

§ 52.1026

40 CFR Ch. I (7-1-08 Edition)

(c) The revision to the incinerator particulate emission standard submitted on November 18, 1976 is disapproved because of provisions therein which would interfere with the attainment and maintenance of national ambient air quality standards.

(d) The revision to the open burning regulation submitted on December 7, 1976 is disapproved because of provisions therein which would interfere with the attainment and maintenance of national ambient air quality standards.

[38 FR 22474, Aug. 21, 1973, as amended at 43 FR 14964, Apr. 10, 1978; 43 FR 15424, Apr. 13, 1978; 47 FR 6830, Feb. 17, 1982]

§ 52.1026 Review of new sources and modifications.

The program to review operation and construction of new and modified major stationary sources in non-attainment areas is approved as meeting the requirements of part D as amended by the CAAA of 1990.

[45 FR 10775, Feb. 19, 1980, as amended at 61 FR 5694, Feb. 14, 1996]

§ 52.1027 Rules and regulations.

(a) *Part D—Conditional Approval.*

(b) *Non-Part D—No Action.* EPA is neither approving nor disapproving the following elements of the revisions identified in § 52.1020(C)(10):

- (1) Intergovernmental consultation.
- (2) Interstate pollution notification requirements.
- (3) Public notification requirements.
- (4) Conflict of Interest requirements.
- (5) Permit fees.

[45 FR 10775, Feb. 19, 1980, as amended at 45 FR 59314, Sept. 9, 1980]

§ 52.1028 [Reserved]

§ 52.1029 Significant deterioration of air quality.

The program to review operation and construction of new and modified major stationary sources in attainment areas is approved as meeting the requirements of Part C.

[45 FR 6786, Jan. 30, 1980]

§ 52.1030 Control strategy: Sulfur oxides.

(a) The revision to Regulation 100.6 (Chapter 106) “Low Sulfur Fuel Regulation” for the Metropolitan Portland Air Quality Control Region, submitted by the Governor of Maine on August 25, 1977, is approved with the exception of paragraph 100.6.5(b) which allows the Commissioner of the Department of Environmental Protection to grant variances to Regulation 100.6.

[47 FR 948, Jan. 8, 1982]

§ 52.1031 EPA-approved Maine regulations.

The following table identifies the State regulations which have been submitted to and approved by EPA as revisions to the Maine 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 § 52.1020. To the extent that this table conflicts with §§ 52.1020, 52.1020 governs.

TABLE 52.1031—EPA-APPROVED RULES AND REGULATIONS

State citation	Title/Subject	Date adopted by State	Date approved by EPA	Federal Register citation	52.1020	
Chapter: 1	Regulations for the Processing of Applications..	02/08/84	03/23/93	58 FR 15430	(c)(26)	Portions of chapter 1.
100	5/7/79	1/3/80	45 FR 6784	(c)(10)	PSD Plan Only.
100	Definitions Regulations.	12/24/79	2/19/80	45 FR 10766	(c)(11)	
		2/6/80				

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TABLE 52.1031—EPA-APPROVED RULES AND REGULATIONS—Continued

