administrator hereby extends for 2 years the attainment date for the national standards for carbon monoxide in the Minneapolis-St. Paul Intrastate Region.

§ 52.1223 Approval status.

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

§ 52.1224 General requirements.

(a) The requirements of § 51.10(e) of this chapter are not met since the plan does not provide for public availability of emission data.

§ 52.1225 Review of new sources and modifications.

(a) The requirements of § 51.18(a) of this chapter are not met since the definitions of "new" and "existing" in regulation APC-2 of the Minnesota Air Pollution Control Rules, Regulations and Air Quality Standards are inadequate.
(b) The requirements of § 51.18(d) of this chapter are not met since there is no procedure which provides that approval of any construction or modification shall not affect the responsibility of the owner or operator to comply with applicable portions of the control strategy.

§ 52.1226 Attainment 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 in Minnesota's plan, except where noted.

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
	Primary	Secondary	Primary	Secondary			
Central Minnesota Intrastate	c	a	d	d	d	d	d
Southeast Minnesota-La Crosse (Wisconsin) Interstate	c	a	a	a	d	d	d
Duluth (Minnesota)-Superior (Wisconsin) Interstate	a	a	c	a	d	d	d
Metropolitan Fargo-Moorhead Interstate	c	a	d	d	d	d	d
Minneapolis-St. Paul Intrastate	a	a	a	a	a	July 1977,e	d
Northwest Minnesota Intrastate	c	a	d	d	d	d	d
Southwest Minnesota Intrastate	d	d	d	d	d	d	d

NOTE.—Footnotes which are underlined are proposed by the Administrator because the plan did not provide a specific date for attainment.

a. 3 years from plan approval or promulgation.
b. 5 years from plan approval or promulgation.
c. Air quality levels presently below primary standards.
d. Air quality levels presently below secondary standards.
e. Transportation control strategy to be submitted no later than Feb. 15, 1973.

HeinOnline -- 37 Fed. Reg. 10874 (1972)

§ 52.1227 Transportation controls.

(a) To complete the requirements of §§ 51.11(b) and 51.14 of this chapter, the Governor of Minnesota must submit to the Administrator:

(1) No later than February 15, 1973, the selection of the appropriate transportation control alternatives and a demonstration that said alternatives, along with the Federal Motor Vehicle Control Program, will attain and maintain the national standards for carbon monoxide in the Minneapolis-St. Paul Intrastate Region by 1977. By this date (February 15, 1973), the State also must include a detailed timetable for implementing the legislative authority, regulations, and administrative policies required for carrying out the transportation control alternatives by 1977.

(2) No later than July 30, 1973, the legislative authority that is needed for carrying out the required transportation control alternatives.

(3) No later than December 30, 1973, the necessary adopted regulations and administrative policies needed to implement the transportation control alternatives.

Subpart Z—Mississippi

§ 52.1270 Identification of plan.

(a) Title of plan: "Air Implementation Plan for the State of Mississippi."

(b) The plan was officially submitted on February 4, 1972.

(c) Supplemental information was submitted on:

(1) May 4 and 12, 1972, by the Air and Water Pollution Control Commission, and

(2) May 17, 1972.

§ 52.1271 Classification of regions.

The Mississippi 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)
Mobile(Alabama)-Pensacola-Panama City (Florida)-Gulfport (Mississippi) Interstate	I	I	III	III	I
Metropolitan Memphis Interstate	I	III	I	III	I
Mississippi Delta Intrastate	III	III	III	III	III
Northeast Mississippi Intrastate	II	III	III	III	III

§ 52.1272 Approval status.

The Administrator approves Mississippi's plan for the attainment and maintenance of the national standards.

§ 52.1273 Attainment 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 Mississippi's plan.

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
	Primary	Secondary	Primary	Secondary			
Mobile(Alabama)-Pensacola-Panama City(Florida)-Gulfport(Mississippi) Interstate	June 1975	June 1975	June 1975	June 1975	b	b	June 1975
Metropolitan Memphis Interstate	June 1975	June 1975	b	b	June 1975	b	June 1975
Mississippi Delta Intrastate	b	b	b	b	b	b	b
Northeast Mississippi Intrastate	a	June 1975	b	b	b	b	b

a. Air quality levels presently below primary standards.
b. Air quality levels presently below secondary standards.

Subpart AA—Missouri

§ 52.1320 Identification of plan.

(a) Title of plans:

(1) "State of Missouri, Kansas City and Out-State Air Quality Control Regions Implementation Plan."

(2) "Implementation Plan for the Missouri Portion of the St. Louis Interstate Air Quality Control Region."

(b) The plans were officially submitted on January 24, 1972.

(c) Supplemental information was submitted on:

(1) March 27, 1972, by the Missouri Air Conservation Commission, and

(2) May 2, 1972, by the Missouri Air Conservation Commission.

§ 52.1321 Classification of regions.

The Missouri plans were 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 Kansas City Interstate	I	III	III	I	I
Southwest Missouri Intrastate	I	III	III	III	III
Southeast Missouri Intrastate	III	III	III	III	III
Northern Missouri Intrastate	II	III	III	III	III
Metropolitan St. Louis Interstate	I	I	I	I	I

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§ 52.1322 Extensions.

(a) The Administrator hereby extends for 2 years the attainment date for the national standards for carbon monoxide in the Missouri portion of the Metropolitan Kansas City Interstate Region.

§ 52.1323 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Missouri's plans for the attainment and maintenance of the national standards.

§ 52.1324 General requirements.

(a) The requirements of § 51.10(e) of this chapter are not met since the plans do not provide procedures for making emissions data, as correlated with applicable emission limitations, available to the public.

§ 52.1325 Legal authority.

(a) The requirements of § 51.11(a)(6) of this chapter are not met since the authority to make emission data available to the public is inadequate because section 203.050.4, Missouri Air Conservation Law, would require confidential treatment if the data related to secret processes or methods of manufacture or production. Also, authority to require installation, maintenance, and use of emission monitoring devices is lacking.

(b) The requirements of § 51.11(f) of this chapter are not met since the following deficiencies exist in local agency legal authority.

(1) St. Louis County Division of Air Pollution Control:

(i) Authority to require recordkeeping is lacking (§ 51.11(a)(5) of this chapter).

(ii) Authority to require installation, maintenance, and use of emission monitoring devices is lacking. Authority to make emisson data available to the public is inadequate because section 612.350, St. Louis County Air Pollution Control Code, would require confidential treatment in certain circumstances if the data concerned (secret processes (§ 51.11(a)(6) of this chapter).

(2) St. Louis City Division of Air Pollution Control:

(i) Authority to require recordkeeping is lacking (§ 51.11(a)(5) of this chapter).

(ii) Authority to require installation, maintenance, and use of emission monitoring devices is lacking. Authority to require periodic reports on the nature and amounts of emissions from stationary sources is lacking. Authority to make emission data available to the public is inadequate because section 39 of Ordinance 54699 would require confidential treatment in certain circumstances if the data related or operator or would tend to affect adversely the competitive position of the owner to production or sales figures or to processes or production unique to the owner or operator (§ 51.11(a)(6) of this chapter).

(3) Kansas City Health Department:

(i) Authority to require recordkeeping is lacking (§ 51.11(a)(5) of this chapter).

(ii) Authority to require installation, maintenance, and use of emission monitoring devices is lacking. Authority to make emission data available to the public is lacking, and section 18.93 of the Kansas City Code would require confidential treatment in certain circumstances if the data related to secret processes or trade secrets affecting methods or results of manufacture (§ 51.11(a)(6) of this chapter).

(4) Independence Health Department:

(i) Authority to require recordkeeping is lacking (§ 51.11(a)(5) of this chapter).

(ii) Authority to require installation, maintenance, and use of emission monitoring equipment is lacking. Authority to make emission data available to the public is lacking, and section 11.161 of the code of the city of Independence would require confidential treatment in certain circumstances if the data related to secret processes or trade secrets affecting methods or results of manufacture (§ 51.11(a)(6) of this chapter).

(5) Springfield Department of Health:

(i) Authority to abate emissions on an emergency basis is lacking (§ 51.11(a)(3) of this chapter).

(ii) Authority to require recordkeeping is lacking (§ 51.11(a)(5) of this chapter).

(iii) Authority to require installation, maintenance, and use of emission monitoring devices is lacking. Authority to make emission data available to the public is inadequate because section 2A-42 of the Springfield City Code required confidential treatment of such data in certain circumstances (§ 51.11(a)(6) of this chapter).

§ 52.1326 Control strategy: Nitrogen dioxide.

(a) The requirements of § 51.14(c)(3) of this chapter are not met since the plan does not provide for the degree of nitrogen oxides emission reduction attainable through the application of reasonably available control technology in the Metropolitan St. Louis Interstate Region.

§ 52.1327 Prevention of air pollution emergency episodes.

(a) The requirements of § 51.16 of this chapter are not met in Springfield in the Southwest Missouri Intrastate Region, since the Springfield-Greene Department of Health does not have the legal authority to abate emissions on an emergency basis.

§ 52.1328 Air quality surveillance.

(a) The requirements of § 51.17 of this chapter are not met since the sampling schedules and procedures for data handling, sample handling, and analysis for Missouri's three Intrastate Regions are inadequate.

§ 52.1329 Review of new sources and modifications.

(a) The requirements of § 51.18 of this chapter are not met since the State and all local agencies' procedures are inadequate to prevent construction of a new or modified source if it will interfere with the attainment or maintenance of the national standards. In addition, State procedures do not provide that approval of any construction or modification shall not affect the responsibility of the owner or operator to comply with applicable portions of the control strategy.

§ 52.1330 Source surveillance.

(a) The requirements of § 51.19 of this chapter are not met since there are no legally enforceable procedures for requiring owners or operators of stationary sources to maintain records, and periodically report information on the nature and amount of emissions.

§ 52.1331 Requests for 2-year extensions.

(a) Missouri's request for a 2-year extension under § 51.30 of this chapter for the attainment of national standards for carbon monoxide in the Metropolitan St. Louis Interstate Region is not applicable since the national standards for carbon monoxide will be attained by 1975 in this region.

§ 52.1332 Attainment 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 Missouri's plans, except where noted.

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
	Primary	Secondary	Primary	Secondary			
Metropolitan Kansas City Interstate	a	a	c	c	c	b	a
Southwest Missouri Intrastate	a	a	c	c	c	c	c
Southeast Missouri Intrastate	c	c	c	c	c	c	c
Northern Missouri Intrastate	a	a	c	c	c	c	c
Metropolitan St. Louis Interstate	a	a	a	a	a	a	a

HeinOnline -- 37 Fed. Reg. 10876 (1972)

NOTE.—Footnotes which are underlined are proposed by the Administrator because the dates provided in the plan are not acceptable.
a. 3 years from plan approval or promulgation.
b. 5 years from plan approval or promulgation.
c. Air quality levels presently below secondary standards.

Subpart BB—Montana

§ 52.1370 Identification of plan.

(a) Title of plan: "Implementation Plan for Control of Air Pollution in Montana."
(b) The plan was officially submitted on March 22, 1972.
(c) Supplemental information was submitted on May 10, 1972, by the Montana State Department of Health and Environmental Sciences.

§ 52.1371 Classification of regions.

The Montana 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)
Billings Intrastate	II	II	III	III	III
Great Falls Intrastate	III	IA	III	III	III
Helena Intrastate	IA	IA	III	III	III
Miles City Intrastate	III	III	III	III	III
Missoula Intrastate	I	III	III	III	III

§ 52.1372 Approval status.

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

§ 52.1373 Control strategy: Sulfur oxides.

(a) The requirements of § 51.13 of this chapter are not met since the emission limitations included in the plan are not sufficient for the attainment and maintenance of the national standards for sulfur oxides in the Helena Intrastate Region.

§ 52.1374 Review of new sources and modifications.

(a) The requirements of § 51.18 of this chapter are not met since Regulation No. 90-001.VI.3 of the Montana State Board of Health Regulations exempts significant sources from the new source review process.
(b) The requirements of § 51.18(c) of this chapter are not met since the plan does not provide for disapproval of construction or modification of a source if national standards will be exceeded.

§ 52.1375 Attainment dates for national standards.

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

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
	Primary	Secondary	Primary	Secondary			
Billings Intrastate	a	a	c	a	d	d	d
Great Falls Intrastate	d	d	a	a	d	d	d
Helena Intrastate	a	a	a	b	d	d	d
Miles City Intrastate	d	d	d	d	d	d	d
Missoula Intrastate	a	a	d	d	d	d	d

NOTE.—Footnotes which are underlined are proposed by the Administrator because the plan did not provide a specific date.
a. 3 years from plan approval or promulgation.
b. 5 years from plan approval or promulgation.
c. Air quality levels presently below primary standards.
d. Air quality levels presently below secondary standards.

Subpart CC—Nebraska

§ 52.1420 Identification of plan.

(a) Title of plan: "Air Quality Implementation Plan for the State of Nebraska."
(b) The plan was officially submitted on January 28, 1972.
(c) Supplemental information was submitted on April 25, 1972, by the Nebraska Department of Environmental Control.

