

**§ 52.624**

**40 CFR Ch. I (7-1-10 Edition)**

**§ 52.624 General requirements.**

(a) The requirements of § 51.116(c) of this chapter are not met since the legal authority to provide for public availability of emission data is inadequate.

(b) *Regulation for public availability of emission data.* (1) Any person who cannot obtain emission data from the Agency responsible for making emission data available to the public, as specified in the applicable plan, concerning emissions from any source subject to emission limitations which are part of the approved plan may request that the appropriate Regional Administrator obtain and make public such data. Within 30 days after receipt of any such written request, the Regional Administrator shall require the owner or operator of any such source to submit information within 30 days on the nature and amounts of emissions from such source and any other information as may be deemed necessary by the Regional Administrator to determine whether such source is in compliance with applicable emission limitations or other control measures that are part of the applicable plan.

(2) Commencing after the initial notification by the Regional Administrator pursuant to paragraph (b)(1) of this section, the owner or operator of the source shall maintain records of the nature and amounts of emissions from such source and any other information as may be deemed necessary by the Regional Administrator to determine whether such source is in compliance with applicable emission limitations or other control measures that are part of the plan. The information recorded shall be summarized and reported to the Regional Administrator, on forms furnished by the Regional Administrator, and shall be submitted within 45 days after the end of the reporting period. Reporting periods are January 1 to June 30 and July 1 to December 31.

(3) Information recorded by the owner or operator and copies of this summarizing report submitted to the Regional Administrator shall be retained by the owner or operator for 2 years after the date on which the pertinent report is submitted.

(4) Emission data obtained from owners or operators of stationary sources

will be correlated with applicable emission limitations and other control measures that are part of the applicable plan and will be available at the appropriate regional office and at other locations in the state designated by the Regional Administrator.

[39 FR 34536, Sept. 26, 1974, as amended at 40 FR 55329, Nov. 28, 1975; 51 FR 40676, Nov. 7, 1986]

**§ 52.625 Legal authority.**

(a) The requirements of § 51.230(f) of this chapter are not met, since sections 322-64(5) and 322-66 of the Hawaii Revised Statutes could, in some circumstances, prohibit the disclosure of emission data to the public. Therefore, sections 322-64(5) and 322-66 are disapproved.

[39 FR 34536, Sept. 26, 1974, as amended at 51 FR 40676, Nov. 7, 1986]

**§ 52.626 Compliance schedules.**

(a) [Reserved]

(b) The compliance schedules for the sources identified below are disapproved as not meeting the requirements of Subpart N of this chapter. The regulations cited are air pollution control regulations of the State.

Source	Location	Regulation sections involved	Date of adoption
Nanakuli Paving & Rock Co., Ltd.	Molokai .....	8, 13 .....	7/27/73.
Kohala Corp	Halaula .....	8, 12 .....	Do.

[39 FR 16348, May 8, 1974, as amended at 51 FR 40676, Nov. 7, 1986; 54 FR 25258, June 14, 1989]

**§§ 52.627-52.631 [Reserved]**

**§ 52.632 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 except paragraph (a)(1) are hereby incorporated

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and made a part of the applicable State plan for the State of Hawaii.

[43 FR 26410, June 19, 1978, as amended at 45 FR 52741, Aug. 7, 1980; 68 FR 11322, Mar. 10, 2003; 68 FR 74488, Dec. 24, 2003]

**§ 52.633 Visibility protection.**

(a) The requirements of section 169A of the Clean Air Act are not met, because the plan does not include approvable procedures for protection of visibility in mandatory Class I Federal areas.

(b) Regulations for visibility monitoring and new source review. The provisions of §§ 52.26, 52.27 and 52.28, are hereby incorporated and made part of the applicable plan for the State of Hawaii.

(c) *Long-term strategy.* The provisions of § 52.29 are hereby incorporated and made part of the applicable plan for the State of Hawaii.

[50 FR 28553, July 12, 1985, as amended at 52 FR 45137, Nov. 24, 1987]

**§ 52.634 Particulate matter (PM-10) Group III SIP.**

(a) On September 14, 1988, the Governor of Hawaii submitted a revision to the State Implementation Plan (SIP) for implementing the required monitoring activities and other tasks necessary to satisfy the requirements of the PM-10 Group III SIP.

(b) The Hawaii Department of Health has committed to meet the ongoing requirements for PM-10 Group III areas.

[55 FR 18110, May 1, 1990]

**Subpart N—Idaho**

**§ 52.670 Identification of plan.**

(a) *Purpose and scope.* This section sets forth the applicable State imple-

mentation plan for Idaho 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 in paragraphs (c) and (d) of this section with an EPA approval date prior to November 12, 2004, 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. Material is incorporated as it exists on the date of the approval, and notice of any change in the material will be published in the FEDERAL REGISTER. Entries in paragraphs (c) and (d) of this section with EPA approval dates after November 12, 2004, will be incorporated by reference in the next update to the SIP compilation.

(2) EPA Region 10 certifies that the rules/regulations provided by EPA in the SIP compilation at the addresses in paragraph (b)(3) of this section are an exact duplicate of the officially promulgated State rules/regulations which have been approved as part of the State Implementation Plan as of November 12, 2004.

(3) Copies of the materials incorporated by reference may be inspected at the Region 10 EPA Office at 1200 Sixth Avenue, Seattle, WA 98101; the EPA, Air and Radiation Docket and Information Center, Air Docket, 1301 Constitution Avenue, NW., Washington, DC 20004; 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 IDAHO REGULATIONS**

State citation	Title/subject	State effective date	EPA approval date	Explanations
<b>Idaho Administrative Procedures Act (IDAPA) 58.01.01—Rules for the Control of Air Pollution in Idaho</b>				
001 .....	Title and Scope .....	5/1/94 .....	01/16/03, 68 FR 2217.	
004 .....	Catchlines .....	5/1/94 .....	01/16/03, 68 FR 2217.	
005 .....	Definitions .....	5/1/94 .....	01/16/03, 68 FR 2217.	
006 .....	General Definitions .....	4/5/00, 3/20/97, 5/1/95, 5/1/94.	01/16/03, 68 FR 2217 10/6/05, 70 FR 58311.	Except (84)(f)