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(i) Those cogeneration and resource recovery projects which are major stationary sources or major modifications under §52.21 and which would cause violations of PSD increments.

(ii) Those projects which are major stationary sources or major modifications under §52.21 and which would either have stacks taller than 65 meters or use "dispersion techniques" as defined in §51.1.

(iii) Sources for which EPA has issued permits under §52.21, including the following permit and any others for which applications are received by June 19, 1985.

Procter & Gamble, SAC 83–01, 5/6/83.

(2) The PSD rules for North Coast Unified Air Quality Management District are approved under Part C, Subpart 1, of the Clean Air Act. However, EPA is retaining authority to apply §52.21 in certain cases. The provisions of §52.21 except paragraph (a)(1) are therefore incorporated and made a part of the State plan for California for the North Coast Unified Air Quality Management District for:

(i) Those cogeneration and resource recovery projects which are major stationary sources or major modifications under §52.21 and which would cause violations of PSD increments.

(ii) Those projects which are major stationary sources or major modifications under §52.21 and which would either have stacks taller than 65 meters or use "dispersion techniques" as defined in §51.1.

(iii) Sources for which EPA has issued permits under §52.21, including the following permits and any others for which applications are received by July 31, 1985:

(A) Arcata Lumber Co. (NC 78–01; November 8, 1979),

(B) Northcoast Paving (NC 79–03; July 5, 1979),

(C) PG&E Buhne Pt. (NC 77–05).

(iv) Those projects which are major stationary sources or major modifications for nitrogen oxides as precursors to ozone under §52.21.

(3) The PSD rules for Mendocino County Air Pollution Control District are approved under Part C, Subpart 1, of the Clean Air Act. However, EPA is retaining authority to apply §52.21 in certain cases. The provisions of §52.21 except paragraph (a)(1) are therefore incorporated and made a part of the State plan for California for the Mendocino County Air Pollution Control District for:

(i) Those cogeneration and resource recovery projects which are major stationary sources or major modifications under §52.21 and which would cause violations of PSD increments.

(ii) Those projects which are major stationary sources or major modifications under §52.21 and which would either have stacks taller than 65 meters or use "dispersion techniques" as defined in §51.1.

(iii) Any sources for which EPA has issued permits under §52.21, including any permits for which applications are received by July 31, 1985.

(A) Arcata Lumber Co. (NC 78–01; November 8, 1979),

(B) Northcoast Paving (NC 79–03; July 5, 1979),

(C) PG&E Buhne Pt. (NC 77–05).

(iv) Those projects which are major stationary sources or major modifications for nitrogen oxides as precursors to ozone under §52.21.

(4) The PSD rules for Northern Sonoma County Air Pollution Control District are approved under Part C, Subpart 1, of the Clean Air Act. However, EPA is retaining authority to apply §52.21 in certain cases. The provisions of §52.21 except paragraph (a)(1) are therefore incorporated and made a part of the State plan for California for the Northern Sonoma County Air Pollution Control District for:

(i) Those cogeneration and resource recovery projects which are major stationary sources or major modifications under §52.21 and which would cause violations of PSD increments.

(ii) Those projects which are major stationary sources or major modifications under §52.21 and which would either have stacks taller than 65 meters or use "dispersion techniques" as defined in §51.1.

(iii) Any sources for which EPA has issued permits under §52.21, including any permits for which applications are received by July 31, 1985.

(a) The following regulations are disapproved because they would permit the exemption of sources from the applicable emission limitations and

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therefore do not satisfy the enforcement imperatives of section 110 of the Clean Air Act.

(1) Amador County APCD.
   (i) Rule 404, submitted on April 21, 1976.
   (ii) Rule 4f, submitted on June 30, 1972, and previously approved under 40 CFR 52.223 (37 FR 19812).

(2) Bay Area APCD.
   (i) Regulation 2, Section 3212, and Regulation 3, Section 3203, submitted on April 21, 1976.
   (ii) Regulation 2, Section 3212, submitted on February 21, 1972, and previously approved under 40 CFR 52.223 (37 FR 10842).

(3) Calaveras County APCD.

(4) Colusa County APCD.
   (i) Rule 4.4g, submitted on July 25, 1973, and Rule 4.4g, submitted on June 30, 1972, and previously approved under 40 CFR 52.223 (37 FR 10842).

(5) Del Norte County APCD.
   (ii) Rule 45, submitted on February 21, 1972, and previously approved under 40 CFR 52.223 (37 FR 10842).

(6) Fresno County APCD.
   (i) Rule 110, submitted on June 30, 1972, and previously approved under 40 CFR 52.223 (37 FR 10842).

(7) Glenn County APCD.
   (i) Rules 95.2 and 95.3, submitted on January 10, 1975.

(8) Great Basin Unified APCD.
   (i) Rule 403, submitted on June 6, 1977.

(9) Humboldt County APCD.
   (i) Rule 540, Submitted on November, 10, 1976.
   (ii) Rule 59, Submitted on February 21, 1972 and previously approved under 40 CFR 52.223 (37 FR 10842).

EDITORIAL NOTE: At 46 FR 27118, May 18, 1981, the following paragraph (a)(9) was added to § 52.271.

(9) Monterey Bay Unified APCD.

(10) Kern County APCD.

(11) Kings County APCD.

(12) Lake County APCD.
   (i) Chapter III, Article I, Section 500, and Article II, Sections 510 and 511, submitted on February 10, 1977.
   (ii) Part VI, Sections 1 and 2, submitted on June 30, 1972, and previously approved under 40 CFR 52.223.

(13) Los Angeles County APCD.

(14) Madera County APCD.
   (i) Rule 402(f), submitted on January 10, 1975, and Rule 110, submitted on June 30, 1972, and previously approved under 40 CFR 52.223.

