

**§ 52.2521**

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

(A) Remainder of the State submittal pertaining to the revision listed in paragraph (c)(59)(i) of this section.  
 (B) Letter of February 10, 2004, from the West Virginia Department of Environmental

Protection providing clarification to permit R13-1939A, condition B.4. issued to the Wheeling-Pittsburgh Steel Corporation.

**§ 52.2521 Classification of regions.**

The West Virginia plan was evaluated on the basis of the following classifications:

| Air quality control region                             | Pollutant          |               |                  |                 |                                       |
|--|--------------------|---------------|------------------|-----------------|---------------------------------------|
|  | Particulate matter | Sulfur oxides | Nitrogen dioxide | Carbon monoxide | Photochemical oxidants (hydrocarbons) |
| Steubenville-Weirton-Wheeling Interstate .....         | I                  | I             | III              | III             | III                                   |
| Parkersburg-Marietta Interstate .....                  | I                  | II            | III              | III             | III                                   |
| Huntington-Ashland-Portsmouth-Ironton Interstate ..... | I                  | III           | III              | III             | III                                   |
| Kanawha Valley Intrastate .....                        | I                  | III           | III              | III             | III                                   |
| Southern West Virginia Intrastate .....                | III                | III           | III              | III             | III                                   |
| North Central West Virginia Intrastate .....           | I                  | III           | III              | III             | III                                   |
| Cumberland-Keyser Interstate .....                     | I                  | I             | III              | III             | III                                   |
| Central West Virginia Intrastate .....                 | III                | III           | III              | III             | III                                   |
| Allegheny Intrastate .....                             | III                | III           | III              | III             | III                                   |
| Eastern Panhandle Intrastate .....                     | III                | III           | III              | III             | III                                   |

[37 FR 10902, May 31, 1972]

**§ 52.2522 Approval status.**

With the exceptions set forth below in this subpart, the Administrator approves West Virginia's plan for the attainment and maintenance of the national standards.

(a) The Administrator approves the deletion of the provisions found in section 3.03(b) of regulation X except as it applies to the Rivesville plant, Monongahela Power Co.

(b) The Administrator hereby extends the interim limitation of 5.12 lbs. SO<sub>2</sub> per million BTU for the Harrison power plant until a permanent emission limitation is approved.

(c) The Administrator approves the amended Sections 3.01(2) and 3.03(1) of West Virginia Air Pollution Control Commission Regulation X submitted January 25, 1978 and amended September 13, 1978, as a plan for attainment of the primary SO<sub>2</sub> NAAQS. The Administrator does not approve the State's control strategy for attainment and maintenance of the secondary SO<sub>2</sub> NAAQS submitted on those dates, so far as it applies to the Mitchell and Harrison power stations.

(d)-(f) [Reserved]

(g) The Administrator approves West Virginia's November 22, 1995 SIP submittal for the Follansbee, West Virginia PM-10 nonattainment area as fulfilling the section 189(a)(1)(B) requirement for a demonstration that the plan is sufficient to attain the PM-10 NAAQS.

(h) EPA disapproves the portion of 45 CSR 13 subsection 1 referencing major stationary sources which have not been issued a permit pursuant to 45 CSR 30 and section 11.2, submitted by the West Virginia Department of Environmental Protection on August 26, 1994, as revisions to the West Virginia SIP. These provisions do not meet the requirements of 40 CFR 51.160 for scope. EPA also disapproves 45 CSR 13 section 9, submitted by the West Virginia Department of Environmental Protection on August 26, 1994, as a revision to the West Virginia SIP. These provisions do

not meet the requirements of 40 CFR 51.161 for public participation.

[38 FR 16170, June 20, 1973, as amended at 45 FR 39255, June 10, 1980; 45 FR 54051, Aug. 14, 1980; 45 FR 74480, Nov. 10, 1980; 47 FR 55396, Dec. 9, 1982; 59 FR 37688, July 25, 1994; 60 FR 33925, June 29, 1995; 61 FR 58482, Nov. 15, 1996; 65 FR 2046, Jan. 13, 2000; 68 FR 51464, Aug. 27, 2003]

**§ 52.2523 Attainment dates for national standards.**

The New Manchester and Grant Magisterial Districts in Hancock County are expected to attain and maintain the secondary sulfur dioxide (SO<sub>2</sub>) standards as soon as the Sammis Power Plant meets the SO<sub>2</sub> limitations in the Ohio State Implementation Plan.

[61 FR 16063, Apr. 11, 1996]

**§ 52.2524 Compliance schedules.**

(a) The requirements of § 51.262(a) of this chapter are not met since compliance schedules with adequate increments of progress have not been submitted for every source for which they are required.

(b) Federal compliance schedules. (1) The owner or operator of any boiler or furnace of more than 250 million Btu per hour heat input subject to the emission limitation requirements of West Virginia Administrative Regulations, Chapter 16-20, Series X (hereinafter regulation X), section 3.01(a) or section 3.03(a), shall notify the Administrator, no later than October 1, 1973, of his intent to meet the requirements of said regulation by utilizing low-sulfur fuel, stack gas desulfurization, or a combination of stack gas desulfurization and low-sulfur fuel.

(2) Any owner or operator of a stationary source subject to paragraph (b)(1) of this section who elects to utilize low-sulfur fuel, either alone or in combination with stack gas desulfurization, shall be subject to the following compliance schedule:

(i) November 1, 1973—Submit to the Administrator a projection of the amount of fuel, by types, that will be substantially adequate to enable compliance with the applicable regulation on June 30, 1975, and for at least one year thereafter.

(ii) December 31, 1973—Sign contracts with fuel suppliers for fuel requirements as projected above.

(iii) January 31, 1974—Submit a statement as to whether boiler modifications will be required. If modifications will be required, submit plans for such modifications.

(iv) March 15, 1974—Let contracts for necessary boiler modifications, if applicable.

(v) May 15, 1974—Initiate onsite modifications, if applicable.

(vi) February 28, 1975—Complete onsite modifications, if applicable.

(vii) June 30, 1975—Final compliance with the requirements of regulation X, section 3.01(a) or section 3.03(a).

(3) Any owner or operator of a stationary source subject to paragraph (b)(1) of this section who elects to utilize stack gas desulfurization, either alone or in combination with low-sulfur fuel, and any owner or operator of a stationary source subject to the emission limitation requirements of regulation X, section 3.05, shall be subject to the following compliance schedule:

(i) October 15, 1973—Let necessary contracts for construction.

(ii) February 28, 1974—Initiate onsite construction.

(iii) February 28, 1975—Complete onsite construction.

(iv) June 30, 1975—Final compliance with the requirements of regulation X, section 3.01(a), section 3.03(a), or section 3.05.

(4) The owner or operator of any boiler or furnace of more than 250 million Btu per hour heat input subject to the emission limitation requirements of regulation X, section 3.01(b) or section 3.03(b) shall notify the Administrator, no later than July 31, 1975, of his intent to meet the requirements of said regulation by utilizing low-sulfur fuel, stack gas desulfurization, or a combination of stack gas desulfurization and low-sulfur fuel.

(5) Any owner or operator of a stationary source subject to paragraph (b)(4) of this section who elects to utilize low-sulfur fuel, either alone or in combination with stack gas desulfurization, shall be subject to the following compliance schedule: