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stack at this facility in excess of 0.85 pounds of sulfur dioxide per million BTU actual heat input.

(xviii) The present or any subsequent owner or operator of the General Tire & Rubber Co. in Summit County, Ohio, shall not cause or permit the emission of sulfur dioxide from any stack at this facility in excess of the rates specified below:

(A) 0.46 pound of sulfur dioxide per million BTU actual heat input for oil-fired boiler 1 when exiting through stack S-35.

(B) 0.46 pound of sulfur dioxide per million BTU actual heat input for oil-fired boiler 2 when exiting through stack S-36.

(C) 0.46 pound of sulfur dioxide per million BTU actual heat input for oil-fired boiler 3 when exiting through stack S-37.

(D) In lieu of meeting paragraph (59)(xviii) (A), (B), and (C) of this paragraph (b), The General Tire and Rubber Company may elect to comply with the alternate emission limitations and operating conditions specified below, provided the Goodyear Tire and Rubber Company or any owner or operator of the Goodyear Tire and Rubber Plant II facilities in Summit County, Ohio, complies with § 52.1881(b)(ix)(E):

(I) The General Tire and Rubber Company shall not cause or permit the emission of sulfur dioxide from any stack in excess 2.47 pounds of sulfur dioxide per million BTU actual heat input for oil-fired boilers 1, 2, and 3 when exiting through one-175 foot stack consistent with section 123 of the Clean Air Act, as amended.

(xix) The present or any subsequent owner or operator of the Goodyear Aerospace Co. in Summit County, Ohio, shall not cause or permit the emission of sulfur dioxide from any stack at AB boilerhouse of this facility in excess of 1.10 pounds of sulfur dioxide per million BTU of actual heat input or the emission of sulfur dioxide from any stack at D boilerhouse of the facility in excess of 1.83 pounds of sulfur dioxide per million BTU of actual heat input.

(xx) The present or any subsequent owner or operator of the B. F. Goodrich Chemical Co. in Summit County, Ohio, shall not cause the emission of sulfur

dioxide from any stack at this facility in excess of 5.22 pounds of sulfur dioxide per million BTU actual heat input.

(xxi) The present or any subsequent owner or operator of the Chrysler Corp. in Summit County, Ohio, shall not cause or permit the emission of sulfur dioxide from any stack at this facility in excess of the rates specified below:

(A) 0.86 pound of sulfur dioxide per million BTU actual heat input for boiler No. B001.

(B) 1.19 pounds of sulfur dioxide per million BTU actual heat input for boilers Nos. B002 and B003.

[39 FR 13542, Apr. 15, 1974]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.1881, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

§ 52.1882 Compliance schedules.

(a) *Federal compliance schedules.* (1) Except as provided in paragraph (a)(5) of this section, the owner or operator of any process equipment subject to applicable paragraphs of § 52.1881(b), shall comply with the compliance schedule in paragraph (a)(2) of this section.

(2) Any owner or operator of any process equipment subject to applicable paragraphs of § 52.1881(b) of this chapter shall take the following actions to comply with the requirements of said regulation with respect to that source no later than the date specified.

(i) 8 weeks from the date of promulgation—Submit preliminary control plans to the Administrator.

(ii) 25 weeks from the date of promulgation—Submit final control plan to the Administrator.

(iii) 34 weeks from the date of promulgation—Award contracts for emissions control systems or process modification, or issue orders for purchase of component parts to accomplish emission control or process modification and notify the Administrator in writing that such action was taken.

(iv) 52 weeks from the date of promulgation—Initiate on-site construction or installation of emission control equipment or process change and notify the Administrator in writing that such action was taken.

(v) 139 weeks from the date of promulgation—Complete construction or

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installation of emission control equipment or process change and notify the Administrator in writing that such action was taken.

(vi) 154 weeks from the date of promulgation—Complete shakedown operations and performance test on source, submit performance test results to the Administrator and achieve final compliance with § 52.1881(b) of this chapter, as applicable.

(3) Except as provided in paragraph (a)(5) of this section, the owner or operator of any stack venting any fossil fuel-fired steam generating unit(s) subject to § 52.1881(b) of this chapter shall comply the applicable compliance schedule in paragraph (a)(4) of this section.

