

§ 52.789 Interstate pollutant transport provisions; What are the FIP requirements for decreases in emissions of nitrogen oxides?

(a)(1) The owner and operator of each source located within the State of Indiana and for which requirements are set forth under the Federal CAIR NO_x Annual Trading Program in subparts AA through II of part 97 of this chapter must comply with such applicable requirements. The obligation to comply with these requirements in part 97 of this chapter will be eliminated by the promulgation of an approval by the Administrator of a revision to the Indiana State Implementation Plan (SIP) as meeting the requirements of CAIR for PM_{2.5} relating to NO_x under § 51.123 of this chapter, except to the extent the Administrator's approval is partial or conditional or unless such approval is under § 51.123(p) of this chapter.

(2) Notwithstanding any provisions of paragraph (a)(1) of this section, if, at the time of such approval of the State's SIP, the Administrator has already allocated CAIR NO_x allowances to sources in the State for any years, the provisions of part 97 of this chapter authorizing the Administrator to complete the allocation of CAIR NO_x allowances for those years shall continue to apply, unless the Administrator approves a SIP provision that provides for the allocation of the remaining CAIR NO_x allowances for those years.

(b)(1) The owner and operator of each NO_x source located within the State of Indiana and for which requirements are set forth under the Federal CAIR NO_x Ozone Season Trading Program in subparts AAAA through IIII of part 97 of this chapter must comply with such applicable requirements. The obligation to comply with these requirements in part 97 of this chapter will be eliminated by the promulgation of an approval by the Administrator of a revision to the Indiana State Implementation Plan (SIP) as meeting the requirements of CAIR for ozone relating to NO_x under § 51.123 of this chapter, except to the extent the Administrator's approval is partial or conditional or unless such approval is under § 51.123(ee) of this chapter.

(2) Notwithstanding any provisions of paragraph (b)(1) of this section, if, at

the time of such approval of the State's SIP, the Administrator has already allocated CAIR NO_x Ozone Season allowances to sources in the State for any years, the provisions of part 97 of this chapter authorizing the Administrator to complete the allocation of CAIR NO_x Ozone Season allowances for those years shall continue to apply, unless the Administrator approves a SIP provision that provides for the allocation of the remaining CAIR NO_x Ozone Season allowances for those years.

[72 FR 62347, Nov. 2, 2007]

§ 52.790 Interstate pollutant transport provisions; What are the FIP requirements for decreases in emissions of sulfur dioxide?

The owner and operator of each SO₂ source located within the State of Indiana and for which requirements are set forth under the Federal CAIR SO₂ Trading Program in subparts AAA through III of part 97 of this chapter must comply with such applicable requirements. The obligation to comply with these requirements in part 97 of this chapter will be eliminated by the promulgation of an approval by the Administrator of a revision to the Indiana State Implementation Plan as meeting the requirements of CAIR for PM_{2.5} relating to SO₂ under § 51.124 of this chapter, except to the extent the Administrator's approval is partial or conditional or unless such approval is under § 51.124(r) of this chapter.

[72 FR 62347, Nov. 2, 2007]

§§ 52.791–52.792 [Reserved]

§ 52.793 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(a)(2) and (b) through (bb) are hereby incorporated and made a part of the applicable state plan for the State of Indiana.

(c) All applications and other information required pursuant to § 52.21

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from sources located in the State of Indiana shall be submitted to the Commissioner, Indiana Department of Environmental Management, 105 South Meridian Street, P.O. Box 6015, Indianapolis, IN 46206.

[45 FR 52741, Aug. 7, 1980, as amended at 53 FR 18985, May 26, 1988; 68 FR 11323, Mar. 10, 2003]

§ 52.794 Source surveillance.

(a) The requirements of 51.212 of this chapter are not met by the phrase “for more than a cumulative total of 15 minutes in a 24-hour period” contained in section 1 of APC-3 of the Indiana Air Pollution Control Regulations.

