

**§ 52.1784**

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

Schedules for Sources in Nonattainment Areas; 3D .0909, Compliance Schedules for Sources in New Nonattainment Areas; 3D .0910 Alternative Compliance Schedules; 3D .0911 Exception From Compliance Schedules; 3D .0950 Interim Standards for Certain Source Categories; 3D .0952 Petition For Alternative Controls; 3D .0954 Stage II Vapor Recovery and 3Q Section .0800 Exclusionary Rules effective on November 13, 1995.

(B) 3A .0106 Penalties for Violation of Chapter; 3A .0110 CFR Dates; and 3A .0112 ASTM Dates; 3D.0101 Definitions; 3D .0506, Particulates from Hot Mix Asphalt Plants; 3D .0507, Particulates From Chemical Fertilizer Manufacturing Plants; 3D .0508 Particulates From Pulp and Paper Mills; 3D .0509 Particulates From Mica or Feldspar Processing Plants; 3D .0510 Particulates from Sand, Gravel, or Crushed Stone Operations and 3D .0511 Particulates from Lightweight Aggregate Processes 3D .0515 Particulates From Miscellaneous Industrial Processes; 3D .0521, Control of Visible Emissions; 3D .0535, Excess Emissions Reporting and Malfunctions; 3D .0914 Determination of VOC Emission Control System Efficiency; 3D .0927 Bulk Gasoline Terminals; 3D .0938 Perchloroethylene Dry Cleaning System (Repealed); 3D .0953 Vapor Return Piping for Stage II Vapor Recovery 3Q .0101 Required Air Quality Permits; 3Q .0102 Activities Exempted From Permit Requirements; 3Q . 0103 Definitions; 3Q .0207 Annual Emissions Reporting; 3Q .0301 Applicability; 3Q .0302 Facilities not Likely to Contravene Demonstration; 3Q .0306 Permits Requiring Public Participation; 3Q .0312 Application Processing Schedule; 3Q .0607 Application Processing Schedule; 3Q .0805 Grain Elevators; 3Q .0806 Cotton Gin; and 3Q .0807 Emergency Generators effective on September 14, 1998.

(ii) Other material. None.

[37 FR 10884, May 31, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.1783, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

**§ 52.1784 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 North Carolina 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 North Carolina 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.

(b)(1) The owner and operator of each NO<sub>x</sub> source located within the State of North Carolina and for which requirements are set forth under the Federal CAIR NO<sub>x</sub> Ozone Season Trading Program in subparts AAAA through IIII 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 North Carolina State Implementation Plan (SIP) as meeting the requirements of CAIR for ozone 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(ee) of this chapter.

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(2) Notwithstanding any provisions of paragraph (b)(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> Ozone Season 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> Ozone Season 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> Ozone Season allowances for those years.

[72 FR 62352, Nov. 2, 2007]

### § 52.1785 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 North Carolina 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 North Carolina 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 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 62353, Nov. 2, 2007]

## Subpart JJ—North Dakota

### § 52.1820 Identification of plan.

(a) *Purpose and scope.* This section sets forth the applicable State Implementation Plan for North Dakota under section 110 of the Clean Air Act,

42 U.S.C. 7410 and 40 CFR part 51 to meet national ambient air quality standards or other requirements under the Clean Air Act.

(b) *Incorporation by reference.* (1) Material listed in paragraphs (c), (d), and (e) of this section with an EPA approval date prior to July 31, 2006, 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 submitted by the state to EPA, and notice of any change in the material will be published in the FEDERAL REGISTER. Entries for paragraphs (c), (d), and (e) of this section with EPA approval dates after July 31, 2006, will be incorporated by reference in the next update to the SIP compilation.

(2) EPA Region 8 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 State Implementation Plan as of July 31, 2006.

(3) Copies of the materials incorporated by reference may be inspected at the Environmental Protection Agency, Region 8, 1595 Wynkoop Street, Denver, Colorado, 80202-1129; Air and Radiation Docket and Information Center, EPA West Building, 1301 Constitution Ave., NW., Washington, DC 20460; and the National Archives and Records Administration (NARA). If you wish to obtain materials from a docket in the EPA Headquarters Library, please call the Office of Air and Radiation (OAR) Docket/Telephone number (202) 566-1742. 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 regulations.*