(4)(i) The owner or operator of any stack venting any fossil fuel fired steam generating unit(s) subject to § 52.1881(b) of this chapter who elects to comply with an applicable optional emission limitation specified in § 52.1881(b) of this chapter, shall notify the Administrator no later than eight weeks after the date of this promulgation of the specific emission limitations selected. Failure to select applicable optional emission limitations shall result in the facility being subject to the single uniform emission limitation for all stacks at that facility specified in § 52.1881(b). Notice received later than eight weeks after the date of promulgation shall be invalid.

(ii) The owner or operator of any fossil fuel-fired steam generating unit(s) subject to applicable paragraphs of § 52.1881(b) of this chapter shall notify the Administrator no later than eight weeks after the date of promulgation of his intent to utilize either low-sulfur fuel including blended or washed coal or flue gas desulfurization to comply with the requirements of said regulation.

(iii) Any owner or operator of any stack venting any fossil fuel-fired steam generating unit(s) subject to applicable paragraphs of § 52.1881(b) of this chapter who elects to utilize low-sulfur fuel including blended or washed coal to comply with the requirements of said regulation shall take the following actions with respect to that source no later than the date specified:

(a) 8 weeks from the date of promulgation—Submit to the Administrator a projection for 10 years of the amount of fuel by types that will be substantially adequate to enable compliance with § 52.1881(b) of this chapter, as applicable.

(b) 32 weeks from the date of promulgation—Submit data demonstrating the availability of the fuel meeting the requirements projected in paragraph (a)(4)(iii)(a) of this section, to the Administrator.

(c) 36 weeks from the date of promulgation—Submit a statement to the Administrator as to whether boiler modifications will or will not be required. If modifications will be required, submit plans for such modifications.

(d) 50 weeks from the date of promulgation—Let contracts for necessary boiler modifications, if applicable, and notify the Administrator in writing that such action was taken.

(e) 60 weeks from the date of promulgation—Initiate on-site modifications, if applicable, and notify the Administrator in writing that such action was taken.

(f) 118 weeks from the date of promulgation—Complete on-site modification, if applicable, and notify the Administrator in writing that such action was taken.

(g) 122 weeks from the date of promulgation—Achieve final compliance with the emission limitation of § 52.1881(b) of this chapter, as applicable, and notify the Administrator in writing that such action was taken.

(iv) Any owner or operator of any stack venting any fossil fuel-fired steam generating unit(s) subject to applicable paragraphs of § 52.1881(b) of this chapter who elects to utilize flue gas desulfurization to comply with the requirements of said regulations shall take the following actions with respect to the source no later than the date specified.

(a) 17 weeks from the date of promulgation—Let necessary contracts for construction and notify the Administrator in writing that such action was taken.

(b) 61 weeks from the date of promulgation—Initiate on-site construction and notify the Administrator in writing that such action was taken.

(c) 145 weeks from the date of promulgation—Complete on-site construction and notify the Administrator in writing that such action was taken.

(d) 156 weeks from the date of promulgation—Complete shakedown operations and performance test on source, submit performance test results to the Administrator and achieve final compliance with § 52.1881(b) of this chapter, as applicable.

(5)(i) None of the preceding paragraphs of this paragraph shall apply to any owner or operator of a source which is presently in compliance with the applicable paragraphs of § 52.1881(b) of this chapter.

(ii) Any owner or operator of a source capable of emitting 100 tons of sulfur dioxide per year from all stacks at any facility who is presently in compliance with the applicable paragraphs of § 52.1881(b) of this chapter shall so certify to the Administrator by four weeks from the date of promulgation.

(iii) Any owner or operator subject to a compliance schedule in this paragraph who elects to achieve compliance by means not covered by this paragraph may submit to the Administrator no later than six weeks from the date of promulgation a proposed alternative compliance schedule. For process equipment subject to applicable paragraphs of § 52.1881(b) of this chapter no such compliance schedule may provide for final compliance after the final compliance date in paragraph (a)(2) of this section. For any stack venting any fossil fuel-fired steam generating unit(s) subject to applicable paragraphs of § 52.1881(b) of this chapter, which will utilize low-sulfur fuel including blended or washed coal to comply with the requirements of said regulations, no such compliance schedule may provide for final compliance after final compliance date in paragraph (a)(4)(iii) of this section. For any stack venting any fossil fuel-fired steam generating unit(s) subject to applicable paragraphs of § 52.1881(b) of this chapter, which will utilize flue gas desulfurization to comply with the requirements of said regulations, no such compliance schedule may provide for final compliance after the final compliance date in paragraph (a)(4)(iv) of this section.

