Environmental Protection Agency

§ 52.271 Malfunction, startup, and shutdown regulations.

(a) The following regulations are disapproved because they would permit the exemption of sources from the applicable emission limitations and therefore do not satisfy the enforcement imperatives of section 110 of the Clean Air Act.

(1) Amador County APCD.
   (i) Rule 404, submitted on April 21, 1976.
   (ii) Rule 4f, submitted on June 30, 1972, and previously approved under 40 CFR 52.223 (37 FR 19812).

(2) Bay Area APCD.
   (i) Regulation 2, Section 3212, and Regulation 3, Section 3203, submitted on April 21, 1976.
   (ii) Regulation 2, Section 3212, submitted on February 21, 1972, and previously approved under 40 CFR 52.223 (37 FR 10842).

(3) Calaveras County APCD.

(4) Colusa County APCD.
   (i) Rule 4.4g, submitted on July 25, 1973, and Rule 4.4g, submitted on June 30, 1972, and previously approved under 40 CFR 52.223 (37 FR 19812).

(5) Del Norte County APCD.
   (ii) Rule 45, submitted on February 21, 1972, and previously approved under 40 CFR 52.223 (37 FR 10842).

(6) Fresno County APCD.
   (i) Rule 110, submitted on June 30, 1972, and previously approved under 40 CFR 52.223.
   (ii) Rules 110 and 402(f), submitted on October 23, 1974.

(7) Glenn County APCD.
   (i) Rules 95.2 and 95.3, submitted on January 10, 1975.

(8) Great Basin Unified APCD.
   (i) Rule 403, submitted on June 6, 1977.

(9) Humboldt County APCD.
   (i) Rule 540, Submitted on November, 10, 1976.
   (ii) Rule 59, Submitted on February 21, 1972 and previously approved under 40 CFR 52.223 (37 FR 10842).

EDITORIAL NOTE: At 46 FR 27118, May 18, 1981, the following paragraph (a)(9) was added to § 52.271.

(9) Monterey Bay Unified APCD.

(10) Kern County APCD.

(11) Kings County APDC.

(12) Lake County APCD.
   (i) Chapter III, Article I, Section 500, and Article II, Sections 510 and 511, submitted on February 10, 1977.

(13) Los Angeles County APCD.

(14) Madera County APCD.
   (i) Rule 402(f), submitted on January 10, 1975, and Rule 110, submitted on June 30, 1972, and previously approved under 40 CFR 52.223.

(15) Mariposa County APCD.
   (i) Rule 203(j), submitted on January 10, 1975, and Rule 4.3(g), submitted on February 21, 1972, and previously approved under 40 CFR 52.223.

(16) Mendocino County APCD.

(17) Merced County APCD.
(i) Rule 109, submitted on August 2, 1976.
(ii) Rule 109, submitted on June 30, 1972, and previously approved under 40 CFR 52.223 (37 FR 19812).

(18) Nevada County APCD.
(i) Rule 55(f), submitted on February 21, 1972, and previously approved under 40 CFR 52.223 (37 FR 10842).

(19) Northern Sonoma County APCD.
(i) Rule 540, submitted on February 21, 1972, and previously approved under 40 CFR 52.223 (37 FR 10842).

(20) Placer County APCD.
(i) Rule 55(f), submitted on February 21, 1972, and previously approved under 40 CFR 52.223 (37 FR 10842).

(21) Plumas County APCD.
(i) Rule 209(j), submitted on January 10, 1975.

(22) Riverside County APCD.

(23) San Bernardino County APCD.
(ii) Rule 55, submitted on February 21, 1972, and previously approved under 40 CFR 52.223 (37 FR 10842).

(24) San Joaquin County APCD.
(i) Rule 110, submitted on October 23, 1974, and Rule 110, submitted on June 30, 1972, and previously approved under 40 CFR 52.223 (37 FR 19812).

(25) San Luis Obispo County APCD.
(i) Rule 107, submitted on November 10, 1976.
(ii) Rule 102, submitted on February 21, 1972, and previously approved under 40 CFR 52.223 (37 FR 10842).

(26) Shasta County APCD.
(ii) Rule 3:10, submitted on June 30, 1972, and previously approved under 40 CFR 52.223 (37 FR 19812).

(27) Sierra County APCD.
(i) Rule 51, submitted on June 30, 1972, and previously approved under 40 CFR 52.223 (37 FR 19812), and Rule 203(j), submitted on January 10, 1975, and previously approved under 40 CFR 52.223 (42 FR 23805).

(28) Southern California APCD.

(29) Stanislaus County APCD.
(i) Rule 110, submitted on June 30, 1972, and previously approved under 40 CFR 52.223 (37 FR 19812), and Rule 110, submitted on July 19, 1974.

(30) Tehama County APCD.
(ii) Rule 41g, submitted on June 30, 1972, and previously approved under 40 CFR 52.223 (37 FR 19812).

(31) Trinity County APCD.
(ii) Rule 44, submitted on June 30, 1972, and previously approved under 40 CFR 52.223 (37 FR 19812).

(32) Tulare County APCD.
(i) Rules 111 and 402(f), submitted on November 10, 1976.

(33) Tuolumne County APCD.

(34) Ventura County APCD.
(ii) Rule 32, submitted on June 30, 1972, and previously approved under 40 CFR 52.223 (37 FR 19812).

(35) Yuba County APCD.

(b) The following regulations are disapproved since they lack explicit provisions to assure that that NAAQS will not be exceeded while equipment breakdown periods are in effect.

(1) Fresno County APCD.

(2) Kern County APCD.

(3) Modoc County APCD.
(i) Rule 2:15, Breakdown Conditions; Emergency Variances, submitted on May 7, 1979.

(4) Imperial County APCD.
(i) Rule 111 (b), Equipment Breakdown, submitted on December 24, 1979.

(5) Butte County AQMD.

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(6) Shasta County AQMD.


(7) Monterey Bay Unified Air Pollution Control District.


(c) The following regulations are disapproved because they exempt sources from applicable emissions limitations during malfunctions and/or fail to sufficiently limit startup and shutdown exemptions to those periods where it is technically infeasible to meet emissions limitations.

(1) South Coast Air Quality Management District.


(d) The following regulations are disapproved because they merely describe how state agencies intend to apply their enforcement discretion and thus, if approved, the regulations would have no effect on the State Implementation Plan.

(1) Antelope Valley AQMD.


(2) Kern County APCD.

(i) Rule 111, Equipment Breakdown, submitted on July 23, 1996.

(3) Mojave Desert AQMD.


[43 FR 3277, Jan. 24, 1978]

EDITORIAL NOTE: For Federal Register citations affecting §52.271, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

§52.273 Open burning.

(a) The following rules or portions of rules are disapproved because they contain exemptions to open burning (including open agricultural burning) prohibitions, that do not satisfy the requirements of section 110 of the Clean Air Act:

(1) Amador County APCD.

(i) Rules 308 and 312, submitted on April 21, 1976.


(iii) Rules 302(G) and 322, submitted on October 15, 1979.

(2) Calaveras County APCD.


(3) Del Norte County APCD.