State citation	Title/Subject	Date adopted by State	Date approved by EPA	Federal Register citation	52.1020	
100	Definitions	10/3/89	3/23/93	58 FR 15430	(c)(26)	All except for the definition of VOC in chapter 100(76). Note that this definition is approved in another paragraph below. In addition, Maine withdrew the definition of fuel burning equipment in chapter 100(29) from its SIP submittal. This definition is approved in another paragraph below.
					(c)(27)	Approval of definition of VOC in chapter 100(76) only.
100	Definitions Regulations.	11/26/91	6/21/93	58 FR 33768	(c)(31)	Revised "volatile organic compound (VOC)" and "federally enforceable." Added "particulate matter emissions" and "PM ₁₀ emissions."
100	Definitions	7/10/90	3/18/94	59 FR 12855	(c)(29)	Changes to the following definitions: Actual emissions, baseline concentration and fuel burning equipment in Chapter 100(1), (9), and (29).
100	Definitions	1/6/93	6/17/94	59 FR 31157	(c)(33)	Revised to add definitions associated with VOC RACT rules.
100	Definitions	11/10/93	1/10/95	60 FR 2526	(c)(34)	Revised to add definitions associated with emission statement rules.
100	Definitions	6/22/94	6/29/95	60 FR 33734	36	Gasoline marketing definitions added
100	Definitions Regulation	6/22/94	2/14/96	61 FR 5694	(c)(37)	Addition of 1990 Part D NSR and other CAAA requirements.
100	Definitions	7/19/95	10/15/96	61 FR 53639	(c)(42)	Definition of "VOC" revised.
100	Definitions	12/1/2005	11/21/07	72 FR 65462	(c)(62)	Revised to add definitions associated with SIP submittals made between 7/19/95 and 12/1/05.
101	Visible Emissions	10/10/79	2/17/82	47 FR 6829	(c)(17)	
102	Open Burning	1/31/72	5/31/72	37 FR 10842	(b)	
102	Open Burning	3/17/05	2/21/08	73 FR 9459	(c)(61)	
103	Fuel Burning Equipment Particulate Emission Standard.	1/31/72	5/31/72	37 FR 10842	(b)	
		1/24/83	2/26/85	50 FR 7770	(c)(19)	
104	Incinerator Particulate Emission Standard.	1/31/72	5/31/72	37 FR 10842	(b)	
105	General Process Source Particulate Emission Standard.	1/31/72	5/31/72	37 FR 10842	(b)	
106	Low Sulfur Fuel	1/31/72	5/31/72	37 FR 10842	(b)	
		2/08/78	1/8/82	47 FR 947	(c)(15)	Revised limits for Portland Peninsula only.
107	Sulfur Dioxide Emission Standards for Sulfite Pulp Mills.	1/31/72	5/31/72	37 FR 10842	(b)	
109	Emergency Episode Regulation.	1/31/72	5/31/72	37 FR 10842	(b)	
109	Emergency Episode Regulation.	8/14/91	1/12/95	60 FR 2887	(c)(28)	Revisions which incorporate the PM ₁₀ alert, warning, and emergency levels.
110	Ambient Air Quality Standards.	5/7/79	1/30/80	45 FR 6784	(c)(10)	

TABLE 52.1031—EPA-APPROVED RULES AND REGULATIONS—Continued

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110	Ambient Air Quality Standards.	10/25/89	3/23/93	58 FR 15430	(c)(26)	All of chapter 110 except for chapter 110(2) which is approved in another paragraph, below. Note that Maine did not submit its Chromium standard in chapter 110(12) for approval.
110	Ambient Air Quality Standards.	7/10/90	3/18/94	59 FR 12855	(c)(27)	Chapter 110(2) only.
110	Ambient Air Quality Standards.	7/24/96	3/22/04	69 FR 13231	(c)(52)	Addition of NO ₂ increments for class I and II areas in Chapter 110(10). Note that class III increment in Chapter 110(10)(C)(3) is not part of submittal.
111	Petroleum Liquid Storage Vapor Control.	5/7/79	2/19/80	45 FR 10766	(c)(11)	Adopts PSD increments based on PM ₁₀ , in place of increments based on TSP.
112	Petroleum Liquids Transfer Recovery.	9/27/89	2/3/92	57 FR 3948	(c)(30).	
		5/7/79	2/19/80	45 FR 10766	(c)(11).	
		7/22/86	3/5/82	47 FR 9462	(c)(16)	Irving Oil, Searsport exempted.
		5/22/91	2/2/87	52 FR 3117	(c)(22)	Bulk Gasoline Terminal Test methods.
			2/3/92	57 FR 3948	(c)(30)	The exemption for Irving Oil Corporation in Searsport, Maine incorporated by reference at 40 CFR 52.1020(c)(16) is removed.
112	Petroleum liquids transfer recover.	6/22/94	6/29/95	60 FR 33734	36	Deleted exemption for tank trucks less than 3500 gallons.
112	Gasoline Bulk Terminals.	7/19/95	10/15/96	61 FR 53639	(c)(42)	Emission limit lowered from 80 mg/l to 35 mg/l.
113	Growth Offset Regulation.	5/7/79	2/19/80	45 FR 10766	(c)(11)	Part of New Source Review program.
113	Growth Offset Regulation.	12/18/85	12/23/86	51 FR 45886	(c)(21)	Deletes Thomaston.
113	Growth Offset Regulation.	10/25/89	3/23/93	58 FR 15430	(c)(26)	
113	Growth Offset Regulation.	7/10/90	3/18/94	59 FR 12855	(c)(29)	Change to Chapter 113(II)(A) to include NO ₂ .
113	Growth Offset Regulation.	6/22/94	2/14/96	61 FR 5694	(c)(37)	Addition of 1990 Part D NSR requirements.
114	Classification of Air Quality Control Regions.	5/7/79	1/30/80	45 FR 6874	(c)(10).	
114	Designation of Air Quality Control Regions.	10/25/89	3/23/93	58 FR 15430	(c)(26)	All except for chapter 114(11) and (111) which are approved in another paragraph below.
					(c)(27)	Chapter 114(11)and (111) only.
114	Classification of Air Quality Control Regions.	4/27/94	Aug. 30, 1995	60 FR 45060	(c)(40)	Revision to remove Presque Isle as nonattainment for PM ₁₀ .
115	Emission License Regulation..	5/7/79	1/30/80	45 FR 6784	(c)(10)	PSD
		12/24/79	2/19/80	45 FR 10766	(c)(11)	New Source Review.
		10/25/89	3/23/93	58 FR 15430	(c)(26)	Note Maine did not submit references to nonregulated pollutants for approval. Also note that this chapter was formerly chapter 108.

