

(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<sub>x</sub> 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<sub>x</sub> 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<sub>x</sub> Ozone Season allowances for those years.

[72 FR 62344, Nov.2, 2007]

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

The owner and operator of each SO<sub>2</sub> source located within the State of Delaware and for which requirements are set forth under the Federal CAIR SO<sub>2</sub> 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 Delaware State Implementation Plan as meeting the requirements of CAIR for PM<sub>2.5</sub> relating to SO<sub>2</sub> 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 62345, Nov.2, 2007]

**§ 52.460 Small business stationary source technical and environmental compliance assistance program.**

(a) On January 11, 1993, the Director of the Delaware Department of Natural Resources and Environmental Control submitted a plan for the establishment and implementation of a Small Business Stationary Source Technical and Environmental Compliance Assistance Program as a State Implementation Plan revision, as required by title V of the Clean Air Act. EPA approved the Small Business Stationary Source Technical and Environmental Compliance Assistance Program on May 17, 1994, and made it a part of the Dela-

ware SIP. As with all components of the SIP, Delaware must implement the program as submitted and approved by EPA.

[59 FR 25572, May 17, 1994]

**§ 52.465 Original identification of plan section.**

(a) This section identifies the original "Air Implementation Plan for the State of Delaware" and all revisions submitted by Delaware that were federally approved prior to July 1, 1998.

(b) The plan was officially submitted on January 28, 1972.

(c) The plan revisions listed below were submitted on the dates specified.

(1) Certification that public hearing was held on plan submitted on February 11, 1972, by the Department of Natural Resources and Environmental Control.

(2) Information on the geometric standard deviations of air quality data submitted on March 7, 1972, by the Department of Natural Resources and Environmental Control.

(3) Miscellaneous non-regulatory clarifications and amendments to the plan submitted on May 5, 1972, by the Department of Natural Resources and Environmental Control.

(4) Specification of attainment dates submitted on June 2, 1972, by the Department of Natural Resources and Environmental Control.

(5) Periodic stack sampling requirements submitted on June 5, 1972, by the Department of Natural Resources and Environmental Control.

(6) Miscellaneous non-regulatory additions to the plan submitted on July 20, 1972, by the Delaware Water and Air Resource Commission.

(7) Backup information for the attainment of the Secondary SO<sub>2</sub> standards in New Castle County submitted on November 14, 1972, by the Department of Natural Resources and Environmental Control.

(8) Backup information for the attainment of the Secondary SO<sub>2</sub> standards in New Castle County submitted on December 19, 1972, by the Department of Natural Resources and Environmental Control.

(9) Amendments to Regulations I through XIV inclusive of the Delaware Regulations Governing Air Pollution,

and Amendments to the Delaware Environmental Protection Act; submitted on January 16, 1975 by the Delaware Department of Natural Resources and Environmental Control.

(10) Amendments to Section V (Surveillance) of the Delaware State Implementation Plan and amendments to Section V (Surveillance) of the New Castle County Portion of the Delaware State Implementation Plan, covering changes to the air pollution monitoring system; submitted on September 3, 1975 by the Delaware Department of Natural Resources and Environmental Control.

(11) A Consent Order for the Getty Oil Company and the Delmarva Power and Light Company submitted on August 5, 1975 by the Delaware Department of Natural Resources and Environmental Control.

(12) Amendments to Regulations No. V, XIV, XVII, and a newly adopted Regulation No. XXIII (Standards of Performance for Steel Plants: Electric Arc Furnaces); and a Court of Chancery injunction to control charging and tapping emissions for the Phoenix Steel Corporation's plant in Claymont, Delaware submitted on December 2, 1977 and October 5, 1978, respectively, by the Department of Natural Resources and Environmental Control.

(13) On May 3, 1979, the Governor submitted the nonattainment area plan for New Castle County with respect to ozone.

(14) A revision submitted by the State of Delaware on October 5, 1978 to eliminate certain outdated requirements relating to Regulations V and XVIII and correction of typographical errors relating to Regulations III, VIII, and XV.

(15) A revision submitted by the State of Delaware on March 19, 1980 which is intended to establish an Ambient Air Quality Monitoring Network.

(16) Revisions to Delaware's Regulations I, II, III, IV, VIII, XII, XIV, XV, and XVII submitted by the Delaware Department of Natural Resources and Environmental Control on March 19, 1980.

