

**§ 52.2081**

**40 CFR Ch. I (7–1–10 Edition)**

(3) No revisions shall be effective until the hearing requirements of § 51.102 of this chapter have been satisfied.

[38 FR 18879, 18880, July 16, 1973, as amended at 38 FR 30878, Nov. 8, 1973; 51 FR 40675, Nov. 7, 1986]

**§ 52.2081 EPA-approved EPA Rhode Island State regulations.**

The following table identifies the State regulations which have been ap-

proved by EPA and incorporated by reference into the Rhode Island State Implementation Plan. This table is for informational purposes only and does not have any independent regulatory requirements for a specific situation consult the plan identified in § 52.2070. To the extent that this table conflicts with § 52.2070, § 52.2070 governs.

TABLE 52.2081—EPA-APPROVED RULES AND REGULATIONS

State citation	Title/subject	Date adopted by State	Date approved by EPA	FR citation	52.2070	Comments/Unapproved sections
	Air pollution control regulation.					
No. 1 .....	Visible emissions .....	8/02/67	5/31/72	37 FR 10842 .....	(b)	
		2/28/72	5/31/72	37 FR 10842 .....	(b)	
		2/22/77	5/07/81	46 FR 25446 .....	(c)(12)	
No. 2 .....	Handfiring of soft coal .....	8/02/67	5/31/72	37 FR 10842 .....	(b)	
		2/28/72	5/31/72	37 FR 10842 .....	(b)	
		2/22/77	5/07/81	46 FR 25446 .....	(c)(12)	
No. 3 .....	Particulate emissions from industrial processes.	8/02/67	5/31/72	37 FR 10842 .....	(b)	
		2/28/72	5/31/72	37 FR 10842 .....	(b)	
		2/22/77	5/07/81	46 FR 25446 .....	(c)(12)	
No. 4 .....	Open fires .....	8/02/67	5/31/72	37 FR 10842 .....	(b)	
		10/01/71	5/31/72	37 FR 10842 .....	(b)	
		2/22/77	5/07/81	46 FR 25446 .....	(c)(12)	
No. 5 .....	Fugitive dust .....	8/02/67	5/31/72	37 FR 10842 .....	(b)	
		2/22/77	5/07/81	46 FR 25446 .....	(c)(12)	
No. 6 .....	Opacity monitors .....	8/02/67	5/31/72	37 FR 10842 .....	(b)	
		2/22/77	5/07/81	46 FR 25446 .....	(c)(12).	
		11/22/89	9/30/91	56 FR 49416 .....	(c)(37) ..	Amended Regulation No. 6.
No. 7 .....	Emission of air contaminants detrimental to persons or property.	8/02/67	5/31/72	37 FR 10842 .....	(b)	
		7/19/77	5/07/81	46 FR 25446 .....	(c)(12)	
No. 8 .....	Sulfur content of fuels .....	10/01/71	5/31/72	37 FR 10842 .....	(b)	
		5/28/74	11/03/75	40 FR 51044 .....	(c)(8)	
		.....	1/21/81	46 FR 5980 .....	(c)(13) ..	Narragansett Electric Bubble.
		2/22/77	5/07/81	46 FR 25446 .....	(c)(12)	

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TABLE 52.2081—EPA-APPROVED RULES AND REGULATIONS—Continued

