

New York State regulation	State effective date	Latest EPA approval date	Comments
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

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and CO conformity budgets for the years 2003, 2009, and 2013.

[67 FR 19339, Apr. 19, 2002, as amended at 70 FR 53308, Sept. 8, 2005]

§ 52.1683 Control strategy: Ozone.

(a) The State of New York has certified to the satisfaction of the EPA that no sources are located in the nonattainment area of the State which are covered by the following Control Techniques Guidelines:

(1) Natural Gas/Gasoline Processing Plants.

(2) Air Oxidation Processes at Synthetic Organic Chemical Manufacturing Industries.

(3) Manufacture of High-Density Polyethylene, Polypropylene, and Polystyrene Resins.

(b)-(e) [Reserved]

(f) Attainment Determination. (1) EPA has determined that, as of February 5, 1998, the Poughkeepsie ozone nonattainment area (consisting of Dutchess and Putnam Counties and northern Orange County) has air monitoring data that attains the one-hour ozone standard and that the requirements of section 182(b)(1) (reasonable further progress and attainment demonstration) and related requirements of section 172(c)(9) (contingency measures) of the Clean Air Act do not apply to the area.

(2) EPA is determining that the 8-hour ozone nonattainment areas in New York listed below have attained the 8-hour ozone standard on the date listed. Under the provisions of EPA's ozone implementation rule (see 40 CFR 51.918), this determination suspends the reasonable further progress and attainment demonstration requirements of section 182(b)(1) and related requirements of section 172(c)(9) of the Clean Air Act for each of these areas as long as the area does not monitor any violations of the 8-hour ozone standard. If a violation of the ozone NAAQS is monitored this determination shall no longer apply in the area where the violation occurs.

(i) Albany-Schenectady-Troy (consisting of Albany, Greene, Montgomery, Rensselaer, Saratoga, Schenectady, and Schoharie Counties) as of March 25, 2008,

(ii) Jefferson County, as of March 25, 2008, and

(iii) Rochester (consisting of Genesee, Livingston, Monroe, Ontario, Orleans and Wayne Counties) as of March 25, 2008.

(g) EPA approves as a revision to the New York State Implementation Plan, the Stage II gasoline vapor recovery comparability plan for upstate portions of New York State submitted by the New York State Department of Environmental Conservation on April 18, 2000.

(h)(1) The 1990 base year emission inventory as revised on February 2, 1999 (Volatile organic compounds (VOC), Nitrogen oxides (NO_x) and Carbon monoxide (CO) for areas designated nonattainment for ozone since 1991 in New York) is approved.

(2) The 1996 and 1999 ozone projection year emission inventories included in New York's February 2, 1999 State Implementation Plan revision for the New York portion of the New York-Northern New Jersey-Long Island nonattainment area are approved.

(3) [Reserved]

(4) The photochemical assessment monitoring stations network included in New York's February 2, 1999 State Implementation Plan revision is approved.

(5) The demonstration that emissions from growth in vehicle miles traveled will not increase total motor vehicle emissions and, therefore, offsetting measures are not necessary, which was included in New York's February 2, 1999 State Implementation Plan revision for the New York portion of the New York-Northern New Jersey-Long Island nonattainment area is approved.

(6) The enforceable commitments to participate in the consultative process to address regional transport; adopt additional control measures as necessary to attain the ozone standard, meeting rate of progress requirements, and eliminating significant contribution to nonattainment downwind; identify any reductions that are needed from upwind areas for the area to meet the ozone standard, included in New York's February 2, 1999 State Implementation Plan revision for the New York portion of the New York-Northern New Jersey-