(17) A revision submitted by the State of Delaware on September 7, 1977, consisting of an amendment to Delaware Regulations Governing Air Pollu-

tion, Regulation XVII, establishing continuous emission monitoring regulations.

(18) A revision submitted by the District of Columbia on May 16, 1979 which is intended to establish an Ambient Air Quality Monitoring Network.

(19) A commitment to use available grants and funds to establish, expand, and improve public transportation to meet basic transportation needs, submitted on August 15, 1979 by the Delaware Transportation Authority.

(20) A revised schedule for implementation of Delaware's inspection and maintenance program submitted by September 10, 1980 by the Secretary, Delaware Department of Natural Resources and Environmental Control.

(21) [Reserved]

(22) A revision submitted by the State of Delaware on August 7, 1978 consisting of two Executive Orders for financial disclosure of certain State officials.

(23) Amendments to Regulations I (Definitions) and XXIV (Control of Organic Compounds Emissions) submitted on December 23, 1980 by the Secretary, Delaware Department of Natural Resources and Environmental Control.

(24) A State Implementation Plan for the Control of lead emissions submitted on December 23, 1980 by the Secretary, Delaware Department of Natural Resources and Environmental Control.

(25) A revised schedule for implementation of Delaware's inspection and maintenance program submitted on December 29, 1980 by the Secretary, Delaware Department of Natural Resources and Environmental Control.

(26) Amendments to Regulation II (Registration and Permits) and XIII (Open Burning) [non-regulatory] of the Delaware Regulations governing the Control of Air Pollution submitted on September 22, 1981 by the Secretary, Department of Natural Resources and Environmental Control.

(27) Amendments to Section 9.4 (Surface Coating operations) and 13.2 (Dry Cleaning) of Regulation XXIV (Control of Volatile Organic Compound Emissions) of the Delaware Regulations governing the Control of Air Pollution submitted on September 22, 1981 by the

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Secretary, Department of Natural Resources and Environmental Control.

(28) Amendments to Regulations I (Definitions) and XXV Section (Requirements for Preconstruction Review) pertaining to prevention of significant deterioration submitted on December 29, 1980 by the Secretary, Delaware Department of Natural Resources and Environmental Control.

(29) A February 27, 1981 letter from the Delaware Department of Natural Resources and Environmental Control to EPA pertaining to procedures of notifying EPA of any PSD application for sources locating within 100 kilometers of a Class I PSD area, as well as ensuring EPA in any monitoring procedure, that the requirements of 40 CFR part 58 will be specified.

(30) A revision submitted by the State of Delaware on October 14, 1982, consisting of amendments to Regulation No. II—Permits.

(31) Plan Revision providing for attainment of the Ozone standard submitted by *John E. Wilson, III* to EPA on July 6, 1982.

(32) Stack height regulation, public notification plan, and other miscellaneous revisions submitted to EPA on April 20, 1983.

(33) A revision submitted by the State of Delaware on September 26, 1983 consisting of amendments to Section 2.3 of Regulation Number XIV, Section 2.3 of Regulation Number VII, and Section 9.7 and Table I(a) to Regulation Number XXIV of the Delaware Regulations Governing the Control of Air Pollution.

(34) Revisions to the Delaware Regulations Governing the Control of Air Pollution were submitted by the Secretary on August 8, 1984.

(i) *Incorporation by reference.* (A) Amendments to Regulations II (Permits); XIII (Open Burning); XIV (Visible Emissions); and XVII (Source Monitoring, Record Keeping and Reporting).

(35) Revisions submitted by the State of Delaware on June 5, 1985 amending the State of Delaware Regulations Governing the Control of Air Pollution, Regulation Nos. VIII, XIII, and XXVI.

(i) *Incorporation by reference.* (A) Revisions via Order No. 85-A-3 Exhibit A Amendment Nos. 2, 3, and 5, to the State of Delaware Regulations Gov-

erning the Control of Air Pollution, Regulations VIII sections 2.1-2.4, XIII section 1.2, and XXVI Table 2, pertaining to sulfur in fuel oil, open burning, and motor vehicle emission testing, respectively. These revisions were adopted by the Department of Natural Resources and Environmental Control on May 9, 1985.