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TABLE 52.1031—EPA-APPROVED RULES AND REGULATIONS—Continued

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115	Emission License Regulation.	7/10/90	3/18/94	59 FR 12855	(c)(29)	Changes to Chapter 115(I)(B), (VII)(A), VII)(B)(3), and (VII)(D)(3) to remove Chapter 108 and to incorporate NO ₂ increments requirements.
115	Emission License Regulation.	6/22/94	2/14/96	61 FR 5694	(c)(37)	Addition of 1990 Part D NSR and other CAAA requirements.
116	Prohibited Dispersion Techniques..	10/25/89	3/23/93	58 FR 15430	(c)(26).	
117	Source Surveillance	8/9/88	3/21/89	54 FR 11525	24.	
118	Gasoline Dispensing Facilities.	6/22/94	6/29/95	60 FR 33734	36	
	7/19/95	10/15/96	61 FR 53639	(c)(43)	Stage II vapor recovery requirements added.
119	Motor Vehicle Fuel Volatility Limit.	6/1/00	3/6/02	67 FR 10100	(c)(49)	Controls fuel volatility in the State. 7.8 psi RVP fuel required in 7 southern counties.
120	Gasoline Tank Trucks.	6/22/94	6/29/95	60 FR 33734	35	
123	Paper Coater Regulation.	9/27/89	2/3/92	57 FR 3949	(c)(30)	The operating permits for S.D. Warren of Westbrook, Eastern Fine Paper of Brewer, and Pioneer Plastics of Auburn incorporated by reference at 40 CFR § 52.1020 (c)(11), (c)(11), and (c)(18), respectively, are withdrawn.
126	Capture Efficiency Test Procedures.	5/22/91	3/22/93	58 FR 15282	(c)(32).	
127	New Motor Vehicle Emission Standards.	12/31/00	4/28/05	70 FR 21962	(c)(58)	Low emission vehicle program, with no ZEV requirements. Program achieves 90% of full LEV benefits.
129	Surface coating Facilities.	1/6/93	6/17/94	59 FR 31157	(c)(33)	Includes surface coating of: Cans, fabric, vinyl, metal furniture, flatwood paneling, and miscellaneous metal parts and products.
130	Solvent Degreasers ..	1/6/93	6/17/94	59 FR 31157	(c)(33).	
130	Solvent Cleaners	6/17/04	5/26/05	70 FR 30369	(c)(54).	
131	Cutback and Emulsified Asphalt.	1/6/93	6/17/94	59 FR 31157	(c)(33).	
132	Graphic Arts: Rotogravure and Flexography.	1/6/93	6/17/94	59 FR 31157	(c)(33).	
133	Gasoline Bulk Plants	6/22/94	6/29/95	60 FR 33734	36	
134	Reasonably Available Control Technology for Facilities that Emit Volatile Organic Compounds.	2/8/95	4/18/00	65 FR 20753	(c)(45)	Regulation fully approved for the following counties: York, Sagadahoc, Cumberland, Androscoggin, Kennebec, Knox, Lincoln, Hancock, Waldo, Aroostook, Franklin, Oxford, and Piscataquis. Regulation granted a limited approval for Washington, Somerset, and Penobscot Counties.
134	Reasonably Available Control Technology for Facilities that Emit Volatile Organic Compounds.	2/25/97	4/18/00	65 FR 20753	(c)(45)	VOC RACT determination for JJ Nissen Baking Company.