§ 52.1421 Classification of regions.

The Nebraska 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)
Metropolitan Omaha-Council Bluffs Interstate	I	II	I	III	III
Lincoln-Beatrice-Fairbury Intrastate	II	III	III	III	III
Metropolitan Sioux City Interstate	III	III	III	III	III
Nebraska Intrastate	III	III	III	III	III

§ 52.1422 Approval status.

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

§ 52.1423 General requirements.

(a) The requirements of § 51.10(c) of this chapter are not met since the plan does not set forth procedures by which emission data as correlated with allowable emissions will be made available to the public.

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(a) The requirements of § 51.11(a)(6) of this chapter are not met since .s27 of the Nebraska Legislative Bill 939 may preclude the release of emission data to the public in certain circumstances.

(b) The requirements of § 51.11(f) of this chapter are not met since the existence of political subdivisions with an air pollution control program relieves the State of responsibility for the plan, because the State cannot enforce either State or local regulations within such political subdivision. In addition, the following deficiencies exist in local agency authority:

(1) Omaha—City of Omaha Permits and Inspection Division:

(i) Authority to require recordkeeping is inadequate. [§ 51.11(a)(5) of this chapter]

(ii) Authority to require installation of monitoring devices or require periodic reporting is inadequate. [§ 51.11(a)(6) of this chapter]

(iii) Authority to make emission data available to the public is inadequate. [§ 51.11(a)(6) of this chapter]

(2) Lincoln—Lincoln-Lancaster County Health Department:

(i) Authority to require recordkeeping is inadequate. [§ 51.11(a)(5) of this chapter]

(ii) Authority to require installation of monitoring devices or make periodic reports is inadequate. [§ 51.11(a)(6) of this chapter]

§ 52.1425 Compliance schedules.

(a) The requirement of § 51.15 of this chapter is not met since the plan does not provide for legally enforceable compliance schedules.

§ 52.1426 Prevention of air pollution emergency episodes: Rules and regulations.

(a) The requirements of §§ 51.16 (b), (c), and (d), and 51.22 of this chapter are not met since the episode criteria, emission reduction procedures and provisions concerning the extent of any episode, contained in regulation 2.25, are not legally enforceable. Therefore, Nebraska's regulation 2.25 is disapproved.

§ 52.1427 Air quality surveillance.

(a) The requirement of § 51.17(b)(5) of this chapter is not met since the methods of data handling and analysis are incomplete.

§ 52.1428 Review of new sources and modifications: Rules and regulations.

(a) The requirements of §§ 51.18 and 51.22 of this chapter are not met since regulation 2.4 of Nebraska's "Control Regulations" is not legally enforceable. Therefore, regulation 2.4 is disapproved.

(b) There are no local agency regulations to prevent construction of new sources which would violate applicable portions of the control strategy or would interfere with attainment and maintenance of the national standards.

§ 52.1429 Source surveillance: Rules and regulations.

(a) The requirements of §§ 51.19(a) and 51.22 of this chapter are not met since the procedures set forth in regulation 2.3 to require owners or operators of stationary sources to make periodic reports on the nature and amount of emissions are not legally enforceable. Therefore, Nebraska's regulation 2.3 is disapproved. In addition, the plan does not provide procedures to require owners or operators of stationary sources to maintain records necessary to enable the State to determine whether such sources are in compliance with applicable portions of the control strategy.

(b) The requirements of § 51.19(a) of this chapter are not met since the local agencies have no legally enforceable procedures to require owners or operators of stationary sources to maintain records and make periodic reports on the nature and amount of emissions.

(c) The requirements of § 51.19(b) of this chapter are not met since Nebraska's regulation 2.9 which describes procedures for periodic testing of sources, is not legally enforceable. Therefore, Nebraska's regulation 2.9 is disapproved.

(d) The requirements of §§ 51.19(c) and 51.22 of this chapter are not met since visible emission limitations set forth in regulation 2.23 are not legally enforceable. Therefore, Nebraska's regulation 2.23 is disapproved.

§ 52.1430 Rules and regulations.

(a) The following emission limitations of Nebraska's "Control Regulations" are not legally enforceable and are, therefore, disapproved.

(1) Regulation 2.14 (particulate matter, process operations).

(2) Regulation 2.15 (particulate matter, fuel burning equipment).

(3) Regulation 2.16 (particulate matter, incinerators).

(4) Regulation 2.17 (particulate matter, addition emission restrictions).

(5) Regulation 2.21 (particulate matter, open fires).

(6) Regulation 2.24 (particulate matter, fugitive dust).

(7) Regulation 2.18 (sulfur compounds).

(8) Regulation 2.19 (hydrocarbons, carbon monoxide, nitrogen dioxide from transportation sources).

(9) Regulation 2.20 (nitrogen dioxide from stationary sources).

§ 52.1431 Attainment 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 Nebraska's plan, except where noted.

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
	Primary	Secondary	Primary	Secondary			
Metropolitan Omaha-Council Bluffs Interstate	a	a	b	a	a	c	c
Lincoln-Beatrice-Fairbury Intrastate	b	a	c	c	c	c	c
Metropolitan Sioux City Interstate	b	a	c	c	c	c	c
Nebraska Intrastate	c	c	c	c	c	c	c

NOTE.—Footnotes which are underlined are proposed by the Administrator because the plan does not provide a specific date.

a. 3 years from plan approval or promulgation.

b. Air quality levels presently below primary standards.

c. Air quality levels presently below secondary standards.

Subpart DD—Nevada

§ 52.1470 Identification of plan.

(a) Title of plan: "Air Quality Implementation Plan for the State of Nevada."

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

§ 52.1471 Classification of regions.

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

HeinOnline -- 37 Fed. Reg. 10878 (1972)

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
Clark-Mohave Interstate	I	IA	I	I	I
Northwest Nevada Intrastate	I	III	III	III	III
Nevada Intrastate	IA	IA	IIL	III	III

§ 52.1472 Approval status.

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

§ 52.1473 General requirements.

(a) The requirements of § 51.10(e) of this chapter are not met since the plan does not provide procedures for making emission data, as correlated with allowable emissions, available to the public.

§ 52.1474 Legal authority.

(a) The requirements of § 51.11(a)(3) of this chapter are not met since section 445.471(2) of Nevada Revised Statutes requires all abatement orders issued during episodes to be subject to de novo judicial review, which will stay the enforcement of the orders.

§ 52.1475 Control strategy and regulations: Sulfur oxides.

(a) The requirements of § 51.13 of this chapter are not met since the plan does not adequately provide for attainment and maintenance of the secondary standards for sulfur oxides in the Nevada Intrastate Region.

(b) Article 8.1.3 of Nevada's "Air Quality Regulations" (emission limitation for sulfur from existing copper smelters), which is part of the sulfur oxides control strategy, is disapproved since it does not provide the degree of control needed to attain and maintain the secondary standards for sulfur oxides in the Nevada Intrastate Region.

§ 52.1476 Control strategy: Particulate matter.

(a) The requirements of § 51.13 of this chapter are not met since the plan does not provide for the attainment and maintenance of the national standards for particulate matter in the Northwest Nevada and Nevada Intrastate Regions.

§ 52.1477 Prevention of air pollution emergency episodes.

(a) The requirements of § 51.16(b)(3) of this chapter are not met since the State of Nevada lacks adequate legal authority to enforce episode reduction actions other than those negotiated with individual stationary sources. In addition, the emission control actions in the plan do not prohibit open burning during episode stages.

§ 52.1478 Review of new sources and modifications.

(a) The requirements of § 51.18 of this chapter are not met since the regulations in the plan for Washoe County and the cities of Reno and Sparks in the Northwest Nevada Intrastate Region do not contain legally enforceable procedures for review of new and modified sources.

§ 52.1479 Source surveillance.

(a) The requirements of § 51.19(a) of this chapter are not met since none of the State or local agencies in Nevada have adequate legally enforceable procedures for requiring owners or operators of stationary sources to maintain records of, and periodically report, information on the nature and amount of emissions.

(b) The requirements of § 51.19(c) of this chapter are not met since Article 8.1.4 of the State regulations exempts copper smelters from visible emission limitations. Therefore, Article 8.1.4 of Nevada's "Air Quality Regulations" (exemption of existing copper smelters from visible emission limitations) is disapproved.

§ 52.1480 Attainment 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 Nevada's plan, except where noted.

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons
	Primary	Secondary	Primary	Secondary			
Clark-Mohave Interstate	a	a	a	a	c	a	a
Northwest Nevada Intrastate	July 1975[d]	July 1977[d]	c	c	c	c	c
Nevada Intrastate	July 1975[d]	July 1977[d]	a	b	c	c	c

NOTE.—Dates or footnotes which are underlined are proposed by the Administrator because the plan does not provide a specific date or the date provided was not acceptable.

a. 3 years from plan approval or promulgation.
b. 5 years from plan approval or promulgation.
c. Air quality levels presently below secondary standards.
d. Transportation and/or land use measures will be proposed by the Administrator no later than February 15, 1973.

Subpart EE—New Hampshire

§ 52.1520 Identification of plan.

(a) Title of plan: "State of New Hampshire Implementation Plan."
(b) The plan was officially submitted on January 27, 1972.
(c) Supplemental information was submitted on February 23, 1972, by the New Hampshire Air Pollution Control Agency.

§ 52.1521 Classification of regions.

The New Hampshire plan was evaluated on the basis of the following classifications:

HeinOnline -- 37 Fed. Reg. 10879 (1972)

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
Androscoggin Valley Interstate	IA	IA	III	III	III
Central New Hampshire Intrastate	III	III	III	III	III
Merrimack Valley-Southern New Hampshire Interstate	I	I	III	III	III

§ 52.1522 **Approval status.**

The Administrator approves New Hampshire's plan for the attainment and maintenance of the national standards.

§ 52.1523 **Attainment 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 New Hampshire's plan, except where noted.

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
	Primary	Secondary	Primary	Secondary			
Androscoggin Valley Interstate	a	a	a	a	b	b	b
Central New Hampshire Intrastate	b	b	b	b	b	b	b
Merrimack Valley-Southern New Hampshire Interstate	a	a	a	a	b	b	b

NOTE.—Dates or footnotes which are underlined are proposed by the Administrator because the plan did not provide a specific date or the date provided was not acceptable.

a. 3 years from plan approval or promulgation.

b. Air quality levels presently below secondary standards.

Subpart FF—New Jersey

§ 52.1570 **Identification of plan.**

(a) Title of plan: "New Jersey State Implementation Plan to meet National Air Quality Standards."

(b) The plan was officially submitted on January 26, 1972.

(c) Supplemental information was submitted on April 17, 1972, by the New Jersey Department of Environmental Protection.

§ 52.1571 **Classification of regions.**

The New Jersey 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)
New Jersey-New York-Connecticut Interstate	I	I	I	I	I
Metropolitan Philadelphia Interstate	I	I	I	I	I
Northeast Pennsylvania-Upper Delaware Valley Interstate	I	II	I	III	III
New Jersey Intrastate	III	IA	III	I	III

§ 52.1572 **Extensions.**

(a) The Administrator hereby extends for 18 months the statutory timetable for submission of New Jersey's plan for attainment and maintenance of the secondary standards for sulfur oxides and particulate matter in the New Jersey portions of the New Jersey-New York-Connecticut and the Metropolitan Philadelphia Interstate Regions.

(b) The Administrator hereby extends for 2 years the attainment date for the national standards for carbon monoxide and photochemical oxidants in the New Jersey portions of the New Jersey-New York-Connecticut and the Metropolitan Philadelphia Interstate Regions.

§ 52.1573 **Approval status.**

With the exceptions set forth in this subpart, the Administrator approves New Jersey's plan for the attainment and maintenance of the national standards.

§ 52.1574 **General requirements.**

(a) The requirements of § 51.10(e) of this chapter are not met since the plan does not provide for public availability of emission data.

§ 52.1575 **Legal authority.**

(a) The requirements of § 51.11(a)(6) of this chapter are not met. Authority to make emissions data available to the public is inadequate because disclosure might be prohibited in certain circumstances by 26:2C-9.

§ 52.1576 **Control strategy: Nitrogen dioxide.**

(a) The requirements of § 51.14(c)(3) of this chapter are not met since the plan does not provide for the degree of nitrogen oxides emission reduction attainable through the application of reasonably available control technology in the New Jersey portions of the New Jersey-New York-Connecticut, Metropolitan Philadelphia, and Northeast Pennsylvania-Upper Delaware Valley Interstate Regions.

§ 52.1577 **Compliance schedules.**

(a) The requirements of § 51.15(a)(1) of this chapter are not met since the date by which each source must be in compliance with chapter 7 of New Jersey's "Air Pollution Control Code" has not been specifically identified.

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(b) The requirements of § 51.15(b)(1) of this chapter are not met since chapter 7, section 7.1(c) of New Jersey's "Air Pollution Control Code" permits certain sources to defer compliance with chapter 7 until after the required date for attainment of the national standards for particulate matter.

(c) The requirements of § 51.15(c) of this chapter are not met since chapter 7 of New Jersey's "Air Pollution Control Code" does not provide for periodic increments of progress toward compliance for those sources with compliance schedules extending over a period of 18 or more months.

