

[45 FR 53818, Aug. 13, 1980, as amended at 45 FR 75661, Nov. 17, 1980; 49 FR 1343, Jan. 11, 1984]

§ 52.2231 Control strategy: Sulfur oxides and particulate matter.

(a) Part D conditional approval. The Chattanooga primary TSP plan's provisions for review of new sources and modifications in the nonattainment area are approved on condition that the State submit by December 31, 1987, a definition of the term *Federally enforceable* and provisions for making Federally enforceable all limitations, conditions, and offsets, including permit restrictions, relied upon under the plan, and in the interim, implement these provisions in a manner consistent with EPA requirements.

(b) In letters dated March 9 and April 15, 1988, the Tennessee Department of Health and Environment certified that no emission limits in the State's plan are based on dispersion techniques not permitted by EPA's stack height rules. This certification does not apply to: Dupont (43-07-02); Tennessee Valley Authority—Johnsonville (43-11-1 thru 10); Tennessee Chemical Company (70-04-21); Tennessee Eastman (82-03-15-19); A.E. Staley (53-81-18, 19, 34, 31); Cargill Inc., Memphis; and Grace Chemical Company, Millington.

[52 FR 15498, Apr. 29, 1987, as amended at 54 FR 25454, June 15, 1989]

§ 52.2232 [Reserved]

§ 52.2233 Significant deterioration of air quality.

(a)(1) Paragraph 1200-3-9-.01(4)-(0)-2. of Tennessee's regulations is disapproved because it does not require that the consent of the Governor(s) of affected states be obtained when innovative technology waivers are granted. EPA retains permitting authority for sources requesting innovative technology waivers which would significantly impact air quality in adjacent states.

(2) Tennessee's definition of *stationary source* specifically excludes the activities of any Vessel. This exclusion is not currently approvable and EPA is deferring action on it pending final rulemaking on the issue. EPA retains authority for permits which involve vessel emissions where a source is not

willing to include all vessel emissions in the definition of source.

(b) The requirements of § 52.21 except paragraph (a)(1) are hereby incorporated and made part of the applicable SIP for the State of Tennessee for the following purposes:

(1) Permitting of sources requesting innovative technology waivers which would significantly impact air quality in adjacent states.

(2) Permitting of sources involving vessel emissions where the source is unwilling to include all vessel emissions in the definition of source.

(c) (1) All applications and other information required pursuant to § 52.21 of this part from sources located or to be located in the State of Tennessee shall be submitted to the Division of Air Pollution Control, Tennessee Department of Public Health, 256 Capitol Hill Building, Nashville, Tennessee 37219.

[42 FR 36456, July 15, 1977, and 43 FR 26410, June 19, 1978, as amended at 50 FR 7779, Feb. 26, 1985; 68 FR 11324, Mar. 10, 2003; 68 FR 74490, Dec. 24, 2003]

§ 52.2234 Visibility protection.

(a) The requirements of section 169A of the Clean Air Act are not met because the plan does not include approvable procedures meeting the requirements of 40 CFR 51.305 and 51.307 for protection of visibility in mandatory Class I Federal areas.

(b) Regulations for visibility monitoring and new source review. The provisions of §§ 52.26, 52.27, and 52.28 are hereby incorporated and made part of the applicable plan for the State of Tennessee.

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

[51 FR 5505, Feb. 13, 1986, as amended at 52 FR 45137, Nov. 24, 1987]

§ 52.2235 Control strategy: Ozone.

(a) Determination—EPA is determining that, as of August 8, 1995, the Nashville ozone nonattainment area has attained the ozone standard and that the reasonable further progress