

Environmental Protection Agency

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(D) Letter of January 22, 1996 from the South Dakota Department of Environment and Natural Resources transmitting Rapid City street sanding requirements.

(21) On May 6, 1999 and June 30, 2000, South Dakota submitted revisions to its Air Pollution Control Program Rules. The sections of the rule being approved replace the same numbered sections that have previously been approved into the SIP. The provisions of section 74:36:07, except 74:36:07:29 and 74:36:07:30, which have previously been incorporated by reference in paragraphs (c)(16)(i)(A) and (c)(18)(i) of this section, are being removed from the South Dakota SIP.

(i) Incorporation by reference.

(A) Sections 74:36:01:01(1) through (79), effective 4/4/1999; 74:36:01:03, effective 4/4/1999; 74:36:01:05, effective 4/4/1999; 74:36:01:07, effective 4/4/1999; 74:36:01:08, effective 4/4/1999; 74:36:01:10, effective 4/4/1999; 74:36:01:17, effective 4/4/1999; 74:36:01:20, effective 4/4/1999; 74:36:02:02, effective 6/27/2000; 74:36:02:03, effective 6/27/2000; 74:36:02:04, effective 6/27/2000; 74:36:02:05, effective 6/27/2000; 74:36:04:03, effective 4/4/1999; 74:36:04:09, effective 4/4/1999; 74:36:04:11, effective 4/4/1999; 74:36:04:12, effective 4/4/1999; 74:36:04:12.01, effective 4/4/1999; 74:36:04:13, effective 4/4/1999; 74:36:01:14, effective 4/4/1999; 74:36:04:18, effective 4/4/1999; 74:36:04:19, effective 4/4/1999; 74:36:04:20, effective 4/4/1999; 74:36:04:20.01, effective 4/4/1999; 74:36:04:20.04, effective 4/4/1999; 74:36:04:22, effective 4/4/1999; 74:36:06:02, effective 4/4/1999; 74:36:06:03, effective 4/4/1999; 74:36:06:07, effective 4/4/1999; 74:36:11:01, effective 6/27/2000; 74:36:12:01, effective 6/27/2000; 74:36:13:02, effective 6/27/2000; 74:36:13:04, effective 6/27/2000; and 74:36:13:07, effective 6/27/2000.

(22) On June 27, 2002, the designee of the Governor of South Dakota submitted revisions to the State Implementation Plan. The June 27, 2002 submittal consists of revisions to the Administrative Rules of South Dakota. These revisions add a new chapter 74:36:18, "Regulations for State Facilities in the Rapid City Area". Chapter 74:36:18 regulates fugitive emissions of particulate matter from state facilities and state contractors that conduct a

construction activity or continuous operation activity within the Rapid City air quality control zone.

(i) Incorporation by reference.

(A) Chapter 74:36:18 of the Administrative Rules of South Dakota, effective July 1, 2002.

(23) On September 12, 2003, the designee of the Governor of South Dakota submitted revisions to the State Implementation Plan. The September 12, 2003 submittal revises the following chapters of the Administrative Rules of South Dakota: 74:36:01, 74:36:04, 74:36:10 and 74:36:11.

(i) Incorporation by reference.

(A) Administrative Rules of South Dakota, Chapter 74:36:01, sections 74:36:01:01(77), 74:36:01:01(80), and 74:36:01:01(81); Chapter 74:36:04, sections 74:36:04:06, 74:36:04:32 and 74:36:04:33; Chapter 74:36:10, except section 74:36:10:01; and Chapter 74:36:11, section 74:36:11:01, effective September 1, 2003.

[37 FR 15089, July 27, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.2186, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

Subpart RR—Tennessee

§ 52.2219 [Reserved]

§ 52.2220 Identification of plan.

(a) *Purpose and scope.* This section sets forth the applicable State implementation plan for Tennessee under section 110 of the Clean Air Act, 42 U.S.C. 7401, and 40 CFR part 51 to meet national ambient air quality standards.

