

WASHINGTON STATE IMPLEMENTATION PLAN FOR AIR QUALITY STATE AND LOCAL REQUIREMENTS  
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- 5.BAP—Business Assistance Program [5/8/95]
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**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]

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[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

part of the applicable plan for the State of Washington.

[51 FR 23228, June 26, 1986]

**Subpart XX—West Virginia**

**§ 52.2520 Identification of plan.**

(a) *Purpose and scope.* This section sets forth the applicable State implementation plan for West Virginia 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.

(b) *Incorporation by reference.* (1) Material listed as incorporated by reference in paragraphs (c) and (d) 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 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 on or after December 15, 2006 will be incorporated by reference

in the next update to the SIP compilation.

(2) EPA Region III certifies that the rules/regulations provided by EPA 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 December 15, 2006.

(3) Copies of the materials incorporated by reference may be inspected at the EPA Region III Office at 1650 Arch Street, Philadelphia, PA 19103; the EPA, Air and Radiation Docket and Information Center, Room Number 3334, EPA West Building, 1301 Constitution Avenue, NW., 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](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html).

(c) *EPA-Approved Regulations*

**EPA-APPROVED REGULATIONS IN THE WEST VIRGINIA SIP**

State citation [Chapter 16-20 or 45 CSR ]	Title/subject	State effective date	EPA approval date	Additional explanation/ citation at 40 CFR § 52.2565
<b>[45 CSR] Series 1 NO<sub>x</sub> Budget Trading Program as a Means of Control and Reduction of Nitrogen Oxides</b>				
Section 45-1-1 .....	General .....	5/1/06	9/28/06 71 FR 56881.	
Section 45-1-2 .....	Definitions .....	5/1/06	9/28/06 71 FR 56881.	
Section 45-1-3 .....	Acronyms .....	5/1/06	9/28/06 71 FR 56881.	
Section 45-1-4 .....	NO <sub>x</sub> Budget Trading Program Applica- bility.	5/1/06	9/28/06 71 FR 56881.	
Section 45-1-5 .....	Retired Unit Exemption .....	5/1/06	9/28/06 71 FR 56881.	
Section 45-1-6 .....	NO <sub>x</sub> Budget Trading Program Stand- ard Requirements.	5/1/02	5/10/02 67 FR 37133.	(c)(46)
Section 45-1-7 .....	Computation of Time .....	5/1/02	5/10/02 67 FR 37133.	(c)(46)
Section 45-1-10 .....	Authorization and Responsibilities of the NO <sub>x</sub> Authorized Account Rep- resentative.	5/1/02	5/10/02 67 FR 37133.	(c)(46)
Section 45-1-11 .....	Alternate NO <sub>x</sub> Authorized Account Representative.	5/1/02	5/10/02 67 FR 37133.	(c)(46)
Section 45-1-12 .....	Changing the NO <sub>x</sub> Authorized Ac- count Representative and the Alter- nate NO <sub>x</sub> Authorized Account Rep- resentative; Changes in Owners and Operators.	5/1/02	5/10/02 67 FR 37133.	(c)(46)
Section 45-1-13 .....	Account Certificate of Representation	5/1/02	5/10/02 67 FR 37133.	(c)(46)
Section 45-1-14 .....	Objections Concerning the NO <sub>x</sub> Au- thorized Account Representative.	5/1/02	5/10/02 67 FR 37133.	(c)(46)
Section 45-1-20 .....	General NO <sub>x</sub> Budget Trading Program Permit Requirements.	5/1/02	5/10/02 67 FR 37133.	(c)(46)