State citation	Title/subject	Date adopted by State	Date approved by EPA	FR citation	52.2070	Comments/Unapproved sections
		.....	12/30/81	46 FR 63043 .....	(c)(14) ..	Temporary Relaxation for Bradford Dye.
		.....	11/10/82	47 FR 50866 .....	(c)(16) ..	Temporary Relaxation for Kenyon Piece Dye Works.
		10/05/82	3/29/83	48 FR 13027 .....	(c)(17) ..	Conversion/Conservation Incentive/Bubble.
		5/15/84	49 FR 20493	(c)(21) .....	URI Bubble..	
		8/29/83	7/27/84	49 FR 30177 .....	(c)(23) ..	Narragansett Electric (South Street).
		5/02/85	1/8/86	51 FR 756 .....	(c)(24) ..	Requires sampling valve.
		12/16/85	8/1/86	51 FR 27538 .....	(c)(25) ..	Temporary relaxation for Seville Dyeing Corporation in Woon-socket.
		3/17/87	9/19/89	54 FR 38518 .....	(c)(34) ..	URI bubble renewal.
No. 9 .....	Approval to construct, modify or operate.	10/03/71	5/31/72	37 FR 10842 .....	(b)	
		2/22/77	5/07/81	46 FR 25446 .....	(c)(12)	
		4/12/81	5/07/81	46 FR 25446 .....	(c)(12) ..	No action on 9.2.3(b) and 9.12.
		4/05/82	6/28/83	48 FR 29690 .....	(c)(18) ..	NSR fully approved, 9.12 Emission Banking approved.
		2/13/84	7/6/84	49 FR 27749 .....	(c)(22) ..	PSD fully approved, 9.2.3(b) approved.
		5/02/85	1/8/86	51 FR 756 .....	(c)(24) ..	Additional BACT requirements.
		5/20/91	10/7/91	56 FR 50516 .....	(c)(38) ..	Addition of PSD NO <sub>2</sub> increments.
	Air Pollution Control Permits.	3/4/93	2/6/96	61 FR 4356 .....	(c)(41) ..	Addition of NSR and other CAAA requirements under Amended Regulation No. 9 except for Chapters 9.13, 9.14, 9.15, and Appendix A.
	Air Pollution Control Permits.	7/30/96	6/2/99	64 FR 29566 .....	(c)(54) ..	5
	Air Pollution Control Permits.	7/30/96	6/2/99	64 FR 29563 .....	(c)(54) ..	Changes in 9.1.7, 9.1.18, and 9.5.1(c) to add Dual Source Definition. Changes in 9.1.24(b)(3), 9.5.2(b)(2)d(i), 9.5.1(d) and 9.5.1(f) to change Particulate Increment. Changes in 9.1.6 to revise BACT definition.
No. 10 ...	Air pollution episodes .....	2/28/72	5/31/72	37 FR 10842 .....	(b)	
		10/11/75	11/03/75	40 FR 51043 .....	(c)(6)	
		2/22/77	5/07/81	46 FR 25446 .....	(c)(12)	

TABLE 52.2081—EPA-APPROVED RULES AND REGULATIONS—Continued

State citation	Title/subject	Date adopted by State	Date approved by EPA	FR citation	52.2070	Comments/Unapproved sections
No. 11 ...	Petroleum liquids marketing and storage.	2/22/77	5/07/81	46 FR 25446 .....	(c)(12)	
		7/05/79	5/07/81	46 FR 25446 .....	(c)(12)	
		4/22/81	4/26/82	47 FR 17817 .....	(c)(15)	
		1/20/87	9/1/87	52 FR 32920 .....	(c)(30) ..	Amended Regulation No. 11, Subsection 11.4.5.
		11/07/88, 04/24/89	6/2/89	54 FR 23661 .....	(c)(33) ..	Approves a limitation on volatility of gasoline from June 30 to Sept. 15, 1989, and May 1 to Sept. 15 in subsequent years at Subsections 11.7.1 and 11.7.2.
		12/10/89 1/11/93	9/30/91 12/17/93	56 FR 49416 .....	(c)(37) .. (c)(39) ..	Amended Regulation No. 11. Regulation revised to add new Stage II vapor recovery requirements.
No. 12 ...	Incinerators .....	2/28/72	6/22/73	38 FR 16351 .....	(c)(3)	
		2/22/77	5/07/81	46 FR 25446 .....	(c)(12)	
		4/22/81	4/26/82	47 FR 17817 .....	(c)(15)	
No. 13 ...	Particulate emissions from fossil fuel fired steam or hot water generating units.	1/17/73	10/23/73	38 FR 29296 .....	(c)(14)	
		2/22/77	5/07/81	46 FR 25446 .....	(c)(12)	
		7/05/79	5/07/81	46 FR 25446 .....	(c)(12)	
		.....	11/10/82	47 FR 50866 .....	(c)(16) ..	Temporary Relaxation for Kenyon Piece Dye Works.
		10/05/82	3/29/83	48 FR 13027 .....	(c)(17) ..	Conversion/Conservation Incentive.
No. 14 ...	Record keeping and reporting.	5/14/73	1/15/76	41 FR 2231 .....	(c)(10)	
		2/22/77	5/07/81	46 FR 25446 .....	(c)(12)	
		7/05/79	5/07/81	46 FR 25446 .....	(c)(12)	
		1/11/93	1/10/95	60 FR 2526 .....	(c)(42)	
No. 15 ...	Control of organic solvent emissions.	8/21/75	5/07/81	46 FR 25446 .....	(c)(12)	
		3/14/83	7/06/83	48 FR 31026 .....	(c)(19) ..	Includes 100 TPY RACT Reg/Generic Bubble Rule.
		6/6/85	12/11/86	51 FR 44605 .....	(c)(27) ..	RACT for Stanley Bostitch under 15.5.
		11/24/87	3/10/89	54 FR 10147 .....	(c)(32) ..	Consent Agreement imposing RACT on Tech Industries under 15.5 (Provisions 7 and 8 not approved).

