

Environmental Protection Agency

§ 52.1679

§ 52.1679 EPA-approved New York State regulations.

New York State regulation	State effective date	Latest EPA approval date	Comments
Title 6: Part 200, General Provisions Sections 200.1, 200.6, 200.7 and 200.9.	2/25/00	4/22/08, 73 FR 21548	The word odor is removed from the Subpart 200.1(d) definition of "air contaminant or air pollutant". Redesignation of non-attainment areas to attainment areas (200.1(av)) does not relieve a source from compliance with previously applicable requirements as per letter of Nov. 13, 1981 from H. Hovey, NYSDEC. Changes in definitions are acceptable to EPA unless a previously approved definition is necessary for implementation of an existing SIP regulation. EPA is including the definition of "federally enforceable" with the understanding that (1) the definition applies to provisions of a Title V permit that are correctly identified as federally enforceable, and (2) a source accepts operating limits and conditions to lower its potential to emit to become a minor source, not to "avoid" applicable requirements. EPA is approving incorporation by reference of those documents that are not already federally enforceable.
Part 201, "Permits and Certificates"	4/4/93	10/3/05, 70 FR 57511	This action removes subpart 201.5(e) from the State's federally approved SIP.
Subpart 201-7.1, "General"	7/7/96	10/3/05, 70 FR 57511.	
Subpart 201-7.2, "Emission Capping Using Synthetic Minor Permits".	7/7/96	10/3/05, 70 FR 57511.	
Part 202, Emissions Verification:	3/24/79	11/12/81, 46 FR 55690.	
Subpart 202-1, "Emissions Testing, Sampling and Analytical Determinations"...			
Subpart 202-2, "Emission Statements".	5/29/2005	10/31/07, 72 FR 61530 ..	Section 202-2.3(c)(9) requires facilities to report individual HAPs that may not be classified as criteria pollutants or precursors to assist the State in air quality planning needs. EPA will not take SIP-related enforcement action on these pollutants.
Part 204, NO _x Budget Trading Program	2/25/00	5/22/01 66 FR 28063	Incorporates NO _x SIP Call and NO _x Budget Trading Program for 2003 and thereafter.
Part 205, Architectural and Industrial Maintenance Coatings.	11/22/04	12/13/04, 69 FR 72118.	
Part 207, Control Measures for an Air Pollution Episode.	3/24/79	11/12/81, 46 FR 55690.	
Part 211, General Prohibitions	8/11/83	11/27/98, 63 FR 65559 ..	Section 211.2 has been removed from the approved plan.
Part 212, General Process Emission Sources.	9/22/94	9/25/01, 66 FR 48961.	
Part 213, Contaminant Emissions from Ferrous Jobbing Foundries.	6/27/72	9/22/72, 37 FR 19814.	
Part 214, "Byproduct Coke Oven Batteries"	9/22/94	7/20/06, 71 FR 41163.	
Part 215, Open Fires	6/16/72	9/22/72, 37 FR 19814.	
Part 216, "Iron and/or SteelProcesses"	9/22/94	7/20/06, 71 FR 41163.	
Part 217, Motor Vehicle Emissions: Subpart 217-1, Motor Vehicle Enhanced Inspection and Maintenance Program Requirements.	10/30/02	2/21/07, 72 FR 7829.	
Subpart 217-4, Inspection and Maintenance Program Audits.	10/30/02	2/21/07, 72 FR 7829.	
Part 218, Emission Standards for Motor Vehicles and Motor Vehicle Engines:.	EPA's approval of part 218 only applies to light-duty vehicles.
Subpart 218-1: Applicability and Definitions	12/28/00	1/31/05, 70 FR 4773.	
Subpart 218-2: Certification and Prohibitions.	12/28/00	1/31/05, 70 FR 4773.	
Subpart 218-3: Fleet Average	12/28/00	1/31/05, 70 FR 4773	