§ 52.1578 Review of new sources and modifications.

(a) The requirements of § 51.18 of this chapter are not met since the plan does not set forth legally enforceable procedures to enable the State to determine whether construction or modification of stationary sources using fuel, with the exception of solid fuel, will result in violations of applicable portions of the control strategy or will interfere with attainment or maintenance of a national standard, or to disapprove such construction or modification if such violations or interference will result.

(b) The requirements of § 51.18(c) of this chapter are not met since the plan does not set forth legally enforceable procedures for disapproving construction or modification of stationary sources if such construction or modification will interfere with attainment or maintenance of a national standard.

§ 52.1579 Intergovernmental cooperation.

(a) The requirements of § 51.21(b)(2) of this chapter are not met since the plan does not adequately describe the responsibilities of local agencies.

§ 52.1580 Attainment 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 in New Jersey's plan, except where noted.

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
	Primary	Secondary	Primary	Secondary			
New Jersey-New York-Connecticut Interstate	a	c	a	c	a	b	b
Metropolitan Philadelphia Interstate	a	c	a	c	a	b	b
Northeast Pennsylvania-Upper Delaware Valley Interstate	a	a	d	d	a	a	d
New Jersey Intrastate	d	d	a	a	d	a	d
Northeastern Virginia Intrastate	a	a	d	d	d	d	d
State Capital Intrastate	a	b	d	d	a	d	Jan. 1975
Hampton Roads Intrastate	a	a	c	Jan. 1975	a	d	Jan. 1975
National Capital Interstate	July 1974	July 1974	Jan. 1975	Jan. 1975	d	d	Jan. 1975

NOTE.—Footnotes which are underlined are proposed by the Administrator because the plan did not provide a specific date or the date provided was not acceptable.

a. 3 years from plan approval or promulgation.
b. 5 years from plan approval or promulgation.
c. 18-month extension granted.
d. Air quality levels presently below secondary standards.

Subpart GG—New Mexico

§ 52.1620 Identification of plan.

(a) Title of plan: "State of New Mexico Implementation Plan."
(b) The plan was officially submitted on January 27, 1972.
(c) Supplemental information was submitted on:
(1) March 7, 1972, by the New Mexico Environmental Improvement Agency, and
(2) May 9, 1972.

§ 52.1621 Classification of regions.

The New Mexico 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)
Albuquerque-Mid-Rio Grande Intrastate	I	III	III	III	I
Arizona-New Mexico Southern Border Interstate	IA	IA	III	III	III
El Paso-Las Cruces-Alamogordo Interstate	I	I	III	I	I
Four Corners Interstate	IA	IA	IA	III	III
Northeastern Plains Intrastate	III	III	III	III	III
Pecos-Permian Basin Intrastate	III	III	III	III	III
Southwestern Mountains-Augustine Plains Intrastate	III	III	III	III	III
Upper Rio Grande Valley Intrastate	III	III	III	III	III

§ 52.1622 Approval status.

With the exceptions set forth in this subpart, the Administrator approves New Mexico's plan for the attainment and maintenance of the national standards.

§ 52.1623 General requirements.

(a) The requirements of § 51.10(c) of this chapter are not met in Bernalillo County in the Albuquerque-Mid-Rio Grande Intrastate Region, since the plan does not provide for making emission data, as correlated with applicable emission limitations and other control measures, available to the public.

HeinOnline -- 37 Fed. Reg. 10881 (1972)

§ 52.1624 Control strategy and regulations: Sulfur oxides.

(a) The requirements of § 51.13 of this chapter are not met since the plan does not provide for attainment and maintenance of the secondary standards for sulfur oxides in New Mexico's portion of the Arizona-New Mexico Southern Border Interstate Region.

(b) Regulation 652.A of New Mexico's "Air Quality Control Regulations" (emission limitation for sulfur from existing nonferrous smelters), is disapproved since it does not provide the degree of control necessary for attainment and maintenance of the secondary standards for sulfur oxides in New Mexico's portion of the Arizona-New Mexico Southern Border Interstate Region.

§ 52.1625 Control strategy: Particulate matter.

(a) The requirements of § 51.13 of this chapter are not met since the plan does not provide for attainment and maintenance of the national standards for particulate matter in New Mexico's portion of the El Paso-Las Cruces-Alamogordo Interstate Region.

§ 52.1626 Compliance schedules.

(a) The requirements of § 51.15(c) of this chapter are not met since the State's "Air Quality Control Regulations" 504.D (emission limitation for particulate matter from coal burning equipment), 506.B (emission limitation for particulate matter from nonferrous smelters), 602.B emission limitation for sulfur dioxide from existing coal burning equipment), 603.B (emission limitation for nitrogen dioxide from existing coal burning equipment), 604.B (emission limitation for nitrogen dioxide from existing gas burning equipment), and 652.A (emission limitation for sulfur from existing nonferrous smelters) include compliance dates later than 18 months from the date for plan approval or disapproval and do not provide for increments of progress toward compliance.

§ 52.1627 Prevention of air pollution emergency episodes.

(a) The requirements of § 51.16(e)(2) of this chapter are not met since the plan does not provide for inspection of sources to ascertain compliance with applicable emission control action requirements during episode stages in Priority I regions.

(b) The requirements of § 51.16(f) of this chapter are not met since the plan does not include a description of the interim procedures for inspection of sources in Priority I regions during the 1-year period after the prescribed date for plan submittal.

§ 52.1628 Review of new sources and modifications.

(a) The requirements of § 51.18 of this chapter are not met since the plan does not include legally enforceable State procedures for review of new sources and modifications.

(b) The requirements of § 51.18(c) of this chapter are not met since the regulations for Bernalillo County in the Albuquerque-Mid-Rio Grande Intrastate Region do not include legally enforceable means of disapproving construction or modification of a stationary source if it will interfere with attainment or maintenance of a national standard.

§ 52.1629 Source surveillance.

(a) The requirements of § 51.19(a) of this chapter are not met since the plan does not include legally enforceable State procedures for requiring owners or operators of stationary sources to maintain records of and periodically report to the State information on the nature and amount of emissions from such stationary sources.

(b) The requirements of § 51.19(a) of this chapter are not met since the regulations for Bernalillo County in the Albuquerque-Mid-Rio Grande Intrastate Region do not include legally enforceable procedures for requiring owners or operators of stationary sources to maintain records of the nature and amount of emissions from such stationary sources.

(c) The requirements of § 51.19(c) of this chapter are not met since the plan does not provide for establishment of a system for detecting violations of any rules and regulations through enforcement of appropriate visible emission limitations and for investigating complaints.

§ 52.1630 Attainment 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 New Mexico's plan, except where noted.

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
	Primary	Secondary	Primary	Secondary			
Albuquerque-Mid-Rio Grande Intrastate	a	a	d	d	d	d	a
Arizona-New Mexico-Southern Border Interstate	a	a	a	b	d	d	d
El Paso-Las Cruces-Alamogordo Interstate	July 1975e	July 1977e	a	a	d	a	a
Four Corners Interstate	c	a	d	d	d	d	d
Northeastern Plains Intrastate	d	d	d	d	d	d	d
Pecos-Permian Basin Intrastate	d	d	d	d	d	d	d
Southwestern Mountains-Augustine Plains Intrastate	d	d	d	d	d	d	d
Upper Rio Grande Valley Intrastate	d	d	d	d	d	d	d

NOTE.—Dates or footnotes which are underlined are proposed by the Administrator because the plan does not provide a specific date.

a. 3 years from plan approval or promulgation.

b. 5 years from plan approval or promulgation.

c. Air quality levels presently below primary standards.

d. Air quality levels presently below secondary standards.

e. Transportation and/or land use measures will be proposed by the Administrator no later than February 15, 1973.

Subpart HH—New York

§ 52.1670 Identification of plans.

(a) Title of plans:

(1) "Implementation Plan to Achieve Air Quality Standards—Upstate New York."

(2) "Implementation Plan to Achieve Air Quality Standards—Metropolitan New York City Air Quality Control Region."

(b) The plans were officially submitted on January 31, 1972.

(c) Supplemental information was submitted on February 9, 11, 14, and March 10, 1972, by the Division of Air Resources, New York State Department of Environmental Conservation.

§ 52.1671 Classification of regions.

The New York plans were evaluated on the basis of the following classifications:

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Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
Niagara Frontier Intrastate	I	I	I	III	I
Champlain Valley Interstate	II	II	III	III	III
Central New York Intrastate	I	II	III	I	I
Genesee-Finger Lakes Intrastate	II	II	I	III	I
Hudson Valley Intrastate	I	II	III	III	III
Southern Tier East Intrastate	II	II	III	III	III
Southern Tier West Intrastate	II	II	III	III	III
New Jersey-New York-Connecticut Interstate	I	I	I	I	I

§ 52.1672 Extensions.

(a) The Administrator hereby extends for 18 months the statutory timetable for submission of New York's plans for attainment and maintenance of the secondary standards for:

(1) Particulate matter in the Niagara Frontier and Central New York Intrastate Regions and in the New York portion of the New Jersey-New York-Connecticut Interstate Region.

(2) Sulfur oxides in the Niagara Frontier Intrastate Region and in the New York portion of the New Jersey-New York-Connecticut Interstate Region.

(b) The Administrator hereby extends for 2 years the attainment date for the:

(1) Primary standards for particulate matter in the Niagara Frontier Intrastate Region and in the New York portion of the New Jersey-New York-Connecticut Interstate Region.

(2) Primary standards for sulfur oxides in the Niagara Frontier Intrastate Region.

(3) National standards for carbon monoxide in the Central New York Intrastate Region.

(4) National standard for photochemical oxidants in the Genesee-Finger Lakes Intrastate Region and in the New York portion of the New Jersey-New York-Connecticut Interstate Region.

§ 52.1673 Approval status.

With the exceptions set forth in this subpart, the Administrator approves New York's plans for the attainment and maintenance of the national standards.

§ 52.1674 Control strategy: Particulate matter.

(a) The requirements of § 51.13 of this chapter are not met since New York's plans do not provide for attainment and maintenance of the national standards for particulate matter in the New York portion of the New Jersey-New York-Connecticut Interstate Region.

(b) The requirements of § 51.13 of this chapter are not met since New York's plans do not provide for attainment and maintenance of the primary standards for particulate matter in the Niagara Frontier Intrastate Region.

(c) The requirements of § 51.13 of this chapter are not met since New York's plans do not provide for attainment and maintenance of the secondary standards for particulate matter in the Central New York Intrastate Region.

§ 52.1675 Control strategy and regulations: Sulfur oxides.

(a) The requirements of § 51.13 of this chapter are not met since New York's plans do not provide for attainment and maintenance of the national standards for sulfur oxides in the Hudson Valley Intrastate Region, the primary standards for sulfur oxides in the Niagara Frontier Intrastate Region, and the secondary standards for sulfur oxides in the Genesee-Finger Lakes and Southern Tier West Intrastate Regions.

(b) The requirements of § 51.13 of this chapter are not met since New York's plans do not provide for maintenance of the secondary standards for sulfur oxides in the Central New York and Southern Tier East Intrastate Regions and in the New York portion of the Champlain Valley Interstate Region.

(c) Part 201, Subchapter A, of the Air Pollution Control Regulations of the State of New York, as it applies to those regions listed in paragraphs (a) and (b) of this section, is disapproved.

§ 52.1676 Control strategy: Nitrogen dioxide.

(a) The requirements of § 51.14(c)(3) of this chapter are not met since the plans do not provide for maintenance of the secondary standards for sulfur oxides through the application of reasonably available control technology in the Niagara Frontier and Genesee-Finger Lakes Intrastate Regions and in the New York portion of the New Jersey-New York-Connecticut Interstate Region.

§ 52.1677 Compliance schedules.

(a) The requirements of § 51.15(b) of this chapter are not met since the compliance schedule for Part 195, Subchapter A, of the Air Pollution Control Regulations of the State of New York does not provide for attainment and maintenance of the national standards for particulate matter by the dates required by the Act.

§ 52.1678 Prevention of air pollution emergency episodes.

(a) The requirements of § 51.16(c) of this chapter are not met since the plans do not provide for preparation of specific legally enforceable emission control action programs to be initiated during emergency episodes by each stationary source emitting 100 tons per year or more of any pollutant in a Priority I region.

§ 52.1679 Air quality surveillance.

(a) The requirements of § 51.17 (b)(3), (b)(4), (b)(5), and (b)(6) of this chapter are not met since the plans do not provide a description of sampling schedules, methods of sampling and analysis, methods of data handling and analysis procedures, nor a timetable for the installation of additional monitoring equipment for the air quality surveillance system in the New York portion of the New Jersey-New York-Connecticut Interstate Region.

§ 52.1680 Review of new sources and modifications.

(a) The requirements of § 51.18(c) of this chapter are not met since Part 176, Subchapter A, of the Air Pollution Control Regulations of the State of New York, does not set forth legally enforceable procedures for disapproving construction or modification of stationary sources if such construction or modification will result in a violation of applicable portions of the control strategy or will interfere with attainment or maintenance of a national standard.