(b) [Reserved]

(c) 325 IAC 5-1 (October 6, 1980, submittal—§52.770(c)(53)) is disapproved for the Lake County sources specifically listed in Table 2 of 325 IAC 6-1-10.2 (§52.770(c)(57)); for pushing and quenching sources throughout the State (August 27, 1981, 325 IAC 11-3-2 (g) and (h)—§52.770(c)(42)); and for coke oven doors in Lake and Marion Counties (325 IAC 11-3-2(f)—§52.770(c)(42)). Applicability of this regulation to these sources is being disapproved because 325 IAC 5-1 does not meet the enforceability requirements of §51.22 as it applies to these sources. Opacity limits in 325 IAC 6-1-10.2 and certain opacity limits in 325 IAC 11-3 supersede those in 325 IAC 5-1, and USEPA has previously disapproved these superseding regulations (§52.776 (j), (g), and (f), respectively).

[40 FR 50033, Oct. 28, 1975; 41 FR 3475, Jan. 23, 1976, as amended at 48 FR 55860, Dec. 16, 1983; 51 FR 40676, 40677, Nov. 7, 1986; 52 FR 3644, Feb. 5, 1987; 52 FR 23038, June 17, 1987]

§ 52.795 Control strategy: Sulfur dioxide.

(a) Revised APC-13 (December 5, 1974 submission) of Indiana’s Air Pollution Control regulations (sulfur dioxide emission limitation) is disapproved insofar as the provisions identified below will interfere with the attainment and maintenance of the suffix dioxide ambient air quality standards:

(1) The phrase “equivalent full load” in section 1(b)(2).

(2) The formula “ $E_p=17.0 Q_m^{0.67}$ where $E_p=E_m \times Q_m$ ” in section 2(a).

(3) The phrase “Direct fired process operations” in sections 2(a), 3(c), 4(b), and 4(c).

(4) The modification of Q_m for non-Indiana coal as expressed in Section 2(a).

(b) The requirements of §51.281 are not met by Warrick and Culley electrical generating stations enforcement orders which would revise the sulfur dioxide emission limitations for these two stations.

(c) The requirements of §51.110(e) are not met by Wayne, Dearborn, Jefferson, Porter, and Warrick Counties.

(d)-(e) [Reserved]

(f) Approval—On March 14, 1996, the State of Indiana submitted a maintenance plan for Lawrence, Washington, and Warren Townships in Marion County and the remainder of the county, and requested that it be redesignated to attainment of the National Ambient Air Quality Standard for sulfur dioxide. The redesignation request and maintenance plan satisfy all applicable requirements of the Clean Air Act.

(g) Approval—On June 17, 1996, the State of Indiana submitted a maintenance plan for LaPorte, Vigo, and Wayne Counties and requested redesignation to attainment for the National Ambient Air Quality Standard for sulphur dioxide for each county in its entirety. The redesignation requests and maintenance plans satisfy all applicable requirements of the Clean Air Act.

(h) Approval—On June 21, 2005, and as supplemented on August 11, 2005, the State of Indiana submitted a request to redesignate the Lake County sulfur dioxide (SO₂) nonattainment area to attainment of the NAAQS. In its submittal, the State also requested that EPA approve the maintenance plan for the area into the Indiana SO₂ SIP. The redesignation request and maintenance plan satisfy all applicable requirements of the Clean Air Act.

[41 FR 35677, Aug. 24, 1976, as amended at 42 FR 34519, July 6, 1977; 47 FR 10825, Mar. 12, 1982; 47 FR 39168, Sept. 7 1982; 49 FR 585, Jan. 5, 1984; 51 FR 40676, 40677, Nov. 7, 1986; 53 FR 1358, Jan. 19, 1988; 54 FR 2118, Jan. 19, 1989; 61 FR 58486, Nov. 15, 1996; 70 FR 56131, Sept. 26, 2005]