

volatile organic compound (VOC) content in architectural, industrial, and maintenance coatings rule; auto body refinisher self-certification audit program; reduced VOC degreasing rule; transit improvements; diesel retrofit program; reduced VOC content in commercial and consumer products rule; and a program to reduce idling. Also included in the Michigan's submittal were motor vehicle emission budgets (MVEBs) for use to determine transportation conformity in the areas. For the Flint area, the 2018 MVEBs are 25.68 tpd for VOC and 37.99 tpd for oxides of nitrogen (NO_x). For the Muskegon area, the 2018 MVEBs are 6.67 tpd for VOC and 11.00 tpd for NO_x. For the Benton Harbor area, the 2018 MVEBs are 9.16 tpd for VOC and 15.19 tpd for NO_x. For the Cass County area, the 2018 MVEBs are 2.76 tpd for VOC and 3.40 tpd for NO_x.

[45 FR 58528, Sept. 4, 1980]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.1174, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

§ 52.1175 Compliance schedules.

(a) The requirements of § 51.15(a)(2) of this chapter as of May 31, 1972, (36 FR 22398) are not met since Rule 336.49 of the Michigan Air Pollution Control Commission provides for individual compliance schedules to be submitted to the State Agency by January 1, 1974. This would not be in time for submittal to the Environmental Protection Agency with the first semiannual report.

(b) [Reserved]

(c) 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.

(d) *Federal compliance schedules.* (1) Except as provided in paragraph (d)(3) of this section, the owner or operator of any stationary source subject to the following emission-limiting regulations in the Michigan implementation plan shall comply with the applicable compliance schedule in paragraph (d)(2) of this section: Air Pollution Control Commission, Department of Public Health, Michigan Rule 336.49.

(2) *Compliance schedules.* (i) The owner or operator of any boiler or furnace of more than 250 million Btu per hour heat input subject to Rule 336.49 and located in the Central Michigan Intrastate AQCR, South Bend-Elkhart-Benton Harbor Interstate AQCR, or Upper Michigan Intrastate AQCR (as defined in part 81 of this title) shall notify the Administrator, no later than October 1, 1973, of his intent to utilize either low-sulfur fuel or stack gas desulfurization to comply with the limitations effective July 1, 1975, in Table 3 or Table 4 of Rule 336.49.

(ii) Any owner or operator of a stationary source subject to paragraph (d)(2)(i) of this section who elects to utilize low-sulfur fuel shall take the following actions with respect to the source no later than the dates specified.

(a) 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 Table 3 of Rule 336.49 on July 1, 1975, and for at least one year thereafter.

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

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

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

(e) June 15, 1974—Initiate onsite modifications, if applicable.

(f) March 31, 1975—Complete onsite modifications, if applicable.

(g) July 1, 1975—Achieve final compliance with the applicable July 1, 1975, sulfur-in-fuel limitation listed in Table 3 of Rule 336.49.

(iii) Any owner or operator of a stationary source subject to paragraph (d)(2)(i) of this section who elects to utilize stack gas desulfurization shall take the following actions with respect to the source no later than the dates specified.

(a) November 1, 1973—Let necessary contracts for construction.

(b) March 1, 1974—Initiate onsite construction.

Environmental Protection Agency

§52.1175

(c) March 31, 1975—Complete onsite construction.

(d) July 1, 1975—Achieve final compliance with the applicable July 1, 1975, emission limitation listed in Table 4 of Rule 336.49.

(e) If a performance test is necessary for a determination as to whether compliance has been achieved, such a test must be completed by July 1, 1975. Ten days prior to such a test, notice must be given to the Administrator to afford him the opportunity to have an observer present.

(iv) The owner or operator of any boiler or furnace of more than 250 million Btu per hour heat input subject to Rule 336.49 and located in the Central Michigan Intrastate AQCR, South Bend-Elkhart-Benton Harbor Interstate AQCR, or Upper Michigan Intrastate AQCR shall notify the Administrator, no later than January 31, 1974, of his intent to utilize either low-sulfur fuel or stack gas desulfurization to comply with the limitation effective July 1, 1978, in Table 3 or Table 4 of Rule 336.49.