(b) *Incorporation by reference.* (1) Material listed in paragraph (c) of this section with an EPA approval date prior to January 1, 2006, for Tennessee (Table 1 of the Tennessee State Implementation Plan), January 1, 2003 for Memphis Shelby County (Table 2 of the Tennessee State Implementation Plan), March 1, 2005, for Knox County (Table 3 of the Tennessee State Implementation Plan), April 1, 2005 for Chattanooga (Table 4 of the Tennessee State Implementation Plan), April 1, 2005, for Nashville-Davidson County (Table 5 of the Tennessee State Implementation Plan) and paragraph (d)

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with an EPA approval date prior to December 1, 1998, 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) of this section with EPA approval dates after January 1, 2006, for Tennessee (Table 1 of the Tennessee State Implementation Plan), January 1, 2003 for Memphis Shelby County (Table 2 of the Tennessee State Implementation Plan), March 1, 2005, for Knox County (Table 3 of the Tennessee State Implementation Plan), April 1, 2005 for Chattanooga (Table 4 of the Tennessee State Implementation Plan), April 1, 2005, for Nashville-Davidson County (Table 5 of the Tennessee State Implementation Plan) and paragraph (d) with an EPA approval date after December 1, 1998, 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 the dates referenced in paragraph (b)(1).

(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, 1301 Constitution Avenue, NW., Room B102, 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.

TABLE 1—EPA APPROVED TENNESSEE REGULATIONS

State citation	Title/subject	State effective date	EPA approval date	Explanation
CHAPTER 1200-3-1 GENERAL PROVISIONS				
Section 1200-3-1-.01.	General Rules	02/09/77	03/29/85, 50 FR 12540	
Section 1200-3-1-.02.	Severability	10/12/79	06/24/82, 47 FR 27267	
CHAPTER 1200-3-2 DEFINITIONS				
Section 1200-3-2-.01.	General Definitions	06/26/93	09/16/02, 67 FR 46594	
Section 1200-3-2-.02.	Abbreviations	02/09/77	03/29/85, 50 FR 12540	
CHAPTER 1200-3-3 AIR QUALITY STANDARDS				
Section 1200-3-3-.01.	Primary Air Quality Standards	02/09/77	03/29/85, 50 FR 12539	
Section 1200-3-3-.02.	Secondary Air Quality Standards	02/09/77	03/29/85, 50 FR 12539	
Section 1200-3-3-.03.	Tennessee's Ambient Air Quality Standards	12/05/84	03/29/85, 50 FR 12539	
Section 1200-3-3-.04.	Nondegradation	02/09/77	03/29/85, 50 FR 12540	
Section 1200-3-3-.05.	Achievement	08/02/83	04/07/93, 58 FR 18011	
CHAPTER 1200-3-4 OPEN BURNING				
Section 1200-3-4-.01.	Purpose	02/09/77	03/29/85, 50 FR 12540	
Section 1200-3-4-.02.	Open Burning Prohibited	03/21/79	06/24/82, 47 FR 27268	
Section 1200-3-4-.03.	Exceptions to Prohibition	02/09/77	03/29/85, 50 FR 12540	

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TABLE 1—EPA APPROVED TENNESSEE REGULATIONS—Continued

