§ 52.624 General requirements.

(a) The requirements of §51.116(c) of this chapter are not met since the legal authority to provide for public availability of emission data is inadequate.

(b) Regulation for public availability of emission data. (1) Any person who cannot obtain emission data from the Agency responsible for making emission data available to the public, as specified in the applicable plan, concerning emissions from any source subject to emission limitations which are part of the approved plan may request that the appropriate Regional Administrator obtain and make public such data. Within 30 days after receipt of any such written request, the Regional Administrator shall require the owner or operator of any such source to submit information within 30 days on the nature and amounts of emissions from such source and any other information as may be deemed necessary by the Regional Administrator to determine whether such source is in compliance with applicable emission limitations or other control measures that are part of the applicable plan.

(2) Commencing after the initial notification by the Regional Administrator pursuant to paragraph (b)(1) of this section, the owner or operator of the source shall maintain records of the nature and amounts of emissions from such source and any other information as may be deemed necessary by the Regional Administrator to determine whether such source is in compliance with applicable emission limitations or other control measures that are part of the plan. The information recorded shall be summarized and reported to the Regional Administrator, on forms furnished by the Regional Administrator, and shall be submitted within 45 days after the end of the reporting period. Reporting periods are January 1 to June 30 and July 1 to December 31.

(3) Information recorded by the owner or operator and copies of this summarizing report submitted to the Regional Administrator shall be retained by the owner or operator for 2 years after the date on which the pertinent report is submitted.

(4) Emission data obtained from owners or operators of stationary sources will be correlated with applicable emission limitations and other control measures that are part of the applicable plan and will be available at the appropriate regional office and at other locations in the state designated by the Regional Administrator.


§ 52.625 Legal authority.

(a) The requirements of §51.230(f) of this chapter are not met, since sections 322–64(5) and 322–66 of the Hawaii Revised Statutes could, in some circumstances, prohibit the disclosure of emission data to the public. Therefore, sections 322–64(5) and 322–66 are disapproved.


§ 52.626 Compliance schedules.

(a) [Reserved]

(b) The compliance schedules for the sources identified below are disapproved as not meeting the requirements of Subpart N of this chapter. The regulations cited are air pollution control regulations of the State.

<table>
<thead>
<tr>
<th>Source</th>
<th>Location</th>
<th>Regulation sections involved</th>
<th>Date of adoption</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nanakuli Pav. &amp; Rock Co., Ltd.</td>
<td>Molokai ......</td>
<td>8, 13</td>
<td>7/27/73</td>
</tr>
<tr>
<td>Kohala Corp</td>
<td>Halaula ......</td>
<td>8, 12</td>
<td>Do.</td>
</tr>
</tbody>
</table>


§§ 52.627–52.631 [Reserved]

§ 52.632 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 include approvable procedures for preventing the significant deterioration of air quality.

(b) Regulations for preventing significant deterioration of air quality. The provisions of §52.21 except paragraph (a)(1) are hereby incorporated
§ 52.633 Visibility protection.

(a) The requirements of section 169A of the Clean Air Act are not met, because the plan does not include approvable procedures for protection of visibility in mandatory Class I Federal areas.

(b) Regulations for visibility monitoring and new source review. The provisions of §§52.26, 52.27 and 52.28, are hereby incorporated and made part of the applicable plan for the State of Hawaii.

(c) Long-term strategy. The provisions of §52.29 are hereby incorporated and made part of the applicable plan for the State of Hawaii.

(d) Regional Haze Plan Provisions—(1) Applicability— This paragraph (d) applies to following electric generating units (EGUs) and boilers: Kanoelehua Hill Generating Station, Hill 5 and Hill 6; Puna Power Plant, Boiler 1; Shipman Power Plant, Boiler S–3 and Boiler S–4.

(2) Definitions. Terms not defined below shall have the meaning given to them in the Clean Air Act or EPA’s regulations implementing the Clean Air Act. For purposes of this paragraph (d):

Owner/operator means any person who owns, leases, operates, controls, or supervises an EGU or boiler identified in paragraph (d)(1) of this section.

$SO_2$ means sulfur dioxide.

Unit means any of the EGUs or boilers identified in paragraph (d)(1) of this section.

(3) Emissions cap. The EGUs identified in paragraph (d)(1) of this section shall not emit or cause to be emitted $SO_2$ in excess of a total of 3,550 tons per year, calculated as the sum of total $SO_2$ emissions for all five units over a rolling 12-month period.

(4) Compliance date. Compliance with the emissions cap and other requirements of this section is required at all times on and after December 31, 2018.

(i) All records, including support information, required by paragraph (d)(5) of this section shall be maintained for at least five (5) years from the date of the measurement, test or report. These records shall be in a permanent form suitable for inspection and made available to EPA, the Hawaii Department of Health or their representatives upon request.

(ii) The owners and operators of the EGUs identified in paragraph (d)(1) of this section shall maintain records of fuel deliveries identifying the delivery dates and the type and amount of fuel received. The fuel to be fired in the boilers shall be sampled and tested in accordance with the most current American Society for Testing and Materials (ASTM) methods.

(iii) The owners and operators of the EGUs identified in paragraph (d)(1) of this section shall analyze a representative sample of each batch of fuel received for its sulfur content and heat value following ASTM D4057. The samples shall be analyzed for the total sulfur content of the fuel using ASTM D129, or alternatively D1266, D1552, D2622, D4294, or D5453.

(iv) The owners and operators of the EGUs identified in paragraph (d)(1) of this section shall calculate on a monthly basis the $SO_2$ emissions for each unit for the preceding month based on the sulfur content, heat value and total gallons of fuel burned.

(v) The owners and operators of the EGUs identified in paragraph (d)(1) of this section shall calculate on a monthly basis the total emissions for all units for the preceding twelve (12) months.

(vi) The owners and operators of the EGUs identified in paragraph (d)(1) of this section shall notify the Hawaii Department of Health and EPA Region 9 of any exceedance of the emission cap in paragraph (d)(3) of this section within thirty (30) days of such exceedance.

(vii) By March 1, 2019 and within sixty (60) days following the end of each calendar year thereafter, the owners and operators of the EGUs identified in paragraph (d)(1) of this section shall report to the Hawaii Department of Health and EPA Region 9 the total tons of $SO_2$ emitted from all units for the preceding calendar year by month.