(ii) *Additional information.* (A) A letter dated July 9, 1985 from Secretary John E. Wilson, III to Mr. James M. Seif, withdrawing certain portions of the original SIP revision request pertaining to asbestos, New Source Performance Standards (Regulation No. XX), and Emission Standards for Hazardous Air Pollutants (Regulation No. XXI).

(B) A letter dated July 9, 1986 from Mr. Robert R. French to Mr. James Sydnor withdrawing the request to delete the definitions of "Reconstruction" and "Capital Expenditure" from their new source review regulations (Regulations I and XXV).

(36) [Reserved]

(37) Revision submitted by the State of Delaware on March 6, 1987, consisting of amendment to Regulation II-Permits.

(i) *Incorporation by reference.* State of Delaware Order No. 87-A-2 (Introduction, Findings of Fact and (1) of the order which amends section 2.7 of Regulation II) which was issued on February 18, 1987.

(38) Revision to the Delaware State Implementation Plan incorporation of a Conciliatory Order, was submitted on May 31, 1989. The order is designed to reduce ambient sulfur dioxide levels around the Delmarva Power and Light Company's Indian River power plant.

(i) *Incorporation by reference.* (A) Letter dated May 31, 1989 from the State of Delaware containing the Conciliatory Order for incorporation into the Delaware State Implementation Plan.

(B) Conciliatory Order issued on May 31, 1989, for Delmarva Power and Light Company's Indian River power plant.

(39) Revisions to the State Implementation Plan were submitted by the Delaware Department of Natural Resources and Environmental Control on March 6, 1987 (Secretary's Order No. 87-A-2). Revisions to the State Implementation Plan submitted by the Delaware

Department of Natural Resources and Environmental Control on March 21, 1988 (Secretary's Order No. 89-A-5).

(i) *Incorporation by reference.* (A) Letter received on March 6, 1987, from the Delaware Department of Natural Resources and Environmental Control submitting revisions to the State Implementation Plan for EPA approval (portions of Secretary Order No. 87-A-2).

(B) Letter dated December 21, 1988, from the Delaware Department of Natural Resources and Environmental Control submitting revisions to the State Implementation Plan for EPA approval (portions of Secretary Order No. 89-A-5).

(C) Only those portions of Secretary's Order No. 87-A-2 issued on February 18, 1987, which amend Regulation No. II, Stack Heights at sections 2.2, 2.3, 2.4, and 2.5, pertaining to the definitions of the terms excessive concentrations, nearby stack, and stack in existence; and at sections 3.1, 3.2, and 3.3, pertaining to the requirements for new and existing sources.

(D) Only those portions of Secretary's Order No. 89-A-5, issued on December 7, 1988, which amend Regulation No. XXV, Requirements for Preconstruction Review, at section 3.9(A) and Regulation No. XXVII, Stack Heights at section 2 to include definitions of the terms emission limitation and emission standard.

(40) [Reserved]

(41) Revision submitted by the State of Delaware on April 28, 1988 amending the hydrocarbon motor vehicle emission testing standards in Regulation XXVI of the Delaware *Regulations Governing the Control of Air Pollution*.

(i) *Incorporation by reference.* (A) Revisions via Order 88-A-2, exhibit A, parts A and B, which is an amendment to Table 2 of Technical Memorandum Number 2 entitled "Motor Vehicle Inspection and Maintenance Program Emission Limit Determination". This revision was issued by the State on December 29, 1987.

(42) Revisions to the State Implementation Plan submitted by the Delaware Department of Natural Resources and Environmental Control on December 12, 1985, pertaining to Delaware Regulation No. XXIV which includes an alter-

native RACT standard for the zinc-rich weld-through primer coating.

(i) *Incorporation by reference.* (A) Letter from the Delaware Department of Natural Resources and Environmental Control dated December 12, 1985 submitting a revision to the Delaware State Implementation Plan, regarding changes to Regulation No. XXIV to remove the word "yearly" from Tables I and I(a) and to propose an alternative RACT standard for the zinc-rich primer coating.

(B) Those portions of Exhibit 13 of Order No. 85-A-5 amending Regulation No. XXIV by 1) deleting the word "yearly" in Tables I and I(a) and (2) adopting 4.0 as the Reasonably Available Control Technology (RACT) emission limit for Zinc-rich Primer used in automobile surface coating.