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Subpart 218-4: Zero Emissions Vehicle Sales Mandate.	5/28/92	1/6/95, 60 FR 2025..	
Subpart 218-5: Testing	12/28/00	1/31/05, 70 FR 4773	
Subpart 218-6: Surveillance	12/28/00	1/31/05, 70 FR 4773.	
Subpart 218-7: Aftermarket Parts	12/28/00	1/31/05, 70 FR 4773.	
Subpart 218-8: Severability	12/28/00	1/31/05, 70 FR 4773.	
Part 219, Incinerators	5/1/82	9/22/72, 37 FR 19814.	
Part 220, Portland Cement Plants	3/14/73	11/12/81, 46 FR 55690.	
Part 222, Incinerators—New York City, Nassau and Westchester Counties.	7/17/72	9/22/72, 37 FR 19814.	
Part 223, Petroleum Refineries	8/9/84	7/19/85, 50 FR 29382.	
Part 224, Sulfuric and Nitric Acid Plants	5/10/84do	Variances adopted by the State pursuant to Part 224.6(b) become applicable only if approved by EPA as SIP revisions 7/19/85, 50 FR 29382.
Subpart 225-1, Fuel Composition and Use-Sulfur Limitations.	3/24/79	11/12/81, 46 FR 55690 ..	Section 225.3(e) is disapproved (40 CFR 52.1675(d)). Variances adopted by the State pursuant to §§225.2(b) and (c), 225.3, and 225.5(c) become applicable only if approved by EPA or SIP revisions (40 CFR 52.1675(e)).
Subpart 225-2, Fuel Composition and Use-Waste Fuel.	7/28/83	8/2/84.	
Part 225-3, Fuel Composition and Use—Gasoline.	11/4/01	9/08/05, 70 FR 53304	The Variance adopted by the State pursuant to section 225-3.5 becomes applicable only if approved by EPA as a SIP revision.
Part 226, Solvent Metal Cleaning Processes.	5/7/03	1/23/04, 69 FR 3240.	
Part 227, Stationary Combustion Installations [1972 version]/section 227.2(b)(1).	5/1/72	9/22/72, 37 FR 19814	
Part 227, Stationary Combustion Installations.	Existing Part 227 is renumbered Subpart 227-1.
Subpart 227-1, Stationary Combustion Installations.	2/25/00	5/22/01 66 FR 28063	Renumbered sections 227-1.2(a)(2), 227-1.4(a), and 227-1.4(d) continue to be disapproved according to 40 CFR 52.1678(d) and 52.1680(a). (New York repealed existing Part 227.5.)
Subpart 227-2, Reasonably Available Control Technology (RACT) for Oxides of Nitrogen (NO _x).	2/11/04	1/13/05, 70 FR 2358.	
Subpart 227-3, Pre-2003 Nitrogen Oxides Emissions Budget and Allowance Program.	3/5/99	5/22/01 66 FR 28063	Approval of NO _x Budget Trading Program for 1999, 2000, 2001 and 2002. NO _x caps in the State during 2003 and thereafter established in Part 204.
Part 228, "Surface Coating Processes"	7/23/03	1/23/04, 69 FR 3240.	
Part 229, Petroleum and Volatile Organic Liquid Storage and Transfer.	4/4/93	12/23/97, 62 FR 67006 ..	SIP revisions submitted in accordance with Section 229.3(g)(1) are effective only if approved by EPA.
Part 230, Gasoline Dispensing Sites and Transport Vehicles.	8/22/94	4/30/98, 63 FR 23668.	
Part 231, Major Facilities	6/21/80do.	
Part 232, Dry Cleaning	8/11/83	6/17/85, 50 FR 25079	EPA has not determined that §232.3(a) provides for reasonably available control technology.
Part 233, Pharmaceutical and Cosmetic Processes.	4/4/93	12/23/97, 62 FR 67006 ..	SIP revisions submitted in accordance with Section 223.3(h)(1) are effective only if approved by EPA.
Part 234, Graphic Arts	4/4/93	12/23/97, 62 FR 67006 ..	SIP revisions submitted in accordance with Section 234.3(f)(1) are effective only if approved by EPA.
Part 235, Consumer Products	11/9/02	1/23/04, 69 FR 3240	The specific application of provisions associated with alternate test methods, variances, innovative products and alternate compliance plans, must be submitted to EPA as SIP revisions.
Part 236, Synthetic Organic Chemical Manufacturing Facility Component Leaks.	1/16/92	7/27/93, 58 FR 40059	Variances adopted by the State pursuant to Part 236.6(e)(3) become applicable only if approved by EPA as a SIP revision.

