

Environmental Protection Agency

§ 52.2381

§ 52.2377 Review of new sources and modifications.

Regulation 5-501(3) entitled "Default Permits" is disapproved.

[45 FR 10782, Feb. 19, 1980]

§ 52.2378 Certification of no facilities.

On June 6, 1986, the Vermont Agency of Environmental Conservation submitted a letter certifying that there are no facilities within the State's boundaries subject to the Continuous Emissions Monitoring requirements of 40 CFR part 51, Appendix P. This negative declaration was submitted to EPA in accordance with 40 CFR 51.19(e).

[51 FR 42221, Nov. 24, 1986]

§ 52.2379 [Reserved]

§ 52.2380 Significant deterioration of air quality.

The program to review the construction and operation of new and modified major stationary sources in attain-

ment areas is approved as meeting the requirements of Part C, except regulation 5-501(3) entitled "Default permits", and a portion of the SIP revision narrative from the first full paragraph on pages 9-11 through the first four lines of pages 9-12 inclusive, both of which were submitted on March 21, 1979 and which are disapproved.

[45 FR 6784, Jan. 30, 1980]

§ 52.2381 EPA-approved Vermont State regulations.

The following table identifies the state regulations which have been submitted to and adopted by EPA as revisions to the Vermont State Implementation Plan. This table is for informational purposes only and does not have any independent regulatory effect. To determine regulatory requirements for a specific situation consult the plan identified in § 52.2370. To the extent that this table conflicts with §§ 52.2370, 52.2370 governs.

TABLE 52.2381—EPA-APPROVED REGULATIONS
[Vermont SIP regulations 1972 to present]

State citation, title and subject	Date adopted by State	Date Approved by EPA	FEDERAL REGISTER Citation	Section 52.2370	Comments and unapproved sections
Chapter 5 Air Pollution Control					
Subchapter I Definitions					
Section 5-101 Definitions	12/10/72	5/31/72	37 FR 10899	(b)	
	12/10/72	5/14/73	38 FR 12713	(c)(3)	
	11/19/73	3/22/76	41 FR 11819	(c)(5)	
	12/16/74	1/21/76	41 FR 3085	(c)(4)	
	1/25/78	12/21/78	43 FR 59496	(c)(8)	
	8/12/78	4/16/82	47 FR 16331	(c)(16)	All of 5-101 (1-42) approved. Related to wood-fired boilers.
	3/24/79	1/30/80	45 FR 6781	(c)(9)	Related to PSD.
	11/4/79	2/19/80	45 FR 10775	(c)(10)	All of 5-101 (1-62) approved.
	11/3/81	2/10/82	47 FR 6014	(c)(15)	
	9/17/86	7/17/87	52 FR 26982	(c)(19)	Related to visibility in Class I areas. 5-101(3), (14), (21), (59), and (76) approved.
	7/9/93	4/9/97	62 FR 17087	(c)(22)	Adds definition of reasonably available control technology (RACT).
	10/29/92	4/22/98	63 FR 19828	(c)(25)	Add definitions associated with VOC RACT rules.
	7/29/93				
Subchapter II Prohibitions					
Section 5-201 Open burning prohibited	12/10/72	5/31/72	37 FR 10899	(b)	
	1/25/78	12/21/78	43 FR 59496	(c)(8)	
Section 5-202 Permissible open burning ...	12/10/72	5/31/72	37 FR 10899	(b)	
	1/25/78	12/21/78	43 FR 59496	(c)(8)	
Section 5-203 Procedures for local authorities to burn natural wood.	12/10/72	5/31/72	37 FR 10899	(b)	
	1/25/78	12/21/78	43 FR 59496	(c)(8)	

TABLE 52.2381—EPA-APPROVED REGULATIONS—Continued
[Vermont SIP regulations 1972 to present]