(ii) *Additional materials.* (A) Remainder of the State submittal.

(43) Revision to the State Implementation Plan submitted by the Delaware Department of Natural Resources and Environmental Control on March 6, 1990, amending portions of Regulation XXVI (26) of the Delaware *Regulations Governing the Control of Air Pollution* by expanding the I/M program statewide, adopting CO cutpoints statewide, modifying the test procedures, and increasing the waiver cost repair limit.

(i) *Incorporation by reference.* (A) Letter from the Delaware Department of Natural Resources and Environmental Control dated March 6, 1990 submitting a revision to the Delaware State Implementation Plan.

(B) Sections 1, 2, 4 and 6 of Regulation XXVI (26), Motor Vehicle Emissions Inspection Program, of the Delaware *Regulations Governing the Control of Air Pollution* and the two (2) Technical Memoranda, Numbers 1 and 2, which are appendices to Regulation XXVI (26), of the Delaware *Regulations Governing the Control of Air Pollution*.

(ii) *Additional materials.* Remainder of State submittal.

(44) Revisions to the State Implementation Plan submitted by the Delaware Department of Natural Resources and Environmental Control on July 6, 1990.

(i) *Incorporation by reference.* (A) A letter from the Delaware Department

of Natural Resources and Environmental Control dated July 6, 1990 submitting a revision to the Delaware State Implementation Plan, effective July 3, 1990.

(B) Regulation 1—Definitions and Administrative Principles.

(C) Regulation 24—Section 1, General Provisions; section 6, Bulk Gasoline Plants; section 8, Petroleum Liquid Storage; section 9, Surface Coating Operations; section 14, Petroleum Refinery Component Leaks; and section 15, Rotogravure and Flexographic Printing.

(45) Revisions to the State Implementation Plan submitted by the Delaware Department of Natural Resources and Environmental Control on March 9, 1990.

(i) *Incorporation by reference.* (A) Letter from the Delaware Department of Natural Resources and Environmental Control dated March 6, 1990, submitting a revision to the Delaware State Implementation Plan.

(B) The portion of Secretary Order 90-A-1 that amends Regulation II—Permits—Section 3.1.b.1; and Regulation XXV—Requirements for Preconstruction Review—Sections 1.9 (N) 1-4, 3.1, and 3.9. The amendments to Regulation II and Regulation XXV were adopted on January 31, 1990, and were effective on May 15, 1990, in the state of Delaware.

(46) Revisions to the Delaware State Implementation Plan submitted on January 11, 1993 by the Delaware Department of Natural Resources & Environmental Control:

(i) *Incorporation by reference.* (A) Letter of January 11, 1993 from the Delaware Department of Natural Resources & Environmental Control transmitting Regulation 24—“Control of Volatile Organic Compound Emissions”, effective January 11, 1993.

(B) Regulation 24—“Control of Volatile Organic Compound Emissions”, Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 37, 38, 39, 40, 41, 42, and Appendices A, B, C, D, E, F, G, & H.

(47) Revisions to the Delaware regulations for particulate matter (PM-10) submitted on April 26, 1988 by the Dela-

ware Department of Natural Resources and Environmental Control:

(i) *Incorporation by reference.* (A) Letter of April 26, 1988 from the Department of Natural Resources and Environmental Control transmitting a revision to the Delaware State implementation plan for particulate matter (PM-10) Group III areas.

(B) Revisions via Order No. 88-A-5, exhibit A, and Table 1. The Order amends the following Delaware Regulations Governing the Control of Air Pollution: Regulation 1—“Definitions and Administrative Principles”; Regulation 3—“Ambient Air Quality Standards”; Regulation 15—“Air Pollution Alert and Emergency Plan”; and Regulation 25—“Requirements for Preconstruction Review”. The revisions were adopted on March 29, 1988 and became effective immediately.

(ii) *Additional materials.* (A) Remainder of the State implementation plan revision submitted by the Delaware Department of Natural Resources and Environmental Control on April 26, 1988.

(48) Revisions to the Delaware State Implementation Plan submitted on January 20, 1994 by the Delaware Department of Natural Resources & Environmental Control:

(i) *Incorporation by reference.* (A) Letter of January 20, 1994 from the Delaware Department of Natural Resources & Environmental Control transmitting Regulation 24—Control of Volatile Organic Compound Emissions—Sections 50(a)(5) and 50(b)(3), effective November 24, 1993.

