

§ 52.2521

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

(B) Revisions to 45 CSR 14, effective May 1, 1995, including the addition of PM-10 increment provisions, revisions to definitions, and preconstruction review requirements for electric steam generating units. Not included in this incorporation by reference are 45 CSR 14 paragraphs 4.1 to 4.3, 7.3, 8.1, 10.1, 10.2, 10.4, and 11.1.

(41) [Reserved]

(42) Revisions to the West Virginia Regulations for coal preparation and handling facilities 45CSR5 submitted on August 10, 1993 by the West Virginia Department of Commerce, Labor and Environmental Resources:

(i) Incorporation by reference.

(A) Letter of August 10, 1993 from the West Virginia Department of Commerce, Labor, and Environmental Resources transmitting revisions to West Virginia's regulation 45CSR5 "To Prevent and Control Air Pollution From the Operation of Coal Preparation Plants and Coal Handling Operations".

(B) Revisions to West Virginia regulation 45CSR5 regarding coal preparation and handling plants specifically: Revisions to 45CSR5 which require specific emission limits on particulate matter emissions at coal preparation and handling facilities in the Follansbee PM10 nonattainment area, monitoring of thermal driers and control equipment statewide, revised permitting, testing and reporting requirements.

(ii) Additional Material—Remainder of the August 10, 1993 submittal on 45CSR5.

(43) Revisions to West Virginia Regulation 45 CSR 13 submitted on August 26, 1994 by the West Virginia Department of Environmental Protection.

(I) Incorporation by reference.

(A) Letter of August 26, 1994 from the West Virginia Department of Environmental Protection transmitting 45 CSR 13 "Permits for Construction, Modifica-

tion, Relocation and Operation of Stationary Sources of Air Pollutants, Notification Requirements, Temporary Permits, General Permits, and Procedures for Evaluation".

(B) Revised version of 45 CSR 13 "Permits for Construction, Modification, Relocation and Operation of Stationary Sources of Air Pollutants, Notification Requirements, Temporary Permits, General Permits, and Procedures for Evaluation", sections: 1 except for the reference in subsection 1.1 to major stationary sources which have not been issued a permit pursuant to 45 CSR 30, 2-8, 10, 11 except for subsection 11.2, and Tables 45-13A and 45-13B, effective April 27, 1994.

(ii) Additional Material.

(A) Remainder of August 26, 1994 State submittal pertaining to 45 CSR 13, "Permits for Construction, Modification, Relocation and Operation of Stationary Sources of Air Pollutants, Notification Requirements, Temporary Permits, General Permits, and Procedures for Evaluation".

(B) Letter of September 5, 1996 from the West Virginia Office of Air Quality requesting EPA approval of 45 CSR 13 under 112(l) of the Clean Air Act, and clarifying that the definition of "major stationary source" in 45 CSR 13 will be interpreted consistently with the 45 CSR 14 and 45 CSR 19 programs as to the types of source categories which need to include fugitive emissions.

[37 FR 10901, May 31, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.2520, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 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

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
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

[37 FR 10902, May 31, 1972]

§ 52.2522 Approval status.

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

(a) The Administrator approves the deletion of the provisions found in section 3.03(b) of regulation X except as it applies to the Rivesville plant, Monongahela Power Co.

(b) The Administrator hereby extends the interim limitation of 5.12 lbs. SO₂ per million BTU for the Harrison power plant until a permanent emission limitation is approved.

(c) The Administrator approves the amended Sections 3.01(2) and 3.03(1) of West Virginia Air Pollution Control Commission Regulation X submitted January 25, 1978 and amended September 13, 1978, as a plan for attainment of the primary SO₂ NAAQS. The Administrator does not approve the State's control strategy for attainment and maintenance of the secondary SO₂ NAAQS submitted on those dates, so far as it applies to the Mitchell and Harrison power stations.

(d) The Administrator approves West Virginia's November 15, 1991 SIP submittal for fulfilling all PM-10-specific requirements of part D of the Clean Air Act applicable to the Follansbee, West Virginia PM-10 nonattainment area, except for the section 189(a)(1)(B) requirement for a demonstration that the plan is sufficient to attain the PM-10 NAAQS, which the Administrator is disapproving, and the section 172(c)(9) requirement for contingency measures, which the Administrator has yet to act upon.

(e)-(f) [Reserved]

(g) The Administrator approves West Virginia's November 22, 1995 SIP submittal for the Follansbee, West Virginia PM-10 nonattainment area as fulfilling the section 189(a)(1)(B) requirement for a demonstration that the plan is sufficient to attain the PM-10 NAAQS.

(h) EPA disapproves the portion of 45 CSR 13 subsection 1 referencing major stationary sources which have not been issued a permit pursuant to 45 CSR 30 and section 11.2, submitted by the West Virginia Department of Environmental Protection on August 26, 1994, as revisions to the West Virginia SIP. These provisions do not meet the requirements of 40 CFR 51.160 for scope. EPA also disapproves 45 CSR 13 section 9, submitted by the West Virginia Department of Environmental Protection on August 26, 1994, as a revision to the West Virginia SIP. These provisions do not meet the requirements of 40 CFR 51.161 for public participation.

[38 FR 16170, June 20, 1973, as amended at 45 FR 39255, June 10, 1980; 45 FR 54051, Aug. 14, 1980; 45 FR 74480, Nov. 10, 1980; 47 FR 55396, Dec. 9, 1982; 59 FR 37688, July 25, 1994; 60 FR 33925, June 29, 1995; 61 FR 58482, Nov. 15, 1996; 65 FR 2046, Jan. 13, 2000]

§ 52.2523 Attainment dates for national standards.

The New Manchester and Grant Magisterial Districts in Hancock County are expected to attain and maintain the secondary sulfur dioxide (SO₂) standards as soon as the Sammis Power Plant meets the SO₂ limitations in the Ohio State Implementation Plan.

[61 FR 16063, Apr. 11, 1996]