

Environmental Protection Agency

§ 52.2120

goal of attainment by 2007, and to submit the results to EPA by December 31, 2004.

[66 FR 30815, June 8, 2001, as amended at 68 FR 16724, Apr. 7, 2003]

Subpart PP—South Carolina

§ 52.2119 Identification of plan-conditional approval.

EPA is conditionally approving a revision to the South Carolina State Implementation Plan (SIP) consisting of a new Standard (South Carolina Regulation 61–62.5 Standard No. 7.1). Based upon a commitment from the State, South Carolina must:

(a) Revise the Nonattainment New Source Review (NNSR) program to include a provision that emission reductions must be surplus and are not to be used as offsets if they are otherwise required by the SIP, New Source Performance Standards and National Emissions Standards for Hazardous Air Pollutants including the Maximum Achievable Control Technology standards, or other federal requirements and submit to EPA a SIP revision with the revised rule;

(b) Revise the State NNSR program to include a methodology for calculating offsets, and submit to EPA a SIP revision with the revised rule; and

(c) Utilize the provisions of 40 CFR part 51, Appendix S to supplement its NNSR program until South Carolina's NNSR program is approved by EPA. If the State fails to meet its commitment by June 2, 2009 the approval is treated as a disapproval. Also, EPA is disapproving two provisions of South Carolina's NNSR program (submitted on July 1, 2005) that relate to provisions that were vacated from the federal program by the United States Court of Appeals for the District of Columbia Circuit on June 24, 2005. The two provisions vacated from the federal rules pertain to Pollution Control Projects (PCPs) and clean units. The PCP and clean unit references are severable from the remainder of the NNSR program. Specifically, the following sections of South Carolina Regulation 61–62.5 Standard No. 7.1 are being disapproved: (b)(5); (b)(6)—Second sentence only; (b)(8); (c)(4); (c)(6)(C)(viii); (c)(8)(C)(iii); (c)(8)(E)(v); (c)(10);

(d)(1)(C)(ix); (d)(1)(C)(x); (d)(3)—Only the reference to the term “clean unit” is being disapproved. The remainder of this regulatory provision is being approved; (d)(4)—Only the reference to the term “clean unit” is being disapproved. The remainder of this regulatory provision is being approved; (f); (g) and (h).

[73 FR 31371, June 2, 2008]

EFFECTIVE DATE NOTE: At 73 FR 31371, June 2, 2008, § 52.2119 was added, effective July 2, 2008.

§ 52.2120 Identification of plan.

(a) *Purpose and scope.* This section sets forth the applicable State implementation plan (SIP) for South Carolina 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 paragraphs (c) and (d) of this section with an EPA approval date prior to July 1, 1997 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 July 1, 1997, 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 State implementation plan as of July 1, 1997.

(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, Air and Radiation Docket and Information Center, Air Docket (6102), 401 M St., SW., 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.

(c) EPA approved regulations.

