

**Environmental Protection Agency**

**§ 52.2479**

(e) Particulate Matter.

(1) Yakima.

(i) EPA approves as a revision to the Washington State Implementation Plan, the Yakima County PM-10 Non-attainment Area Limited Maintenance Plan adopted by the Yakima Regional Clean Air Authority on June 9, 2004, and adopted and submitted by the Washington Department of Ecology on July 8, 2004.

(ii) [Reserved]

(2) Wallula.

(i) EPA approves as a revision to the Washington State Implementation Plan, the Wallula Serious Area Plan for PM<sub>10</sub> adopted by the State on November 17, 2004 and submitted to EPA on November 30, 2004.

(ii) EPA approves, as a revision to the Washington State Implementation Plan, the Wallula PM<sub>10</sub> maintenance plan, adopted by the Washington Department of Ecology on March 29, 2005 and submitted to EPA.

(3) Spokane.

(i) EPA approves as a revision to the Washington State Implementation Plan, the Spokane County PM<sub>10</sub> Non-attainment Area Limited Maintenance Plan adopted by the Spokane Regional Clean Air Authority on November 17, 2004, and adopted and submitted by the Washington Department of Ecology on November 30, 2004.

(f) Sulfur dioxide. [Reserved]

(g) Visibility. (1) EPA approves as a revision to the Washington State Implementation Plan, the November 5, 1999, Visibility SIP revision, except that EPA is taking no action on Section VIII. Identification and Analysis for Best Available Retrofit Technology (BART), and Section X, New Source Review of the November 5, 1999, Visibility SIP revision.

(2) [Reserved]

[67 FR 66560, Nov. 1, 2002, as amended at 68 FR 34825, June 11, 2003; 69 FR 47366, Aug. 5, 2004; 70 FR 6592, Feb. 8, 2005; 70 FR 22599, May 2, 2005; 70 FR 24992, May 12, 2005; 70 FR 37272, June 29, 2005; 70 FR 38038, July 1, 2005; 70 FR 39927, July 12, 2005; 70 FR 50213, Aug. 26, 2005]

EFFECTIVE DATE NOTE: At 73 FR 36443, June 27, 2008, §52.2475 was amended by adding (a)(4), effective Aug. 26, 2008. For the convenience of the user, the added and revised text is set forth as follows:

**§ 52.2475 Approval of plans.**

(a) \* \* \*

(4) Vancouver.

(i) EPA approves as a revision to the Washington State Implementation Plan, the Vancouver Air Quality Maintenance Area Second 10-year Carbon Monoxide Maintenance Plan submitted by the Washington Department of Ecology on April 25, 2007.

(ii) [Reserved]

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**§ 52.2476 Discretionary authority.**

(a) This section applies to any variance, exception, exemption, alternative emission limitation, bubble, alternative sampling or testing method, compliance schedule revision, alternative compliance schedule, or any other substantial change to a provision of the state implementation plan, granted by the Department of Ecology, the Department of Natural Resources, the Energy Facility Site Evaluation Council, or a local air pollution control agency in accordance with any discretionary authority granted under its statutes or regulations, regardless of whether such statutes or regulations are part of the state implementation plan.

(b) Any change to a provision of the state implementation plan described in paragraph (a) of this section must be submitted by the state for approval by EPA in accordance with the requirements of 40 CFR 51.104.

(c) Any change to a provision of the state implementation plan described in paragraph (a) of this section does not modify the requirements of the federally-approved state implementation plan or a federally-promulgated implementation plan until approved by EPA as a revision to the state implementation plan in accordance with section 110 of the Clean Air Act.

[56 FR 24136, May 29, 1991]

**§§ 52.2477-52.2478 [Reserved]**

**§ 52.2479 Contents of the federally approved, State submitted implementation plan.**

The following sections of the state and local regulations and documents for the Washington State Implementation Plan for Air Quality, for compliance with requirements of the Federal

Clean Air Act, have been approved by the U.S. Environmental Protection Agency (EPA), and are part of the current federally-approved, implementation plan.

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**Section 5—Federally Mandated Programs [Dates in brackets indicate EPA approval date]**

- 5.BAP—Business Assistance Program [5/8/95]
- 5.IM—Motor Vehicle Inspection/Maintenance Program [9/25/96]
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- 5.VIS.NSR—Visibility New Source Review (NSR) for nonattainment areas for Washington [7/28/86]

**Supplemental Section A—Reference Material [Date in brackets indicate EPA effective date]**

- A.1—Description of Source test Program for the State Implementation Plan [10/24/84]

**Supplemental B—Administrative and Procedural Material [Dates in brackets indicate EPA effective date]**

- B.3—Correspondence
- B.3.1—Legal Authority [6/05/80]
- B.3.2—Correspondence prior to 1991
- B.3.2.1—New Source Performance Standards (NSPS) for Tri-Counties [9/23/81]

[60 FR 33735, June 29, 1995, as amended at 62 FR 68188, Dec. 31, 1997; 68 FR 34825, June 11, 2003; 69 FR 53010, Aug. 31, 2004; 70 FR 44857, Aug. 4, 2005]

**§§ 52.2480–52.2494 [Reserved]**

**§ 52.2495 Voluntary limits on potential to emit**

Terms and conditions of regulatory orders issued pursuant to WAC 173–400–091 “Voluntary limits on emissions” and in accordance with the provisions of WAC 173–400–091, WAC 173–400–105 “Records, monitoring, and reporting,” and WAC 173–400–171 “Public involvement,” shall be applicable requirements of the federally-approved Washington SIP and Section 112(1) program for the purposes of section 113 of the Clean Air Act and shall be enforceable by EPA and by any person in the same manner as other requirements of the SIP and Section 112(1) program. Regulatory orders issued pursuant to WAC 173–400–091 are part of the Washington SIP and shall be submitted to EPA Region 10 in accordance with the requirements of §§ 51.104(e) and 51.326.

[60 FR 28728, June 2, 1995]

**§ 52.2496 [Reserved]**

**§ 52.2497 Significant deterioration of air quality.**

(a) The requirements of sections 160 through 165 of the Clean Air Act are

not met, since the plan does not include approvable procedures for preventing the significant deterioration of air quality.

(b) Regulations for preventing significant deterioration of air quality. The provisions of § 52.21 except paragraph (a)(1) are hereby incorporated and made a part of the applicable State plan for the State of Washington.

(c) In accordance with section 164 of the Clean Air Act and the provisions of 40 CFR 52.21(g), the Spokane Indian Reservation is designated as a Class I area for the purposes of preventing significant deterioration of air quality.

[43 FR 26410, June 19, 1978, as amended at 45 FR 52741, Aug. 7, 1980; 56 FR 14862, Apr. 12, 1991; 68 FR 11324, Mar. 10, 2003; 68 FR 74490, Dec. 24, 2003]

**§ 52.2498 Visibility protection.**

(a) The requirements of section 169A of the Clean Air Act are not met, because the plan does not include approvable procedures for protection of visibility in mandatory Class I Federal areas.

(b) Regulations for visibility new source review. The provisions of § 52.28 are hereby incorporated and made a