HeinOnline -- 37 Fed. Reg. 10883 (1972)

§ 52.1681 Rules and regulations.

(a) All of the emission limitations and other required regulatory measures which were submitted but not adopted are not enforceable by the State and, therefore, do not meet the requirements of § 51.22 of this chapter.

§ 52.1682 Attainment 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 in New York's plans, except where noted.

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
	Primary	Secondary	Primary	Secondary			
Niagara Frontier Intrastate	b	c	b	c	a	a	a
Champlain Valley Interstate	e	e	e	e	e	e	e
Central New York Intrastate	a	c	e	e	e	b	a
Genesee-Finger Lakes Intrastate	a	a	a	July 1977	a	a	b
Hudson Valley Intrastate	a	a	a	July 1977	e	a	e
Southern Tier East Intrastate	a	a	e	e	e	e	e
Southern Tier West Intrastate	d	a	d	July 1977	e	e	e
New Jersey-New York-Connecticut Interstate	b	c	a	c	a	July 1975	July 1977

NOTE.—Dates or footnotes which are underlined are proposed by the Administrator because the plan did not provide a specific date or the date provided was not acceptable.

a. 3 years from plan approval or promulgation.
b. 5 years from plan approval or promulgation.
c. 18-month extension granted.
d. Air quality levels presently below primary standards.
e. Air quality levels presently below secondary standards.

§ 52.1683 Transportation and land-use controls.

(a) To complete the requirements of §§ 51.11(b) and 51.14 of this chapter, the Governor of New York must submit to the Administrator for the New York portion of the New Jersey-New York-Connecticut Interstate Region:

(1) No later than February 15, 1973, a detailed timetable for implementing the legislative authority, regulations, and administrative policies required for carrying out the transportation controls by 1975.

(2) No later than July 30, 1973, the legislative authority that is needed for carrying out the required transportation controls.

(3) No later than December 30, 1973, the necessary adopted regulations and administrative policies needed to implement the transportation controls.

Subpart II—North Carolina

§ 52.1770 Identification of plan.

(a) Title of plan: "The North Carolina Plan for Implementing National Air Quality Standards."

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

(c) Supplemental information was submitted on May 5 and 9, 1972, by the Air Quality Division of the North Carolina Department of Natural and Economic Resources.

§ 52.1771 Classification of regions.

The North 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)
Western Mountain Intrastate	I	III	III	III	III
Eastern Mountain Intrastate	I	III	III	III	III
Metropolitan Charlotte Interstate	I	II	III	III	I
Northern Piedmont Intrastate	I	III	III	III	III
Eastern Piedmont Intrastate	I	III	III	III	III
Northern Coastal Intrastate	I	III	III	III	III
Southern Coastal Intrastate	II	III	III	III	III
Sandhills Intrastate	II	III	III	III	III

The Administrator approves North Carolina's plan for attainment and maintenance of the national standards.

§ 52.1773 Attainment 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 North Carolina's plan.

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Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
	Primary	Secondary	Primary	Secondary			
Western Mountain Intrastate	July 1975	July 1975	b	b	b	b	b
Eastern Mountain Intrastate	a	July 1975	b	b	b	b	b
Metropolitan Charlotte Interstate	July 1975	July 1975	July 1975	July 1975	b	b	July 1975
Northern Piedmont Intrastate	July 1975	July 1975	b	b	b	b	b
Eastern Piedmont Intrastate	July 1975	July 1975	b	b	b	b	b
Northern Coastal Intrastate	July 1975	July 1975	b	b	b	b	b
Southern Coastal Intrastate	a	July 1975	b	b	b	b	b
Sandhills Intrastate	a	July 1975	b	b	b	b	b

a. Air quality levels presently below primary standards.
b. Air quality levels presently below secondary standards.

Subpart JJ—North Dakota

§ 52.1820 Identification of plan.

(a) Title of plan: "Implementation Plan for the Control of Air Pollution for the State of North Dakota."
(b) The plan was officially submitted on January 24, 1972.

§ 52.1821 Classification of regions.

The North Dakota 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)
Metropolitan Fargo-Moorhead Interstate	II	III	III	III	III
North Dakota Intrastate	II	III	III	III	III

§ 52.1822 Approval status.

The Administrator approves North Dakota's plan for the attainment and maintenance of the national standards.

§ 52.1823 Attainment 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 in North Dakota's plan.

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
	Primary	Secondary	Primary	Secondary			
Metropolitan Fargo-Moorhead Interstate	Feb. 1975	Feb. 1975	a	a	a	a	a
North Dakota Intrastate	Feb. 1975	Feb. 1975	a	a	a	a	a

a. Air quality levels presently below secondary standards.

HeinOnline -- 37 Fed. Reg. 10885 (1972)

Subpart KK—Ohio

§ 52.1870 Identification of plan.

(a) Title of plan: "Implementation Plan for the Control of Suspended Particulates, Sulfur Dioxide, Carbon Monoxide, Hydrocarbons, Nitrogen Dioxide, and Photochemical Oxidants in the State of Ohio."
(b) The plan was officially submitted on January 31, 1972.
(c) Supplemental information was submitted on:
(1) March 20 and May 8, 1972, by the Ohio Air Pollution Control Board, and
(2) May 9, 1972, by the Office of the Attorney General.

§ 52.1871 Classification of regions.

The Ohio 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)
Greater Metropolitan Cleveland Intrastate	I	I	I	III	I
Huntington (West Virginia)-Ashland (Kentucky)-Portsmouth-Ironton (Ohio) Interstate	I	III	III	III	III
Mansfield-Marion Intrastate	II	II	III	III	III
Metropolitan Cincinnati Interstate	I	II	I	III	I
Metropolitan Columbus Intrastate	I	III	I	III	I
Metropolitan Dayton Intrastate	I	II	I	III	I
Metropolitan Toledo Interstate	I	I	I	III	I
Northwest Ohio Intrastate	II	I	III	III	III
Northwest Pennsylvania-Youngstown Interstate	I	II	III	III	III
Parkersburg (West Virginia)-Marietta (Ohio) Interstate	I	II	III	III	III
Sandusky Intrastate	III	III	III	III	III
Steubenville-Weirton-Wheeling Interstate	I	I	III	III	III
Wilmington-Chillicothe-Logan Intrastate	III	III	III	III	III
Zanesville-Cambridge Intrastate	II	IA	III	III	III

§ 52.1872 Extensions.

(a) The Administrator hereby extends for 18 months the statutory timetable for submission of Ohio's plan for attainment and maintenance of the secondary standards for particulate matter in the Greater Metropolitan Cleveland Intrastate and in the Ohio portion of the Steubenville-Weirton-Wheeling and Northwest Pennsylvania-Youngstown Interstate Regions.
(b) The Administrator hereby extends for 2 years the attainment date for the national standard for photochemical oxidants in the Metropolitan Dayton Intrastate Region and in the Ohio portion of the Metropolitan Toledo and Metropolitan Cincinnati Interstate Regions.

§ 52.1873 Approval status.

With the exception set forth in this subpart, the Administrator approves Ohio's plan for the attainment and maintenance of the national standards.

§ 52.1874 Compliance schedules.

(a) The requirements of § 51.15(c) of this chapter are not met since the compliance schedules, which extend over 18 months, that apply to the emission limita-

HeinOnline -- 37 Fed. Reg. 10886 (1972)

tions of AP-3-11, AP-3-12, and AP-3-14 of the Ohio Air Pollution Control Board do not provide for periodic increments of progress.

§ 52.1875 Attainment 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 Ohio's plan, except where noted.

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
	Primary	Secondary	Primary	Secondary			
Greater Metropolitan Cleveland Intrastate	a	c	a	a	a	e	d
Huntington (West Virginia)-Ashland (Kentucky)-Portsmouth-Ironton (Ohio) Interstate	a	a	e	e	e	e	e
Mansfield-Marion Intrastate	a	a	d	a	e	e	e
Metropolitan Cincinnati Interstate	a	a	d	a	a	a	b
Metropolitan Columbus Intrastate	a	a	e	e	a	e	a
Metropolitan Dayton Intrastate	a	a	e	e	a	e	July 1977,
Metropolitan Toledo Interstate	a	a	a	a	a	e	b
Northwest Ohio Intrastate	a	a	a	a	e	e	e
Northwest Pennsylvania-Youngstown Interstate	a	c	d	a	e	e	e
Parkersburg (West Virginia)-Marietta (Ohio) Interstate	a	a	d	a	e	e	e
Sandusky Intrastate	a	a	e	e	e	e	e
Steubenville-Weirton-Wheeling Interstate	a	c	a	a	e	e	e
Wilmington-Chillicothe Logan Intrastate	a	a	e	e	e	e	e
Zanesville-Cambridge Intrastate	a	a	a	a	e	e	e

NOTE.—Footnotes which are underlined are proposed by the Administrator because the plan did not provide a specific date or the date provided was not acceptable.

a. 3 years from plan approval or promulgation.
b. 5 years from plan approval or promulgation.
c. 18-month extension granted.
d. Air quality levels presently below primary standards.
e. Air quality levels presently below secondary standards.
f. Transportation control strategy is to be submitted no later than Feb. 15, 1973.

§ 52.1876 Transportation controls.

(a) To complete the requirements of §§ 51.11(b) and 51.14 of this chapter, the Governor of Ohio must submit to the Administrator:

(1) No later than February 15, 1973, the selection of appropriate transportation control alternatives and a demonstration that said alternatives, along with Ohio's presently adopted stationary source emission limitations for hydrocarbons and the Federal Motor Vehicle Control Program, will attain and maintain the national standard for photochemical oxidants in the Metropolitan Dayton Intrastate Region by 1977. By this date (February 15, 1973), the State also must include a detailed timetable for implementing the legislative authority, regulations, and administrative policies required for carrying out the transportation control alternatives by 1977.

(2) No later than July 30, 1974, the legislative authority that is needed for carrying out the required transportation control alternatives.

(3) No later than December 30, 1974, the necessary adopted regulations and administrative policies needed to implement the transportation control alternatives.

Subpart LL—Oklahoma

§ 52.1920 Identification of plan.

(a) Title of plan: "State of Oklahoma Air Quality Control Implementation Plan."
(b) The plan was officially submitted on January 28, 1972.
(c) Supplemental information was submitted on February 15, February 25, and May 4, 1972, by the Oklahoma State Department of Health.

§ 52.1921 Classification of regions.

The Oklahoma 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)
Central Oklahoma Intrastate	I	III	III	III	I
Northeastern Oklahoma Intrastate	I	III	III	III	I
Southeastern Oklahoma Intrastate	III	III	III	III	III
North Central Oklahoma Intrastate	III	III	III	III	III
Southwestern Oklahoma Intrastate	III	III	III	III	III
Northwestern Oklahoma Intrastate	III	III	III	III	III
Metropolitan Fort Smith Interstate	II	III	III	III	III
Shreveport-Texarkana-Tyler Interstate	II	III	III	III	III

HeinOnline -- 37 Fed. Reg. 10887 (1972)

§ 52.1922 Approval status.

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

§ 52.1923 Emergency episode.

(a) The requirements of § 51.16(b)(3) of this chapter are not met since the plan does not provide sufficient emission reduction actions for the alert stage. No mention is made of curtailing incineration and boiler lancing or soot blowing.

§ 52.1924 Review of new sources and modifications: Rules and regulations.

(a) The requirements of § 51.22 of this chapter are not met since Regulation No. 14, Permits Required, will not be enforceable until January 1, 1973. The regulation must be effective by July 31, 1972.

§ 52.1925 Attainment 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 Oklahoma's plan, except where noted.

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
	Primary	Secondary	Primary	Secondary			
Central Oklahoma Intrastate	a	a	c	c	c	c	a
Northeastern Oklahoma Intrastate	a	a	c	c	c	c	a
Southeastern Oklahoma Intrastate	c	c	c	c	c	c	c
North Central Oklahoma Intrastate	c	c	c	c	c	c	c
Southwestern Oklahoma Intrastate	c	c	c	c	c	c	c
Northwestern Oklahoma Intrastate	c	c	c	c	c	c	c
Metropolitan Fort Smith Interstate	b	a	c	c	c	c	c
Shreveport-Texarkana-Tyler Interstate	b	a	c	c	c	c	c

NOTE.—Footnotes which are underlined are proposed by the Administrator because the plan did not provide a specific date.

a. 3 years from plan approval or promulgation.

b. Air quality levels presently below primary standards.

c. Air quality levels presently below secondary standards.

Subpart MM—Oregon

§ 52.1970 Identification of plan.

(a) Title of plan: "State of Oregon Clean Air Act Implementation Plan."

(b) The plan was officially submitted on January 25, 1972.

(c) Supplemental information was submitted on May 3, 1972.

§ 52.1971 Classification of regions.

The Oregon 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)
Portland Interstate	I	IA	III	I	I
Southwest Oregon Intrastate	II	III	III	III	III
Northwest Oregon Intrastate	III	III	III	III	III
Central Oregon Intrastate	II	III	III	III	III
Eastern Oregon Intrastate	II	III	III	III	III

§ 52.1972 Approval status.