AIR POLLUTION CONTROL REGULATIONS FOR SOUTH CAROLINA

State citation	Title/subject	State effective date	EPA approval date	Federal register notice
Definitions and General Requirements				
Regulation No. 62.1	Definitions and General Requirements	6/26/98	8/10/04	69 FR 48395.
Regulation No. 62.1	Definitions and General Requirements	08/26/2005	12/07/2006	71 FR 70880
Section I	Definitions	6/27/03	1/26/05	70 FR 3632.
Section II	Permit requirements	02/25/2005	12/07/2006	71 FR 70880
Section III	Emissions Inventory	6/27/03	8/10/04	69 FR 48395.
Section IV	Source Tests	7/27/01	1/13/03	67 FR 68767.
Section V	Credible Evidence			
Prohibition of Open Burning				
Regulation No. 62.2	6/25/04	8/26/05	70 FR	50195.
Air Pollution Episodes				
Regulation No. 62.3	Episode Criteria	10/26/01	5/7/02	67 FR 30596.
Section I	Episode Criteria	10/26/01	5/7/02	67 FR 30596.
Section II	Emissions Reduction Requirements	4/29/88	10/03/89	54 FR 40662.
Hazardous Air Pollution Conditions				
Regulation No. 62.4		12/20/78	1/29/80	45 FR 6572.
Air Pollution Control Standards				
Regulation No. 62.5				
Standard No. 5.2	Control of Oxides of Nitrogen (NO _x)	6/25/04	8/26/05	70 FR 50195.
Standard No. 1 Emissions from Fuel Burning Operations				
Section I	Visible Emissions	10/26/01	5/7/02	67 FR 30596.
Section II	Particulate Emissions	4/29/88	10/03/89	54 FR 40662.
Section III	Sulfur Dioxide Emissions	3/03/83	10/29/84	49 FR 43469.
Section IV	Opacity Monitoring Requirements	3/16/89	7/02/90	55 FR 27226.
Section V	Exemptions	6/05/85	10/03/89	54 FR 40660
Section VI	Periodic Testing	6/26/98	8/10/04	69 FR 48395.
Section VII	Reserved.			
Standard No. 2 Ambient Air Quality Standards				
		09/24/04	08/22/07	72 FR 46905
Standard No. 3 Emissions from Incinerators				
		1/07/81	9/03/82	47 FR 38885.
Standard No. 4 Emissions from Process Industries				
Section I	General	3/24/86	2/17/87	52 FR 4772.
Section II	Sulfuric Acid Manufacturing	3/24/86	2/17/87	52 FR 4772.
Section III	Kraft Pulp and Paper Manufacturing	4/29/88	10/03/89	54 FR 40662.
Section IV	Portland Cement Manufacturing	3/24/86	2/17/87	52 FR 4772.
Section V	Cotton Gins	10/26/01	5/7/02	67 FR 30596.
Section V	Cotton Gins	3/24/86	2/17/87	52 FR 4772.
Section VI	Hot Mix Asphalt Plants	6/05/85	10/03/89	54 FR 40660.
Section VII	Metal Refining	3/24/86	2/17/87	52 FR 4772.
Section VIII	Other Manufacturing	10/26/01	5/7/02	67 FR 30596.
Section VIII	Other Manufacturing	4/29/88	10/03/89	54 FR 40662.
Section IX	Visible Emissions	3/16/89	7/02/90	55 FR 27226.
Section X	Non-Enclosed Operations	6/05/85	10/03/89	54 FR 40660.
Section XI	Total Reduced Sulfur Emissions of Kraft Pulp Mills	10/26/01	5/7/02	67 FR 30596.
Section XII	Periodic Testing	6/26/98	8/10/04	69 FR 48395.
Section XIII	Reserved.			
Standard No. 5 Volatile Organic Compounds				
Section I	General Provisions	10/26/01	5/7/02	67 FR 30596.
Part E	Volatile Organic Compound Compliance Testing	6/26/98	8/10/04	69 FR 48395.
Section II Provisions for Specific Sources				
Part A	Surface Coating of Cans	10/26/01	5/7/02	67 FR 30596.
Part B	Surface Coating of Coils	08/22/79	12/16/81	46 FR 61268.
Part C	Surface Coating of Paper, Vinyl, & Fabric	8/22/79	12/16/81	46 FR 61268.

AIR POLLUTION CONTROL REGULATIONS FOR SOUTH CAROLINA—Continued

State citation	Title/subject	State effective date	EPA approval date	Federal register notice
Part D	Surface Coating of Metal Furniture & Large Appliances	8/22/79	12/16/81	46 FR 61268.
Part E	Surface Coating of Magnet Wire	10/26/01	5/7/02	67 FR 30597.
Part F	Surface Coating Miscellaneous Metal Parts & Products	10/26/01	5/7/02	67 FR 30597.
Part G	Surface Coating of Flat Wood Paneling	9/10/80	11/24/81	46 FR 57486.
Part H	Graphic Arts-Rotogravure & Flexography	9/10/80	11/24/81	46 FR 57486.
Part I—M Reserved				
Part N	Solvent Metal Cleaning	10/26/01	5/7/02	67 FR 30596.
Part O	Petroleum Liquid Storage in Fixed Roof Tanks	9/10/80	11/24/81	46 FR 57486.
Part P	Petroleum Liquid Storage in External Floating Roof Tanks	9/10/80	11/24/81	46 FR 57486.
Part Q	Manufacture of Synthesized Pharmaceutical Products	9/10/81	11/24/81	46 FR 57486.
Part R	Manufacture of Pneumatic Rubber Tires	9/10/81	11/24/81	46 FR 57486.
Part S	Cutback Asphalt	6/13/79	12/16/81	46 FR 61268.
Part T	Bulk Gasoline Terminals and Vapor Collection Systems ...	6/13/79	12/16/81	46 FR 61268.
Standard No. 6 Alternative Emissions Limitation Options ("Bubble")				
		10/26/01	5/7/02	67 FR 30596.
Section I General				
Section II Conditions for Approval				
Part A	Emissions of Total Suspended Particulate or Sulfur Dioxide.	10/26/01	5/7/02	67 FR 30596.
Part B	Emissions of Volatile Organic Compounds			
Part C	Emissions of Nitrogen Dioxide, Carbon Monoxide, or Lead			
Part D	Designated Pollutants			
Part E	De Minimis Cases			
Section III Enforceability				
Section III Enforceability				
Standard No. 7 Prevention of Significant Deterioration				
Section I	Definitions	10/26/01	5/7/02	67 FR 30596.
Section II	Ambient Air Limits			
Section III	Review of Major Plants and Major Modifications-Applicability and Exemptions			
Section IV	Review Requirements			
Supplement C		05/26/96	August 20, 1997	62 FR 44219
Regulation No. 62.6	Control of Fugitive Particulate Matter	6/05/85	10/03/89	54 FR 40660.
Section I	Control of Fugitive Particulate Matter in Non-Attainment Areas			
Section II	Control of Fugitive Particulate Matter			
Section III	Control of Fugitive Particulate Matter Statewide			
Section IV	Effective Date			
Regulation No. 62.7	Good Engineering Practice Stack Height	6/11/86	5/28/87	52 FR 19859
Section I	General			
Section II	Applicability			
Section III	Definitions and Conditions			
Section IV	Public Participation			
Regulation No. 62.96	Nitrogen Oxides (NO _x) and Sulfur Dioxide (SO ₂) Budget Trading Program General Provisions.	8/14/07	10/09/07	57209.
Regulation No. 62.99	Nitrogen Oxides (NO _x) Budget Program Requirements for Stationary Sources Not in the Trading Program.	5/24/02	6/2/02	67 FR 43547.