TABLE 52.1031—EPA-APPROVED RULES AND REGULATIONS—Continued

State citation	Title/Subject	Date adopted by State	Date approved by EPA	Federal Register citation	52.1020	
134	Reasonably Available Control Technology for Facilities that Emit Volatile Organic Compounds.	7/23/97 10/27/97	4/18/00	65 FR 20753	(c)(45)	VOC RACT determination for Prime Tanning.
134	Reasonably Available Control Technology for Facilities that Emit Volatile Organic Compounds.	7/25/97	4/18/00	65 FR 20753	(c)(45)	VOC RACT determination for Portsmouth Naval Shipyard.
134	Reasonably Available Control Technology for Facilities that Emit Volatile Organic Compounds.	12/5/96 10/20/97	4/18/00	65 FR 20753	(c)(45)	VOC RACT determination for Dexter Shoe.
134	Reasonably Available Control Technology for Facilities that Emit Volatile Organic Compounds.	6/16/97	4/18/00	65 FR 20753	(c)(45)	VOC RACT determination for Pioneer Plastics.
134	Reasonably Available Control Technology for Facilities that Emit Volatile Organic Compounds.	1/4/96	4/18/00	65 FR 20753	(c)(45)	VOC RACT determination for Georgia Pacific.
134	Reasonably Available Control Technology for Facilities that Emit Volatile Organic Compounds.	1/18/96	4/18/00	65 FR 20753	(c)(45)	VOC RACT determination for Champion International.
134	Reasonably Available Control Technology for Facilities that Emit Volatile Organic Compounds.	10/4/95 12/13/95	4/18/00	65 FR 20753	(c)(45)	VOC RACT determination for International Paper.
134	Reasonably Available Control Technology for Facilities that Emit Volatile Organic Compounds.	12/8/95	4/18/00	65 FR 20753	(c)(45)	VOC RACT determination for James River.
134	Reasonably Available Control Technology for Facilities that Emit Volatile Organic Compounds.	12/18/95	4/18/00	65 FR 20754	(c)(45)	VOC RACT determination for Lincoln Pulp and Paper.
134	Reasonably Available Control Technology for Facilities that Emit Volatile Organic Compounds.	12/18/95	4/18/00	65 FR 20754	(c)(45)	VOC RACT determination for SD Warren Paper Company's Westbrook, Maine facility.
134	Reasonably Available Control Technology for Facilities that Emit Volatile Organic Compounds.	10/4/95 1/9/96	4/18/00	65 FR 20754	(c)(45)	VOC RACT determination for SD Warren Paper Company's Skowhegan, Maine facility.
134	Reasonably Available Control Technology for Facilities that Emit Volatile Organic Compounds.	12/20/95	4/18/00	65 FR 20754	(c)(45)	VOC RACT determination for Boise Cascade.
134	Reasonably available control technology for facilities that emit volatile organic compounds.	4/11/01	5/20/02	67 FR 35441	(c)(51)	VOC RACT determination for Bath Iron Works.
134	Reasonably available control technology for facilities that emit volatile organic compounds.	4/26/01 7/2/01	5/20/02	67 FR 35441	(c)(51)	VOC RACT determination for Pratt & Whitney.

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TABLE 52.1031—EPA-APPROVED RULES AND REGULATIONS—Continued