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TABLE 52.2081—EPA-APPROVED RULES AND REGULATIONS—Continued

State citation	Title/subject	Date adopted by State	Date approved by EPA	FR citation	52.2070	Comments/Unapproved sections
		6/5/90	8/31/90	55 FR 35625 .....	(c)(36) ..	RACT determination for Tillotson-Pearson under 15.5.
		4/24/90	9/6/90	55 FR 36638 .....	(c)(35) ..	RACT determination/Bubble for Providence Metallizing under 15.5.
		12/10/89	9/30/91	56 FR 49416 .....	(c)(37) ..	Amended Regulation No. 15, except subsections 15.1.16 and 15.2.2.
No. 16 ...	Operation of air pollution control system.	2/22/77	5/07/81	46 FR 25446 .....	(c)(12)	
No. 17 ...	Odors .....	2/22/77	5/07/81	46 FR 25446 .....	(c)(12).	
No. 18 ...	Control of emissions from solvent metal cleaning.	7/5/79	5/07/81	46 FR 25446 .....	(c)(12)	
		4/22/81	4/26/82	47 FR 17817 .....	(c)(15)	
		12/10/89	9/30/91	56 FR 49416 .....	(c)(37) ..	Amended Regulation No. 18, except subsections 18.1.8, 18.2.1, 18.3.2(d), 18.3.3(f), and 18.5.2.
No. 19 ...	Control of VOCs from surface coating operations.	11/13/79	5/07/81	46 FR 25446 .....	(c)(12) ..	Conditional approval.
		4/05/82	7/06/83	48 FR 31026 .....	(c)(19) ..	Removes Conditions/Generic Bubble Rule.
		9/12/85	8/31/87	52 FR 32794 .....	(c)(28) ..	Compliance date extension for Keene Corporation under 19.3.
		1/20/87	9/1/87	52 FR 32920 .....	(c)(30) ..	Amended Regulation No. 19, Subsection 19.7.1.
		5/29/85	9/28/87	52 FR 36250 .....	(c)(26) ..	Compliance date extension for James River Corp. in Johnston.
		12/31/86	2/10/88	53 FR 3890 .....	(c)(29) ..	Alternative RACT for Kenyon Industries under 19.3.3.
		12/10/89	9/30/91	56 FR 49416 .....	(c)(37) ..	Amended Regulation No. 19, except subsections 19.1.11, 19.2.2, and 19.3.2(a).

TABLE 52.2081—EPA-APPROVED RULES AND REGULATIONS—Continued

State citation	Title/subject	Date adopted by State	Date approved by EPA	FR citation	52.2070	Comments/Unapproved sections
		10/30/92	10/18/94	59 FR 52429 .....	(c)(40) ..	All of No. 19 is approved with the exception of 19.2.2, and the last sentence of 19.1.1, which Rhode Island did not submit as part of the SIP revision. No. 19 was amended to change applicability and to add emission limitations for metal coil coating, metal furniture coating, magnet wire coating, large appliance coating, miscellaneous metal parts coating, wood products coating, and flat wood paneling coating.
No. 21 ...	Control of VOCs from printing operations.	4/05/82	7/06/83	48 FR 31026 .....	(c)(19) ..	Generic Bubble Rule.
		1/20/87	9/1/87	52 FR 32920 .....	(c)(30) ..	Amended Regulation No. 21, subsection 21.6.1.
		12/10/89	9/30/91	56 FR 49416 .....	(c)(37) ..	Amended Regulation No. 21, except subsections 21.1.15 and 21.2.2, and portion of 21.5.2(h) which states "equivalent to" in the parenthetical.
No. 25 ...	Control of Volatile Organic Compound Emissions from Cutback and Emulsified Asphalt.	10/30/92	10/18/94	59 FR 52429 .....	(c)(40) ..	All of No. 25 is approved, with the exception of 25.2.2, which was not submitted by Rhode Island as part of the SIP revision.
No. 26 ...	Control of Organic Solvent Emissions from Manufacture of Synthesized Pharmaceutical Products.	10/30/92	10/18/94	59 FR 52429 .....	(c)(40) ..	All of No. 26 is approved, with the exception of 26.2.3, which was not submitted by Rhode Island as part of the SIP revision.
No. 27 ...	Control of Nitrogen Oxides Emissions.	9/2/97	6/2/99	64 FR 29570 .....	(c)(55) ..	Establishes alternative NOx RACT for Rhode Island Economic Development Corporation in North Kingstown, RI.
No. 29.3	EMISSIONS .....	4/28/95	3/22/96	61 FR 11735 .....	(c)(45) ..	This rule limits a source's potential to emit, therefore avoiding RACT, title V operating permits.
No. 30 ...	Control of VOC from Automobile Refinishing Operations.	6/27/95	2/2/96	61 FR 3827 .....	(c)(44) ..	Control of VOC From Automobile Refinishing Operations.
No. 31 ...	Consumer and Commercial Products.	3/11/94	10/30/96	61 FR 55903 .....	(c)(47) ..	VOC control reg. submitted as part of State's Contingency Plan. Section 31.2.2 not approved.