State citation	Title/subject	State effective date	EPA approval date	Explanation
Section 1200-3-18-.32.	Cutback and Emulsified Asphalt	05/18/93	02/27/95, 60 FR 10504	
Section 1200-3-18-.33.	Manufacture of Synthesized Pharmaceutical Products.	02/21/95	07/18/96, 61 FR 37387	
Section 1200-3-18-.34.	Pneumatic Rubber Tire Manufacturing	05/18/93	02/27/95, 60 FR 10504	
Section 1200-3-18-.35.	Graphic Arts Systems	05/18/93	02/27/95, 60 FR 10504	
Section 1200-3-18-.36.	Petroleum Solvent Dry Cleaners	02/08/96	07/18/96, 61 FR 37387	
Section 1200-3-18-.37.	(Reserved)	05/18/93	02/27/95, 60 FR 10504	
Section 1200-3-18-.38.	Leaks from Synthetic Organic Chemical, Polymer, and Resin Manufacturing Equipment.	02/08/96	07/18/96, 61 FR 37387	
Section 1200-3-18-.39.	Manufacture of High Density Polyethylene, Polypropylene, and Polystyrene Resins.	05/08/97	07/29/97, 62 FR 40458	
Section 1200-3-18-.40.	Air Oxidation Processes in the Synthetic Organic Chemical Manufacturing Industry.	05/18/93	02/27/95, 60 FR 10504	
Section 1200-3-18-.41.	(Reserved)	05/18/93	02/27/95, 60 FR 10504	
Section 1200-3-18-.42.	Wood Furniture Finishing and Cleaning Operations.	04/25/96	07/18/96, 61 FR 37387	
Section 1200-3-18-.43.	Offset Lithographic Printing Operations	04/22/96	07/18/96, 61 FR 37387	
Section 1200-3-18-.44.	Surface Coating of Plastic Parts	06/03/96	08/27/96, 61 FR 43972	
Section 1200-3-18-.45.	Standards of Performance for Commercial Motor Vehicle and Mobile Equipment Refinishing Operations.	06/03/96	08/27/96, 61 FR 43972	
Section 1200-3-18-.48.	Volatile Organic Liquid Storage Tanks	06/03/96	08/27/96, 61 FR 43972	
Sections 1200-3-18-.49-.77.	(Reserved)	05/18/93	02/27/95, 60 FR 10504	
Section 1200-3-18-.78.	Other Facilities That Emit Volatile Organic Compounds (VOC's) of Fifty Tons Per Year.	02/08/96	07/18/96, 61 FR 37387	
Section 1200-3-18-.79.	Other Facilities That Emit Volatile Organic Compounds (VOC's) of One Hundred Tons Per Year.	02/08/96	07/18/96, 61 FR 37387	
Section 1200-3-18-.80.	Test Methods and Compliance Procedures: General Provisions.	05/18/93	02/27/95, 60 FR 10504	
Section 1200-3-18-.81.	Test Methods and Compliance Procedures: Determining the Volatile Organic Compound (VOC) Content of Coatings and Inks.	05/08/97	07/29/97, 62 FR 40458	
Section 1200-3-18-.82.	Test Methods and Compliance Procedures: Alternative Compliance Methods for Surface Coating.	05/18/93	02/27/95, 60 FR 10504	
Section 1200-3-18-.83.	Test Methods and Compliance Procedures: Emission Capture and Destruction or Removal Efficiency and Monitoring Requirements.	05/18/93	02/27/95, 60 FR 10504	
Section 1200-3-18-.84.	Test Methods and Compliance Procedures: Determining the Destruction or Removal Efficiency of a Control Device.	05/18/93	02/27/95, 60 FR 10504	
Section 1200-3-18-.85.	Test Methods and Compliance Procedures: Leak Detection Methods for Volatile Organic Compounds (VOC's).	05/18/93	02/27/95, 60 FR 10504	
Section 1200-3-18-.86.	Performance Specifications for Continuous Emission Monitoring of Total Hydrocarbons.	06/03/96	04/14/97, 62 FR 18046	
Section 1200-3-18-.87.	Quality Control Procedures for Continuous Emission Monitoring Systems (CEMS).	05/18/93	02/27/95, 60 FR 10504	
Section 1200-3-18-.88-.99.	(Reserved)	05/18/93	02/27/95, 60 FR 10504	

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TABLE 5—EPA APPROVED NASHVILLE-DAVIDSON COUNTY, REGULATIONS—Continued

State citation	Title/subject	State effective date	EPA approval date	Explanation
Regulation No. 14	Regulation for Control of Nitrogen Oxides.			
Section 14-1	Definitions	8/10/93	6/29/96, 61 FR 39326.	
Section 14-2	Emission Standards	8/10/93	6/29/96, 61 FR 39326.	
Section 14-3	Procedures for Determining RACT	8/10/93	6/29/96, 61 FR 39326.	
Section 14-4	Recordkeeping and Reporting Requirements	8/10/93	6/29/96, 61 FR 39326.	
Section 14-5	Compliance Schedule	8/10/93	6/29/96, 61 FR 39326.	

(d) EPA-approved State Source-specific requirements.

EPA-APPROVED TENNESSEE SOURCE-SPECIFIC REQUIREMENTS

Name of Source	Permit No.	State effective date	EPA approval date	Explanation
Revised Permits for the Kingsport Particulate Nonattainment Area.	n/a	09/15/99	11/5/99, 64 FR 60346.	Various permits.
Union Carbide, Tennessee Eastman Company.	n/a, 011397P	12/30/86	6/16/87, 52 FR 22778.	
Murray Ohio Manufacturing Company	n/a	12/30/86	12/10/87, 52 FR 46764.	
Tennessee Eastman Company	n/a	1/06/88	10/12/88, 53 FR 39742.	
Variance for Averaging Times for VOC Emission.	n/a	1/06/88	6/23/88, 53 FR 23624.	5 sources.
Avco Aerostructures	n/a	2/25/88	1/23/89, 54 FR 3031.	
Miscellaneous Metal Parts	n/a	4/05/99	11/5/99, 64 FR 60346.	13 sources.
Nissan Manufacturing Corporation	n/a	4/29/91	9/09/91, 56 FR 45896.	
Tenneco Energy	045022F, 045025F.	5/31/96	7/24/96, 61 FR 38391.	
Brunswick Marine Corporation	044881P, 045012P, 045013P.	5/31/96	7/21/97, 62 FR 38909.	
Metalico College Grove, Inc	n/a	5/12/99	7/12/99, 64 FR 37411.	
Refined Metals, Inc.	n/a		9/20/00, 65 FR 56796.	