(15) Mariposa County APCD.
   (i) Rule 203(j), submitted on January 10, 1975, and Rule 4.3(g), submitted on February 21, 1972, and previously approved under 40 CFR 52.223.

(16) Mendocino County APCD.

(17) Merced County APCD.
   (i) Rule 59, Submitted on August 2, 1976.

(18) Nevada County APCD.

(19) Northern Sonoma County APCD.

(20) Placer County APCD.
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(i) Rule 55(f), submitted on February 21, 1972, and previously approved under 40 CFR 52.223 (37 FR 10842).
(21) Plumas County APCD.
(i) Rule 203(j), submitted on January 10, 1975.
(22) Riverside County APCD.
(23) San Bernardino County APCD.
(ii) Rule 55, submitted on February 21, 1972, and previously approved under 40 CFR 52.223 (37 FR 10842).
(24) San Joaquin County APCD.
(25) San Luis Obispo County APCD.
(i) Rule 107, submitted on November 10, 1976.
(ii) Rule 102, submitted on February 21, 1972, and previously approved under 40 CFR 52.223 (37 FR 10842).
(26) Shasta County APCD.
(ii) Rule 3:10, submitted on June 30, 1972, and previously approved under 40 CFR 52.223 (37 FR 19812).
(27) Sierra County APCD.
(i) Rule 51, submitted on June 30, 1972, and previously approved under 40 CFR 52.223 (37 FR 19812), and Rule 203(j), submitted on January 10, 1975, and previously approved under 40 CFR 52.223 (42 FR 23805).
(28) Southern California APCD.
(29) Stanislaus County APCD.
(i) Rule 110, submitted on June 30, 1972, and previously approved under 40 CFR 52.223 (37 FR 19812), and Rule 110, submitted on July 19, 1974.
(30) Tehama County APCD.
(ii) Rule 417, submitted on June 30, 1972, and previously approved under 40 CFR 52.223 (37 FR 19812).
(31) Trinity County APCD.
(ii) Rule 44, submitted on June 30, 1972, and previously approved under 40 CFR 52.223 (37 FR 19812).
(32) Tulare County APCD.
(i) Rules 111 and 402(f), submitted on November 10, 1976.
(33) Tuolumne County APCD.
(34) Ventura County APCD.
(ii) Rule 32, submitted on June 30, 1972, and previously approved under 40 CFR 52.223 (37 FR 19812).
(35) Yuba County APCD.
(b) The following regulations are disapproved since they lack explicit provisions to assure that that NAAQS will not be exceeded while equipment breakdown periods are in effect.
(1) Fresno County APCD.
(2) Kern County APCD.
(3) Modoc County APCD.
(i) Rule 2:15, Breakdown Conditions; Emergency Variance, submitted on May 7, 1979.
(4) Imperial County APCD.
(i) Rule 111 (B), Equipment Breakdown, submitted on December 24, 1979.
(5) Butte County AQMD.
(6) Shasta County AQMD.
(c) The following regulations are disapproved because they exempt sources from applicable emissions limitations
during malfunctions and/or fail to sufficiently limit startup and shutdown exemptions to those periods where it is technically infeasible to meet emissions limitations.

(1) South Coast Air Quality Management District.
   (d) The following regulations are disapproved because they merely describe how state agencies intend to apply their enforcement discretion and thus, if approved, the regulations would have no effect on the State Implementation Plan.
   (1) Antelope Valley AQMD.
   (2) Kern County APCD.
      (i) Rule 111, Equipment Breakdown, submitted on July 23, 1996.
   (3) Mojave Desert AQMD.

§ 52.272 Research operations exemptions.

(a) The requirements of §51.281 of this chapter are not met because the following regulations allow exemptions to be granted from the applicable emission limitations, thereby potentially rendering the applicable limitations unenforceable. Furthermore, the regulations are inconsistent with the Clean Air Act, because the regulations could permit violations of the National Ambient Air Quality Standards under some circumstances. Therefore, the following regulations are disapproved:

(1) Bay Area APCD.
   (i) Regulation 2, Division 1, sections 1214 to 1214.3, submitted on July 25, 1973.
   (ii) Regulation 3, Division 1, sections 1205 to 1205.3, submitted on July 25, 1973.

(2) El Dorado County APCD.
   (i) Rule 203(D), submitted on November 4, 1977.

(3) Great Basin Unified APCD.

(4) Los Angeles County APCD.
   (i) Rule 441, submitted on June 6, 1977.

(5) Placer County APCD.
   (i) Rule 203(D), submitted on October 13, 1977.

(6) Riverside County APCD.
   (i) Rule 441, submitted on June 6, 1977.

(7) Sacramento County APCD.

(8) San Bernardino County APCD.
   (i) Rule 441, submitted on August 2, 1976.

(9) Southern California APCD.
   (i) Rule 441, submitted on August 2, 1976.

§ 52.273 Open burning.

(a) The following rules or portions of rules are disapproved because they contain exemptions to open burning (including open agricultural burning) prohibitions, that do not satisfy the requirements of section 110 of the Clean Air Act:

(1) Amador County APCD.
   (i) Rules 308 and 312, submitted on April 21, 1976.
   (iii) Rules 302(C) and 322, submitted on October 15, 1979.

(2) Calaveras County APCD.

(3) Del Norte County APCD.
   (i) Rule 410(c)(2) and the following portions of Regulation 2: General prohibitions (all of page 1), paragraph (f) of Article I, paragraphs (f) and (g) of Article V, and paragraph (f) of Article VI, submitted on November 10, 1976.

(4) El Dorado County APCD.

(5) Fresno County APCD.