TABLE 52.2081—EPA-APPROVED RULES AND REGULATIONS—Continued

State citation	Title/subject	Date adopted by State	Date approved by EPA	FR citation	52.2070	Comments/Unapproved sections
No. 32 ...	Marine Vessels .....	3/11/94	4/4/96	60 FR 14978 .....	(c)(43) ..	All of No. 32 is approved with the exception of Section 32.2.2 which Rhode Island did not submit as part of the SIP revision.
No. 33 ...	Architectural and Industrial Maintenance Coatings.	3/11/94	10/30/96	61 FR 55903 .....	(c)(47) ..	VOC control reg. submitted as part of State's Contingency Plan Section 33.2.2 not approved.
No. 38 ...	Nitrogen Oxides Allowance Program.	5/21/98	6/2/99	64 FR 29570 .....	(c)(55) ..	Adds ozone season NOx emission limitations at certain stationary sources.

[50 FR 770, Jan. 7, 1985]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.2081, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

§ 52.2082 [Reserved]

§ 52.2083 Significant deterioration of air quality.

(a) The Rhode Island plan, as submitted, is approved as meeting the requirements of Subpart 1, Part C, Title I, of the Clean Air Act.

[49 FR 27750, July 6, 1984]

§ 52.2084 Rules and regulations.

(a) Part D—Disapproval.

(1) On November 5, 1985, the Rhode Island Department of Environmental Management submitted a revision to the Rhode Island State Implementation Plan (SIP) for Arkwright Incorporated. This revision is an alternative reasonably available control technology determination for the control of volatile organic compounds (VOC) from three paper coating lines at Arkwright Incorporated's Fiskeville, Rhode Island facility. As a result of EPA's disapproval of this revision, the existing VOC rules applicable to Arkwright Incorporated and contained in the Rhode Island SIP remain in effect (Rhode Island Air Pollution Control Regulation No. 19 as approved by EPA in 40 CFR 52.2080(c)(19)).

(2) [Reserved]

(b) *Non-Part D—No Action*— EPA is neither approving nor disapproving the following elements of the revisions:

- (i) [Reserved]
- (ii) Consultation.
- (iii) Permit fees.
- (iv) Stack height requirements.
- (v) Public notification.

[46 FR 25460, May 7, 1981, as amended at 48 FR 31027, July 6, 1983; 50 FR 52461, Dec. 24, 1985; 52 FR 38764, Oct. 19, 1987; 62 FR 18716, Apr. 17, 1997; 63 FR 67600, Dec. 8, 1998; 64 FR 926, Jan. 6, 1999]

§ 52.2085 Stack height review.

The State of Rhode Island has declared to the satisfaction of EPA that no existing emission limitations have been affected by stack height credits greater than good engineering practice or any other prohibited dispersion technique as defined in EPA's stack height regulations, as revised on July 8, 1985. Such declarations were submitted to EPA on March 27, 1986. The State has further declared, in letters from Thomas D. Getz, dated October 15, 1985 and March 27, 1986, that "[R]hode Island will use the 8 July 1985 revised height regulations in administering section 9.18 of its new source review regulations." Thus, Rhode Island has satisfactorily demonstrated that its