

§ 52.2021

40 CFR Ch. I (7-1-00 Edition)

system, NO_x allocation, NO_x allowance, NO_x allowance CEMS-NO_x allowance continuous emission monitoring system, NO_x allowance control period, NO_x allowance curtailment, NO_x allowance deduction, NO_x allowance transfer, NO_x allowance transfer deadline, NO_x budget, NO_x budget administrator, OTC MOU-ozone transport commission memorandum of understanding, replacement source.

(2) Addition of sections 123.101 through 123.120, except for section 123.115.

(D) Revisions to 25 PA Code, Chapters 121 and 123 pertaining to Nitrogen Oxides Allowance Requirements, effective March 11, 2000.

(I) Revisions to section 121.1—definition of NO_x affected source.

(2) Addition of section 123.115 and Appendix E.

(ii) Additional material.

(A) Nitrogen Oxide (NO_x) Memorandum of Understanding Implementation Plan of December 9, 1997.

(B) Letter of March 31, 2000 from the Director of the Pennsylvania Department of the Environmental Protection amending the Chapter 123 NO_x Allowance Program.

[38 FR 16567, June 22, 1973]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.2020, see the List of CFR Sections Affected in the Finding Aids section of this volume.

EFFECTIVE DATE NOTE: At 65 FR 35842, June 6, 2000, § 52.2020 was amended by adding paragraph (c)(145), effective Aug. 7, 2000.

§ 52.2021 Classification of regions.

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

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

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

§ 52.2022 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 carbon monoxide in the Southwest Pennsylvania Intrastate Region, for 1 year the attainment date for the national standard for photochemical oxidants in the Southwest Pennsylvania Intrastate Region, and for 1 year the attainment date for the national standards for carbon monoxide in the Pennsylvania por-

tion of the Metropolitan Philadelphia Interstate Region.

(c) The Administrator hereby extends for 18 months, until July 1, 1980, the statutory timetable for submission of Pennsylvania's plan for attainment and maintenance of the secondary national ambient air quality standard for particulate matter in Pennsylvania's portion of the Metropolitan Philadelphia Interstate Air Quality Control Region.

(d) The Administrator hereby extends the attainment date for the national ambient air quality standard for ozone to December 31, 1987 for the following counties:

Allegheny, Armstrong, Beaver, Butler, Washington, Westmoreland, Bucks, Chester, Delaware, Montgomery, Philadelphia, Lehigh, and Northampton.

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(e) The Administrator hereby extends the dates for attainment of the national ambient air quality standard for carbon monoxide to December 31, 1987 in Philadelphia County and to December 31, 1985 in Allegheny County.

[37 FR 10889, May 31, 1972, as amended at 38 FR 32893, Nov. 28, 1973; 45 FR 33627, May 20, 1980; 46 FR 43141, Aug 27, 1981; 50 FR 7777, Feb. 26, 1985]

§ 52.2023 Approval status.

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

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

(c) The Allegheny County Bureau of Air Pollution Control (BAPC) Article XX, section 534 at paragraph D, does not fulfill its 1982 ozone SIP commitment to adopt all applicable control technique guidelines published by EPA. These regulations establish and require reasonable available control technology to control fugitive volatile organic compounds emissions (VOC) from synthetic organic chemical and polymer manufacturing-fugitive sources and associated test method required to determine compliance, but provide the Director of the Bureau authority to approve an alternative VOC emission reduction system and/or alternative monitoring procedure. The approval of any such alternatives by the Director of the BAPC cannot and would not amend the SIP. Only the Administrator of the United States Environmental Protection Agency (EPA) has the authority to approve an alternative VOC emission reduction system and/or the use of an alternative monitoring procedure as a revision to the SIP. Air Pollution Article XX, section 534 at paragraph D of the SIP will remain inadequate until this language providing for Director discretion is corrected to require that

any such alternatives approved by the Director of BAPC must also be approved by EPA. The amended version of Article XX, section 534, paragraph D must be adopted by the Commonwealth, submitted to EPA and approved as a SIP revision to correct this deficiency in the Pennsylvania SIP.

(d) Limited approval/limited disapproval of revisions to the Pennsylvania Regulations, Chapter 129.82 pertaining to Stage II Vapor Recovery and the associated definition of gasoline dispensing facilities in Chapter 121.1 submitted on March 4, 1992, by the Pennsylvania Department of Environmental Resources. The Pennsylvania Stage II regulation is deficient in that it does not include the testing and certification procedures contained in EPA's October 1991 Stage II guidance documents (EPA-450/3-91-022a and EPA-450/3-91-022b).

(e) Disapproval of the April 19, 1995 NO_x RACT proposal for Pennsylvania Power Company—New Castle plant located in Lawrence County, Pennsylvania.

(f)-(i) [Reserved]

(j) The conditionally approved Pennsylvania enhanced I/M SIP revision (59 FR 44936) submitted on November 3, 1993 by the Pennsylvania Department of Environmental Resources was converted to a disapproval by an April 13, 1995 letter from EPA to Pennsylvania.

(k) Conditional limited approval of revisions to the Pennsylvania Regulations, Chapter 129.91 through 129.95, pertaining to VOC and NO_x RACT submitted on February 4, 1994 and amended on May 3, 1994 by the Pennsylvania Department of Environmental Resources (now known as the Pennsylvania Department of Environmental Protection).

[38 FR 32893, Nov. 28, 1973, as amended at 45 FR 33627, May 20, 1980; 51 FR 18440, May 20, 1986; 53 FR 31330, Aug. 18, 1988; 59 FR 6220, Feb. 10, 1994; 59 FR 30304, June 13, 1994; 60 FR 47085, Sept. 11, 1995; 61 FR 16062, Apr. 11, 1996; 63 FR 13794, Mar. 23, 1998; 63 FR 23673, Apr. 30, 1998]

§ 52.2024 General requirements.

(a) The requirements of § 51.116(c) of this chapter are not met since the legal authority to provide for public availability of emission data is inadequate.