(v) Any owner or operator of a stationary source subject to paragraph (d)(2)(iv) of this section who elects to utilize low-sulfur fuel shall take the following actions with respect to the source no later than the dates specified.

(a) October 15, 1976—Submit to the Administrator a projection of the amount of fuel, by types, that will be substantially adequate to enable compliance with Table 3 of Rule 336.49 on July 1, 1978, and for at least one year thereafter.

(b) December 31, 1976—Sign contracts with fuel suppliers for projected fuel requirements.

(c) January 31, 1977—Submit a statement as to whether boiler modifications will be required. If modifications will be required, submit plans for such modifications.

(d) March 15, 1977—Let contracts for necessary boiler modifications, if applicable.

(e) June 15, 1977—Initiate onsite modifications, if applicable.

(f) March 31, 1978—Complete onsite modifications, if applicable.

(g) July 1, 1978—Achieve final compliance with the applicable July 1, 1978,

sulfur-in-fuel limitation listed in Table 3 of Rule 336.49.

(vi) Any owner or operator of a stationary source subject to paragraph (d)(2)(iv) of this section who elects to utilize stack gas desulfurization shall take the following actions with regard to the source no later than the dates specified.

(a) November 1, 1976—Let necessary contracts for construction.

(b) March 1, 1977—Initiate onsite construction.

(c) March 31, 1978—Complete onsite construction.

(d) July 1, 1978—Achieve final compliance with the applicable July 1, 1978, mission limitation listed in Table 4 of Rule 336.49.

(e) If a performance test is necessary for a determination as to whether compliance has been achieved, such a test must be completed by July 1, 1978. Ten days prior to such a test, notice must be given to the Administrator to afford him the opportunity to have an observer present.

(vii) Any owner or operator subject to a compliance schedule above shall certify to the Administrator, within five days after the deadline for each increment of progress in that schedule, whether or not the increment has been met.

(3)(i) Paragraphs (d) (1) and (2) of this section shall not apply to a source which is presently in compliance with Table 3 or Table 4 of Rule 336.49 and which has certified such compliance to the Administrator by October 1, 1973. The Administrator may request whatever supporting information he considers necessary for proper certification.

(ii) Any compliance schedule adopted by the State and approved by the Administrator shall satisfy the requirements of this paragraph for the affected source.

(iii) Any owner or operator subject to a compliance schedule in this paragraph may submit to the Administrator no later than October 1, 1973, a proposed alternative compliance schedule. No such compliance schedule may provide for final compliance after the final compliance date in the applicable compliance schedule of this paragraph. If promulgated by the Administrator,

§52.1175

40 CFR Ch. I (7-1-07 Edition)

such schedule shall satisfy the requirements of this paragraph for the affected source.

(4) Nothing in this paragraph shall preclude the Administrator from promulgating a separate schedule for any source to which the application of the compliance schedule in paragraph (d)(2) of this section fails to satisfy the re-

quirements of §§51.261 and 51.262(a) of this chapter.

(e) The compliance schedules for the sources identified below are approved as meeting the requirements of §51.104 and subpart N of this chapter. All regulations cited are air pollution control regulations of the State, unless otherwise noted.

MICHIGAN

[See footnotes at end of table]