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Part 239, "Portable Fuel Container Spillage Control".	11/4/02	1/23/04, 69 FR 3240	The specific application of provisions associated with alternate test methods, variances and innovative products, must be submitted to EPA as SIP revisions.
Part 243, CAIR NO _x Ozone Season Trading Program.	10/19/07	1/24/08, 73 FR 4112.	
Part 244, CAIR NO _x Annual Trading Program.	10/19/07	1/24/08, 73 FR 4112.	
Part 245, CAIR SO ₂ Trading Program	10/19/07	1/24/08, 73 FR 4112.	
Title 15: Part 79, "Motor Vehicle Inspection Regulations" Sections 79.1–79.15, 79.17, 79.20, 79.21, 79.24, 79.25.	5/4/05	2/21/07, 72 FR 7829.	

[46 FR 55692, Nov. 12, 1981, as amended at 46 FR 62064, Dec. 22, 1981; 49 FR 3439, Jan. 26, 1984; 49 FR 30939, Aug. 2, 1984; 50 FR 25079, June 17, 1985; 50 FR 29382, July 19, 1985; 51 FR 40420, Nov. 7, 1986; 54 FR 9436, Mar. 7, 1989; 54 FR 26041, June 21, 1989; 54 FR 48889, Nov. 28, 1989; 56 FR 12454, Mar. 26, 1991; 58 FR 40059, 40065, July 27, 1993; 59 FR 38986, Aug. 4, 1994; 60 FR 2025, Jan. 6, 1995; 61 FR 38597, July 25, 1996; 62 FR 67006, Dec. 23, 1997; 63 FR 23668, Apr. 30, 1998; 63 FR 65559, Nov. 27, 1998; 65 FR 20908, 20911, Apr. 19, 2000; 65 FR 24877, Apr. 28, 2000; 66 FR 22924, May 7, 2001; 66 FR 28062, May 22, 2001; 66 FR 48961, Sept. 25, 2001; 69 FR 3240, Jan. 23, 2004; 69 FR 72127, Dec. 13, 2004; 70 FR 2359, Jan. 13, 2005; 70 FR 4775, Jan. 31, 2005; 70 FR 57513, Oct. 3, 2005; 70 FR 53308, Sept. 8, 2005; 71 FR 41163, July 20, 2006; 72 FR 7829, Feb. 21, 2007; 72 FR 61530, Oct. 31, 2007; 73 FR 4112, Jan. 24, 2008; 73 FR 21548, Apr. 22, 2008]

§ 52.1680 Control strategy: Monitoring and reporting.

(a) Section 227.6 (a) and (f) are disapproved because they are not consistent with the continuous monitoring and reporting requirements of 40 CFR 51.214.

[46 FR 55693, Nov. 12, 1981, as amended at 51 FR 40677, Nov. 7, 1986]

§ 52.1681 Control strategy: Lead.

As part of the attainment demonstration for lead, the State of New York has committed to rate all sources of lead or lead compound emissions with either an "A" or "B" environmental rating pursuant to 6 NYCRR Part 212.

[49 FR 30939, Aug. 2, 1984]

§ 52.1682 Control strategy: Carbon monoxide.

(a) Approval—The November 13, 1992 revision to the carbon monoxide state implementation plan for Onondaga County. This revision included a maintenance plan which demonstrated continued attainment of the National Ambient Air Quality Standard for carbon monoxide through the year 2003.

(b) Approval—The November 13, 1992 and March 21, 1994 revisions to the carbon monoxide state implementation

plan for the New York portion of the New York—Northern New Jersey—Long Island Carbon Monoxide non-attainment area. This included an attainment demonstration and the control measures needed to attain the National Ambient Air Quality Standard for carbon monoxide. In addition, the September 21, 1990 Downtown Brooklyn Master Plan and revision dated March 22, 2000 is a component of the carbon monoxide attainment plan. The November 23, 1999, request to redesignate the New York portion of the New York—Northern New Jersey—Long Island Carbon Monoxide nonattainment area from nonattainment to attainment of the National Ambient Air Quality Standard for carbon monoxide. As part of the redesignation request, the State submitted a maintenance plan which demonstrated continued attainment of the National Ambient Air Quality Standard for carbon monoxide through the year 2012.

(c) Approval—The June 22, 2004 revision to the carbon monoxide maintenance plan for Onondaga County. This revision contains a second ten-year maintenance plan that demonstrates continued attainment of the National Ambient Air Quality Standard for carbon monoxide through the year 2013