(iv) Any owner or operator of any process equipment subject to applicable paragraphs of § 52.1881(b) of this chapter who submits an alternative compliance schedule pursuant to § 52.1882(a)(5)(iii) of this chapter shall remain subject to the provisions of § 52.1882(a)(2) of this chapter until the alternative schedule is approved by the Administrator.

(v) Any owner or operator of any stack venting any fossil fuel-fired steam generating unit(s) subject to applicable paragraphs of § 52.1881(b) of this chapter who submits an alternative compliance schedule pursuant to § 52.1881(a)(5)(iii) of this chapter shall remain subject to the provisions of § 52.1882(a)(4) of this chapter until the alternative schedule is approved by the Administrator.

(6) Nothing in this paragraph shall preclude the Administrator from promulgating a separate schedule for any source to which the application of the compliance schedules in paragraph (d)(2), or (4) of this section fails to satisfy the requirements of § 51.15 (b) and (c) of this chapter.

(b) Federal compliance schedule for petitioners in *Buckeye Power, Inc. et al. v. USEPA*, No. 76-2090 et al.

(1) Except as provided in paragraph (b)(5) of this section, the owner or operator of any process equipment subject to applicable paragraphs of § 52.1881(b) shall comply with the compliance schedule in paragraph (b)(2) of this section.

(2) Any owner or operator of any process equipment subject to applicable paragraphs of § 52.1881(b) of the chapter shall take the following actions to comply with the requirements of said regulation with respect to that source no later than the date specified.

(i) 8 weeks from June 17, 1977: Submit preliminary control plans to the Administrator.

(ii) 25 weeks from June 17, 1977: Submit final control plan to the Administrator.

(iii) 34 weeks from June 17, 1977: Award contracts for emissions control systems or process modification, or issue orders for purchase of component parts to accomplish emission control or process modification and notify the

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Administrator in writing that such action was taken.

(iv) 52 weeks from June 17, 1977: Initiate on-site construction or installation of emission control equipment or process change and notify the Administrator in writing that such action was taken.

(v) 139 weeks from June 17, 1977: Complete construction or installation of emission control equipment or process change and notify the Administrator in writing that such action was taken.

(vi) 154 weeks from June 17, 1977: Complete shakedown operations and performance test on source, submit performance test results to the Administrator and achieve final compliance with § 52.1881(b) of this chapter, as applicable.

(3) Except as provided in paragraph (5) of this paragraph (b), the owner or operator of any stack venting any fossil fuel-fired steam-generating unit(s) subject to § 52.1881(b) of this chapter shall comply with the applicable compliance schedule in paragraph (b)(4) of this section.

(4)(i) The owner or operator of any stack venting any fossil fuel-fired steam generating unit(s) or process subject to § 52.1881(b) of this chapter who elects to comply with an applicable optional emission limitation specified in § 52.1881(b) of this chapter, shall notify the Administrator no later than 17 weeks after June 17, 1977 of the specific emission limitations selected. Failure to select applicable optional emission limitations shall result in the facility being subject to the single uniform emission limitation for all stacks at that facility specified in § 52.1881(b). Notice received later than 17 weeks after June 17, 1977 shall be invalid.

(ii) The owner or operator of any fossil fuel-fired steam generating unit(s) subject to applicable paragraphs of § 52.1881(b) of this chapter shall notify the Administrator no later than 17 weeks after June 17, 1977 of his intent to utilize either low-sulfur fuel including blended or washed coal or flue gas desulfurization to comply with the requirements of said regulation.

