

submitted a maintenance plan as required by 175A of the Clean Air Act, as amended in 1990. Elements of the section 175A maintenance plan include a base year (1996 attainment year) emission inventory for CO, a demonstration of maintenance of the ozone NAAQS with projected emission inventories to the year 2009, a plan to verify continued attainment, a contingency plan, and an obligation to submit a subsequent maintenance plan revision in 8 years as required by the Clean Air Act. If the area records a violation of the CO NAAQS (which must be confirmed by the State), Minnesota will implement one or more appropriate contingency measure(s) which are contained in the contingency plan. The menu of contingency measures includes oxygenated fuel, transportation control measures, or a vehicle inspection and maintenance program. The redesignation request and maintenance plan meet the redesignation requirements in section 107(d)(3)(E) and 175A of the Act as amended in 1990, respectively.

[59 FR 47807, Sept. 19, 1994, as amended at 62 FR 55172, Oct. 23, 1997; 64 FR 58354, Oct. 29, 1999]

**Subpart Z—Mississippi**

**§ 52.1270 Identification of plan.**

(a) *Purpose and scope.* This section sets forth the applicable State implementation plan for Mississippi under section 110 of the Clean Air Act, 42 U.S.C. 7401-7671q and 40 CFR part 51 to meet national ambient air quality standards.

(b) Incorporation by reference.

(1) Material listed in paragraph (c) of this section with an EPA approval date prior to January 1, 2003, was approved for incorporation by reference by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Material is incorporated as it exists on the date of the approval, and notice of any change in the material will be published in the FEDERAL REGISTER. Entries in paragraphs (c) and (d) of this section with EPA approval dates after January 1, 2003, will be incorporated by reference in the next update to the SIP compilation.

(2) EPA Region 4 certifies that the rules/regulations provided by EPA in the SIP compilation at the addresses in paragraph (b)(3) of this section are an exact duplicate of the officially promulgated state rules/regulations which have been approved as part of the SIP as of January 1, 2003.

(3) Copies of the materials incorporated by reference may be inspected at the Region 4 EPA Office at 61 Forsyth Street, SW., Atlanta, GA 30303; the EPA, Office of Air and Radiation Docket and Information Center, Room B-108, 1301 Constitution Avenue, (Mail Code 6102T) NW., Washington, DC 20460 or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html).

(c) EPA approved Mississippi regulations.

**EPA APPROVED MISSISSIPPI REGULATIONS**

State citation	Title/subject	State effective date	EPA approval date	Explanation
<b>APC-S-1</b>	<b>Air Emission Regulations for the Prevention, Abatement, and Control of Air Contaminants</b>			
Section 1 .....	General .....	01/09/94	02/12/96, 61 FR 5295 .....	
Section 2 .....	Definitions .....	01/09/94	02/12/96, 61 FR 5295 .....	
Section 3 .....	Specific Criteria for Sources of Particulate Matter.	05/28/99	12/20/02, 67 FR 77927 .....	
Section 4 .....	Specific Criteria for Sources of Sulfur Compounds.	01/09/94	02/12/96, 61 FR 5295 .....	
Section 5 .....	Specific Criteria for Sources of Chemical Emissions.	01/09/94	02/12/96, 61 FR 5295 .....	

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**EPA APPROVED MISSISSIPPI REGULATIONS—Continued**

