Environmental Protection Agency
§ 52.232

The rescission by the Southern California APCD of the following rules, which were previously approved in the September 22, 1972 (37 FR 19813) Federal Register issue, is disapproved since adequate replacement rules have not been submitted and no analysis has been presented to show that this rescission will not interfere with the attainment and maintenance of the NAAQS for photochemical oxidants (hydrocarbons) as required by section 110 of the Clean Air Act. In addition, the following rules, as submitted in June 1972 and approved for the SIP, remain federally enforceable:

1. Los Angeles County APCD, Regulation IV, Rule 69, Vacuum Producing Devices or Systems.
2. San Bernardino County APCD, Regulation IV, Rule 69, Vacuum Producing Devices or Systems.
3. Riverside County APCD, Regulation IV, Rule 74, Vacuum Producing Devices or Systems.
4. Orange County APCD, Regulation IV, Rule 69, Vacuum Producing Devices or Systems.

(b) The deletion of the following rules or portions of rules is disapproved, since an adequate control strategy demonstration has not been submitted indicating that the deletions of the control requirements contained in those rules would not interfere with the attainment or maintenance of the National Ambient Air Quality Standard for Sulfur Oxides.

1. Lake County Intrastate Region.
   i. Lake County, APCD. Section 3(F), Sulfur of Part V, Prohibitions and Standards, submitted on October 23, 1974 and previously approved under 40 CFR 52.223, is retained as applicable to sources other than sulfur recovery units.

§ 52.235 Part D conditional approval.

(a) The following portions of the California SIP contain deficiencies with respect to Part D of the Clean Air Act which must be corrected by meeting the indicated conditions of Part D plan approval.

1. Imperial County for ozone.
   i. By May 7, 1981, the NSR rules must be revised and submitted as an SIP revision. The rules must satisfy...

In revising the Imperial County APCD’s NSR rules, the State/APCD must address (A) any new requirements in EPA’s amended regulations for NSR under section 173 of the Clean Air Act (August 7, 1980, 45 FR 52676) which the APCD rules do not now satisfy and (B) those deficiencies cited in EPA’s Evaluation Report Addendum (contained in Document File NAP–CA–06 at the EPA Library in Washington, DC and the Region IX office).

(ii) By January 1, 1981, a cutback asphalt rule which reflects reasonably available control technology (RACT) must be submitted as an SIP revision.

(2) North Central Coast Air Basin for ozone.

(i) By May 7, 1981, the NSR rules must be revised and submitted as an SIP revision. The rules must satisfy section 173 and 40 CFR 51.18, “Review of new sources and modifications.” In revising the Monterey Bay Unified APCD’s NSR rules, the State/APCD must address (1) any new requirements in EPA’s amended regulations for NSR under section 173 of the Clean Air Act (August 7, 1980, 45 FR 52676) which the APCD rules do not now satisfy and (2) those deficiencies with respect to the September 5, 1979 notice cited in EPA’s Evaluation Report Addendum which still apply despite EPA’s new NSR requirements (contained in Document File NAP–CA–14 at the EPA Library in Washington, DC and the Regional Office).

(ii) By March 4, 1981, one of the following must be submitted as an SIP revision: (a) Adequate justification that the cutback asphalt rule represents RACT, (b) amendment of the cutback asphalt rule to conform with the controls recommended in the CTG document for cutback asphalt, or (c) adequate documentation that the cutback asphalt rule will result in emission reductions which are within 5 percent of the reductions achievable with the controls recommended in the cutback asphalt CTG document.

(3) South Coast Air Basin.

(i) (A) By May 7, 1981, the NSR rules must be revised and submitted as an SIP revision. The rules must satisfy section 173 of the Clean Air Act and 40 CFR 51.18, “Review of new sources and modifications.” In revising the South Coast AQMD’s NSR rules, the State/AQMD must address (1) any new requirements in EPA’s amended regulations for NSR (45 FR 31307, May 13, 1980 and 45 FR 52676, August 7, 1980) which the AQMD rules do not currently satisfy and (2) those deficiencies cited in EPA’s Evaluation Report Addendum which still apply despite EPA’s new NSR requirements (contained in Document File NAP–CA–9 at the EPA Library in Washington, DC and the Regional Office).

(4) San Diego Air Basin.

(i) For ozone, CO, TSP, and NO:

(A) By May 7, 1981, the NSR rules submitted on March 17, 1980 must be revised and submitted as an SIP revision. In revising the NSR rules, the State/APCD must address (1) any new requirements in EPA’s amended regulations for NSR (45 FR 31307, May 13, 1980 and 45 FR 52676, August 7, 1980) which the APCD rules do not currently satisfy and (2) the deficiencies cited in EPA’s Evaluation Report Addendum which still apply despite EPA’s new NSR requirements. The Evaluation Report Addendum is contained in document file NAP–CA–19 and available at the EPA Region IX Office and the EPA Library in Washington, DC.

(5) The Kern County APCD.

(i) For PM:

(A) By November 19, 1981, the NSR rules must be revised and submitted as an SIP revision. The rules must satisfy section 173 of the Clean Air Act and 40 CFR Subpart I, “Review of new sources and modifications.” In revising Kern County’s NSR rules, the State/APCD must address all the requirements in EPA’s amended regulations for NSR (45 FR 31307, May 13, 1980 and 45 FR 52676, August 7, 1980) which the APCD rules do not currently satisfy including those deficiencies cited in EPA’s Evaluation Report Addendum which still apply despite EPA’s new NSR requirements (contained in document File NAP–CA–07 at the EPA Library in Washington, DC and the Regional Office).

(ii) [Reserved]

(6) [Reserved]

(7) San Francisco Bay Area Air Basin.
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Review of new sources and modifications.

(a) The following regulations are disapproved because they are not consistent with Clean Air Act requirements.

(1) Imperial County APCD.

(i) Subparagraph C.5. of Rule 207, Standards for Permit to Construct, submitted March 17, 1980.

(2) Monterey Bay Unified APCD.

(i) Subparagraph B.5. of Rule 207, Standards for Permit to Construct, submitted March 17, 1980.

(3) South Coast AQMD.

(i) In Rule 1306(a)(1), submitted on April 3, 1980, sentence 3 is disapproved.