§ 52.271 Malfunction, startup, and shutdown regulations.

(a) The following regulations are disapproved because they would permit the exemption of sources from the applicable emission limitations and 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) Regulation 2, Section 3212, 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).

(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.

(7) Glenn County APCD.
   (ii) Rules 110 and 402(f), submitted on October 23, 1974.

(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.

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 APDC.

(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.
(ii) Sections 1 and 2 of Part VI, submitted on February 21, 1972, and previously approved under 40 CFR 52.223 (37 FR 10842).

(17) Merced County APCD.
(i) Rule 109, submitted on August 2, 1976.
(ii) Rule 109, submitted on June 30, 1972, and previously approved under 40 CFR 52.223 (37 FR 19812).

(18) Nevada County APCD.
(i) Rule 55(f), submitted on February 21, 1972, and previously approved under 40 CFR 52.223 (37 FR 10842).

(19) Northern Sonoma County APCD.

(20) Placer County APCD.
(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.

(24) San Joaquin County APCD.
(i) Rule 110, submitted on October 23, 1974, and Rule 110, submitted on June 30, 1972, and previously approved under 40 CFR 52.223 (37 FR 19812).

(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.
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(ii) Rule 4:1g, submitted on June 30, 1972, and previously approved under 40 CFR 52.223 (37 FR 19812).
(31) Trinity County APCD.
(ii) Rule 4:1g, 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.
(ii) Rule 44, submitted on June 30, 1972, and previously approved under 40 CFR 52.223 (37 FR 19812).
(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 the 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 Variances, 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.
(7) Monterey Bay Unified Air Pollution Control District.
(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.
(43 FR 3277, Jan. 24, 1978)
EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.271, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.fdsys.gov.
§ 52.272 Research operations exemptions.

(a) The requirements of §51.231 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.