

Environmental Protection Agency

§ 52.2173

effective 6/27/2000; 74:36:13:02, effective 6/27/2000; 74:36:13:03, effective 6/27/2000; 74:36:13:04, effective 6/27/2000; and 74:36:13:07, effective 6/27/2000.

(22) On June 27, 2002, the designee of the Governor of South Dakota submitted revisions to the State Implementation Plan. The June 27, 2002 submittal consists of revisions to the Administrative Rules of South Dakota. These revisions add a new chapter 74:36:18, "Regulations for State Facilities in the Rapid City Area". Chapter 74:36:18 regulates fugitive emissions of particulate matter from state facilities and state contractors that conduct a construction activity or continuous operation activity within the Rapid City air quality control zone.

(i) Incorporation by reference.

(A) Chapter 74:36:18 of the Administrative Rules of South Dakota, effective July 1, 2002.

[37 FR 15089, July 27, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.2170, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

EFFECTIVE DATE NOTE: At 69 FR 25843, May 10, 2004, in § 52.2170, paragraph (c)(23) was added, effective July 9, 2004. For the convenience of the user, the added text is set forth as follows:

§ 52.2170 Identification of plan.

* * * * *

(c) * * *

(23) On September 12, 2003, the designee of the Governor of South Dakota submitted revisions to the State Implementation Plan. The September 12, 2003 submittal revises the following chapters of the Administrative Rules of South Dakota: 74:36:01, 74:36:04, 74:36:10 and 74:36:11.

(i) Incorporation by reference.

(A) Administrative Rules of South Dakota, Chapter 74:36:01, sections 74:36:01:01(77), 74:36:01:01(80), and 74:36:01:01(81); Chapter 74:36:04, sections 74:36:04:06, 74:36:04:32 and 74:36:04:33; Chapter 74:36:10, except section 74:36:10:01; and Chapter 74:36:11, section 74:36:11:01, effective September 1, 2003.

§ 52.2171 Classification of regions.

The South Dakota plan evaluated on the basis of the following classifications:

| Air quality control region | Pollutant | | | | |
|---|--------------------|---------------|------------------|-----------------|---------------------------------------|
| | Particulate matter | Sulfur oxides | Nitrogen dioxide | Carbon monoxide | Photochemical oxidants (hydrocarbons) |
| Metropolitan Sioux City Interstate | III | III | III | III | III |
| Metropolitan Sioux Falls Interstate | II | III | III | III | III |
| Black Hills—Rapid City Intrastate | III | III | III | III | III |
| South Dakota Intrastate | III | III | III | III | III |

[37 FR 10893, May 31, 1972]

§ 52.2172 Approval status.

With the exceptions set forth in this subpart, the Administrator approves South Dakota's plan as meeting the requirements of section 110 of the Clean Air Act, as amended in 1977. Furthermore, the Administrator finds that the plan satisfies all requirements of Part D of the Clean Air Act, as amended in 1977.

[46 FR 54542, Nov. 3, 1981]

§ 52.2173 Legal authority.

(a) The requirements of § 51.230(f) of this chapter are not met since the

South Dakota Compiled Law 34-16A-21 provides that data which relates to processes or production unique to the owner or which tend to adversely affect a competitive position of the owner shall be held confidential.

(b) Delegation of authority: Pursuant to section 114 of the Act, South Dakota requested a delegation of authority to enable it to collect, correlate and release emission data to the public. The Administrator has determined that South Dakota is qualified to receive a delegation of the authority it requested. Accordingly, the Administrator delegates to South Dakota his