(B) Regulation 24—Control of Volatile Organic Compound Emissions, Section 50—Other Facilities that Emit Volatile Organic Compounds—Sections 50(a)(5) and 50(b)(3)—Non-CTG RACT, effective November 24, 1993.

(ii) *Additional material.* (A) Remainder of January 20, 1994 State submittal pertaining to Regulation 24, sections 50(a)(5) and 50(b)(3) referenced in paragraph (c)(48)(i) of this section.

(49) Revisions to the Delaware State Implementation Plan submitted on February 17, 1995 by the Delaware Department of Natural Resources & Environmental Control:

(i) *Incorporation by reference.* (A) Letter of February 17, 1995 from the Delaware Department of Natural Resources

& Environmental Control transmitting Regulation 13—Open Burning, effective February 8, 1995.

(B) Regulation 13—Open Burning, effective February 8, 1995.

(C) Administrative changes to Regulation 1, Definitions and Administrative Principles: addition of the following definitions: “ceremonial fires”, “conservation practices”, “prescribed burning”, and “silviculture”; and revision to the following definitions: “open burning”, “rubbish”, and “trade waste” adopted February 8, 1995.

(ii) *Additional material.* (A) Remainder of the February 17, 1995 State submittal pertaining to Regulation 13—Opening Burning referenced in paragraph (c)(49)(i) of this section.

(50) Revisions to the Delaware State Implementation Plan submitted on January 11, 1993, by the Delaware Department of Natural Resources & Environmental Control:

(i) *Incorporation by reference.* (A) Letter of January 11, 1993, from the Delaware Department of Natural Resources & Environmental Control submitting and requesting approval of Stage II Vapor Recovery Regulations for Gasoline Dispensing Facilities.

(B) Addition of Section 36—Stage II Vapor Recovery and Appendix J—Procedures for Implementation of Regulations Covering Stage II Vapor Recovery Systems for Gasoline Dispensing Facilities to Regulation No. 24, “Control of Volatile Organic Compound Emissions.” Section 36 and Appendix J have an effective date of January 11, 1993.

(ii) *Additional materials.* (A) Delaware Secretary’s Order No. 93-00078, issued January 11, 1993, adopting Stage II Vapor Recovery Regulations in the State.

(B) Remainder of the January 11, 1993, State submittal pertaining to Section 36 and Appendix J of Regulation No. 24, Stage II Vapor Recovery at Gasoline Dispensing Facilities.

(51) Revisions to the Delaware State Implementation Plan submitted on January 20, 1994 by the Delaware Department of Natural Resources & Environmental Control:

(i) *Incorporation by reference.* (A) Letter dated January 20, 1994, from the Delaware DNREC transmitting an

amendment to Regulation 24, “Control of Volatile Organic Compound Emissions”, Section 43—“Other Facilities that Emit VOCs”, effective November 24, 1993.

(B) Amendment to Regulation 24, “Control of VOC Emissions”, Section 43—“Other Facilities that Emit VOCs”, Sections 43(a)(1), 43(a)(2), 43(a)(3), 43(a)(4), 43(b)(1), 43(b)(2), 43(c), 43(d), 43(e), and 43(f).

(ii) *Additional material.* (A) Remainder of January 11, 1993 and January 20, 1994 State submittal pertaining to Regulation 24 referenced in paragraphs (c)(46)(i) and (c)(51)(i) of this section.

(iii) *Additional Information.* (A) These rules supersede paragraph (c)(44)(i)(C) of this section.

(52) Revisions to the Delaware State Implementation Plan submitted by the Secretary, Delaware Department of Natural Resources and Environmental Control, on January 11, 1993.

(i) *Incorporation by reference.* (A) Letter dated January 11, 1993 from the Secretary, Delaware Department of Natural Resources and Environmental Control, submitting a revision to the Delaware State Implementation Plan.