(iii) Any owner or operator of any stack venting any fossil fuel-fired steam generating unit(s) subject to applicable paragraphs of § 52.1881(b) of

this chapter who elects to utilize low sulfur fuel including blended or washed coal to comply with the requirements of said regulation shall take the following actions with respect to that source no later than the date specified:

(A) 17 weeks after June 17, 1977: Submit to the Administrator a projection for ten years of the amount of fuel by types that will be substantially adequate to enable compliance with § 52.1881(b) of this chapter, as applicable.

(B) 32 weeks from June 17, 1977: Submit data demonstrating the availability of the fuel meeting the requirements projected in paragraph (a) of this section to the Administrator.

(C) 36 weeks after June 17, 1977: Submit a statement to the Administrator as to whether boiler modifications will or will not be required. If modifications will be required, submit plans for such modifications.

(D) 50 weeks from June 17, 1977: Let contracts for necessary boiler modifications, if applicable, and notify the Administrator in writing that such action was taken.

(E) 60 weeks after June 17, 1977: Initiate on-site modifications, if applicable, and notify the Administrator in writing that such action was taken.

(F) 118 weeks from June 17, 1977: Complete on-site modification, if applicable, and notify the Administrator in writing that such action was taken.

(G) 122 weeks from June 17, 1977: Achieve final compliance with the emission limitation of § 52.1881(b) of this chapter, as applicable, and notify the Administrator in writing that such action was taken.

(iv) Any owner or operator of any stack venting any fossil fuel-fired steam generating unit(s) subject to applicable paragraphs of § 52.1881(b) of this chapter who elects to utilize flue gas desulfurization to comply with the requirements of said regulations shall take the following actions with respect to the source no later than the date specified.

(A) 17 weeks from June 17, 1977: Let necessary contracts for construction and notify the Administrator in writing that such action was taken.

(B) 61 weeks from June 17, 1977: Initiate on-site construction and notify

the Administrator in writing that such action was taken.

(C) 145 weeks from June 17, 1977: Complete on-site construction and notify the Administrator in writing that such action was taken.

(D) 156 weeks from June 17, 1977: Complete shakedown operations and performance test on source, submit performance test results to the Administrator and achieve final compliance with § 52.1881(b) of this chapter, as applicable.

(5)(i) None of the preceding paragraphs of this section shall apply to any owner or operator of a source which is presently in compliance with the applicable paragraphs of § 52.1881(b) of this chapter.

(ii) Any owner or operator of a source capable of emitting 100 tons of sulfur dioxide per year from all stacks at any facility who is presently in compliance with the applicable paragraphs of § 52.1881(b) of this chapter shall so certify to the Administrator by four weeks from June 17, 1977.

(iii) Any owner or operator subject to a compliance schedule in this paragraph who elects to achieve compliance by means not covered by this paragraph may submit to the Administrator no later than six weeks from June 17, 1977, a proposed alternative compliance schedule. For process equipment subject to applicable subparagraphs of § 52.1881(b) of this chapter no such compliance schedule may provide for final compliance after the final compliance date in paragraph (b)(2) of this section. For any stack venting any fossil fuel-fired steam-generating unit(s) subject to applicable paragraphs of § 52.1881(b) of this chapter, which will utilize low-sulfur fuel including blended or washed coal to comply with the requirements of said regulations, no such compliance schedule may provide for final compliance after final compliance date in paragraph (b)(4)(iii) of this section. For any stack venting any fossil fuel-fired steam-generating unit(s) subject to applicable paragraphs of § 52.1881(b) of this chapter, which will utilize flue gas desulfurization to comply with the requirements of said regulations, no such compliance schedule may provide for final compliance after

the final compliance date in paragraph (b)(4)(iv) of this section.

(iv) Any owner or operator of any process equipment subject to applicable paragraphs of § 52.1881(b) of this chapter who submits an alternative compliance schedule pursuant to § 52.1882(b)(5)(iii) of this chapter shall remain subject to the provisions of § 52.1882(b)(2) of this chapter until the alternative schedule is approved by the Administrator.

(v) Any owner or operator of any stack venting any fossil fuel-fired steam-generating unit(s) subject to applicable paragraphs of § 52.1881(b) of this chapter who submits an alternative compliance schedule pursuant to § 52.1882(b)(5)(iii) of this chapter shall remain subject to the provisions of § 52.1882(b)(4) of this chapter until the alternative schedule is approved by the Administrator.