State citation, title and subject	Date adopted by State	Date Approved by EPA	FEDERAL REGISTER Citation	Section 52.2370	Comments and unapproved sections
Section 5-211 Prohibition of visible air contaminants.	12/10/72	5/31/72	37 FR 10899	(b)	5-211 (1)(2) approved.
	1/25/78	12/21/78	43 FR 59496	(c)(8)	
	8/12/78	4/16/82	47 FR 16331	(c)(16)	5-211 (3) not approved.
Section 5-221 Prohibition of potentially polluting materials in fuel.	12/10/72	5/31/72	37 FR 10899	(b)	Except 5-221(c) (i) and (ii). Includes Moran Sta. Bubble Approval.
	3/16/75	1/8/82	47 FR 948	(c)(14)	
Section 5-231 Prohibition of particulate matter.	7/12/76	2/4/77	42 FR 6811	(c)(6)	Regarding incinerators. Regarding combustion contaminants. Regarding incinerators asphalt plants. Regarding wood processing plants. Except Cersosimo Lumber, Rutland Plywood, Moran Sta. Repealed 5-231 (4). Approved for Cersosimo Lumber. Approved for Rutland Plywood.
	1/25/78	12/21/78	43 FR 59496	(c)(8)	
	12/10/72	5/31/72	37 FR 10899	(b)	
	12/10/72	5/14/73	38 FR 12713	(c)(3)	
	11/19/73	3/22/76	41 FR 11819	(c)(5)	
	12/16/74	1/21/76	41 FR 3085	(c)(4)	
	7/12/76	2/4/77	42 FR 6811	(c)(6)	
	3/14/77	8/2/78	43 FR 33918	(c)(7)	
	1/25/78	12/21/78	43 FR 59496	(c)(8)	
	8/12/78	4/16/82	47 FR 16331	(c)(16)	
Section 5-241 Prohibition of nuisance and odor.	12/10/72	5/31/72	37 FR 10899	(b)	
	11/19/73	3/22/76	41 FR 11819	(c)(5)	
Section 5-251 Control of nitrogen oxides emissions.	1/25/78	12/21/78	43 FR 59496	(c)(8)	Requires RACT for major stationary sources of NO _x . NO _x RACT for Simpson Paper Company's Gilman facility.
	12/10/72	5/31/72	37 FR 10899	(b)	
	1/25/78	12/21/78	43 FR 59496	(c)(8)	
	3/25/79	2/19/80	45 FR 10775	(c)(10)	
	11/4/79	2/19/80	45 FR 10775	(c)(10)	
	7/9/93	4/9/97	62 FR 17087	(c)(22)	
Section 5-252 Control of sulfur dioxide emissions.	1/4/95	4/9/97	62 FR 17087	(c)(22)	
	7/12/76	2/4/77	42 FR 6811	(c)(6)	Requires RACT at non-CTG VOC sources. Non-CTG VOC RACT for U.S. Samaica Corporation's Rutland facility.
	1/25/78	12/21/78	43 FR 59496	(c)(8)	
	3/24/79	2/19/80	45 FR 10775	(c)(10)	
11/4/79	2/19/80	45 FR 10775	(c)(10)		
Section 5-253 Control of volatile organic compounds.	7/9/93	4/9/97	62 FR 17087	(c)(22)	
	1/4/95	4/9/97	62 FR 17087	(c)(22)	
Section 5-253.1 Petroleum Liquid Storage in Fixed Roof Tanks..	10/29/92	4/22/98	63 FR 19829	(c)(25)	
Section 5-253.2 Bulk Gasoline Terminals	10/29/92	4/22/98	63 FR 19829	(c)(25)	
Section 5-253.3 Bulk Gasoline Plants.	10/29/92	4/22/98	63 FR 19829	(c)(25)	
Section 5-253.4 Gasoline Tank Trucks.	10/29/92	4/22/98	63 FR 19829	(c)(25)	