(B) Amended section 2, Regulation 1 (Definitions and Administrative Principles). Amended section 1, and added new section 7 of Regulation 17 (Source Monitoring, Recordkeeping and Reporting). The amendments to Regulations 1 and 17, and the addition of section 7 of Regulation 17, were effective on January 11, 1993. This revision consists of an emission statement program for stationary sources which emit volatile organic compounds (VOC) and/or nitrogen oxides (NO<sub>x</sub>) at or above specified actual emission threshold levels. This program is applicable state-wide.

(ii) *Additional material.* (A) Remainder of January 11, 1993 state submittal pertaining to Delaware Emission Statement Program.

(53) Revisions to the Delaware Regulations on the control of volatile organic compound emissions from marine vessel transfer operations submitted on August 26, 1994 by the Delaware Department of Natural Resources & Environmental Control:

(i) *Incorporation by reference.* (A) Letter of August 26, 1994 from the Delaware Department of Natural Resources

& Environmental Control transmitting Regulation 24, "Control of Volatile Organic Compound Emissions", by renumbering existing Section 43, "Other Facilities that Emit Volatile Organic Compounds," to Section 50 and adding a new Section 43, "Bulk Gasoline Marine Tank Vessel Loading Facilities".

(B) Administrative changes to Section 50: renumbering existing Section 43 to Section 50, and Section 50(a)(1): renumbering 42 to 43; and the new Section 43, effective August 26, 1994.

(ii) *Additional material.* (A) Remainder of August 26, 1994 State submittal pertaining to Regulation 24 referenced in paragraph (c)(53)(i) of this section.

(54) Revisions to the Delaware State Implementation Plan submitted on December 19, 1994 by the Delaware Department of Natural Resources & Environmental Control:

(i) *Incorporation by reference.* (A) Letter of December 19, 1994 from the Delaware Department of Natural Resources & Environmental Control transmitting Regulation 24—"Control of Volatile Organic Compound Emissions", effective November 29, 1994.

(B) Regulation 24—"Control of Volatile Organic Compound Emissions", Sections 10, 11, 12, 44, 45, 48, and 49 and appendices I, K, L, and M, effective November 29, 1994.

(C) Administrative changes to Regulation 24, Section 2—Definitions: Addition of sections 2(c) Basecoat; 2(j) Clearcoat; 2(x) Gloss flattener; 2(bb) Internal Floating Roof; 2(gg) Liquid-mounted seal; 2(ss) Petroleum; 2(tt) Petroleum Liquid; 2(xx) Primer; 2(jjj) Storage Vessel; 2(mmm) Transfer efficiency; 2(ppp) Vapor-mounted seal; and 2(ttt) Volatile Organic Liquid (VOL); and section 2(zz) by changing ASTM D323-89 to ASTM D323-82, effective November 29, 1994.

(D) An Errata sheet of Regulation 24 with administrative changes to Section 4-4(b) by renumbering section 13 to 10 and section 22 to 23, 4(b)(1)(iii) by renumbering section 13 to 10 and section 22 to 23, 4(c) by renumbering section 22 to 23, 4(d) by renumbering section 22 to 23, 4(e) by renumbering section 13 to 10 and section 22 to 23, 4(e)(2)(iv) by adding the following lines: section 10(e)(1)(iii), section 11(d), section 12(e)(1)(iii), and section 23(e)(1)(iii),

4(e)(x) correcting 50 degrees F to 82 degrees F; Section 8-8(a)(2) by renumbering section 13 to 10; Section 21-21(a)(5) correcting the number 4 to 5; Section 25-25(c)(4)(vi) by changing *calibrated* to *calculated*; Section 29-29(i)(3)(i)(A) by correcting 0.09 to 0.044 in Hg, 29(i)(3)(i)(B) by correcting 0.09 to 0.044 in Hg; Section 30-30(b) by deleting definitions of *liquid mounted seal* and *vapor mounted seal* that were added in Section 2—Definitions; Section 31-31(b) by deleting definition of *internal floating roof* that was added to Section 2—Definitions, 31(e)(i) by correcting letter *i* to *ii*; Section 33-33(f)(3) by correcting (c)(3)(i)(B) to (c)(3)(ii)(B), Section 35-35(c)(2)(i) by adding *weight*, 35(c)(3)(i) by adding *by weight*; Section 37-37(a)(1) by deleting *of press ready ink*; Section 43-43(a)(1) by renumbering section 13 to 10 and section 42 to 49; Appendix A—(a) by renumbering section 13(c)(1) or section 14 through 43 to section 19 through 50; Appendix D—(a)(2)(iii)(4) by deleting *to be published*, effective November 29, 1994.

