

## Environmental Protection Agency

## § 52.271

(iii) Any sources for which EPA has issued permits under § 52.21, including any permits for which applications are received by July 31, 1985.

[50 FR 25419, June 19, 1985, as amended at 50 FR 30943, July 31, 1985; 68 FR 11322, Mar. 10, 2003; 68 FR 74488, Dec. 24, 2003]

### § 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.

(i) Rules 110 and 402(f), submitted on July 25, 1973.

(ii) Rule 404, submitted on October 13, 1977.

(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.

(i) Rule 540, submitted on November 10, 1976.

(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.

(ii) Rule 617, submitted on November 4, 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.

(i) Rule 214, submitted on March 4, 1980.

(ii) Rule 617, submitted on May 23, 1979.

(10) Kern County APCD.

(i) Rule 111, submitted on July 19, 1974.

(11) Kings County APDC.

(i) Rule 111, submitted on July 25, 1973, and Rule 111, submitted on July 30, 1972, and previously approved under 40 CFR 52.223.

(ii) Rule 111, submitted on November 4, 1977.

(12) Lake County APCD.

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

(ii) Part VI, Sections 1 and 2, submitted on June 30, 1972, and previously approved under 40 CFR 52.223.

(13) Los Angeles County APCD.

(i) Rule 430, submitted on June 6, 1977.

(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.

(ii) Rule 110, submitted on January 10, 1975.

(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.

(ii) Rule 404, submitted on June 6, 1977.

(16) Mendocino County APCD.

(i) Rule 540, submitted on November 10, 1976.

(ii) Sections 1 and 2 of Part VI, submitted on February 21, 1972, and previously approved under 40 CFR 52.223 (37 FR 10842).

(17) Merced County APCD.



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(i) Rule 275, Reporting Procedures for Excess Emissions, submitted on May 10, 1996.

(6) Shasta County AQMD.

(i) Rule 3:10, Excess Emissions, submitted on May 10, 1996.

(7) Monterey Bay Unified Air Pollution Control District.

(i) Rule 214, Breakdown Condition, submitted on October 30, 2001.

(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.

(i) Rule 429, submitted on January 28, 1992.

(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.

(i) Rule 430, Breakdown Provisions, submitted on February 16, 1999.

(2) Kern County APCD.

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

(3) Mojave Desert AQMD.

(i) Rule 430, Breakdown Provisions, submitted on January 24, 1995.

[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.

### § 52.272 Research operations exemptions.

(a) The requirements of § 51.281 of this chapter are not met because the following regulations allow exemptions to be granted from the applicable emission limitations, thereby potentially rendering the applicable limitations unenforceable. Furthermore, the regulations are inconsistent with the Clean Air Act, because the regulations could permit violations of the National Ambient Air Quality Standards under

some circumstances. Therefore, the following regulations are disapproved:

(1) Bay Area APCD.

(i) Regulation 2, Division 1, sections 1214 to 1214.3, submitted on July 25, 1973.

(ii) Regulation 3, Division 1, sections 1205 to 1205.3, submitted on July 25, 1973.

(2) El Dorado County APCD.

(i) Rule 203(D), submitted on November 4, 1977.

(3) Great Basin Unified APCD.

(i) Rule 423, submitted on November 4, 1977.

(4) Los Angeles County APCD.

(i) Rule 441, submitted on June 6, 1977.

(5) Placer County APCD.

(i) Rule 203(D), submitted on October 13, 1977.

(6) Riverside County APCD.

(i) Rule 441, submitted on June 6, 1977.

(7) Sacramento County APCD.

(i) Rule 30, submitted on January 22, 1974.

(8) San Bernardino County APCD.

(i) Rule 441, submitted on June 6, 1977.

(9) Southern California APCD.

(i) Rule 441, submitted on August 2, 1976.

[42 FR 42226, Aug. 22, 1977]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.272, 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.

(ii) Rule 304, submitted on October 13, 1977.

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

(2) Calaveras County APCD.

(i) Rules 304 and 322, submitted on October 13, 1977.

(3) Del Norte County APCD.