

§ 52.1578

(4) Any compliance schedule adopted by the State and approved by the Administrator shall satisfy the requirements of this paragraph for the affected source.

[37 FR 10880, May 31, 1972, as amended at 37 FR 23090, Oct. 28, 1972; 38 FR 12713, May 14, 1973; 40 FR 30962, July 24, 1975; 51 FR 40676, 40677, Nov. 7, 1986; 54 FR 25258, June 14, 1989]

§ 52.1578 Review of new sources and modifications.

(a) Subchapter 18 of the New Jersey Administrative Code, entitled, "Control and Prohibitions of Air Pollution from Ambient Air Quality in Non-attainment Areas (Emission Offset Rule)," N.J.A.C. 7:27-18.1 *et seq.*, as submitted to EPA on August 5, 1980 by the New Jersey Department of Environmental Protection, is approved for the entire State of New Jersey, with the following provisions:

(1) The definition of "significant emission increase" as it appears in section 7:27-18.1, entitled, "Definitions," is disapproved. The following definition of "significant emission increase" is applicable: "An increase, since December 21, 1976, in the rate of allowable emissions, including fugitive pollutant emissions, at a facility of any criteria pollutant greater than or equal to 50 tons per year, 1,000 pounds per day, or 100 pounds per hour, not including decreases in the rates of allowable emissions except where such decreases are contemporaneous with emission increases. The increase in the rates of allowable emissions shall be the cumulative total of increases from all new or altered equipment for which permits have been issued on or after December 21, 1976 and for which permit applications have been received by the Department, and the fugitive emissions associated with that equipment. The hourly and daily rates shall apply only with respect to a pollutant for which a national ambient air quality standard for a period not exceeding 24 hours has been established.

(2) Subsection (e)(1) under section 7:27-18.2, entitled, "General Provisions," is disapproved and replaced with the following: "The requirements of paragraphs (c)(3), (c)(4), and (c)(5) of this section shall again become applicable when proposed new construction

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or alterations at the facility would cause the increase in the rate of allowable emissions of that criteria pollutant to again exceed 50 tons per year, 1,000 pounds per day, or 100 pounds per hour whichever is most restrictive. The accumulation of increases in the rate of allowable emissions shall resume from zero after each application of paragraphs (c)(3) and (c)(4) of this section."

[39 FR 7282, Feb. 25, 1974, as amended at 46 FR 21996, Apr. 15, 1981; 51 FR 40677, Nov. 7, 1986; 60 FR 33923, June 29, 1995]

§ 52.1579 Intergovernmental cooperation.

(a) The requirements of subpart M of this chapter are not met since the plan does not adequately describe the responsibilities of local agencies.

[37 FR 10880, May 31, 1972, as amended at 51 FR 40677, Nov. 7, 1986]

§ 52.1580 Conditional approval.

(a) *Enhanced inspection and maintenance.* (1) The State of New Jersey's March 27, 1996 submittal for an enhanced motor vehicle inspection and maintenance (I/M) program, as amended on November 27, 1996 and April 22, 1997, is conditionally approved based on certain contingencies, for an interim period to last 18 months. If New Jersey fails to start its program by November 15, 1997, the interim approval granted under the provisions of the NHSDA, which EPA believes allows the State to take full credit in its 15 percent plan for all of the emission reduction credits in its proposal, will convert to a disapproval after a finding letter is sent to the State by EPA. If the State fails to submit to EPA the final modeling demonstrating that its program will meet the relevant enhanced I/M performance standard by February 1, 1998, the conditional approval will automatically convert to a disapproval as explained under Section 110(k) of the Clean Air Act.

(2) In addition to the above condition, the State must correct eight minor, or de minimus, deficiencies related to the CAA requirements for enhanced I/M. The minor deficiencies are listed in EPA's conditional interim final rulemaking on New Jersey's