State citation	Title/subject	State effective date	EPA approval date	Explanation
Section 6 .....	New Sources .....	05/28/99	12/20/02, 67 FR 77927 .....	Subsection 2, "Other Limitations", and Subsection 3, "New Source Performance Standards", are not Federally approved.
Section 7 .....	Exceptions .....	02/04/72	05/31/72, 37 FR 10875 .....	
Section 9 .....	Stack Height Considerations.	05/01/86	09/23/87, 52 FR 35704 .....	
Section 10 .....	Provisions for Upsets, Startups, and Shut-downs.	01/09/94	02/12/96, 61 FR 5295 .....	
Section 11 .....	Severability .....	01/09/94	02/12/96, 61 FR 5295 .....	
<b>APC-S-2</b>	<b>Mississippi Commission on Environmental Quality Permit Regulations for the Construction and/or Operation of Air Emissions Equipment</b>			
Section I .....	General Requirements .....	01/09/94	05/02/95, 60 FR 21442 .....	
Section II .....	General Standards Applicable to All Permits.	01/09/94	05/02/95, 60 FR 21442 .....	
Section III .....	Standards for Granting a State Permit to Operate An Existing Facility.	01/09/94	05/02/95, 60 FR 21442 .....	
Section IV .....	Application for Permit to Construct and State Permit to Operate New Facility.	01/09/94	05/02/95, 60 FR 21442 .....	
Section V .....	Public Participation and Public Availability of Information.	01/09/94	05/02/95, 60 FR 21442 .....	
Section VI .....	Application Review .....	01/09/94	05/02/95, 60 FR 21442 .....	
Section VII .....	Compliance Testing .....	01/09/94	05/02/95, 60 FR 21442 .....	
Section VIII .....	Emissions Evaluation Report.	01/09/94	05/02/95, 60 FR 21442 .....	
Section IX .....	Procedures for Renewal of State Permit to Operate.	01/09/94	05/02/95, 60 FR 21442 .....	
Section X .....	Standards for Renewal of State Permit to Operate.	01/09/94	05/02/95, 60 FR 21442 .....	
Section XI .....	Reporting and Record Keeping.	01/09/94	05/02/95, 60 FR 21442 .....	
Section XII .....	Emission Reduction Schedule.	01/09/94	05/02/95, 60 FR 21442 .....	
Section XIII .....	Exclusions, Variances, and General Permits.	01/09/94	05/02/95, 60 FR 21442 .....	
Section XIV .....	Permit Transfer .....	01/09/94	05/02/95, 60 FR 21442 .....	
Section XV .....	Severability .....	01/09/94	05/02/95, 60 FR 21442 .....	
<b>APC-S-3</b>	<b>Regulations for Prevention of Air Pollution Emergency Episodes</b>			
Section 1 .....	General .....	02/04/72	05/31/72, 37 FR 10875 .....	
Section 2 .....	Definitions .....	02/04/72	05/31/72, 37 FR 10875 .....	
Section 3 .....	Episode Criteria .....	06/03/88	11/13/89, 54 FR 47211 .....	
Section 4 .....	Emission Control Action Programs.	02/04/72	05/31/72, 37 FR 10875 .....	
Section 5 .....	Emergency Orders .....	06/03/88	11/13/89, 54 FR 47211 .....	
<b>APC-S-5</b>	<b>Regulations for the Prevention of Significant Deterioration of Air Quality</b>			
All .....	.....	09/21/96	07/15/97, 62 FR 37724 .....	

(d) EPA approved Mississippi source-specific requirements.

**§ 52.1271**

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**EPA APPROVED MISSISSIPPI SOURCE-SPECIFIC REQUIREMENTS**

Name of source	Permit number	State effective date	EPA approval date	Explanation
None .....	.....	.....	.....	

(e) [Reserved]

**§ 52.1271 Classification of regions.**

[62 FR 35442, July 1, 1997, as amended at 62 FR 37726, July 15, 1997; 62 FR 40139, July 25, 1997; 64 FR 35009, June 30, 1999; 67 FR 77927, Dec. 20, 2002; 68 FR 13631, Mar. 20, 2003]

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	III	III	I
Mississippi Delta Intrastate .....	III	III	III	III	III
Northeast Mississippi Intrastate .....	II	III	III	III	III

[37 FR 10875, May 31, 1972, as amended at 39 FR 16346, May 8, 1974]

**§ 52.1272 Approval status.**

With the exceptions set forth in this subpart, the Administrator approves Mississippi's plan for the attainment and maintenance of national standards under section 110 of the Clean Air Act. Furthermore, the Administrator finds the plans satisfy all requirements or Part D, Title I, of the Clean Air Act as amended in 1977.

[45 FR 2032, Jan. 10, 1980]

**§ 52.1273 [Reserved]**

**§ 52.1275 Legal authority.**

(a) The requirements of § 51.230(d) of this chapter are not met since statutory authority to prevent construction, modification, or operation of a facility, building, structure, or installation, or combination thereof, which indirectly results or may result in emissions of any air pollutant at any location which will prevent the maintenance of a national air quality standard is not adequate.

(b) The requirements of § 51.230(f) of this chapter are not met, since section 7106-117 of the Mississippi Code could, in some circumstances, prohibit the disclosure of emission data to the pub-

lic. Therefore, section 7106-117 is disapproved.

[39 FR 7282, Feb. 25, 1974, as amended at 39 FR 34536, Sept. 26, 1974; 51 FR 40676, Nov. 7, 1986]

**§ 52.1276 [Reserved]**

**§ 52.1277 General requirements.**

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

(b) *Regulation for public availability of emission data.* (1) Any person who cannot obtain emission data from the Agency responsible for making emission data available to the public, as specified in the applicable plan, concerning emissions from any source subject to emission limitations which are part of the approved plan may request that the appropriate Regional Administrator obtain and make public such data. Within 30 days after receipt of any such written request, the Regional Administrator shall require the owner or operator of any such source to submit information within 30 days on the nature and amounts of emissions from such source and any other information as may be deemed necessary by the Regional Administrator to determine