The Administrator approves Oregon's plan for the attainment and maintenance of the national standards.

§ 52.1973 Attainment 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 Oregon's plan.

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
	Primary	Secondary	Primary	Secondary			
Portland Interstate	May, 1975	May, 1975	b	b	May, 1975	May, 1975[c]	May, 1975[c]
Southwest Oregon Intrastate	May, 1975	May, 1975	b	b	b	b	b
Northwest Oregon Intrastate	b	b	b	b	b	b	b
Central Oregon Intrastate	a	May, 1975	b	b	b	b	b
Eastern Oregon Intrastate	May, 1975	May, 1975	b	b	b	b	b

a. Air quality levels presently below primary standards.

b. Air quality levels presently below secondary standards.

c. Transportation and/or land use control strategies are to be submitted no later than February 15, 1973, with the first semiannual report.

HeinOnline -- 37 Fed. Reg. 10888 (1972)

§ 52.1974 Transportation and land-use controls.

(a) To complete the requirements of § 51.14 of this chapter, the Governor of Oregon must submit to the Administrator:

(1) No later than February 15, 1973, the selection of the appropriate transportation control alternative and a demonstration that said alternative, along with the Federal Motor Vehicle Control Program, will attain and maintain the national standards for carbon monoxide and photochemical oxidants (hydrocarbons) in the Oregon portion of the Portland Interstate Region by May 1975. By this date (February 15, 1973), the State also must include a detailed timetable for implementing the legislative authority, regulations, and administrative policies required for carrying out the transportation control alternative by May 1975.

(2) No later than December 30, 1973, the necessary adopted regulations and administrative policies needed to implement the transportation control alternative.

Subpart NN—Pennsylvania

§ 52.2020 Identification of plan.

(a) Title of plan: "Pennsylvania's Implementation Plan."

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

(c) Supplemental information was submitted on:

(1) March 17, March 27, and May 4, 1972, by the Bureau of Air Quality and Noise Control, Pennsylvania Department of Environmental Resources, and

(2) May 5, 1972.

§ 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	Photochemical oxidants (hydrocarbons)
Metropolitan Philadelphia Interstate	I	I	I	I	I
Northeast Pennsylvania-Upper Delaware Valley Interstate	I	II	I	III	III
South Central Pennsylvania Intrastate	I	II	I	III	III
Central Pennsylvania Intrastate	I	III	I	III	III
Southwest Pennsylvania Intrastate	I	I	I	I	I
Northwest Pennsylvania-Youngstown Interstate	I	II	III	III	III

§ 52.2022 Extensions.

(a) The Administrator hereby extends for 18 months the statutory timetable for submission of Pennsylvania's plan for attainment and maintenance of the secondary standards for sulfur oxides and particulate matter in the Southwest Pennsylvania Intrastate Region and in Pennsylvania's portion of the Metropolitan Philadelphia Interstate Region.

(b) The Administrator hereby extends for 2 years the attainment date for the national standards for photochemical oxidants and carbon monoxide in the Southwest Pennsylvania Intrastate Region and for carbon monoxide in Pennsylvania's portion of the Metropolitan Philadelphia Interstate Region.

§ 52.2023 Approval status.

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

§ 52.2024 General requirements.

(a) The requirements of § 51.10(e) of this chapter are not met since in the jurisdictions of the Allegheny County Health Department and the Philadelphia Department of Public Health the plan does not provide for public availability of emission data.

§ 52.2025 Legal authority.

(a) The requirements of § 51.11(f) of this chapter are not met. The State lacks authority to enforce for a minimum of 30 days against any source located in a political subdivision with an "approved status." Accordingly, section 133.8 of Title 25 of the Department of Environmental Resources Rules and Regulations is inadequate.

(b) The requirements of § 51.11(a)(6) of this chapter are not met. Authority to release emission data is not provided, and will in fact be precluded in certain circumstances by section 1719 of the Allegheny Health Department's Rules and Regulations. Also, the authority to release emission data to the public is deficient to the extent that section 5-1104 of Philadelphia Home Rule Charter will preclude its release.

§ 52.2026 Control strategy and regulations: Particulate matter and sulfur oxides.

(a) The following sections of the Allegheny County Health Department Rules and Regulations, Articles XVII, "Air Pollution Control," January 1970, are disapproved since they do not provide the degree of control needed to attain and maintain the national standards for particulate matter and sulfur oxides in the Southwest Pennsylvania Intrastate Region:

(1) Section 1706, "Particulate Matter."

(2) Section 1707, "Sulfur Compounds."

(3) Section 1708.1, "Miscellaneous Air Contaminants, Coke Plants."

(b) The following sections of the city of Philadelphia Air Pollution Control Board Air Management Regulation II, "Air Contaminant and Particulate Matter Emissions," April 1970, are disapproved since they do not provide the degree of control needed to attain and maintain the national standards for particulate matter and sulfur oxides in the Metropolitan Philadelphia Interstate Region.

(1) Section V, "Particulate Matter Emissions from the Burning of Fuels."

(2) Section VII, "Particulate Matter Emissions from Chemical, Metallurgical, Mechanical and Other Processes."

(c) The State emission-limiting regulations included in the control strategy for attainment and maintenance of the national standards for particulate matter and sulfur oxides in the Southwest Pennsylvania Intrastate Region and the Pennsylvania portion of the Metropolitan Philadelphia Interstate Region are not enforceable by the State agency in the jurisdictions of the Allegheny County Health Department and the Philadelphia Department of Public Health.

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§ 52.2027 Control strategy: Nitrogen dioxide.

(a) The requirements of § 51.14(c)(3) of this chapter are not met since the plan does not provide for the degree of nitrogen oxides emission reduction attainable through the application of reasonably available control technology in the Central Pennsylvania, South Central Pennsylvania, and Southwest Pennsylvania Intrastate Regions, and in the Pennsylvania portions of the Metropolitan Philadelphia and Northeast Pennsylvania-Upper Delaware Valley Interstate Regions.

§ 52.2028 Prevention of air pollution emergency episodes.

(a) The requirements of § 51.16(b) of this chapter are not met since in the jurisdictions of the Allegheny County Health Department and the Philadelphia Department of Public Health, not all of the episode criteria are sufficient to prevent reaching the levels which could cause significant harm to the health of persons as specified in § 51.16(a) of this chapter.

(b) The requirements of § 51.16(d) of this chapter are not met since in the jurisdiction of the Philadelphia Department of Public Health, no emission control action may be initiated unless a forecast of poor atmospheric dispersion is in effect.

(c) The requirements of § 51.16(e)(2) of this chapter are not met since in the jurisdiction of the Allegheny County Health Department, no procedures are given for inspection of sources to ascertain compliance with applicable emission control action requirements.

(d) The requirements of § 51.16(e)(3) of this chapter are not met since in the jurisdiction of the Allegheny County Health Department, the communication procedures are not fully developed nor is a timetable for their completion presented.

(e) The requirements of § 51.16(f) of this chapter are not met since in the jurisdiction of the Philadelphia Department of Public Health, a timetable for the completion of emission control action plans has not been submitted.

§ 52.2029 Air quality surveillance.

(a) The requirements of § 51.17(a)(1) of this chapter are not met since the plan lacks provisions for the minimum number of air quality monitoring sites in the following regions:

(1) Sulfur dioxide samplers in the Southwest Pennsylvania, South Central Pennsylvania and Central Pennsylvania Intrastate Regions, and in the Pennsylvania portions of the Northwest Pennsylvania-Youngstown and Metropolitan Philadelphia Interstate Regions.

(2) Tape samplers in the South Central Pennsylvania and Central Pennsylvania Interstate Regions, and in the Pennsylvania portions of the Northeast Pennsylvania-Upper Delaware Valley and Northwest Pennsylvania-Youngstown Interstate Regions.

(3) Nitrogen dioxide samplers in the Pennsylvania portion of the Northeast Pennsylvania-Upper Delaware Valley Interstate Region, and the South Central Pennsylvania, Central Pennsylvania, and Southwest Pennsylvania Intrastate Regions.

(b) The requirements of § 51.17(a)(2) of this chapter are not met since the plan does not indicate that at least one sampling site is located in the area of estimated maximum pollutant concentration in the Pennsylvania portions of the Northeast Pennsylvania-Upper Delaware Valley and Northwest Pennsylvania-Youngstown Interstate Regions, and the Central Pennsylvania, South Central Pennsylvania, and Southwest Pennsylvania Intrastate Regions.

(c) The requirements of § 51.17(b)(1) of this chapter are not met since the plan lacks sufficient detail to judge the design basis of the air quality surveillance system.

(d) The requirements of § 51.17(b)(4) of this chapter are not met since an indication is not given in the plan of the existence of the necessary laboratory analytical capability.

§ 52.2030 Source surveillance.

(a) The requirements of § 51.19(a) of this chapter are not met since:

(1) The provisions of Chapter 135, Title 25, Rules and Regulations, Department of Environmental Resources, do not require periodic reporting of emission data to the State on an adequate time basis in the jurisdiction of the Pennsylvania Department of Environmental Resources.

(2) The plan does not provide for legally enforceable procedures for requiring stationary sources to maintain records of and periodically report to the agencies information on, the nature and amount of emissions from such sources in the jurisdictions of the Allegheny County Health Department and the Philadelphia Department of Public Health.

(b) The requirements of § 51.19(b) of this chapter are not met since:

(1) The plan provisions for periodically testing stationary sources are inadequate in the areas under the jurisdiction of the Pennsylvania Department of Environmental Resources.

(2) The plan does not provide for stationary sources to be periodically tested or inspected in the jurisdiction of the Allegheny County Health Department.

(3) The plan does not provide for periodic testing of stationary sources in the jurisdiction of the Philadelphia Department of Public Health. (c) The requirements of § 51.19(c) are not met since the plan lacks specific procedures for investigating complaints in the jurisdiction of the Allegheny County Health Department.

§ 52.2031 Resources.

The requirements of § 51.20 of this chapter are not met since the manpower projections for the Pennsylvania Bureau of Air Quality and Noise Control are not consistent with the projected workloads.

§ 52.2032 Intergovernmental cooperation.

The requirements of § 51.21(c) of this chapter are not met since the plan does not indicate that Pennsylvania will transmit to the neighboring States of Maryland, New York, and West Virginia data about factors which may significantly affect air quality in those States.

§ 52.2033 Rules and regulations.

(a) The requirements of § 51.22 of this chapter are not met since the State emission-limiting regulations included in the control strategy for the attainment and maintenance of the national standards for photochemical oxidants in the Southwest Pennsylvania Intrastate Region are not enforceable by the State agency in the jurisdiction of the Allegheny County Health Department.

§ 52.2034 Attainment 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 the Pennsylvania plan, except where noted.

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Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
	Primary	Secondary	Primary	Secondary			
Metropolitan Philadelphia Interstate	a	c	a	c	a	July 1977 f	a
Northeast Pennsylvania-Upper Delaware Valley Interstate	a	a	d	a	a	e	e
South Central Pennsylvania Intrastate	a	a	a	a	a	e	e
Central Pennsylvania Intrastate	a	a	e	e	a	e	e
Southwest Pennsylvania Intrastate	a	c	a	c	a	July 1977 f	b
Northwest Pennsylvania-Youngstown Interstate	a	a	e	e	e	e	e

NOTE.—Dates or footnotes which are underlined are proposed by the Administrator because the plan did not provide a specific date or the date provided was not acceptable.

a. 3 years from plan approval or promulgation.
b. 5 years from plan approval or promulgation.
c. 18-month extension granted.
d. Air quality levels presently below primary standards.
e. Air quality levels presently below secondary standards.
f. Transportation control strategy is to be submitted no later than Feb. 15, 1973, with the first semiannual report

§ 52.2035 Transportation and landuse controls.

(a) To complete the requirements of §§ 51.11(b) and 51.14 of this chapter, the Governor of Pennsylvania must submit to the Administrator:

(1) No later than February 15, 1973, the selection of the appropriate transportation control alternative and a demonstration that said alternative, along with the Federal Motor Vehicle Control Program will attain the national standards for carbon monoxide in the Southwest Pennsylvania Intrastate Region and Pennsylvania's portion of the Metropolitan Philadelphia Interstate Region by 1977. By this date (February 15, 1973), the State also must include a detailed timetable for implementing the legislative authority, regulations, and administrative policies required for carrying out the transportation control alternative by 1977.

(2) No later than July 30, 1974, the legislative authority that is needed for carrying out the required transportation control alternative.

(3) No later than December 30, 1974, the necessary adopted regulations and administrative policies needed to implement the transportation control alternative.

Subpart OO—Rhode Island

§ 52.2070 Identification of plan.

(a) Title of plan: "Plan for Implementation, Maintenance and Enforcement of National Primary and Secondary Ambient Air Quality Standards in the Metropolitan Providence Interstate Air Quality Control Region" for the State of Rhode Island.

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

(c) Supplemental information was submitted on February 4, February 9, and February 29, 1972, by the Rhode Island Department of Health.

