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

(i) September 16, 1976, effective date December 4, 1976: 445B.172, "Six-Minute Period defined."

(2) The following section of Chapter 445 of the Nevada Administrative Code was adopted on the date listed below and recodified as Chapter 445B of the Nevada Administrative Code in November 1994:

(i) November 3, 1993: 445B.190, "Stop order defined."

(3) The following sections of Chapter 445B of the Nevada Administrative Code were adopted on the dates listed below:

(i) October 3, 1995: 445B.225, "Prohibited conduct: Concealment of emissions;" and 445B.229, "Hazardous emissions: Order for reduction or discontinuance."

(ii) August 19, 2004, effective date September 24, 2004: 445B.001, "Definitions;" 445B.22043, "Sulfur emissions: Exceptions for stationary sources;" and 445B.2205, "Sulfur emissions: Other processes which emit sulfur."

(iii) October 4, 2005: 445B.063, "Excess emissions defined;" 445B.153, "Regulated air pollutant defined;" 445B.22017, "Visible emissions: Maximum opacity; determination and monitoring of opacity;" 445B.2202, "Visible emissions: Exceptions for stationary sources;" and 445B.22093, "Organic solvents and other volatile compounds."

(iv) March 8, 2006: 445B.275, "Violations: Acts constituting; notice;" and 445B.277, "Stop orders."

(v) September 6, 2006: 445B.220, "Severability."

(67) New or amended regulations were submitted on August 20, 2007 by the Governor's designee.

(i) Incorporation by reference.

(A) Nevada Division of Environmental Protection.

(1) Nevada Administrative Code (January 2007 codification by the Legislative Counsel Bureau) section 445B.22083, "Construction, major modification or relocation of plants to generate electricity using steam produced by burning of fossil fuels;" and section 445B.250, "Notification of Director: Construction, reconstruction and initial start-up; demonstration of continuous monitoring system performance;" adopted by the State Environmental Commission on October 4, 2005.

[37 FR 10878, May 31, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.1470, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

§ 52.1471 Classification of regions.

The Nevada plan is evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Ozone
Las Vegas Intrastate	I	IA	III	I	I
Northwest Nevada Intrastate	I	III	III	III	III
Nevada Intrastate	IA	IA	III	III	III

[45 FR 7545, Feb. 4, 1980]

§ 52.1472 Approval status.

(a) With the exceptions set forth in this subpart, the Administrator approves Nevada's plan for the attainment and maintenance of the national standards under section 110 of the Clean Air Act.

(b) With the exceptions set forth in this subpart, the Administrator approves the plan with respect to Part D, Title I of the Clean Air Act, as amend-

ed in 1977, for the nonattainment areas listed in this paragraph.

(1) Mason Valley/Fernley Area for TSP.

(2) Lower Reese River Valley/Clovers Area for TSP.

(3) Carson Desert for TSP.

(4) Winnemucca Segment for TSP.

(5) Truckee Meadows for TSP and CO.

(6) Las Vegas Valley for TSP and CO.

(7) Lake Tahoe Basin for CO.

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(c) With the exceptions set forth in this subpart, the Administrator approves the plan with respect to Part D, Title I of the Clean Air Act, as amended in the 1977, for the nonattainment areas listed in this paragraph. In addition, continued satisfaction of the requirements of Part D for the ozone portion of the State Implementation Plan (SIP) depends on the adoption and submittal by January 1, 1981 of reasonably available control technology (RACT) requirements for sources covered by Control Technique Guidelines (CTG's) published between January 1978 and January 1979.

(1) Truckee Meadows for O₃.

(2) Las Vegas Valley for O₃.

[46 FR 21766, Apr. 14, 1981, as amended at 47 FR 27069, June 23, 1982]

§ 52.1473 General requirements.

(a) The requirements of § 51.116(c) of this chapter are not met in Washoe County, since the plan does not provide procedures for making emission data, as correlated with allowable emissions, available to the public. In addition, Chapter 020.065 of the "Air Pollution Control Regulations" of the District Board of Health of Washoe County in the Northwest Nevada Intrastate Region is disapproved since it contains provisions which restrict the public availability of emission data as correlated with applicable emission limitations and other control measures.

(b) Regulation for public availability of emission data. (1) Any person who cannot obtain emission data from the Agency responsible for making emission data available to the public, as specified in the applicable plan, concerning emissions from any source subject to emission limitations which are part of the approved plan may request that the appropriate Regional Administrator obtain and make public such data. Within 30 days after receipt of any such written request, the Regional Administrator shall require the owner or operator of any such source to submit information within 30 days on the nature and amounts of emissions from such source and any other information as may be deemed necessary by the Regional Administrator to determine whether such source is in compliance with applicable emission limitations or

other control measures that are part of the applicable plan.

(2) Commencing after the initial notification by the Regional Administrator pursuant to paragraph (b)(1) of this section, the owner or operator of the source shall maintain records of the nature and amounts of emissions from such source and any other information as may be deemed necessary by the Regional administrator to determine whether such source is in compliance with applicable emission limitations or other control measures that are part of the plan. The information recorded shall be summarized and reported to the Regional Administrator, on forms furnished by the Regional Administrator, and shall be submitted within 45 days after the end of the reporting period. Reporting periods are January 1–June 30 and July 1–December 31.

(3) Information recorded by the owner or operator and copies of this summarizing report submitted to the Regional Administrator shall be retained by the owner or operator for 2 years after the date on which the pertinent report is submitted.

(4) Emission data obtained from owners or operators of stationary sources will be correlated with applicable emission limitations and other control measures that are part of the applicable plan and will be available at the appropriate regional office and at other locations in the state designated by the Regional Administrator.

[37 FR 10878, May 31, 1972, as amended at 37 FR 15086, July 27, 1972; 38 FR 12708, May 14, 1973; 40 FR 55331, Nov. 28, 1975; 43 FR 1342, Jan. 24, 1978; 51 FR 40676, Nov. 7, 1986]

§ 52.1474 Part D conditional approval.

(a) The following portions of the Nevada SIP contain deficiencies with respect to Part D of the Clean Air Act which must be corrected within the time limit indicated.

(1)–(4) [Reserved]

[46 FR 21766, Apr. 14, 1981, as amended at 47 FR 15792, Apr. 13, 1982; 47 FR 27069, June 23, 1982; 49 FR 6900, Feb. 24, 1984]

§ 52.1475 Control strategy and regulations: Sulfur oxides.

(a) The requirements of subpart G of this chapter are not met since the plan