

## § 52.1526 [Reserved]

## § 52.1527 Rules and regulations.

(a) [Reserved]

(b) The following elements are not part of the approved SIP:

- (1) Intergovernmental consultations
- (2) Public notification
- (3) Conflict of Interest
- (4) Non-SIP regulations' numbers listed below:

- Chapter Env-A 100: Sections Env-A 101.21, .27, .33, .51, .53, .58, .63 and .98; and Parts Env-A 102-103
- Chapter Env-A 200: Part Env-A 206; Part Env-A 208; and Sections 209.01-.04
- Chapter Env-A 300: Part Env-A 304
- Chapter Env-A 400: Section Env-A 405.05(c)-(d) and Part Env-A 406
- Chapter Env-A 500: Parts Env-A 501-506
- Chapter Env-A 600: Sections Env-A 603.02(p), 603.03(f)-(g)
- Chapter Env-A 800: Part Env-A 803
- Chapter Env-A 1000: Part Env-A 1002
- Chapter Env-A 1100: Part Env-A 1101
- Chapter Env-A 1200: Sections Env-A 1206.03
- Chapter Env-A 1300: Parts Env-A 1301-1305

[48 FR 10833, Mar. 15, 1983, as amended at 48 FR 48665, Oct. 20, 1983; 50 FR 51250, Dec. 16, 1985; 57 FR 36607, Aug. 14, 1993]

## § 52.1528 Control strategy: Carbon monoxide.

(a) Approval—On February 1, 1999, the New Hampshire Department of Environmental Services submitted a revision to the State Implementation Plan to remove the Nashua Inspection/Maintenance program for carbon monoxide that ceased operating on January 1, 1995. The Nashua Inspection/Maintenance was originally approved at § 52.1520(c)(39). The Nashua Inspection/Maintenance program was replaced with controls consisting of the existing federal Tier 1 emission standards for new vehicles and the federal reformulated gasoline program.

(b) Approval—On February 2, 1999, the New Hampshire Department of Environmental Services submitted a request to redesignate the City of Manchester carbon monoxide nonattainment area to attainment for carbon monoxide. As part of the redesignation request, the State 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 (1990 attainment year) emission inventory for carbon monoxide, a demonstration of maintenance of the carbon monoxide NAAQS with projected emission inventories to the year 2010 for carbon monoxide, a plan to verify continued attainment, a contingency plan, and an obligation to submit additional information in eight years acknowledging that the maintenance plan will remain in effect through the year 2020, as required by the Clean Air Act. If the area records a violation of the carbon monoxide NAAQS (which must be confirmed by the State), New Hampshire will implement one or more appropriate contingency measure(s) which are contained in the contingency plan. The menu of contingency measures includes the enhanced safety inspection program and New Hampshire's low emission vehicle program (NLEV) as contingency measures. The redesignation request establishes a motor vehicle emissions budget of 55.83 tons per day for carbon monoxide to be used in determining transportation conformity for the Manchester area. The redesignation request and maintenance plan meet the redesignation requirements in sections 107(d)(3)(E) and 175A of the Act as amended in 1990, respectively.

(c) Approval—On February 2, 1999, the New Hampshire Department of Environmental Services submitted a request to redesignate the City of Nashua carbon monoxide nonattainment area to attainment for carbon monoxide. As part of the redesignation request, the State 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 (1990 attainment year) emission inventory for carbon monoxide, a demonstration of maintenance of the carbon monoxide NAAQS with projected emission inventories to the year 2010 for carbon monoxide, a plan to verify continued attainment, a contingency plan, and an obligation to submit additional information in eight years acknowledging that the maintenance plan will remain in effect through the year 2020, as required by the Clean Air Act. If the area records a violation of the carbon monoxide NAAQS (which must be confirmed by

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the State), New Hampshire will implement one or more appropriate contingency measure(s) which are contained in the contingency plan. The menu of contingency measures includes the enhanced safety inspection program and New Hampshire's low emission vehicle program (NLEV) as contingency measures. The redesignation request establishes a motor vehicle emissions budget of 60.13 tons per day for carbon monoxide to be used in determining transportation conformity for the Nashua area. The redesignation request and maintenance plan meet the redesignation requirements in sections 107(d)(3)(E) and 175A of the Act as amended in 1990, respectively.

[65 FR 71066, Nov. 29, 2000]

**§ 52.1529 Significant deterioration of air quality.**

New Hampshire's Part Env-A 623, "Requirements for Prevention of Significant Deterioration Permits," as submitted on August 6, 2001, is approved as meeting the requirements of Subpart 1, Part C, Title I, of the Clean Air Act.

[67 FR 65713, Oct. 28, 2002]

**§ 52.1530 Requirements for State implementation plan revisions relating to new motor vehicles.**

New Hampshire must comply with the requirements of § 51.120.

[60 FR 4737, Jan. 24, 1995]

**§ 52.1531 Visibility protection.**

(a) The requirements of section 169A of the Clean Air Act are not met, because the plan does not include approvable procedures for protection of visibility in mandatory Class I Federal areas.

(b) Regulation for visibility monitoring and new source review. The provisions of §§ 52.26 and 52.28 are hereby incorporated and made a part of the applicable plan for the State of New Hampshire.

(c) *Long-term strategy.* The provisions of § 52.29 are hereby incorporated and made part of the applicable plan for the State of New Hampshire.

[50 FR 28553, July 12, 1985, as amended at 52 FR 45137, Nov. 24, 1987]

**40 CFR Ch. I (7-1-04 Edition)**

**§ 52.1532 Stack height review.**

The State of New Hampshire has declared to the satisfaction of EPA that no existing emission limitations have been affected by stack height credits greater than good engineering practice or any other prohibited dispersion technique as defined in EPA's stack height regulations, as revised on July 8, 1985. This declaration was submitted to EPA on March 21, 1986. The State has further declared in a letter from Dennis Lunderville, dated July 25, 1986, that, "As part of our new source review activities under the New Hampshire SIP and our delegated PSD authority, the New Hampshire Air Resources Agency will follow EPA's stack height regulation as revised in the FEDERAL REGISTER on July 8, 1985 (50 FR 27892)." Thus, New Hampshire has satisfactorily demonstrated that its regulations meet 40 CFR 51.118 and 51.164.

[52 FR 49407, Dec. 31, 1987]

**§ 52.1533 Emission inventories.**

(a) The Governor's designee for the State of New Hampshire submitted a 1990 base year emission inventory for the entire state on January 26, 1993 as a revision to the State Implementation Plan (SIP). Subsequent revisions to the State's 1990 inventories were made, the last of which occurred on August 29, 1996. The 1990 base year emission inventory requirement of section 182(a)(1) of the Clean Air Act, as amended in 1990, has been satisfied for the three non-attainment areas in the State. The three areas are the Portsmouth-Dover-Rochester serious area, the New Hampshire portion of the Boston-Lawrence-Worcester serious area, and the Manchester marginal area.

(b) The inventory is for the ozone precursors which are volatile organic compounds, nitrogen oxides, and carbon monoxide. The inventory covers point, area, non-road mobile, on-road mobile, and biogenic sources.

(c) The Portsmouth-Dover-Rochester serious nonattainment area includes all of Strafford County and part of Rockingham County. The New Hampshire portion of the Boston-Lawrence-Worcester serious area includes portions of Hillsborough and Rockingham Counties. The Manchester marginal