

## § 52.1240

### § 52.1240 Interstate pollutant transport provisions; What are the FIP requirements for decreases in emissions of nitrogen oxides?

(a)(1) The owner and operator of each source located within the State of Minnesota and for which requirements are set forth under the Federal CAIR NO<sub>x</sub> Annual Trading Program in subparts AA through II of part 97 of this chapter must comply with such applicable requirements. The obligation to comply with these requirements in part 97 of this chapter will be eliminated by the promulgation of an approval by the Administrator of a revision to the Minnesota State Implementation Plan (SIP) as meeting the requirements of CAIR for PM<sub>2.5</sub> relating to NO<sub>x</sub> under § 51.123 of this chapter, except to the extent the Administrator's approval is partial or conditional or unless such approval is under § 51.123(p) of this chapter.

(2) Notwithstanding any provisions of paragraph (a)(1) of this section, if, at the time of such approval of the State's SIP, the Administrator has already allocated CAIR NO<sub>x</sub> allowances to sources in the State for any years, the provisions of part 97 of this chapter authorizing the Administrator to complete the allocation of CAIR NO<sub>x</sub> allowances for those years shall continue to apply, unless the Administrator approves a SIP provision that provides for the allocation of the remaining CAIR NO<sub>x</sub> allowances for those years.

[72 FR 62350, Nov. 2, 2007]

### § 52.1241 Interstate pollutant transport provisions; What are the FIP requirements for decreases in emissions of sulfur dioxide?

The owner and operator of each SO<sub>2</sub> source located within the State of Minnesota and for which requirements are set forth under the Federal CAIR SO<sub>2</sub> Trading Program in subparts AAA through III of part 97 of this chapter must comply with such applicable requirements. The obligation to comply with these requirements in part 97 of this chapter will be eliminated by the promulgation of an approval by the Administrator of a revision to the Minnesota State Implementation Plan as meeting the requirements of CAIR for PM<sub>2.5</sub> relating to SO<sub>2</sub> under § 51.124 of

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this chapter, except to the extent the Administrator's approval is partial or conditional or unless such approval is under § 51.124(r) of this chapter.

[72 FR 62350, Nov. 2, 2007]

## Subpart Z—Mississippi

### § 52.1270 Identification of plan.

(a) *Purpose and scope.* This section sets forth the applicable State implementation plan for Mississippi under section 110 of the Clean Air Act, 42 U.S.C. 7401–7671q and 40 CFR part 51 to meet national ambient air quality standards.

(b) Incorporation by reference. (1) Material listed in paragraph (c) of this section with an EPA approval date prior to January 1, 2003, was approved for incorporation by reference by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Material is incorporated as it exists on the date of the approval, and notice of any change in the material will be published in the FEDERAL REGISTER. Entries in paragraphs (c) and (d) of this section with EPA approval dates after January 1, 2003, will be incorporated by reference in the next update to the SIP compilation.

(2) EPA Region 4 certifies that the rules/regulations provided by EPA in the SIP compilation at the addresses in paragraph (b)(3) of this section are an exact duplicate of the officially promulgated state rules/regulations which have been approved as part of the SIP as of January 1, 2003.

(3) Copies of the materials incorporated by reference may be inspected at the Region 4 EPA Office at 61 Forsyth Street, SW., Atlanta, GA 30303; the EPA, Office of Air and Radiation Docket and Information Center, Room B–108, 1301 Constitution Avenue, (Mail Code 6102T) NW., Washington, DC 20460 or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html).

(c) EPA approved Mississippi regulations.

**Environmental Protection Agency**

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**EPA APPROVED MISSISSIPPI REGULATIONS**