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Section 5–253.5 Stage I vapor recovery controls at gasoline dispensing facilities..	10/29/92	4/22/98	63 FR 19829	(c)(25) ...	
Section 5–253.10 Paper Coating.	10/29/92	4/22/98	63 FR 19829	(c)(25) ...	
Section 5–253.12 Coating of Flatwood Paneling..	10/29/92	4/22/98	63 FR 19829	(c)(25) ...	
Section 5–253.13 Coating of Miscellaneous Metal Parts..	7/29/93	4/22/98	63 FR 19829	(c)(25) ...	
Section 5–253.14 Solvent Metal Cleaning.	7/29/93	4/22/98	63 FR 19829	(c)(25) ...	
Section 5–253.15 Cutback and Emulsified Asphalt..	8/2/94	4/22/98	63 FR 19829	(c)(25) ...	
Section 5–261 Control of hazardous air contaminants.	11/3/81	2/10/82	47 FR 6014	(c)(15) ...	
Subchapter III Ambient Air Quality Stds					
Section 5–301 Scope	12/10/72	5/31/72	37 FR 10899	(b)	
	3/24/79	2/19/80	45 FR 10775	(c)(10) ...	
	12/15/90	3/5/91	56 FR 9177	(c)(20) ...	
Section 5–302 Sulfur dioxide primary	12/10/72	5/31/72	37 FR 10899	(b)	
	7/12/76	2/4/77	42 FR 6811	(c)(6) ...	
	3/24/79	2/19/80	45 FR 10775	(c)(10) ...	
Section 5–303 Sulfur dioxide (secondary) ..	12/10/72	5/31/72	37 FR 10899	(b)	
	7/12/76	2/4/77	42 FR 6811	(c)(6) ...	
	3/24/79	2/19/80	45 FR 10775	(c)(10) ...	
Section 5–304: PM10 Primary Standards	11/90	8/1/97	62 FR 41282	(c)(23) ...	Removal of the TSP standard and establishment of the PM10 standard.
Section 5–305: PM10 Secondary Standards	11/90	8/1/97	62 FR 41282	(c)(23) ...	Removal of the TSP standard and establishment of the PM10 standard.
Section 5–306 Carbon monoxide primary/secondary.	12/10/72	5/31/72	37 FR 10899	(b)	
	11/19/73	3/22/76	41 FR 11819	(c)(5) ...	
	3/24/79	2/19/80	45 FR 10775	(c)(10) ...	
Section 5–307 Ozone primary/secondary ..	12/10/72	5/31/72	37 FR 10899	(b)	
	12/16/74	1/21/76	41 FR 3085	(c)(4) ...	
	3/24/79	2/19/80	45 FR 10775	(c)(10) ...	
Section 5–308 Lead (primary/secondary) ...	11/3/81	2/10/82	47 FR 6014	(c)(15) ...	
Section 5–309 Nitrogen dioxide primary/secondary.	12/15/90	3/5/91	56 FR 9177	(c)(20) ...	
Subchapter IV Operations/Procedures					
Section 5–401 Classification of air contaminant sources.	3/24/79	2/19/80	45 FR 10775	(c)(10) ...	
Section 5–402 Written reports when requested.	12/10/72	5/31/72	37 FR 10899	(b)	
	12/10/72	5/14/73	38 FR 12713	(c)(3) ...	
	11/19/73	3/22/76	41 FR 11819	(c)(5) ...	
	3/24/79	2/19/80	45 FR 10775	(c)(10) ...	5–402(1) only.
Section 5–403 Circumvention	12/10/72	5/31/72	37 FR 10899	(b)	
Section 5–404 Methods for sampling and testing of sources.	12/10/72	5/31/72	37 FR 10899	(b)	
	1/25/78	12/21/78	43 FR 59496	(c)(8) ...	
	3/24/78	2/19/80	45 FR 10775	(c)(10) ...	
Section 5–405 Required air monitoring	12/10/72	5/31/72	37 FR 10899	(b)	
	3/24/79	1/30/80	45 FR 6781	(c)(9) ...	For PSD Plan.
	3/24/79	2/19/80	45 FR 10775	(c)(10) ...	For NSR Plan.
Section 5–406 Required air modeling	3/24/79	1/30/80	45 FR 6781	(c)(9) ...	For PSD Plan.
	3/24/79	2/19/80	45 FR 10775	(c)(10) ...	For NSR Plan.
Subchapter V Review of New Air Contaminant Sources					
Section 5–501 Review of construction or modification of air contaminant sources.	12/10/72	5/31/72	37 FR 10899	(b)	
	12/10/72	5/14/73	38 FR 12713	(c)(3) ...	
	1/25/78	12/21/78	43 FR 59496	(c)(8) ...	
	3/24/79	1/30/80	45 FR 6781	(c)(9) ...	Except 5–501(3).
	11/04/79	2/19/80	45 FR 10775	(c)(10) ...	Except 5–501(3).
	11/03/81	2/10/82	47 FR 6014	(c)(15) ...	
	9/17/86	7/17/87	52 FR 26982	(c)(19) ...	Related to visibility in Class I areas. 5–501(4) approved.