(d) EPA-approved State Source specific requirements.

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EPA-APPROVED SOUTH CAROLINA SOURCE-SPECIFIC REQUIREMENTS

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

(e) EPA-approved South Carolina non-regulatory provisions.

Provision	State effective date	EPA approval date	Explanation
Cherokee County Ozone Ten Year Maintenance Plan.	1/31/02	4/26/02.	
Transportation Conformity	10/24/03	1/29/04, 69 FR 4249..	
Attainment Demonstration for the Appalachian, Catawba, Pee Dee, Waccamaw, Santee Lynches, Berkeley-Charleston-Dorchester, Low Country, Lower Savannah, Central Midlands, and Upper Savannah Early Action Compact Areas.	12/29/04	8/26/05, 70 FR 50195..	

[62 FR 35444, July 1, 1997, as amended at 62 FR 44219, Aug. 20, 1997; 62 FR 47761, Sept. 11, 1997; 63 FR 67586, Dec. 8, 1998; 63 FR 70022, Dec. 18, 1998; 67 FR 20651, Apr. 26, 2002; 67 FR 30596, May 7, 2002; 67 FR 43547, June 28, 2002; 67 FR 68769, Nov. 13, 2002; 69 FR 4249, Jan. 29, 2004; 69 FR 48397, Aug. 10, 2004; 70 FR 3634, Jan. 26, 2005; 70 FR 50199, Aug. 26, 2005; 71 FR 70882, Dec. 7, 2006; 72 FR 46905, Aug. 22, 2007; 72 FR 57215, Oct. 9, 2007]

EFFECTIVE DATE NOTE: At 73 FR 31371, June 2, 2008, § 52.2120 was amended by revising the entries under Regulation No. 62.1 for "Section II" and "Regulation No. 62.5, Standard 7", effective July 2, 2008. For the convenience of the user, the added and revised text is set forth as follows:

§ 52.2120 Identification of plan.

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(c) * * *

AIR POLLUTION CONTROL REGULATIONS FOR SOUTH CAROLINA

State citation	Title/subject	State effective date	EPA approval date	Federal Register notice
Regulation No. 62.1 Definitions and General Requirements				
* Section II	* Permit Requirements	* 06/24/05	* 06/02/08	* [Insert citation of publication].
*	*	*	*	*
Standard No. 7 Prevention of Significant Deterioration¹				
*	*	* 06/24/05	* 06/02/08	* [Insert citation of publication].
*	*	*	*	*

¹This regulation (submitted on July 1, 2005) includes two portions of EPA's 2002 NSR Reform Rules that were vacated by the D.C. Circuit Court—Pollution Control Projects (PCPs) and clean units. As a result, EPA is disapproving all rules and/or rule sections in the South Carolina PSD rules referencing clean units or PCPs. Specifically, the following South Carolina rules are being disapproved: (a)(2)(iv)(e); (a)(2)(iv)(f) (second sentence only); (a)(2)(vi); (b)(12); (b)(30)(iii)(h); (b)(34)(iii)(b); (b)(34)(vi)(d); (b)(35); (r)(6) (only the reference to the term "clean unit" is being disapproved. The remainder of this regulatory provision is being approved); (r)(7) (only the reference to the term "clean unit" is being disapproved. The remainder of this regulatory provision is being approved); (x); (y) and (z).

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