(6) Nothing in this paragraph shall preclude the Administrator from promulgating a separate schedule for any source to which the application of the compliance schedules in paragraphs (b)(2) or (4) of this section fails to satisfy the requirements of § 51.15 (b) and (c) of this chapter.

(7) Section 52.1882(b)(4)(iii)(G) is suspended for Cleveland Electric Illuminating Company's Eastlake and Avon Lake facilities pending final rule-making on the June 12, 1979 (44 FR 33712) proposed revision to the Ohio State Implementation Plan, but in no event will the suspension extend beyond the plan attainment date of June 17, 1980.

(8) Federal compliance schedules for the Toledo Edison Acme Power Plant coal fired units and the Water Street Steam Plant oil fired units is as set forth in § 52.1882(b) except that § 52.1882(b)(4)(iii)(G) is changed, for these units only, as follows: April 15, 1980: Achieve final compliance with the emission limitation of § 52.1881(b) of this chapter, as applicable, and notify the Administrator in writing that such action was taken.

(c) Federal compliance schedule for Ashland Oil Company is set forth in § 52.1882(b), except that all references to June 17, 1977 are changed to September 14, 1979.

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(d) Monitoring and reporting requirement for non-simultaneous operation.

(1) Any owner or operator of any source of sulfur dioxide subject to a provision of § 52.1881 of this chapter which limits the combination of point sources which the source may operate at any time shall, in addition to any other reporting requirements of this chapter, comply with the following:

(i) Install not later than the date by which compliance with the applicable emission limitation of § 52.1881 is required a device(s) to determine and record the time of operation of each such point source;

(ii) Retain such records for at least two years; and

(iii) Report to the Administrator within 30 days of each such occurrence any period during which sources are operated in any combination not allowed by an applicable requirement of § 52.1881.

(e)(1) The Federal compliance schedule for sources in Summit County identified in § 52.1875, footnote "f" is set forth in § 52.1882(b) except that all references to June 17, 1977, are changed to January 4, 1980.

(2) The owner or operator of any fossil-fuel fired steam generating unit in Summit County with alternative emission limitations specified for one or more units at its facility in § 52.1881(b)(59) shall notify the Administrator no later than 17 weeks after January 4, 1980 of the applicable emission limitation selected.

Failure to indicate a selected emission limitation shall result in each unit at a facility being subject to the first emission limitation specified for that unit in the applicable regulation.

(f) The Federal Compliance schedule for the PPG Industries, Inc. boilers in Summit County, Ohio is set forth in § 52.1882(b) except that all references to June 17, 1977, are changed to August 25, 1980.

(g) Monitoring and reporting requirements for sources subject to reduced operating load requirements.

(1) Any owner or operator of any source of sulfur dioxide subject to a provision of § 52.1881 of this chapter which limits the operating level of any point source at any time shall, in addition to any other reporting require-

ments of this chapter, comply with the following:

(i) Install, not later than the date by which compliance with the applicable emission limitation of § 52.1881 is required, a device(s) to determine and record the level of operation of each such point source;

(ii) Retain such records for at least two years; and

(iii) Report to the Administrator within 30 days of each such occurrence any period during which any source is operated above the specified operating level allowed by an applicable requirement of § 52.1881.

(h) The federal compliance schedule for Ohio Power Company's Cardinal plant in Jefferson County and Muskingum River plant in Washington and Morgan Counties and Columbus and Southern Ohio Electric Company's Conesville plant in Coshocton County is set forth in § 52.1882(b) except that all references to June 17, 1977, are changed to June 19, 1980.

(i) If the owner or operator of the Columbus and Southern Ohio Electric Company's Conesville plant in Coshocton County elects to comply with the emission limitation set forth in § 52.1881(b)(21) by installing a coal-washing facility, the owner or operator shall meet the following compliance schedule in lieu of meeting the compliance schedule set forth in § 52.1882(b).

(1) 4 weeks from date of promulgation of this schedule: Notify the Administrator of intent to use washed coal to comply with sulfur dioxide emission limitations for the Conesville steam plant; submit a projection for ten years of the amount of coal necessary to enable compliance at this facility; submit the quality specifications of the fuel that is to be used. Such specifications shall include sulfur content, ash content, heat and moisture content.

