

## § 52.623

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

(15) Hawaii State Lead SIP Revision submitted on October 29, 1982, by the State.

(16) The following amendments to the plan were submitted on December 20, 1982 by the State.

(i) Title 11—Department of Health, Chapter 60, Air Pollution Control.

(A) Amended sections 11-60-01 thru 11-60-29, 11-60-35 thru 11-60-38.

(B) Previously approved on August 18, 1983 and now deleted without replacement section 11-60-36.

(17) The following amendment to the plan was submitted on September 14, 1988, by the Governor's designee.

(i) *Incorporation by reference.* (A) Hawaii Department of Health.

(1) Section XII, Air Quality Surveillance Network adopted on August 16, 1988.

[37 FR 10861, May 31, 1972, as amended at 41 FR 8959, Mar. 2, 1976; 44 FR 23828, Apr. 23, 1979; 44 FR 46274, Aug. 7, 1979; 46 FR 40513, Aug. 10, 1981; 47 FR 3111, Jan. 22, 1982; 48 FR 37403, Aug. 18, 1983; 62 FR 34648, June 27, 1997; 69 FR 41432, July 9, 2004. Redesignated and amended at 70 FR 44854, Aug. 4, 2005]

### § 52.623 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Hawaii's plan for attainment and maintenance of the national standards. The State included various provisions in its plan to provide for the attainment of State ambient air quality standards. As described in the Governor's letters of January 28, May 8, and May 22, 1972, these provisions were included for information purposes only and were not to be considered a part of the plan to implement national standards. Accordingly, these additional provisions are not considered a part of the applicable plan.

[37 FR 10861, May 31, 1972, as amended at 38 FR 12712, May 14, 1973; 39 FR 7280, Feb. 25, 1974]

### § 52.624 General requirements.

(a) The requirements of § 51.116(c) of this chapter are not met since the legal authority to provide for public availability of emission data is inadequate.

(b) *Regulation for public availability of emission data.* (1) Any person who cannot obtain emission data from the Agency responsible for making emis-

sion data available to the public, as specified in the applicable plan, concerning emissions from any source subject to emission limitations which are part of the approved plan may request that the appropriate Regional Administrator obtain and make public such data. Within 30 days after receipt of any such written request, the Regional Administrator shall require the owner or operator of any such source to submit information within 30 days on the nature and amounts of emissions from such source and any other information as may be deemed necessary by the Regional Administrator to determine whether such source is in compliance with applicable emission limitations or other control measures that are part of the applicable plan.

(2) Commencing after the initial notification by the Regional Administrator pursuant to paragraph (b)(1) of this section, the owner or operator of the source shall maintain records of the nature and amounts of emissions from such source and any other information as may be deemed necessary by the Regional Administrator to determine whether such source is in compliance with applicable emission limitations or other control measures that are part of the plan. The information recorded shall be summarized and reported to the Regional Administrator, on forms furnished by the Regional Administrator, and shall be submitted within 45 days after the end of the reporting period. Reporting periods are January 1 to June 30 and July 1 to December 31.

(3) Information recorded by the owner or operator and copies of this summarizing report submitted to the Regional Administrator shall be retained by the owner or operator for 2 years after the date on which the pertinent report is submitted.

(4) Emission data obtained from owners or operators of stationary sources will be correlated with applicable emission limitations and other control measures that are part of the applicable plan and will be available at the appropriate regional office and at other

## Environmental Protection Agency

## § 52.670

locations in the state designated by the Regional Administrator.

[39 FR 34536, Sept. 26, 1974, as amended at 40 FR 55329, Nov. 28, 1975; 51 FR 40676, Nov. 7, 1986]

### § 52.625 Legal authority.

(a) The requirements of § 51.230(f) of this chapter are not met, since sections 322-64(5) and 322-66 of the Hawaii Revised Statutes could, in some circumstances, prohibit the disclosure of emission data to the public. Therefore, sections 322-64(5) and 322-66 are disapproved.

[39 FR 34536, Sept. 26, 1974, as amended at 51 FR 40676, Nov. 7, 1986]

### § 52.626 Compliance schedules.

(a) [Reserved]

(b) The compliance schedules for the sources identified below are disapproved as not meeting the requirements of Subpart N of this chapter. The regulations cited are air pollution control regulations of the State.

Source	Location	Regulation sections involved	Date of adoption
Nanakuli Paving & Rock Co., Ltd.	Molokai .....	8, 13 .....	7/27/73.
Kohala Corp	Halaula .....	8, 12 .....	Do.

[39 FR 16348, May 8, 1974, as amended at 51 FR 40676, Nov. 7, 1986; 54 FR 25258, June 14, 1989]

### §§ 52.627-52.631 [Reserved]

### § 52.632 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 Hawaii.

[43 FR 26410, June 19, 1978, as amended at 45 FR 52741, Aug. 7, 1980; 68 FR 11322, Mar. 10, 2003; 68 FR 74488, Dec. 24, 2003]

### § 52.633 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 monitoring and new source review. The provisions of §§ 52.26, 52.27 and 52.28, are hereby incorporated and made part of the applicable plan for the State of Hawaii.

(c) *Long-term strategy*. The provisions of § 52.29 are hereby incorporated and made part of the applicable plan for the State of Hawaii.

[50 FR 28553, July 12, 1985, as amended at 52 FR 45137, Nov. 24, 1987]

### § 52.634 Particulate matter (PM-10) Group III SIP.

(a) On September 14, 1988, the Governor of Hawaii submitted a revision to the State Implementation Plan (SIP) for implementing the required monitoring activities and other tasks necessary to satisfy the requirements of the PM-10 Group III SIP.

(b) The Hawaii Department of Health has committed to meet the ongoing requirements for PM-10 Group III areas.

[55 FR 18110, May 1, 1990]

## Subpart N—Idaho

### § 52.670 Identification of plan.

(a) *Purpose and scope*. This section sets forth the applicable State implementation plan for Idaho 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 paragraphs (c) and (d) of this section with an EPA approval date prior to November 12, 2004, 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 November 12, 2004, will be incorporated by reference