State citation	Title/Subject	Date adopted by State	Date approved by EPA	Federal Register citation	52.1020	
134	Reasonably available control technology for facilities that emit volatile organic compounds.	5/10/01	5/20/02	67 FR 35441	(c)(51)	VOC RACT determination for Moosehead Manufacturing's Dover-Foxcroft plant.
	Reasonably available control technology for facilities that emit volatile organic compounds.	5/10/01	5/20/02	67 FR 35441	(c)(51)	VOC RACT determination for Moosehead Manufacturing's Monson plant.
137	Emission Statements	12/17/04	11/21/07	72 FR 65462	(c)(62)	Revised to incorporate changes required by EPA's consolidated emissions reporting rule. The entire rule is approved with the exception of HAP and greenhouse gas reporting requirements which were not included in the state's SIP revision request.
138	Reasonably Available Control Technology For Facilities That Emit Nitrogen Oxides.	8/3/94	December 26, 1995	60 FR 66755	(c)(41)	Affects sources only in Oxford, Franklin, Somerset, Piscataquis, Penobscot, Washington, Aroostook, Hancock and Waldo Counties (excepted portions of rule include Sections 1.A.1. and 3.B.).
138	NO _x RACT	8/3/94	9/9/02	67 FR 57154	(c)(46)	Affects sources in York, Cumberland, Sagadahoc, Androscoggin, Kennebec, Lincoln, and Knox counties.
138	NO _x RACT	5/18/95 & 2/16/96	9/9/02	67 FR 57154	(c)(47)	Case-specific NO _x RACT for FPL Energy's (formerly Central Maine Power) W.F. Wyman Station.
138	NO _x RACT	6/16/95 & 6/12/96	9/9/02	67 FR 57154	(c)(47)	Case-specific NO _x RACT for Tree Free Fiber Company, LLC. (formerly Statler Tissue).
138	NO _x RACT	8/23/95 & 3/10/97	9/9/02	67 FR 57154	(c)(47)	Case-specific NO _x RACT for Pioneer Plastics Corporation.
138	NO _x RACT	11/15/95	9/9/02	67 FR 57154	(c)(47)	Case-specific NO _x RACT for Scott Paper Company.
138	NO _x RACT	1/18/96	9/9/02	67 FR 57154	(c)(47)	Case-specific NO _x RACT for Chinet Company.
138	NO _x RACT	2/7/96	9/9/02	67 FR 57154	(c)(47)	Case-specific NO _x RACT for FMC Corporation—Food from Ingredients Division.
138	NO _x RACT	6/5/96 & 3/5/97	9/9/02	67 FR 57154	(c)(47)	Case-specific NO _x FR RACT for Dragon Products Company, Inc.
138	NO _x RACT	6/12/96	9/9/02	67 FR 57154	(c)(47)	Case-specific NO _x RACT for S.D. Warren Company.
138	NO _x RACT	10/16/96	9/9/02	67 FR 57154	(c)(47)	Case-specific NO _x RACT for Mid-Maine Waste Action Corporation.
138	NO _x RACT	10/21/96 & 7/25/97	9/9/92	67 FR 57154	(c)(47)	Case-specific NO _x RACT for Portsmouth Naval Shipyard.
138	NO _x RACT	11/12/96	9/9/02	67 FR 57154	(c)(47)	Case-specific NO _x RACT for Maine Energy Recovery Company.
139	Transportation Conformity.	9/19/07	2/08/08	73 FR 7465	(c) 64.	
141	Conformity of General Federal Actions.	9/11/96	September 23, 1997	62 FR 49611	(c)(44)	"Chapter 141: Conformity of General Federal Actions".

TABLE 52.1031—EPA-APPROVED RULES AND REGULATIONS—Continued

State citation	Title/Subject	Date adopted by State	Date approved by EPA	Federal Register citation	52.1020	
141	Conformity of General Federal Actions.	4/19/07	2/20/08	73 FR 9203	(c)(63)	Amendment to incorporate new fine particulate matter provisions.
145	NO _x Control Program Emissions from Smaller-Scale Electric Generating Resources.	6/21/01	4/10/05	70 FR 11882	(c)(56)..	
148		7/15/04	5/26/05	70 FR 30376	(c)(55).	
151	Architectural and Industrial Maintenance (AIM) Coatings.	10/06/05	3/17/06	71 FR 13767	(c)(59).	
152	Control of Emissions of Volatile Organic Compounds from Consumer Products.	8/19/04	10/24/05	70 FR 61384	(c)(57).	
153	Mobile Equipment Repair and Refinishing.	2/5/04	5/26/05	70 FR 30369(c)(54).		
155	Portable Fuel Container Spillage Control.	6/3/04	2/7/05	70 FR 6354	(c)(53)	
"Vehicle I/M".	Vehicle Inspection and Maintenance.	7/9/98	1/10/01	66 FR 1875	(c)(48)	

NOTE. 1. The regulations are effective statewide unless stated otherwise in comments section.

(Secs. 110(a) and 301(a) of the Clean Air Act, as amended (42 U.S.C. 7410(a) and 7601(a)))
 [50 FR 3336, Jan. 24, 1985]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.1031, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

§ 52.1033 Visibility protection.

(a) The requirements of section 169A of the Clean Air Act are not met because the plan does not include approvable procedures for meeting all of the requirements of 40 CFR 51.302 or 51.306 for the protection of visibility in mandatory class I Federal areas.

(b) [Reserved]

(c) *Long-term strategy.* The provisions of § 52.29 are hereby incorporated into

the applicable plan for the State of Maine.

[52 FR 45138, Nov. 24, 1987, as amended at 58 FR 15431, Mar. 23, 1993]

§ 52.1034 Stack height review.

The State of Maine has declared to the satisfaction of EPA that no existing emission limitations have been affected by stack height credits greater than good engineering practice or any other prohibited dispersion techniques as defined in EPA's stack height regulations as revised on July 8, 1985. Such declarations were submitted to EPA on