(2) 8 weeks from date of promulgation of this schedule: Submit data to the Administrator demonstrating the availability of fuel necessary to achieve compliance at the Conesville steam plant. Such data shall consist of copies of signed contracts with coal suppliers and/or signed contracts with a vendor pursuant to which the utility

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shall construct a coal preparation facility; submit statement to the Administrator as to whether boiler modifications at the Conesville steam plant will be required for combustion of the prepared (washed) complying coal. If boiler modifications are required, submit plans for such modifications.

(3) 8 weeks from date of promulgation of this schedule: If a coal preparation facility is to be constructed by the utility for preparing all or a portion of the fuel for combustion at the Conesville steam plant, submit to the Administrator a plant detailing actions to be taken to ensure completion of construction and startup in sufficient time to provide complying fuel for the final compliance date.

(4) 52 weeks from June 19, 1980: Complete engineering and specifications for the coal preparation facility.

(5) 64 weeks from June 19, 1980: Award contract for construction of the coal preparation facility providing incentives to the contractor to expedite the project.

(6) 108 weeks from June 19, 1980: Initiate on-site construction of the new coal preparation facility.

(7) 152 weeks from June 19, 1980: Complete construction of the coal preparation facility.

(8) 52 weeks from June 19, 1980: Submit to the Administrator a continuous monitoring plan detailing the equipment to be installed, equipment locations, and data reduction techniques as well as schedule of installation.

(9) 104 weeks from June 19, 1980: Complete installation and certification of sulfur dioxide monitors on stacks 1, 2 and 3 at the Conesville steam plant.

(10) 152 weeks from June 19, 1980: Complete any necessary boiler modifications to the Conesville steam plant units 1-4.

(11) 156 weeks (three years) from June 19, 1980: Achieve and demonstrate compliance at units 1-4 of the Conesville steam plant with the applicable emission limitation in § 52.1881 of this chapter.

(j) The Federal compliance schedule for the Portsmouth Gaseous Diffusion Plant in Pike County is set forth in § 52.1882(b) except that all references to June 17, 1977 are changed to (the effective date of promulgation).

(k) The Federal compliance schedule for the Ohio Power Company Gavin Power Plant in Gallia County is set forth in § 52.1882(b) except that all references to June 17, 1977 are changed to August 25, 1982.

(l) The Federal compliance schedule for the LTV Steel Company, Inc., in Cuyahoga County is as follows:

(1) 6 months from the date of promulgation—Achieve final compliance with § 52.1881(b) for all sources except Boilers 26-34, Boilers A through D, and Coke Plant No. 2 Car Thaw.

(2) Achieve final compliance with § 52.1881(b) for Boilers 26-34, Boilers A through D, and Coke Plant No. 2 Car Thaw by March 17, 1994.

[41 FR 36339, Aug. 27, 1976, as amended at 42 FR 27592, May 31, 1977; 44 FR 47772, Aug. 15, 1979; 45 FR 30069, May 7, 1980; 45 FR 49552, July 25, 1980; 45 FR 73929, Nov. 7, 1980; 46 FR 21769, Apr. 14, 1981; 46 FR 23927, Apr. 29, 1981; 46 FR 24948, May 4, 1981; 46 FR 49125, Oct. 6, 1981; 47 FR 32123, July 26, 1982; 58 FR 46871, Sept. 3, 1993]

§ 52.1883 [Reserved]

§ 52.1884 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 (b) through (w) are hereby incorporated and made a part of the applicable state plan for the State of Ohio.

(c) All applications and other information required pursuant to § 52.21 from sources in the State of Ohio shall be submitted to the Director of the Ohio Environmental Protection Agency, P.O. Box 1049, Columbus, Ohio 43216 instead of the EPA Region V office.

[45 FR 52741, Aug. 7, 1980, and 46 FR 9584, Jan. 29, 1981]

§ 52.1885 Control strategy: Ozone.

(a) *Part D—Approval.* The following portions of the Ohio plan are approved:

(1) The ozone portions of rules 01, 02, 03, 04 (except the portion disapproved