

## § 52.1891

(a) On February 21, 1997, the State of Ohio requested that the following rules and rule paragraphs be removed from the SIP because they have been amended or revoked by the State subsequent to their incorporation in the SIP: OAC 3745-21-02(C), OAC 3745-21-03(D), OAC 3745-21-05, OAC 3745-22-01, OAC 3745-22-02, OAC 3745-22-03, OAC 3745-22-04, OAC 3745-22-05, OAC 3745-22-06, OAC 3745-22-07, OAC 3745-22-08, OAC 3745-23-03, OAC 3745-23-04, OAC 3745-23-05, and OAC 3745-102-07.

(b) [Reserved]

(c) On April 11, 2005, the Ohio Environmental Protection Agency submitted a request to revise the State's plan controlling nitrogen oxide emissions from stationary sources in the State. The request included the results of the action taken by Ohio EPA to rescind OAC 3745-23-06, which affected emissions of oxides of nitrogen from combustion sources and nitric acid plants. This action was preceded by a negative declaration regarding nitric acid plants dated April 11, 1994, and rule approvals (NO<sub>x</sub> SIP Call, NSPS, budget trading program, etc.) affecting large fossil-fueled utility and industrial boilers. OAC 3745-23-06, Control of nitrogen oxide emissions from stationary sources, also known as AP-7-06 in its original form, is therefore removed from the Ohio SIP.

[62 FR 47947, Sept. 12, 1997, as amended at 71 FR 76919, Dec. 22, 76919]

### **§ 52.1891 Interstate pollutant transport provisions; What are the FIP requirements for decreases in emissions of nitrogen oxides?**

The owner or operator of each NO<sub>x</sub> source located within the State of Ohio and for which requirements are set forth under the Federal CAIR NO<sub>x</sub> Annual and Ozone Season Trading Programs in part 97 of this chapter must comply with such applicable requirements.

[71 FR 25376, Apr. 28, 2006]

### **§ 52.1892 Interstate pollutant transport provisions; What are the FIP requirements for decreases in emissions of sulfur dioxide?**

The owner or operator of each SO<sub>2</sub> source located within the State of Ohio and for which requirements are set

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forth under the Federal CAIR SO<sub>2</sub> Trading Program in part 97 of this chapter must comply with such applicable requirements.

[71 FR 25376, Apr. 28, 2006]

### **§ 52.1919 Identification of plan-conditional approval.**

(a) The plan commitments listed below were submitted on the dates specified.

(1) [Reserved]

(2) On April 20, 1994, Ohio submitted Rule 3745-35-07, entitled "Federally Enforceable Limitations on Potential to Emit," and requested authority to issue such limitations as conditions in State operating permits. On June 16, 1994, Ohio submitted a commitment to revise Rule 3745-35-07 to clarify that the rule provides for USEPA objection to permits after issuance. The revisions are approved provided Ohio fulfills this commitment by October 25, 1995.

(i) Incorporation by reference.

(A) Rule 3745-35-07, adopted April 4, 1994, effective April 20, 1994.

(3) Conditional Approval—On August 17, 1995, the Ohio Environmental Protection Agency submitted a revision to the State Implementation Plan. The submittal pertained to a plan for the implementation of the federal transportation conformity requirements at the State or local level in accordance with 40 CFR part 51, subpart T—Conformity to State or Federal Implementation Plans of Transportation Plans, Programs, and Projects Developed, Funded or Approved Under Title 23 U.S.C. or the Federal Transit Act. This conditional approval is based, in part, on the State's commitment, submitted in a letter on April 1, 1996, to submit revised transportation conformity rules to incorporate the two amendments to the federal transportation conformity regulations. The State of Ohio committed to revise its transportation conformity rules by November 14, 1996. If the State ultimately fails to meet its commitment to meet these requirements within one year of final conditional approval, then USEPA's action for the State's requested SIP revision will automatically convert to a final disapproval.