§ 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	Photochemical oxidants (hydrocarbons)
Metropolitan Providence Interstate	I	II	I	III	III

§ 52.2072 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Rhode Island's plan for the attainment and maintenance of the national standards.

§ 52.2073 General requirements.

(a) The requirements of § 51.10(e) of this chapter are not met since the plan does not provide for public availability of emission data.

§ 52.2074 Legal authority.

(a) The requirements of § 51.11(a)(5) of this chapter are not met. Authority to require record keeping 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 § 51.11(a)(6) 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.

§ 52.2075 Source surveillance.

(a) The requirements of § 51.19(a) of this chapter are not met since the plan does not include legally enforceable procedures for requiring 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.

§ 52.2076 Attainment 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						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
	Primary	Secondary	Primary	Secondary			
Metropolitan Providence Interstate	a	a	a	a	a	b	b

NOTE.—Dates or footnotes which are underlined are proposed by the Administrator because the plan did not provide a specific date or the date provided was not acceptable.

a. 3 years from plan approval or promulgation.
b. Air quality levels presently below secondary standards.

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Subpart PP—South Carolina

§ 52.2120 Identification of plan.

(a) Title of plan: "South Carolina Air Quality Implementation Plan."
(b) The plan was officially submitted on January 21, 1972.
(c) Supplemental information was submitted on May 4, 1972, by the South Carolina Pollution Control Authority.

§ 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	II	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.

With the exceptions set forth in this subpart, the Administrator approves South Carolina's plan for attainment and maintenance of the national standards.

§ 52.2123 General requirements.

(a) The requirements of § 51.10(e) of this chapter are not met since the plan does not provide for public availability of emission data.

§ 52.2124 Legal authority.

(a) The requirements of § 51.11(a)(5) of this chapter are not met since the plan does not present the legal authority to inspect, test, and require recordkeeping by existing sources.
(b) The requirements of § 51.11(a)(6) of this chapter are not met since the plan does not present the legal authority to require existing sources to install, maintain, and use emission monitoring devices and to allow the South Carolina Pollution Control Authority to make emission data available to the public.

§ 52.2125 Compliance schedules.

(a) The requirements of § 51.15(b) of this chapter are not met since Regulation No. 4A of the South Carolina Pollution Control Authority Regulations and Standards (Air) does not provide for compliance by pulp and paper manufacturing plants within the time period specified in the plan for attainment and maintenance of the national standards.
(b) The requirements of § 51.15(c) of this chapter are not met since South Carolina's Standard No. 2A and Regulation No. 4A do not provide for increments of progress in those compliance schedules that exceed 18 months.
(c) The requirements of § 51.15(d) of this chapter are not met since Standard No. 2A of the South Carolina Pollution Control Authority Regulations and Standards (Air) does not provide for attainment and maintenance of the national standards for sulfur oxides within the time specified pursuant to § 51.10 (b) and (c) of this chapter because paragraph D of section II of this Standard allows for a possible variance to be given to fuel combustion sources of sulfur dioxide. Paragraph D is therefore disapproved.

§ 52.2126 Review of new sources and modifications.

(a) The requirements of § 51.18(c) of this chapter are not met since the plan does not provide for disapproving construction or modification of stationary sources for interfering with attainment and maintenance of the national standards for particulate matter.

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§ 52.2127 Source surveillance.

(a) The requirements of § 51.19(a) of this chapter are not met since the plan does not present the procedures for requiring owners or operators to maintain records and to make periodic reports to the State agency.

(b) The requirements of § 51.19(b) of this chapter are not met since the State agency is unable to inspect and test stationary sources.

§ 52.2128 Attainment 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 South Carolina's plan, except where noted.

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
	Primary	Secondary	Primary	Secondary			
Augusta (Georgia)-Aiken (South Carolina) Interstate	July 1975	July 1975	July 1975	July 1975	a	a	a
Metropolitan Charlotte Interstate	July 1975	July 1975	July 1975	July 1975	a	a	July 1975
Camden-Sumter Intrastate	July 1975	July 1975	a	a	a	a	a
Charleston Intrastate	July 1975	July 1975	July 1975	July 1977	a	a	a
Columbia Intrastate	July 1975	July 1975	a	a	a	a	a
Florence Intrastate	a	a	a	a	a	a	a
Georgetown Intrastate	July 1975	July 1975	a	a	a	a	a
Greenville-Spartanburg Intrastate	July 1975	July 1975	a	a	a	a	a
Greenwood Intrastate	a	a	a	a	a	a	a
Savannah (Georgia)-Beaufort (South Carolina) Interstate	July 1975	July 1975	July 1975	July 1975	a	a	a

NOTE.—Date which is underlined is proposed by the Administrator because the plan did not provide a specific date, or the date provided was not acceptable.

a. Air quality levels presently below secondary standards.

Subpart QQ—South Dakota

§ 52.2170 Identification of plan.

(a) Title of plan: "Air Pollution Control Regulations and Implementation Plan for the State of South Dakota."

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

(c) Supplemental information was submitted on:

(1) January 27, and May 2, 1972.

(2) April 27, 1972, by the South Dakota Air Pollution Control Commission.

§ 52.2171 Classification of regions.

The South Dakota 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)
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

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§ 52.2172 Approval status.

With the exceptions set forth in this subpart, the Administrator approves South Dakota's plan for the attainment and maintenance of the national standards.

§ 52.2173 Legal authority.

(a) The requirements of § 51.11(a)(6) 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 section 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.

§ 52.2174 Attainment 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 South Dakota's plan, except where noted.

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
	Primary	Secondary	Primary	Secondary			
Metropolitan Sioux City Interstate	c	c	c	c	c	c	c
Metropolitan Sioux Falls Interstate	b	a	c	c	c	c	c
Black Hills - Rapid City Intrastate	c	c	c	c	c	c	c
South Dakota Intrastate	c	c	c	c	c	c	c

NOTE.—The underlined footnote is proposed by the Administrator because the plan did not provide a specific date.

a. 3 years from plan approval or promulgation.
b. Air quality levels presently below primary standards.
c. Air quality levels presently below secondary standards.

Subpart RR—Tennessee

§ 52.2220 Identification of plan.

(a) Title of plan: "Tennessee Air Pollution Control Implementation Plan."
(b) The plan was officially submitted on January 27, 1972.
(c) Supplemental information was submitted on:
(1) April 27, 1972, from the Memphis and Shelby County Health Department, and
(2) February 3 and 10, April 13, and May 3, 8, and 12, 1972, from the Division of Air Pollution Control of the Tenessee Department of Public Health.

§ 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	I	III	III
Metropolitan Memphis Interstate	I	III	I	III	I

§ 52.2222 Approval status.

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

§ 52.2223 General requirements.

(a) The requirements of § 51.10(e) of this chapter are not met since the plan does not provide for public availability of emission data in the jurisdiction of the Nashville-Davidson County Health Department, Chattanooga-Hamilton County Air Pollution Control Bureau, and the Knox County Division of Air Pollution Control.

§ 52.2224 Legal authority.

(a) The requirements of § 51.11(a)(3) 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 § 51.11(f) of this chapter are not met since the following deficiencies exist in the local agency legal authority:
(1) Nashville-Davidson County Health Department:
(i) Authority to require monitoring is lacking [§ 51.11(a)(6) of this chapter].
(ii) Authority to make emission data available to the public is lacking [§ 51.11(a)(6) of this chapter].
(2) Chattanooga-Hamilton County Air Pollution Control Bureau:
(i) Authority to require monitoring is lacking [§ 51.11(a)(6) of this chapter].
(ii) Authority to make emission data available to the public is lacking [§ 51.11(a)(6) of this chapter].
(3) Knox County Division of Air Pollution Control:
(i) Authority to require monitoring is lacking [§ 51.11(a)(6) of this chapter].
(ii) Authority to make emission data available to the public is lacking [§ 51.11(a)(6) of this chapter].

§ 52.2225 Control strategy: Nitrogen dioxide and photochemical oxidants.

(a) The requirements of § 51.14(c)(3) of this chapter are not met since the plan does not provide for the degree of nitrogen oxides emission reduction attainable

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through the application of reasonably available control technology in the Tennessee portion of the Memphis Interstate Region.

(b) The requirements of § 51.14 of this chapter are not met since the plan does not provide for attainment and maintenance of the national standard for photochemical oxidants in the Tennessee portion of the Memphis Interstate Region.

§ 52.2226 Compliance schedules.

(a) The requirements of § 51.15(c) of this chapter are not met since chapter VI, sections 2A, 2C, and 4B of the Tennessee Air Pollution Control Regulations do not contain increments of progress for fuel burning sources of particulate matter larger than 4,000 million B.t.u. heat input per hour, for incinerators (particulate matter), and for nonprocess sources of sulfur dioxide and since chapter VII, sections 6B and 7(1) do not provide increments of progress for process sources of sulfur oxides and for sulfuric acid plants, respectively.

(b) The requirements of § 51.15(c) of this chapter are not met since section 3-22 of the Memphis-Shelby County Air Pollution Control Regulations does not contain increments of progress for the compliance schedules for fuel combustion sources larger than 4,000 million B.t.u. heat input per hour.

§ 52.2227 Prevention of air pollution emergency episodes.

(a) The requirements of § 51.16(b)(3) 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.

§ 52.2228 Review of new sources and modifications.

(a) The requirements of § 51.18(c) of this chapter are not met since section 53.3412(A)(1) of the Tennessee Air Quality Act, chapter IX of the Tennessee Air Pollution Control Regulations, section 27 of the Knox County Regulations, section 4-1-16 of the Davidson County Metropolitan Code, and section 3-5 of the Memphis Regulations do not provide for disapproving construction or modification of a stationary source if such construction or modification will violate an applicable portion of the control strategy or will interfere with attainment and maintenance of the national standards.

§ 52.2229 Rules and regulations.

(a) The requirements of § 51.22 of this chapter are not met since the stationary source regulation necessary for attainment and maintenance of the national standard for nitrogen dioxide in the Tennessee portion of the Chattanooga Interstate Region is not adopted.

§ 52.2230 Attainment 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 Tennessee's plan, except where noted.

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
	Primary	Secondary	Primary	Secondary			
Eastern Tennessee-Southwestern Virginia Interstate	July 1975	July 1975	July 1975	July 1975	c	c	c
Tennessee River Valley-Cumberland Mountains Intrastate	July 1975	July 1975	July 1975	July 1975	c	c	c
Middle Tennessee Intrastate	July 1975	July 1975.	c	c	c	c	July 1975
Western Tennessee Intrastate	July 1975	July 1975	c	c	c	c	c
Chattanooga Interstate	July 1975	July 1975	c	c	a	c	c
Metropolitan Memphis Interstate	July 1975	July 1975	c	c	a	c	a

NOTE.—Footnotes which are underlined are proposed by the Administrator because the plan did not provide a specific date or the date provided was not acceptable.

a. 3 years from plan approval or promulgation.

b. Air quality levels presently below primary standards.

c. Air quality levels presently below secondary standards.

Subpart SS—Texas

§ 52.2270 Identification of plan.

(a) Title of plan: "Texas Air Pollution Control Implementation Plan."

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

(c) Supplemental information was submitted on February 25, May 2, and May 3, 1972, by the Texas Air Control Board.

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§ 52.2271 Classification of regions.

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	Photochemical oxidants (hydrocarbons)
Abilene-Wichita Falls Intrastate	II	II	III	III	III
Amarillo-Lubbock Intrastate	II	I	III	III	III
Austin-Waco Intrastate	II	III	III	III	I
Brownsville-Laredo Intrastate	I	III	III	III	III
Corpus Christi-Victoria Intrastate	I	I	I	III	I
Midland-Odessa-San Angelo Intrastate	II	II	III	III	III
Metropolitan Houston-Galveston Intrastate	I	I	I	III	I
Metropolitan Dallas-Fort Worth Intrastate	II	III	I	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	I	III	I	I
Shreveport-Texarkana-Tyler Interstate	II	III	III	III	III

§ 52.2272 Extensions.

(a) The Administrator hereby extends for 2 years the attainment date for the national standards for photochemical oxidants (hydrocarbons) in the Corpus Christi-Victoria and Metropolitan Houston-Galveston Intrastate Regions.

§ 52.2273 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Texas' plan for the attainment and maintenance of the national standards.

§ 52.2274 General requirements.

(a) The requirements of § 51.10(e) of this chapter are not met since the plan does not specifically describe the procedures by which the State will make emission data, as correlated with applicable emission limitations, available to the public.

§ 52.2275 Control strategy: Photochemical oxidants (hydrocarbons).

(a) The requirements of § 51.14(a) of this chapter are not met since the plan does not provide the degree of hydrocarbon emission reduction necessary to attain and maintain the national standards for photochemical oxidants (hydrocarbons) in the Corpus Christi-Victoria and Metropolitan Houston-Galveston Intrastate Regions.

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§ 52.2276 Control strategy and regulations: Nitrogen oxides.

(a) The requirements of § 51.14(c)(3) of this chapter are not met since the plan does not provide for the degree of nitrogen oxides emission reduction attainable through the application of reasonably available control technology in the Corpus Christi-Victoria, Metropolitan Houston-Galveston and Metropolitan Dallas-Fort Worth Intrastate Regions.

