

**§§ 52.2039–52.2053**

(b) EPA grants full approval to the 15 Percent Rate of Progress Plan for Pennsylvania's portion of the Philadelphia-Wilmington-Trenton ozone non-attainment area. The area that is the subject of this action encompasses Bucks, Chester, Delaware, Philadelphia, and Montgomery Counties. The plan was formally submitted to EPA by the Secretary of the Pennsylvania Department of Environmental Protection on September 12, 1996, and was formally revised on April 10, 1997 and June 5, 1998.

[66 FR 17638, Apr. 3, 2001, as amended at 66 FR 44548, Aug. 24, 2001]

**§§ 52.2039–52.2053 [Reserved]**

**§ 52.2054 Control of asphalt paving material.**

(a) Notwithstanding any provisions to the contrary in the Pennsylvania Implementation Plan, the Pennsylvania Department of Transportation shall restrict the annual usage of asphalts to the limits listed below in the following sixteen county area of Pennsylvania: Allegheny, Armstrong, Beaver, Butler, Cambria, Clarion, Fayette, Green, Indiana, Jefferson, Lawrence, Mercer, Somerset, Venango, Washington, and Westmoreland Counties:

(1) No more than twenty percent of the total amount of liquid bituminous asphalt paving material used shall be cutback asphalt; and

(2) No more than 2,615,000 gallons of cutback asphalts shall be used, of which no more than 1,400,000 gallons may be used for dust palliative work on roadways and shoulders; and

(3) No more than 2,500,000 gallons total of emulsion Class E-4 and Class E-5 shall be used unless an equivalent reduction in the use of cutbacks is made to balance the additional hydrocarbon emissions from emulsions.

(b) The Pennsylvania Department of Transportation is required to submit to the Pennsylvania Department of Environmental Resources, on a quarterly basis, reports which list for each of the affected counties the number of gallons of each class of asphalt used. The first quarterly reports will be submitted in October 1977 for the period between July 1, 1977, and September 30, 1977.

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Copies of all reports will also be forwarded to Region III, EPA.

[42 FR 54417, Oct. 6, 1977]

**§ 52.2055 Review of new sources and modifications.**

(a) Special permit requirement regulations are approved.

(b) [Reserved]

[39 FR 7283, Feb. 25, 1974, as amended at 46 FR 17554, Mar. 19, 1981; 46 FR 51742, Oct. 22, 1981; 47 FR 8359, Feb. 26, 1982; 60 FR 33924, June 29, 1995]

**§ 52.2056 [Reserved]**

**§ 52.2057 Requirements for state implementation plan revisions relating to new motor vehicles.**

Pennsylvania must comply with the requirements of § 51.120.

[60 FR 4738, Jan. 24, 1995]

**§ 52.2058 Prevention of significant air quality deterioration.**

(a) The requirements of sections 160 through 165 of the Clean Air Act are met by the regulations (25 PA Code § 127.81 through 127.83) adopted by the Pennsylvania Environmental Resources on October 28, 1983. All PSD permit applications and requests for modifications thereto should be submitted to: Pennsylvania Department of Environmental Resources, Bureau of Air Quality Control, 200 North Third Street, Harrisburg, PA 17120, ATTN: Abatement and Compliance Division.

[49 FR 33128, Aug. 21, 1984]

**§ 52.2059 Control strategy: Particulate matter.**

(a) Pennsylvania has committed to undertake a comprehensive program to investigate non-traditional sources, industrial process fugitive particulate emissions, alternative control measures, and to develop and implement an effective control program to attain the primary and secondary NAAQS for particulates. The schedule for this study is as follows:

**Environmental Protection Agency**

**§ 52.2070**

**SCHEDULE FOR INVESTIGATING AND CONTROLLING NONTRADITIONAL PARTICULATE MATTER EMISSIONS**

Task	Completion date
Scheduled tasks:	
1. Quantify nontraditional sources .....	June 1, 1980.
2. Investigate control techniques .....	Apr. 1, 1982.
3. Investigate source-receptor relationship.	June 1, 1980.
Analysis and control strategy development:	
1. Analyze Nonattainment Areas .....	July 1, 1981.
2. Develop Control Strategies .....	Jan. 1, 1982.
3. Develop, Adopt, Submit SIP .....	July 1, 1982.
4. Implement SIP .....	Begin—7/1/82.

(b) EPA approves the PM-10 attainment demonstration for the Liberty Borough Area of Allegheny County submitted by the Pennsylvania Department of Environmental Protection on January 6, 1994.

[45 FR 33628, May 20, 1980, as amended at 63 FR 47436, Sept. 8, 1998]

**§ 52.2060 Small Business Assistance Program.**

On February 1, 1993, the Secretary of the Pennsylvania Department of Environmental Resources submitted a plan for the establishment and implementation of the Small Business Assistance Program as a state implementation plan (SIP) revision, as required by Title V of the Clean Air Act Amendments. EPA approved the Small Business Assistance Program on March 6, 1995, and made it part of the Pennsylvania SIP. As with all components of the SIP, Pennsylvania must implement the program as submitted and approved by EPA.

[60 FR 1741, Jan. 5, 1995]

**§ 52.2061 Operating permits.**

(a) Emission limitations and related provisions which are established in Pennsylvania operating permits as federally enforceable conditions shall be enforceable by EPA. EPA reserves the right to deem permit conditions not federally enforceable. Such a determination will be made according to appropriate procedures, and be based upon the permit, permit approval procedures, or permit requirements which do not conform with the operating permit program requirements or the requirements of EPA's underlying regulations.

(b) Emission limitations and related provisions which are established in Pennsylvania general operating permits as federally enforceable conditions shall be enforceable by EPA. EPA reserves the right to deem general permit conditions not federally enforceable. Such a determination will be made according to appropriate procedures, and be based upon the general permit, general permit approval procedures, or general permit requirements which do not conform with the general operating permit program requirements or the requirements of EPA's underlying regulations.

[61 FR 39597, 39601, July 30, 1996]

**§ 52.2062 Plan approvals.**

(a) Emission limitations and related provisions which are established in Pennsylvania plan approvals as federally enforceable conditions shall be enforceable by EPA. EPA reserves the right to deem plan approval conditions not federally enforceable. Such a determination will be made according to appropriate procedures, and be based upon the plan approval, the relevant approval procedures, or plan requirements which do not conform with the plan approval program requirements or the requirements of EPA's underlying regulations.

(b) Emission limitations and related provisions which are established in Pennsylvania general plan approvals as federally enforceable conditions shall be enforceable by EPA. EPA reserves the right to deem general plan approval conditions not federally enforceable. Such a determination will be made according to appropriate procedures, and be based upon the general plan approval, the relevant approval procedures, or plan requirements which do not conform with the general plan approval program requirements or the requirements of EPA's underlying regulations.

[61 FR 39597, 39601, July 30, 1996]

**Subpart OO—Rhode Island**

**§ 52.2070 Identification of plan.**

(a) Purpose and scope. This section sets forth the applicable State implementation plan for Rhode Island under