

this chapter and the provisions of subpart III of part 96 of this chapter that apply only to units covered by § 96.288(b) of this chapter; or

(3) Provisions for applications for CAIR opt-in units, including provisions for CAIR opt-in permits, approval of CAIR opt-in permits, treatment of units as CAIR opt-in units, and allocation and recordation of CAIR SO<sub>2</sub> allowances for CAIR opt-in units, that are substantively identical to subpart III of part 96 of this chapter and the provisions of subparts AAA through HHH that are applicable to CAIR opt-in units or units for which a CAIR opt-in permit application is submitted and not withdrawn and a CAIR opt-in permit is not yet issued or denied, except that the provisions exclude § 96.288(c) of this chapter and the provisions of subpart III of part 96 of this chapter that apply only to units covered by § 96.288(c) of this chapter.

(s) Notwithstanding any provisions of paragraphs (a) through (r) of this section, subparts AAA through III of part 96 of this chapter, subparts AAA through III of part 97 of this chapter, and any State's SIP to the contrary:

(1) With regard to any control period that begins after December 31, 2011, the Administrator:

(i) Rescinds the determination in paragraph (a) of this section that the States identified in paragraph (c) of this section must submit a SIP revision with respect to the fine particulates (PM<sub>2.5</sub>) NAAQS meeting the requirements of paragraphs (b) through (r) of this section; and

(ii) Will not carry out any of the functions set forth for the Administrator in subparts AAA through III of part 96 of this chapter, subparts AAA through III of part 97 of this chapter, or in any emissions trading program in a State's SIP approved under this section; and

(2) The Administrator will not deduct for excess emissions any CAIR SO<sub>2</sub> allowances allocated for 2012 or any year thereafter.

[70 FR 25328, May 12, 2005, as amended at 71 FR 25302, 25372, Apr. 28, 2006; 71 FR 74793, Dec. 13, 2006; 72 FR 59204, Oct. 19, 2007; 74 FR 56726, Nov. 3, 2009; 76 FR 48353, Aug. 8, 2011]

§ 51.125 [Reserved]

**§ 51.126 Determination of widespread use of ORVR and waiver of CAA section 182(b)(3) Stage II gasoline vapor recovery requirements.**

(a) Pursuant to section 202(a)(6) of the Clean Air Act, the Administrator has determined that, effective May 16, 2012, onboard refueling vapor recovery (ORVR) systems are in widespread use in the motor vehicle fleet within the United States.

(b) Effective May 16, 2012, the Administrator waives the requirement of Clean Air Act section 182(b)(3) for Stage II vapor recovery systems in ozone nonattainment areas regardless of classification. States must submit and receive EPA approval of a revision to their approved State Implementation Plans before removing Stage II requirements that are contained therein.

[77 FR 28782, May 16, 2012]

**Subpart H—Prevention of Air Pollution Emergency Episodes**

SOURCE: 51 FR 40668, Nov. 7, 1986, unless otherwise noted.

**§ 51.150 Classification of regions for episode plans.**

(a) This section continues the classification system for episode plans. Each region is classified separately with respect to each of the following pollutants: Sulfur oxides, particulate matter, carbon monoxide, nitrogen dioxide, and ozone.

(b) *Priority I Regions* means any area with greater ambient concentrations than the following:

(1) Sulfur dioxide—100 µg/m<sup>3</sup> (0.04 ppm) annual arithmetic mean; 455 µg/m<sup>3</sup> (0.17 ppm) 24-hour maximum.

(2) Particulate matter—95 µg/m<sup>3</sup> annual geometric mean; 325 µg/m<sup>3</sup> 24-hour maximum.

(3) Carbon monoxide—55 mg/m<sup>3</sup> (48 ppm) 1-hour maximum; 14 mg/m<sup>3</sup> (12 ppm) 8-hour maximum.

(4) Nitrogen dioxide—100 µg/m<sup>3</sup> (0.06 ppm) annual arithmetic mean.

(5) Ozone—195 µg/m<sup>3</sup> (0.10 ppm) 1-hour maximum.