State citation	Title/subject	State effective date	EPA approval date	Explanation	
<b>APC-S-1</b>					
<b>Air Emission Regulations for the Prevention, Abatement, and Control of Air Contaminants</b>					
Section 1 .....	General .....	1/9/94	2/12/96, 61 FR 5295.	Subsection 2, "Other Limitations", and Subsection 3, "New Source Performance Standards", are not Federally approved.	
Section 2 .....	Definitions .....	1/9/94	2/12/96, 61 FR 5295.		
Section 3 .....	Specific Criteria for Sources of Particulate Matter.	5/28/99	12/20/02, 67 FR 77927.		
Section 4 .....	Specific Criteria for Sources of Sulfur Compounds.	1/9/94	2/12/96, 61 FR 5295.		
Section 5 .....	Specific Criteria for Sources of Chemical Emissions.	1/9/94	2/12/96, 61 FR 5295.		
Section 6 .....	New Sources .....	05/28/99	12/20/02, 67 FR 77927 .....		
Section 7 .....	Exceptions .....	2/4/72	5/31/72, 37 FR 10875.		
Section 9 .....	Stack Height Considerations.	5/1/86	9/23/87, 52 FR 35704.		
Section 10 .....	Provisions for Upsets, Startups, and Shut-downs.	1/9/94	2/12/96, 61 FR 5295.		
Section 11 .....	Severability .....	1/9/94	2/12/96, 61 FR 5295.		
Section 14 .....	Provision for the Clean Air Interstate Rule.	12/17/06	10/3/07, 72 FR 56268.		
<b>APC-S-2</b>					
<b>Regulations for the Construction and/or Operation of Air Emissions Equipment</b>					
Section 1 .....	General Requirements .....	08/27/05	7/10/2006, 71 FR 38775.		
Section II .....	General Standards Applicable to All Permits.	8/27/05	07/10/2006, 71 FR 38775.		
Section III .....	Application for Permit to Construct and State Permit to Operate New Stationary Source.	08/27/05	7/10/2006, 71 FR 38775.		
Section IV .....	Public Participation and Public Availability of Information.	8/27/05	07/10/2006, 71 FR 38775.		
Section V .....	Application Review .....	08/27/05	7/10/2006, 71 FR 38775.		
Section VI .....	Compliance Testing .....	08/27/05	7/10/2006, 71 FR 38775.		
Section VII .....	Emissions Evaluation Report.	8/27/05	7/10/2006, 71 FR 38775.		
Section VIII .....	Procedures for Renewal of State Permit to Operate.	8/27/05	7/10/2006, 71 FR 38775.		
Section IX .....	Reporting & Record-keeping.	08/27/05	7/10/2006, 71 FR 38775.		
Section X .....	Emission Reduction Schedule.	8/27/05	7/10/2006, 71 FR 38775.		
Section XI .....	General Permits .....	8/27/05	7/10/2006, 71 FR 38775.		
Section XII .....	Multi-Media Permits .....	8/27/05	7/10/2006, 71 FR 38775.		
Section XIII .....	Exclusions .....	8/27/05	7/10/2006, 71 FR 38775.		
Section XIV .....	CAFOs .....	8/27/05	7/10/2006, 71 FR 38775.		
Section XV .....	Options .....	8/27/05	7/10/2006, 71 FR 38775.		
Section XVI .....	Permit Transfer .....	8/27/05	7/10/2006, 71 Fr 38775.		
Section XVII .....	Severability .....	8/27/05	7/10/2006, 71 FR 38775.		
<b>APC-S-3</b>					
<b>Regulations for Prevention of Air Pollution Emergency Episodes</b>					
Section 1 .....	General .....	2/4/72	5/31/72, 37 FR 10875.		
Section 2 .....	Definitions .....	2/04/72	5/31/72, 37 FR 10875.		
Section 3 .....	Episode Criteria .....	6/3/88	11/13/89, 54 FR 47211.		
Section 4 .....	Emission Control Action Programs.	2/4/72	5/31/72, 37 FR 10875.		
Section 5 .....	Emergency Orders .....	6/3/88	11/13/89, 54 FR 47211.		
<b>APC-S-5</b>					
<b>Regulations for the Prevention of Significant Deterioration of Air Quality</b>					

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**EPA APPROVED MISSISSIPPI REGULATIONS—Continued**

State citation	Title/subject	State effective date	EPA approval date	Explanation
All .....	.....	9/21/96	7/15/97, 62 FR 37724.	

(d) EPA approved Mississippi source-specific requirements.

**EPA APPROVED MISSISSIPPI SOURCE-SPECIFIC REQUIREMENTS**

Name of source	Permit number	State effective date	EPA approval date	Explanation
None .....	.....	.....	.....	

(e) [Reserved]

**§ 52.1271 Classification of regions.**

[62 FR 35442, July 1, 1997, as amended at 62 FR 37726, July 15, 1997; 62 FR 40139, July 25, 1997; 64 FR 35009, June 30, 1999; 67 FR 77927, Dec. 20, 2002; 68 FR 13631, Mar. 20, 2003; 71 FR 38775, July 10, 2006; 72 FR 56271, Oct. 3, 2007]

The Mississippi 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)
Mobile (Alabama)-Pensacola-Panama City (Florida)-Gulfport (Mississippi) Interstate .....	I	I	III	III	I
Metropolitan Memphis Interstate .....	I	III	III	III	I
Mississippi Delta Intrastate .....	III	III	III	III	III
Northeast Mississippi Intrastate .....	II	III	III	III	III

[37 FR 10875, May 31, 1972, as amended at 39 FR 16346, May 8, 1974]

**§ 52.1272 Approval status.**

With the exceptions set forth in this subpart, the Administrator approves Mississippi's plan for the attainment and maintenance of national standards under section 110 of the Clean Air Act. Furthermore, the Administrator finds the plans satisfy all requirements or Part D, Title I, of the Clean Air Act as amended in 1977.

[45 FR 2032, Jan. 10, 1980]

**§ 52.1273 [Reserved]**

**§ 52.1275 Legal authority.**

(a) The requirements of § 51.230(d) of this chapter are not met since statutory authority to prevent construction, modification, or operation of a facility, building, structure, or installation, or combination thereof, which indirectly

results or may result in emissions of any air pollutant at any location which will prevent the maintenance of a national air quality standard is not adequate.

(b) The requirements of § 51.230(f) of this chapter are not met, since section 7106-117 of the Mississippi Code could, in some circumstances, prohibit the disclosure of emission data to the public. Therefore, section 7106-117 is disapproved.

[39 FR 7282, Feb. 25, 1974, as amended at 39 FR 34536, Sept. 26, 1974; 51 FR 40676, Nov. 7, 1986]

**§ 52.1276 [Reserved]**

**§ 52.1277 General requirements.**

(a) The requirements of § 51.116(c) of this chapter are not met, since the