(i) Such information, together with
the Commissioner’s analysis of the ef-
fact of the construction or modification
on air quality including the Com-
missoner’s proposed approval or dis-
approval, will be available in at least
one location in the affected region.

(ii) Written public comments sub-
mitted within 30 days of the date such
information is made available will be
considered by the Commissioner in
making his final decision on the appli-
cation.

(iii) The Commissioner will make a
final decision on the application within
30 days after the close of the public
comment period. The Commissioner
will notify the applicant in writing of
his approval, conditional approval, or
disapproval of the application and will
set forth his reasons for conditional
approval or disapproval.

(iv) A copy of the notice required by
paragraph (h)(2) of this section shall
also be sent to the Administrator
through the appropriate regional of-
lice, and to all other State and local
air pollution control agencies having
jurisdiction in the region in which such
new or modified installation will be
located. The notice shall also be sent to
any other agency in the region having
responsibility for implementing the
procedures required under this section.

§§ 52.2779–52.2778 [Reserved]

§ 52.2779 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 in-
clude approvable procedures for pre-
venting the significant deterioration of
air quality.

(b) Regulations for preventing sig-
nificant deterioration of air quality.
The provisions of §52.21 except para-
graph (a)(1) are hereby incorporated
and made a part of the applicable State
plan for the Virgin Islands.

§ 52.2780 Control strategy for sulfur
oxides.

(a) The requirements of subpart G of
this chapter are not met since there
has not been a satisfactory demonstra-
tion that the Virgin Islands plan pro-
vides for the attainment and mainte-
nance of the national ambient air qual-
ity standards for sulfur oxides on the
island of St. Croix.

(b) The following parts of regulation
12 V.I.R. and R. 9:204–26, “Sulfur Com-
pounds Emission Control,” as sub-
mitted to EPA on January 21, 1976 and
as amended and resubmitted to EPA on
June 3, 1976 are approved:

(1) The entire regulation as it applies
to the islands of St. Thomas and St.
John.

(2) The entire regulation as it applies
to the Virgin Islands Water and Power
Authority’s Christiansted Power Plant
on the island of St. Croix.

(3) The entire regulation excluding
subsection (a)(2) as it applies to the re-
main ing sources on the island of St.
Croix.

Subsection (a)(2) of the regulation is
not approved as it applies to the re-
main ing sources on St. Croix because
of the inadequacy of the control strat-
egy demonstration noted in paragraph
(a) of this section. Accordingly, all
sources on St. Croix with the exception
of the Virgin Islands Water and Power
Authority’s Christiansted Power Plant
are required to conform to the sulfur-
in-fuel-oil limitations contained in 12
V.I.R. and R. 9:204–26 as originally sub-
mitted to EPA on January 31, 1972.

(c) Reference to “Section (a)(2)” in
subsection (d) of 12 V.I.R. and R. 9:204–
26, as submitted to EPA on January 21,
1976 and as amended and resubmitted
to EPA on June 3, 1976, refers to the
following approved limitations: (1) For
the islands of St. Thomas and St. John,
subsection (a)(2) of section 204–26 as
submitted to EPA on January 21, 1976
and as amended and resubmitted to
EPA on June 3, 1976; (2) for the island
of St. Croix, subsection (a)(2) of section
204–26 as originally submitted to EPA
on January 31, 1972 and approved by

[37 FR 10905, May 31, 1972, as amended at 40
FR 42013, Sept. 10, 1975]

§§ 52.2776–52.2778