Source	Location	Regulations involved	Date schedule adopted	Final compliance date
BERRIEN COUNTY				
Conoco, Inc.	Berrien	R336.1603, R336.1609.	Sept. 26, 1981	Dec. 31, 1982.
CALHOUN COUNTY				
Clark Oil and Refining Corp	Calhoun	R336.1603 R336.1609.	May 14, 1982	Dec. 31, 1982.
CHARLEVOIX COUNTY				
Northern Michigan Electric Cooperative Advance Steam Plant.	Boyne City	336.1401 (336.49).	Jan. 10, 1980	Jan. 1, 1985.
GENESEE COUNTY				
Buick Motor Division	City of Flint	R336.1301	May 5, 1980 ...	Dec. 31, 1982.
GM Warehousing Dist. Div. Boilers 1 and 2	Genesee	R336.1331	Dec. 31, 1981	Oct. 15, 1983.
GM Warehousing Dist. Div. Boilers 3 and 4do	R336.1331	Dec. 1, 1981 ...	Oct. 15, 1981.
MACOMB COUNTY				
New Haven Foundry	Macomb County.	R336.1301, R336.1331, R336.1901.	Aug. 14, 1980	June 30, 1985.
MIDLAND COUNTY				
Dow Chemical	Midland	R336.1301 and R336.1331.	July 21, 1982 ..	Dec. 31, 1985.
MONROE COUNTY				
Detroit Edison (Monroe plant)	Monroe	336.49	July 7, 1977	Jan. 1, 1985.
Dundee Cement Company	Dundee	336.41, 44	Oct. 17, 1979	Dec. 31, 1983.
		(336.1301, 336.1331).		
Union Camp	Monroe	336.1401	Jan. 3, 1980 ...	Jan. 1, 1985.
		(336.49)		
MUSKEGON COUNTY				
Consumers Power Company (B. C. Cobb)	Muskegon	336.1401	Dec. 10, 1979	Jan. 1, 1985.
		(336.49)		
S. D. Warren Co	Muskegon	336.49	Oct. 31, 1979	Nov. 1, 1984.
		(336.1401).		
Marathon Oildo	336.1603	July 31, 1981 ..	Dec. 31, 1982.
SAGINAW COUNTY				
Grey Iron Casting and Nodular Iron Casting Plants	Saginaw	R336.1301	Apr. 16, 1980	Dec. 31, 1982.
WAYNE COUNTY				
Boulevard Heating Plant	Wayne	R336.1331	Apr. 28, 1981	Dec. 31, 1982.

Footnotes:
¹ For the attainment of the primary standard.

Environmental Protection Agency

§ 52.1180

²For the attainment of the secondary standard.
³For the maintenance of the secondary standard.

(f) The compliance schedules for the sources identified below are disapproved as not meeting the requirements of § 51.15 of this chapter. All regulations cited are air pollution control regulations of the State, unless otherwise noted.

MICHIGAN

Source	Location	Regulation involved	Date schedule adopted
BAY COUNTY			
Consumer Power (Karn Plant)	Essexville	336.44	Sept. 18, 1973.
OTTAWA COUNTY			
Consumer Power Co. (Campbell Plant Units 1, 2)	West Olive	336.44	Sept. 18, 1973.

[37 FR 10873, May 31, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.1175, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

§ 52.1176 Review of new sources and modifications. [Reserved]

§§ 52.1177–52.1178 [Reserved]

§ 52.1179 Control strategy: Carbon monoxide.

(a) Approval—On March 18, 1999, the Michigan Department of Environmental Quality submitted a request to redesignate the Detroit CO nonattainment area (consisting of portions of Wayne, Oakland and Macomb Counties) to attainment for CO. As part of the redesignation request, the State submitted a maintenance plan as required by 175A of the Clean Air Act, as amended in 1990. Elements of the section 175A maintenance plan include a base year (1996 attainment year) emission inventory for CO, a demonstration of maintenance of the ozone NAAQS with projected emission inventories to the year 2010, a plan to verify continued attainment, a contingency plan, and an obligation to submit a subsequent maintenance plan revision in 8 years as required by the Clean Air Act. If the area records a violation of the CO NAAQS (which must be confirmed by the State), Michigan will implement one or more appropriate contingency measure(s) which are contained in the contingency plan. The menu of contingency measures includes enforceable

emission limitations for stationary sources, transportation control measures, or a vehicle inspection and maintenance program. The redesignation request and maintenance plan meet the redesignation requirements in sections 107(d)(3)(E) and 175A of the Act as amended in 1990.

(b) Approval—On December 19, 2003, Michigan submitted a request to revise its plan for the Southeast Michigan CO maintenance area (consisting of portions of Wayne, Oakland and Macomb Counties). The submittal contains updated emission inventories for 1996 and 2010, and an update to the 2010 motor vehicle emissions budget (MVEB). The 2010 MVEB is 3,842.9 tons of CO per day.

[70 FR 4023, Jan. 28, 2005]

§ 52.1180 Significant deterioration of air quality.

(a) The requirements of sections 160 through 165 of the Clean Air Act are not met, since the plan does not include approvable procedures for preventing the significant deterioration of air quality.

(b) Regulations for preventing significant deterioration of air quality. The provisions of § 52.21 except paragraph (a)(1) are hereby incorporated and made a part of the applicable State plan for the State of Michigan.