(b) The requirements of § 51.22 of this chapter are not met since Texas' Regulation VII, Control of Air Pollution from Nitrogen Compounds, does not contain emission limitations or other measures necessary for attainment and maintenance of the national standards in the Metropolitan Dallas-Fort Worth Intrastate Region. Therefore, Regulation VII is disapproved for this region.

§ 52.2277 Source surveillance.

(a) The requirements of § 51.19(a) of this chapter are not met since the plan does not provide legally enforceable procedures to require sources to maintain records and periodically report to the State information on the nature and amount of emissions.

§ 52.2278 Request for 2-year extension: Photochemical oxidants (hydrocarbons).

(a) Texas' request under § 51.30 of this chapter is not applicable in the Metropolitan San Antonio Intrastate Region since the national standards for photochemical oxidants (hydrocarbons) will be attained by 1975.

§ 52.2279 Attainment 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 Texas' plan, except where noted.

Air Quality Control Regions	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
	Primary	Secondary	Primary	Secondary			
Abilene-Wichita Falls Intrastate	Dec. 1973	Dec. 1973	Dec. 1973	Dec. 1973	b	b	b
Amarillo-Lubbock Intrastate	Dec. 1973	Dec. 1973	Dec. 1973	Dec. 1973	b	b	b
Austin-Waco Intrastate	Dec. 1973	Dec. 1973	Dec. 1973	Dec. 1973	b	b	a,c
Brownsville-Laredo Intrastate	Dec. 1973	Dec. 1973	Dec. 1973	Dec. 1973	b	b	b
Corpus Christi-Victoria Intrastate	Dec. 1973	Dec. 1973	Dec. 1973	Dec. 1973	a	b	July, 1977 c
Midland-Odessa-San Angelo Intrastate	Dec. 1973	Dec. 1973	Dec. 1973	Dec. 1973	b	b	b
Metropolitan Houston-Galveston Intrastate	Dec. 1973	Dec. 1973	Dec. 1973	Dec. 1973	a	b	July, 1977 c.
Metropolitan Dallas-Forth Worth Intrastate	Dec. 1973	Dec. 1973	Dec. 1973	Dec. 1973	a	b	a,c
Metropolitan San Antonio Intrastate	Dec. 1973	Dec. 1973	Dec. 1973	Dec. 1973	b	b	a,c
Southern Louisiana-Southeast Texas Interstate	Dec. 1973	Dec. 1973	Dec. 1973	Dec. 1973	b	b	a
El Paso-Las Cruces-Alamogordo Interstate	Dec. 1973	Dec. 1973	Dec. 1973	Dec. 1973	b	a	a,c
Shreveport-Texarkana-Tyler Interstate	Dec. 1973	Dec. 1973	Dec. 1973	Dec. 1973	b	b	b

NOTE.—Dates or footnotes which are underlined are proposed by the Administrator because the plan does not provide a specific date.

a. 3 years from plan approval or promulgation.

b. Air quality levels presently below secondary standards.

c. A timetable for implementing the transportation control strategies is to be submitted no later than February 15, 1973, with the first semiannual report.

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§ 52.2280 Transportation and land-use controls.

(a) To complete the requirements of §§ 51.11(b) and 51.14 of this chapter, the Governor of Texas must submit to the Administrator:

(1) No later than February 15, 1973, a detailed timetable for implementing the legislative authority, regulations, and administrative policies required for carrying out the vehicle inspection system that will, along with Texas' stationary source emission limitations for hydrocarbons and the Federal Motor Vehicle Control Program, attain and maintain the national standards for photochemical oxidants (hydrocarbon) in the Austin-Waco, Metropolitan Dallas-Fort Worth, Metropolitan San Antonio, and El Paso-Las Cruces-Alamogordo Regions by 1975, and in the Corpus Christi-Victoria and Metropolitan Houston-Galveston Regions by 1977.

(2) No later than July 30, 1973, the legislative authority that is needed for carrying out the vehicle inspection system.

(3) No later than December 31, 1973, the necessary adopted regulations and administrative policies needed to implement the vehicle inspection system.

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) Supplemental information was submitted on May 18, 1972.

§ 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	IA	III	III
Utah Intrastate	III	III	III	III	III

§ 52.2322 Extensions.

(a) The Administrator hereby extends for 2 years the attainment date for the national standards for carbon monoxide in the Wasatch Front Intrastate Region.

§ 52.2323 Approval status.

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

§ 52.2324 General requirements.

(a) The requirements of § 51.10(e) of this chapter are not met since the plan does not provide procedures to make emission data, as correlated with applicable emission limitations, available to the public.

§ 52.2325 Control strategy: Sulfur oxides.

(a) The requirements of § 51.13 of this chapter are not met since the plan does not provide an adequate control strategy to assure the attainment and maintenance of the national standards for sulfur oxides in the Wasatch Front Institute Region.

(b) The requirements of § 51.13 of this chapter are not met since the plan does not contain an adequate control strategy to provide for the mainenance of the national standards for sulfur oxides in the Utah portion of the Four Corners Interstate Region.

§ 52.2326 Control strategy: Nitrogen dioxide.

(a) The requirements of § 51.14(c)(3) of this chapter are not met since the plan does not provide for the degree of nitrogen oxides emission reduction attainable through the application of reasonably available control technology on stationary sources in the Wasatch Front Intrastate Region.

§ 52.2327 Compliance schedules.

(a) The requirements of § 51.15(a)(1) of this chapter are not met since the control strategy for sulfur oxides in the Wasatch Front Intrastate Region does not have a legally enforceable compliance schedule.

§ 52.2328 Review of new sources and modifications.

(a) The requirements of § 51.18(c) of this chapter are not met since section 1.3.3 of the Utah Code of Air Conservation Regulations does not provide for the disapproval of construction of a new source or modification of an existing source which will interfere with attainment and maintenance of a national standard.

§ 52.2329 Resources.

(a) The requirements of § 51.20 of this chapter are not met since the manpower program provided in the plan does not provide for adequate engineering activities.

§ 52.2330 Rules and regulations: Particulate matter.

(a) The requirements of § 51.22 of this chapter are not met since section 3.5 of the Utah Code of Air Conservation Regulations, pertaining to particulate emissions from stationary sources, is not legally enforceable and is therefore disapproved.

§ 52.2331 Attainment 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 Utah's plan, except where noted.

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
	Primary	Secondary	Primary	Secondary			
Wasatch Front Intrastate	a	a	a	b	a	July 1977[d]	a
Four Corners Interstate	a	a	a	b	a	c	c
Utah Intrastate	c	c	c	c	c	c	c

NOTE.—Footnotes which are underlined are proposed by the Administrator because the plan did not provide a specific date, or the date provided was not acceptable.

a. 3 years from plan approval or promulgation.

b. 5 years from plan approval or promulgation.

c. Air quality levels presently below secondary standards.

d. Transportation and/or land use control strategies are to be submitted no later than February 15, 1973, with the first semiannual report.

§ 52.2332 Transportation and land-use controls.

(a) To complete the requirements of §§ 51.11(b) and 51.14 of this chapter, the Governor of Utah must submit to the Administrator:

(1) No later than February 15, 1973, the selection of the appropriate transportation control alternative and a demonstration that said alternative, along with the Federal Motor Vehicle Control Program, will attain and maintain the national standards for carbon monoxide in the Wasatch Front Intrastate Region by July 1977. By this date (February 15, 1973), the State also must include a detailed timetable for implementing the legislative authority, regulations, and administrative

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policies required for carrying out the transportation control alternative by July 1977.

(2) No later than July 30, 1973, the legislative authority that is needed for carrying out the required transportation control alternative.

(3) No later than December 30, 1973, the necessary adopted regulations and administrative policies needed to implement the transportation control alternative.

Subpart UU—Vermont

§ 52.2370 Identification of plan.

(a) Title of plan: "State of Vermont Implementation Plan for the Achievement of National Air Quality Standards."

(b) The plan was officially submitted on January 29, 1972.

(c) Supplemental information was submitted on February 3 and May 3, 1972, by the Vermont Agency of Environmental Conservation.

§ 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	Photochemical oxidants (hydrocarbons)
Champlain Valley Interstate	II	II	III	III	III
Vermont Intrastate	II	II	III	III	III

§ 52.2372 Approval status.

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

§ 52.2373 Legal authority.

(a) The requirements of § 51.11(a) (6) 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. § 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.

§ 52.2374 General requirements.

(a) The requirements of § 51.10(e) of this chapter are not met since the plan does not provide for public availability of emission data.

§ 52.2375 Attainment 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 Vermont's plan, except where noted.

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
	Primary	Secondary	Primary	Secondary			
Champlain Valley Interstate	a	a	a	a	b	b	b
Vermont Intrastate	a	a	a	a	b	b	b

NOTE.—Dates or footnotes which are underlined are proposed by the Administrator because the plan did not provide a specific date or the date provided was not acceptable.

a. 3 years from plan approval or promulgation.

b. Air quality levels presently below secondary standards.

Subpart VV—Virginia

§ 52.2420 Identification of plan.

(a) Title of Plan: "Implementation Plan of Virgina."

(b) The plan was officially submitted on January 30, 1972.

(c) Supplemental information was submitted on May 4, 1972, by the Virginia Air Pollution Control Board.

§ 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	II	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	I	III	I
Hampton Roads Intrastate	I	II	I	III	I
National Capital Interstate	I	I	I	I	I

§ 52.2422 Extensions.

The Administrator hereby extends for 18 months the statutory timetable for submission of Virginia's plan for attainment and maintenance of the secondary standards for particulate matter in the State Capital Intrastate Region.

§ 52.2423 Approval status.

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

§ 52.2424 General requirements.

(a) The requirements of § 51.10(e) of this chapter are not met since the plan does not provide for public availability of emission data.

§ 52.2425 Control strategy and regulations: Particulate matter.

(a) The requirements of § 51.13 of this chapter are not met since the plan does not provide for attainment and maintenance of the primary standards for particulate matter in the State Capital Intrastate Region and secondary standards for particulate matter in the Hampton Roads Intrastate Region.

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(b) 4.03.00 and 4.07.00 of Virginia's "Air Pollution Control Regulations" (emission limitation for particulate matter from fuel combustion sources and incinerators, respectively), which are a part of the particulate matter control strategy, are disapproved in accordance with paragraph (a) of this section.

§ 52.2426 Control strategy and regulation: Nitrogen dioxide.

(a) The requirements of § 51.14(c)(3) of this chapter are not met since the plan does not provide for the degree of nitrogen oxides emission reduction attainable through the application of reasonably available control technology in the State Capital and Hampton Roads Intrastate Regions.

(b) 4.05.05(b)(2)(a) and 4.05.05(b)(2)(b) of Virginia's "Air Pollution Control Regulations" (emission limitation for nitrogen oxides from gas and oil-fired fuel combustion sources), which is a part of the nitrogen dioxide control strategy, is disapproved.

§ 52.2427 Source surveillance.

(a) The requirements of § 51.19(b) of this chapter are not met since the plan does not provide for periodic testing of stationary sources.

(b) The requirements of § 51.19(c) of this chapter are not met since the plan does not provide for specific procedures for detecting violations of any rules and regulations through the enforcement of appropriate visible emission limitations.

§ 52.2428 Request for 2-year extensions.

(a) Virginia's request under § 51.30 of this chapter for carbon monoxide in the State Capital and Hampton Roads Intrastate Regions are not applicable since the national standards are presently being attained.

(b) Virginia's requests under § 51.30 of this chapter for photochemical oxidants in the State Capital and Hampton Roads Intrastate Regions are not applicable since the plan demonstrates that the national standards will be attained by January 1975.

§ 52.2429 Attainment 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 Virginia's plan, except where noted.

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
	Primary	Secondary	Primary	Secondary			
Eastern Tennessee-Southwestern Virginia Interstate	Dec. 1974	Dec. 1974	Dec. 1973	Dec. 1973	d	d	d
Valley of Virginia Intrastate	c	July 1974	d	d	d	d	d
Central Virginia Intrastate	a	a	d	d	d	d	d
Northeastern Virginia Intrastate	a	a	d	d	d	d	d
State Capital Intrastate	a	b	d	d	a	d	Jan. 1975
Hampton Roads Intrastate	a	a	c.	Jan. 1975	a	d	Jan. 1975
National Capital Interstate	July 1974	July 1974	Jan. 1975	Jan. 1975	d	d	Jan. 1975

NOTE.—Footnotes which are underlined are proposed by the Administrator because the plan did not provide a specific date or the date provided was not acceptable.

a. 3 years from plan approval or promulgation.
b. 18-month extension granted.
c. Air quality levels presently below primary standards.
d. Air quality levels presently below secondary standards.

Subpart WW—Washington

§ 52.2470 Identification of plan.

(a) Title of plan: "A Plan for the Implementation, Maintenance and Enforcement of National Ambient Air Quality Standards in the State of Washington."

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

(c) Supplemental information was submitted on January 28, 1972 and May 5, 1972.