(e) EPA-Approved Tennessee Non-Regulatory Provisions

EPA-APPROVED TENNESSEE NON-REGULATORY PROVISIONS

Name of non-regulatory SIP provision	Applicable geographic or nonattainment area	State effective date	EPA approval date	Explanation
Revision to Maintenance Plan Update for Knox County, Tennessee.	Knox County, TN	July 16, 2003	2/4/04, 69 FR 4856.	
Attainment Demonstrations for Early Action Compact Areas.	Chattanooga, Nashville, and Tri-Cities Early Action Compact Areas	12/31/04	8/26/05, 70 FR 50199.	
8-Hour Ozone Maintenance plan for the Montgomery County, Tennessee area.	Montgomery County	08/10/05	09/22/05, 70 FR 55559.	

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Name of non-regulatory SIP provision	Applicable geographic or nonattainment area	State effective date	EPA approval date	Explanation
Nashville 1-Hour Ozone Maintenance Plan. Carbon Monoxide Second 10-Year Maintenance Plan for the Memphis/Shelby County Area.	Nashville 1-Hour Ozone Maintenance Area. Memphis/Shelby	06/11/05 5/10/06	01/03/06, 71 FR 21. 10/25/06, 71 FR 62384.	

[64 FR 35012, June 30, 1999, as amended at 64 FR 37410, July 12, 1999; 64 FR 38582, July 19, 1999; 64 FR 49397, Sept. 13, 1999; 64 FR 59628, Nov. 3, 1999; 64 FR 60346, Nov. 5, 1999; 65 FR 1070, Jan. 7, 2000; 65 FR 2880, Jan. 19, 2000; 65 FR 56796, Sept. 20, 2000; 66 FR 22127, May 3, 2001; 66 FR 45633, Aug. 29, 2001; 67 FR 46595, July 16, 2002; 67 FR 5322, Aug. 29, 2002; 68 FR 26495, May 16, 2003; 68 FR 33009, June 3, 2003; 68 FR 74867, Dec. 29, 2003; 69 FR 3018, Jan. 22, 2004; 69 FR 4856, Feb. 2, 2004; 70 FR 49880, Aug. 25, 2005; 70 FR 50193, 50203, Aug. 26, 2005; 70 FR 55567, Sept. 22, 2005; 70 FR 58322, Oct. 6, 2005; 70 FR 65842, Nov. 1, 2005; 70 FR 76410, Dec. 27, 2005; 71 FR 23, Jan. 3, 2006; 71 FR 19126, Apr. 13, 2006; 71 FR 25076, Apr. 28, 2006; 71 FR 41732, July 24, 2006; 71 FR 62388, Oct. 25, 2006; 72 FR 20, 23, 25, Jan. 3, 2007; 72 FR 18391, Apr. 12, 2007; 72 FR 46393, Aug. 20, 2007; 72 FR 52475, Sept. 14, 2007]

§ 52.2221 Classification of regions.

The Tennessee plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
Eastern Tennessee-Southwestern Virginia Interstate	I	I	III	III	III
Tennessee River Valley-Cumberland Mountains Intrastate	I	I	III	III	III
Middle Tennessee Intrastate	I	II	III	III	I
Western Tennessee Intrastate	I	III	III	III	III
Chattanooga Interstate	I	II	III	III	III
Metropolitan Memphis Interstate	I	III	III	III	I

[37 FR 10894, May 31, 1972, as amended at 39 FR 16347, May 8, 1974]

§ 52.2222 Approval status.

(a) With the exceptions set forth in this subpart, the Administrator approves Tennessee's plans for the attainment and maintenance of the national standards under section 110 of the Clean Air Act. Furthermore, the Administrator finds the plans thus far submitted satisfy all requirements of Part D, Title I, of the Clean Air Act as amended in 1977, except as noted below.

In addition, continued satisfaction of the requirements of Part D for the ozone portion of the SIP depends on the adoption and submittal of RACT requirements by July 1, 1980, for the sources covered by CTGs issued between January 1978 and January 1979 and on adoption and submittal by each subsequent January of additional RACT requirements for sources covered by CTGs issued by the previous January.

(b) New source review permits issued pursuant to section 173 of the Clean Air Act will not be deemed valid by EPA