(ii) *Additional material.* (A) Remainder of December 19, 1994 State submittal pertaining to Regulation 24 referenced in paragraphs (c)(54)(i).

(55) Revisions to the Delaware Regulations, Regulation 24, Section 47—Offset Lithographic Printing submitted on December 19, 1994 by the Delaware Department of Natural Resources & Environmental Control (DNREC):

(i) *Incorporation by reference.* (A) Letter of December 19, 1994 from the Delaware DNREC transmitting Regulation 24, Section 47—Offset Lithographic Printing, effective November 29, 1994.

(B) Regulation 24, Section 47—Offset Lithographic Printing, effective November 29, 1994.

(ii) Additional material from Delaware's December 19, 1994 submittal pertaining to Section 47 of Regulation 24.

(56)–(57) [Reserved]

(58) Revisions to the Delaware State Implementation Plan on October 2, 1996 by the Delaware Department of Natural Resources & Environmental Control:

(i) *Incorporation by reference.* (A) A letter of October 2, 1996 from the Delaware Department of Natural Resources & Environmental Control transmitting the General Conformity Rule.

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(B) Delaware Regulation 35—Conformity of General Federal Actions to the State Implementation Plans (General Conformity), effective August 14, 1996.

(ii) Additional material from the Delaware’s October 2, 1996 submittal pertaining to Regulation 35.

[37 FR 10856, May 31, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.465, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

**Subpart J—District of Columbia**

**§ 52.470 Identification of plan.**

(a) *Purpose and scope.* This section sets forth the applicable State implementation plan for the District of Columbia 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 as incorporated by reference in paragraphs (c) and (d) 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. The material incorporated is as it exists on the date of the approval, and notice of any change in the material will be published in the FED-

ERAL REGISTER. Entries in paragraphs (c) and (d) of this section with EPA approval dates on or after December 1, 2008 will be incorporated by reference in the next update to the SIP compilation.

(2) EPA Region III certifies that the rules/regulations and source-specific requirements provided by EPA at the addresses in paragraph (b)(3) of this section are an exact duplicate of the officially promulgated State rules/regulations and source-specific requirements which have been approved as part of the State implementation plan as of December 1, 2008.

(3) Copies of the materials incorporated by reference may be inspected at the EPA Region III Office at 1650 Arch Street, Philadelphia, PA 19103. For further information, call (215) 814-2108; the EPA, Air and Radiation Docket and Information Center, Room Number 3334, EPA West Building, 1301 Constitution Avenue NW., Washington, DC 20460. For further information, call (202) 566-1742; or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html).

(c) *EPA-approved regulations.*

**EPA-APPROVED DISTRICT OF COLUMBIA REGULATIONS**

| State citation   | Title/subject                         | State effective date | EPA approval date     | Additional explanation |
|--|---------------------------------------|----------------------|-----------------------|------------------------|
| <b>District of Columbia Municipal Regulations (DCMR), Title 20—Environment</b> |                                       |                      |                       |                        |
| <b>Chapter 1 General</b>   |                                       |                      |                       |                        |
| Section 100 .....  | Purpose, Scope and Construction ..... | 3/15/85 .....        | 8/28/95, 60 FR 44431. |                        |
| Section 101 .....  | Inspection .....                      | 3/15/85 .....        | 8/28/95, 60 FR 44431. |                        |
| Section 102 .....  | Orders for Compliance .....           | 3/15/85 .....        | 8/28/95, 60 FR 44431. |                        |
| Section 104 .....  | Hearings .....                        | 3/15/85 .....        | 8/28/95, 60 FR 44431. |                        |
| Section 105 .....  | Penalty .....                         | 3/15/85 .....        | 8/28/95, 60 FR 44431. |                        |
| Section 106 .....  | Confidentiality of Reports .....      | 3/15/85 .....        | 8/28/95, 60 FR 44431. |                        |
| Section 107 .....  | Control Devices or Practices .....    | 3/15/85 .....        | 8/28/95, 60 FR 44431. |                        |
| Section 199 .....  | Definitions and Abbreviations .....   | 4/29/97 .....        | 7/31/97, 62 FR 40937. |                        |