TABLE 52.2381—EPA-APPROVED REGULATIONS—Continued
[Vermont SIP regulations 1972 to present]

State citation, title and subject	Date adopted by State	Date Approved by EPA	FEDERAL REGISTER Citation	Section 52.2370	Comments and unapproved sections
Section 5-502 Major stationary sources and major modifications.	3/24/79	1/30/80	45 FR 6781	(c)(9)	Except 5-502(5). Except 5-502(5). Related to visibility in Class I areas. 5-502 (4)(d) and (4)(e) approved.
	11/04/79	2/19/80	45 FR 10775	(c)(10) ...	
	11/03/81	2/10/82	47 FR 6014	(c)(15) ...	
	9/17/86	7/17/87	52 FR 26982	(c)(19) ...	
	7/14/95	8/4/97	62 FR 41870	(c)(24) ...	
Subchapter VII Motor vehicle emissions					
Section 5-701 Removal of control devices	12/10/72	5/31/72	37 FR 10899	(b)	
	3/24/79	2/19/80	45 FR 10775	(c)(10) ...	
Section 5-702 Excessive smoke emissions from motor vehicles.	12/10/72	5/31/72	37 FR 10899	(b)	
	3/24/79	2/19/80	45 FR 10775	(c)(10) ...	
Section 5-801 Effective date	3/24/79	1/30/80	45 FR 6781	(c)(9)	
Table 1—Process weight standards	12/10/72	5/31/72	37 FR 10899	(b)	
	1/25/78	12/21/78	43 FR 59496	(c)(8)	
Figure 1—Fuel-burning equipment	12/10/72	5/31/72	37 FR 10899	(b)	
	7/12/76	2/4/77	42 FR 6811	(c)(6)	
	1/25/78	12/21/78	43 FR 59496	(c)(8)	
Table 2—PSD increments	3/24/79	1/30/80	45 FR 6781	(c)(9)	
	12/15/90	3/5/91	56 FR 9177	(c)(20) ...	Addition of NO ₂ increments for Class I, II, and III areas.
Table 3—Levels of significant impact for non-attainment areas.	3/24/79	2/19/80	45 FR 10775	(c)(10) ...	
	11/4/79	2/19/80	45 FR 10775	(c)(10) ...	
	11/3/81	2/10/82	47 FR 6014	(c)(15) ...	
Definitions	4/20/88	1/10/95	60 FR 2527	(c)(21) ...	
Section 5-802, Requirement for Registration	4/20/88	1/10/95	60 FR 2527	(c)(21) ...	
Section 5-803, Registration Procedure	4/20/88	1/10/95	60 FR 2527	(c)(21) ...	
Section 5-804, False or Misleading Information.	4/20/88	1/10/95	60 FR 2527	(c)(21) ...	
Section 5-805, Commencement or Re-commencement of Operation.	4/20/88	1/10/95	60 FR 2527	(c)(21) ...	
Sections 5-806, Transfer of Operation	4/20/88	1/10/95	60 FR 2527	(c)(21) ...	

[49 FR 46142, Nov. 23, 1984, as amended at 50 FR 7768, Feb. 26, 1985; 50 FR 23810, June 6, 1985; 52 FR 26982, July 17, 1987; 56 FR 9177, Mar. 5, 1991; 60 FR 2527, Jan. 10, 1995; 62 FR 17087, Apr. 9, 1997; 62 FR 41282, Aug. 1, 1997; 62 FR 41870, Aug. 4, 1997; 63 FR 19828, Apr. 22, 1998; 63 FR 23501, Apr. 29, 1998]

§ 52.2382 Rules and regulations.

(a) *Non-Part D—No Action.* EPA is neither approving or disapproving the following elements of the revisions:

- (1) Permit fees.
- (2) Intergovernmental consultation.
- (3) Stack height requirements.
- (4) Interstate pollution notification requirements.
- (5) Conflict of interest requirements.

(b) *Regulation for visibility monitoring and new source review.* The provisions of §§ 52.26 and 52.27 are hereby incorporated and made a part of the applicable plan for the State of Vermont.

[45 FR 10782, Feb. 19, 1980, as amended at 45 FR 59315, Sept. 9, 1980; 46 FR 66789, Oct. 8, 1980; 46 FR 16897, Mar. 16, 1981; 50 FR 28553, July 12, 1985]

§ 52.2383 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 and 52.27 are hereby incorporated and made part of the applicable plan for the State of Vermont.

[51 FR 5505, Feb. 13, 1986]