§ 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	Photochemical oxidants (hydrocarbons)
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	I	I	I
South Central Washington Intrastate	I	III	III	III	III

§ 52.2472 Extensions.

(a) The Administrator hereby extends for 2 years the attainment date for the national standards for photochemical oxidants (hydrocarbons) and carbon monoxide in the Puget Sound Intrastate Region and for carbon monoxide in the Washington portion of the Eastern Washington-Northern Idaho Interstate Region.

§ 52.2473 Approval status.

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

§ 52.2474 General requirements.

(a) The requirements of § 51.10(e) of this chapter are not met since the plan does not provide the necessary procedures for making emission data, as correlated with allowable emissions, available to the public.

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§ 52.2475 Legal authority.

(a) The requirements of § 51.11(f) of this chapter are not met since authority to make emission data available to the public is inadequate in the Puget Sound Air Pollution Control Agency, the Spokane County Air Pollution Control Authority, the Northwest Air Pollution Authority, the Southwest Air Pollution Control Authority, the Olympic Air Pollution Control Authority, the Yakima County Clean Air Authority, the Douglas County Air Pollution Control Commission, the Grant County Air Pollution Control Authority, and the Tri-County Air Pollution Control Authority, because RCW 70.94.205 would require confidential treatment in certain circumstances if the data related to processes or production unique to the owner or operator, or were likely to affect adversely the competitive position of the owner or operator.

§ 52.2476 Control strategy: Nitrogen dioxide.

(a) The requirements of § 51.14(c)(3) of this chapter are not met since the plan does not provide for the degree of nitrogen oxides emission reduction attainable through the application of reasonably available control technology in the Puget Sound Intrastate Region.

§ 52.2477 Source surveillance.

(a) The requirements of § 51.19(a) of this chapter are not met since the plan does not set forth legally enforceable procedures for requiring owners or operators of stationary sources to maintain records of, and periodically report to the State information on, the nature and amounts of emissions as may be necessary to enable the State to determine whether such sources are in compliance with applicable portions of the control strategy.

§ 52.2478 Attainment 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 Washington's plan, except where noted.

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
	Primary	Secondary	Primary	Secondary			
Eastern Washington-Northern Idaho Interstate	a	a	c	c	c	June, 1977[d]	c
Northern Washington-Intrastate	b	a	c	c	c	c	c
Olympic-Northwest Washington Intrastate	a	a	b	a	c	c	c
Portland Interstate	July, 1975	July, 1975	a	a	c	c	c
Puget Sound Intrastate	Dec. 1973	a	Jan. 1975	Jan. 1975	a	June 1977	June 1977[d]
South Central Washington Intrastate	a	a	c	c	c	c	c

NOTE.—Footnotes which are underlined are proposed by the Administrator because the plan did not provide a specific date or the date provided was not acceptable.

a. 3 years from plan approval or promulgation.

b. Air quality levels presently below primary standards.

c. Air quality levels presently below secondary standards.

d. Transportation and/or land use control strategies are to be submitted no later than February 15, 1973, with the first semiannual report.

§ 52.2479 Transportation and land-use controls.

(a) To complete the requirements of §§ 51.11(b) and 51.14 of this chapter, the Governor of Washington must submit to the Administrator:

(1) No later than February 15, 1973, the selection of the appropriate transportation control alternative and a demonstration that said alternative, along with Washington's presently adopted source emission limitations for hydrocarbons and carbon monoxide and the Federal Motor Vehicle Control Program, will attain and maintain the national standards for photochemical oxidants (hydrocarbons) in the Puget Sound Intrastate Region and for carbon monoxide in the Washington portion of the Eastern Washington-Northern Idaho Interstate Region by June 1977. By this date (February 15, 1973), the State also must include a detailed timetable for implementing the legislative authority, regulations, and administrative policies required for carrying out the transportation control alternative by June 1977.

(2) No later than July 1, 1973, the legislative authority that is needed for carrying out the required transportation control alternative.

(3) No later than December 30, 1973, the necessary adopted regulations and administrative policies needed to implement the transportation control alternative.

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Subpart XX—West Virginia

§ 52.2520 Identification of plan.

(a) Title of plan: "State of West Virginia Implementation Plan to Achieve and Maintain Air Quality Standards for Particulates, Sulfur Oxides, Nitrogen Oxides, Carbon Monoxide, Hydrocarbons, and Oxidants."

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

(c) Supplemental information was submitted on March 3 and May 5, 1972, by the West Virginia Air Pollution Control Commission.

§ 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

§ 52.2522 Approval status.

The Administrator approves West Virginia's plan for the attainment and maintenance of the national standards.

§ 52.2523 Attainment 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 West Virginia's plan.

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
	Primary	Secondary	Primary	Secondary			
Steubenville-Weirton-Wheeling Interstate	June 1975	June 1977	June 1975	June 1978	a	a	a
Parkersburg-Marietta Interstate	June 1975	June 1977	June 1975	June 1978	a	a	a
Huntington-Ashland Portsmouth-Ironton Interstate	June 1975	June 1977	a	a	a	a	a
Kanawha Valley Intrastate	June 1975	June 1977	a	a	a	a	a
Southern West Virginia Intrastate	a	a	a	a	a	a	a
North Central West Virginia Intrastate	June 1975	June 1977	a	a	a	a	a
Cumberland-Keyser Interstate	June 1975	June 1977	June 1975	June 1978	a	a	a
Central West Virginia Intrastate	a	a	a	a	a	a	a
Allegheny Intrastate	a	a	a	a	a	a	a
Eastern Panhandle Intrastate	a	a	a	a	a	a	a

a. Air quality levels presently below secondary standards.

Subpart YY—Wisconsin

§ 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) Supplemental information was submitted on February 15, March 3, March 16, and April 2, 1972, by the Bureau of Air Pollution Control and Solid Waste Disposal.

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§ 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	Photochemical oxidants (hydrocarbons
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	I	III	I
Rockford (Illinois)-Jamesville-Beloit (Wisconsin) Interstate	II	III	III	III	III
Metropolitan Dubuque Interstate	I	III	IA	III	III

§ 52.2572 **Approval status.**

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

§ 52.2573 **General requirements.**

(a) The requirements of § 51.10(c) of this chapter are not met since the plan does not provide for public availability of emission data.

§ 52.2574 **Legal authority.**

(a) The requirements of § 51.11(a)(6) 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.

§ 52.2575 **Control strategy and regulations: Sulfur oxides.**

(a) The control strategy presented in the plan for sulfur oxides in the Southeast Minnesota-La Crosse Interstate Region does not satisfy the requirements of § 51.4 of this chapter since a public hearing was not held on the strategy and associated regulations; therefore, the strategy is disapproved.

§ 52.2576 **Prevention of air pollution emergency episodes.**

(a) The requirements of § 51.16(b) of this chapter are not met since Wisconsin regulation NR154.1.1 defines the Air Pollution Emergency Level for carbon monoxide and for the product of sulfur dioxide and particulate matter at levels equal to or greater than those levels, which could cause significant harm to the health of persons, as set forth in § 51.16(a) of this chapter.

§ 52.2577 ***Attainment 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 Wisconsin's plan, except where noted.

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
	Primary	Secondary	Primary	Secondary			
Duluth (Minnesota)-Superior (Wisconsin) Interstate	a	a	b	a	c	c	c
North Central Wisconsin Intrastate	b	a	c	c	c	c	c
Lake Michigan Intrastate	b	a	c	c	c	c	c
Southeast Minnesota-La Crosse (Wisconsin) Interstate	b	a	a	July 1977	c	c	c
Southern Wisconsin Intrastate	b	a	c	c	c	c	c
Southeastern Wisconsin Intrastate	a	a	b	a	a	c	a
Rockford (Illinois)-Jamesville-Beloit (Wisconsin) Interstate	b	a	c	c	c	c	c
Metropolitan Dubuque Interstate	a	a	c	c	a	c	c

NOTE.—Date and footnotes which are underlined are proposed by the Administrator because the plan did not provide a specific date or the date provided was not acceptable.

a. 3 years from plan approval or promulgation.
b. Air quality levels presently below primary standards.
c. Air quality levels presently below secondary standards.

Subpart ZZ—Wyoming

§ 52.2620 **Identification of plan.**

(a) Title of plan: "Implementation Plan for Air Quality Control, State of Wyoming."

(b) The plan was officially submitted on January 26, 1972.

(c) Supplemental information was submitted on March 28 and May 3, 1972, by the Wyoming Air Quality Section.

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§ 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

§ 52.2622 Approval status.

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

§ 52.2623 Legal authority.

(a) The requirements of § 51.11(a)(4) of this chapter are not met since the State lacks the authority to prevent the construction of new sources and modification of existing sources.

(b) The requirements of § 51.11(a)(5) of this chapter are not met since the State lacks the authority to require recordkeeping and to make inspections and conduct tests.

(c) The requirements of § 51.11(a)(6) of this chapter are not met since the State lacks the authority to require installation of monitoring devices. In addition, emission data cannot be made available to the public because section 35-499 of the Wyoming Air Quality Act of 1967 requires that information which may tend to affect the competitive position of the owner be held confidential.

§ 52.2624 General requirements.

(a) The requirements of § 51.10(e) of this chapter are not met since the plan does not provide procedures for making emission data, as correlated with applicable emission limitations, available to the public.

§ 52.2625 Review of new sources and modifications.

(a) The requirements of § 51.18 of this chapter are not met since the plan does not provide legally enforceable procedures to prevent the construction of a new source or modification of an existing source.

§ 52.2626 Source surveillance.

(a) The requirements of § 51.19(a)(1) of this chapter are not met since the plan lacks the legally enforceable procedures to require recordkeeping and periodic reporting of emission data.

§ 52.2627 Air quality surveillance.

(a) The requirements of § 51.17(c) of this chapter are not met since the plan does not provide for monitoring of air quality during any air pollution emergency episode stage.

§ 52.2628 Attainment 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 Wyoming's plan.

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
	Primary	Secondary	Primary	Secondary			
Cheyenne Intrastate	a	June 30, 1973	b	b	b	b	b
Casper Intrastate	b	b	b	b	b	b	b
Wyoming Intrastate	b	b	b	b	b	b	b

a. Air quality levels presently below primary standards.
b. Air quality levels presently below secondary standards.

Subpart AAA—Guam

§ 52.2670 Identification of plan.

(a) Title of plan: "Implementation Plan for Compliance With the Ambient Air Quality Standards for the Territory of Guam."

(b) The plan was officially submitted on January 25, 1972.

§ 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.

The Administrator approves Guam's plan for the attainment and maintenance of the national standards.

§ 52.2673 Attainment 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 Guam's plan.

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
	Primary	Secondary	Primary	Secondary			
Guam	a	a	June 1975	June 1977	a	a	a

a. Air quality levels presently below secondary standards.

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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.

§ 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

§ 52.2722 Approval status.

The Administrator approves Puerto Rico's plan for the attainment and maintenance of the national standards.

§ 52.2723 Attainment 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 Puerto Rico's implementation plan.

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
	Primary	Secondary	Primary	Secondary			
Puerto Rico	April 1975	April 1975	April 1975	April 1975	a	a	a

a. Air quality levels presently below secondary standards.

Subpart CCC—U.S. Virgin Islands

§ 52.2770 Identification of plan.

(a) Title of plan: "Air Quality Control Implementation Plan for the U.S. Virgin Islands."
(b) The plan was officially submitted on January 31, 1972.
(c) Supplemental information was submitted on April 26, 1972, by the Division of Environmental Health, U.S. Virgin Islands Department of Health.

§ 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 General requirements.

(a) The requirements of § 51.10(e) of this chapter are not met since the plan does not provide for public availability of emission data.

§ 52.2774 Legal authority.

(a) The requirements of § 51.11(a)(6) of this chapter are not met since release of emission data to the public might be precluded by section 213, title 12 of the Virgin Islands Code, in certain circumstances.

§ 52.2775 Review of new sources and modifications.

(a) The requirements of § 51.18(c) of this chapter are not met since the plan does not provide a means of disapproving construction or modification of stationary sources if said construction or modification will interfere with attainment or maintenance of a national standard.

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§ 52.2776 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. These dates reflect information presented in the U.S. Virgin Islands plan.

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
	Primary	Secondary	Primary	Secondary			
U. S. Virgin Islands	Jan. 1975	Jan. 1975	Jan. 1975	Jan. 1975	a	a	a

a. Air quality levels presently below secondary standards.

Subpart DDD—American Samoa

§ 52.2820 Identification of plan.

(a) Title of plan: "The Territory of American Samoa Air Pollution Control Implementation Plan."
(b) The plan was officially submitted on January 27, 1972.
(c) Supplemental information was submitted on March 9 and March 23, 1972, by the American Samoa Environmental Quality Commission.

§ 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

§ 52.2822 Approval status.

The Administrator approves American Samoa's plan for the attainment and maintenance of the national standards.

§ 52.2823 Attainment 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 American Samoa's plan.

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
	Primary	Secondary	Primary	Secondary			
American Samoa	a	a	a	a	a	a	a

a. Air quality levels presently below secondary standards.

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