

Environmental Protection Agency

§ 52.773

County: Fugitive Particulate Matter, section 326 IAC 6.8-10-1 Applicability, filed January 23, 2008, effective on February 22, 2008; and Indiana Administrative Code Title 326: Air Pollution Control Board, Article 6.8: Particulate Matter Limitations for Lake County, Rule 10, Lake County: Fugitive Particulate Matter, sections 326 IAC 6.8-10-2 Definitions, 326 IAC 6.8-10-3 Particulate matter emission limitations, and 326 IAC 6.8-10-4 Compliance requirements; control plans, filed August 10, 2005, effective on September 9, 2005 and previously incorporated by reference (see paragraph (c)(173)(i)(A) of this section).

(U) Indiana Administrative Code Title 326: Air Pollution Control Board, Article 6.8: Particulate Matter Limitations for Lake County, Rule 11, Lake

County: Particulate Matter Contingency Measures, sections 326 IAC 6.8-11-1 through 326 IAC 6.8-11-6, filed August 10, 2005, effective on September 9, 2005 and previously incorporated by reference (see paragraph (c)(173)(i)(A) of this section).

(ii) *Additional material.*

(A) Certificate of Authenticity, Indiana Administrative Code, (As Updated Through March 26, 2008), signed by John M. Ross, Executive Director, Legislative Services Agency.

[37 FR 10863, May 31, 1972, as amended at 71 FR 63701, Oct. 31, 2006]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.770, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

§ 52.771 Classification of regions.

(a) The Indiana 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)
East Central Indiana Intrastate	II	II	III	III	III
Evansville (Indiana)-Owensboro-Henderson (Kentucky) Interstate	I	II	III	III	III
Louisville Interstate	I	I	III	III	I
Metropolitan Chicago Interstate (Indiana-Illinois)	I	I	I	I	I
Metropolitan Cincinnati Interstate	I	II	III	III	I
Metropolitan Indianapolis Intrastate	I	I	I	I	I
Northeast Indiana Intrastate	II	III	III	III	III
South Bend-Elkhart (Indiana)-Benton Harbor (Michigan) Interstate	I	IA	III	III	III
Southern Indiana Intrastate	IA	IA	III	III	III
Wabash Valley Intrastate	I	I	III	III	III

(b) The requirements of § 51.150 of this chapter are not met by the classification of counties in APC-22 for the purposes of attainment and maintenance of the total suspended particulate ambient air quality standards.

(c) The requirements of § 51.150 of this chapter are not met by the classification of counties in APC-22 for the purposes of attainment and maintenance of the photochemical oxidant (hydrocarbon) ambient air quality standards.

(d) The requirements of § 51.150 of this chapter are not met by the classification of Jefferson, LaPorte, Porter, Vigo and Warrick Counties in Indiana in Regulation APC-22 for the purposes of

attainment and maintenance of the sulfur dioxide ambient air quality standards.

[37 FR 10863, May 31, 1972, as amended at 39 FR 16346, May 8, 1974; 40 FR 50033, Oct. 28, 1975; 41 FR 35677, Aug. 24, 1976; 42 FR 34519, July 6, 1977; 51 FR 40675, Nov. 7, 1986]

§ 52.772 [Reserved]

§ 52.773 Approval status.

(a) With the exceptions set forth in this subpart, the Administrator approves Indiana's plan for attainment and maintenance of the National Ambient Air Quality Standards under section 110 of the Clean Air Act.

§ 52.774

(b) [Reserved]

(c) The Administrator finds that Indiana's new source review strategy satisfies all requirements of Part D, Title 1 of the Clean Air Act as amended in 1977.

(d)-(e) [Reserved]

(f) The Administrator finds ozone strategies for Clark, Elkhart, Floyd, Lake, Marion, Porter, and St. Joseph Counties satisfy all requirements of Part D, Title I of the Clean Air Act that are required to be submitted by January 1, 1981, except as noted below.

(g) The administrator finds that the total suspended particulate strategies for Clark, Dearborn, Dubois, St. Joseph, Vanderburgh, and Vigo Counties satisfy all the requirements of Part D, Title I of the Clean Air Act except as noted below.

(h) The Administrator finds that the SO₂ strategies for Lake, LaPorte, Marion, Vigo, and Wayne Counties satisfy all requirements of Part D, Title 1 of the Clean Air Act, as amended in 1977. See § 52.770 (c)(67) and (c)(72).

(i) The Administrator finds that Indiana's ozone plan for Lake and Porter Counties, which was required to be submitted by July 1, 1992, does not satisfy all the requirements of part D, title 1 of the Clean Air Act and, thus, is disapproved. See §§ 52.770(c)(69) and 52.770(d). The disapproval does not affect USEPA's approval (or conditional approval) of individual parts of Indiana's ozone plan and they remain approved.

(j) The Administrator finds that the following portions of Indiana's ozone and CO plans satisfy the related requirements of part D, title 1 of the Clean Air Act, as amended in 1977:

(1) The transportation control plans for Lake, Porter, Clark and Floyd Counties, submitted on May 14, 1986, June 10, 1986, and April 6, 1987.

(2) The vehicle inspection and maintenance plan for Clark, Floyd, Lake, and Porter Counties, submitted October 27, 1989, and January 19, 1990.

(3) The demonstration of attainment, submitted December 2, 1983, and the carbon monoxide plan as a whole for

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

the designated nonattainment area in Lake County.

[37 FR 10864, May 31, 1972, as amended at 46 FR 38, Jan. 2, 1981; 47 FR 6275, Feb. 11, 1982; 47 FR 6623, Feb. 16, 1982; 47 FR 10825, Mar. 12, 1982; 47 FR 20586, May 13, 1982; 47 FR 30980, July 16, 1982; 51 FR 4915, Feb. 10, 1986; 53 FR 33811, Sept. 1, 1988; 53 FR 46613, Nov. 18, 1988; 54 FR 2118, Jan. 19, 1989; 55 FR 31052, July 31, 1990; 59 FR 51114, Oct. 7, 1994]

§ 52.774 [Reserved]

§ 52.775 Legal authority.

(a) The requirements of § 51.232(b) of this chapter are not met since the following deficiencies exist in the local agency legal authority:

(1) East Chicago: (i) Authority to require recordkeeping is inadequate (§ 51.230(e) of this chapter).

(ii) Authority to require installation of monitoring devices is inadequate (§ 51.230(f) of this chapter).

(2) Evansville: (i) Authority to prevent construction, modification, or operation of any stationary source at any location where emissions from such source will prevent the attainment or maintenance of a national standard is inadequate (§ 51.230(d) of this chapter).

(ii) Authority to require recordkeeping is inadequate (§ 51.230(e) of this chapter).

(iii) Authority to require installation of monitoring devices is inadequate (§ 51.230(f) of this chapter).

(3) Gary: (i) Authority to require recordkeeping is inadequate (§ 51.230(e) of this chapter).

(ii) Authority to require installation of monitoring devices is inadequate (§ 51.230(f) of this chapter).

(4) Hammond: (i) Authority to require recordkeeping is inadequate (§ 51.230(e) of this chapter).

(ii) Authority to require installation of monitoring devices is inadequate (§ 51.230(f) of this chapter).

(5) Indianapolis: (i) Authority to require recordkeeping is inadequate (§ 51.230(e) of this chapter).

(ii) Authority to require installation of monitoring devices is inadequate (§ 51.230(f) of this chapter).

(6) Michigan City: (i) Authority to require recordkeeping is inadequate (§ 51.230(e) of this chapter).