§ 52.2724 [Reserved]

§ 52.2725 General requirements.

(a) The requirements of §51.116(c) of this chapter are not met, since section 2.4 of the Puerto Rico Regulation for Control of Atmospheric Pollution could, in some circumstances, prohibit the disclosure of emission data to the public. Therefore, section 2.4 is disapproved.

(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 applicable plan.

§ 52.2726 Legal authority.

(a) The requirements of §51.230(f) of this chapter are not met, since Article 17 of Puerto Rico Act 9 could, in some circumstances, prohibit the disclosure of emission data to the public. Therefore, Article 17 is disapproved.

§§ 52.2727–52.2728 [Reserved]

§ 52.2729 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 and made a part of the applicable State plan for the State of Puerto Rico.

§ 52.2730 [Reserved]

§ 52.2731 Control strategy and regulations: Sulfur oxides.

(a) The requirements of subpart G of this chapter are not met since the Puerto Rico plan does not provide for attainment and maintenance of the national standards for sulfur oxides in the areas of Aguirre, Barceloneta, Trujillo Alto-Dorado and Ensenada.
§ 52.2732 Small business technical and environmental compliance assistance program.

On November 16, 1992, the Puerto Rico Environmental Quality Board submitted a plan for the establishment and implementation of a Small Business Stationary Source Technical and Environmental Compliance Assistance Program for incorporation in the Puerto Rico state implementation plan. This plan meets the requirements of section 307 of the Clean Air Act, and Puerto Rico must implement the plan as approved by EPA.

[59 FR 34386, July 5, 1994]

§ 52.2770 Identification of plan.

(a) Title of plan: “Air Quality Implementation Plan for the U.S. Virgin Islands.”

(b) The plan was officially submitted on January 31, 1972.

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

(1) Procedures for making emission data available to the public submitted April 26, 1972, by the Division of Environmental Health, Virgin Islands Department of Health.

(2) Revision to construction permit regulation, Rule 12, section 206-26(a) of the Virgin Islands Rules and Regulations, submitted on August 17, 1972, by the Governor.

(3) Sections 206-30 (Review of new sources and modifications) and 206-31 (Review of new or modified indirect sources) were submitted on February 12, 1974, by the Governor of Virgin Islands.

(4) Additional information on sections 206-30 and 206-31 was submitted on April 10, 1975, by the Governor of the Virgin Islands.

(5) Exemption of the St. John Municipal Incinerator from the requirements of section 204-23, paragraph (c)(2) of the Virgin Islands Air Pollution Control Code submitted on July 9, 1975, by the Governor.

(6) Revised Section 204-26 (Sulfur Compounds Emissions Control) submitted on January 21, 1976 by the Governor of the Virgin Islands, as it applies to the islands of St. Thomas and St. John.

(7) Amended revised Section 204-26 submitted on June 3, 1976 by the Governor of the Virgin Islands, as it applies to the islands of St. Thomas and St. John.

(8) As it applies to the island of St. Croix, per an August 16, 1976 request from the Virgin Islands, revised 12 V.I.R. & R. 9:204-26 (Sulfur Compounds Emission Control) excluding subsection (a)(2), as submitted on January 21, 1976 by the Governor of the Virgin Islands.

SOURCE: 37 FR 10905, May 31, 1972, unless otherwise noted.