Environmental Protection Agency

§ 52.2041 Interstate pollutant transport provisions; What are the FIP requirements for decreases in emissions of sulfur dioxide?

(a) The owner and operator of each source and each unit located in the State of Pennsylvania and for which requirements are set forth under the TR NOx Annual Trading Program in subpart AAAAA of part 97 of this chapter to units in the State for a control period in any year, the provisions of subpart AAAAA of part 97 of this chapter authorizing the Administrator to complete the allocation and recordation of TR NOx Annual allowances to units in the State for each such control period shall continue to apply, unless provided otherwise by such approval of the State's SIP revision.

(b)(1) The owner and operator of each source and each unit located in the State of Pennsylvania and for which requirements are set forth under the TR NOx Ozone Season Trading Program in subpart BBBBBB of part 97 of this chapter must comply with such requirements. The obligation to comply with such requirements will be eliminated by the promulgation of an approval by the Administrator of a revision to Pennsylvania’s State Implementation Plan (SIP) as correcting the SIP’s deficiency that is the basis for the TR Federal Implementation Plan under § 52.38(b), except to the extent the Administrator’s approval is partial or conditional.

(2) Notwithstanding the provisions of paragraph (b)(1) of this section, if, at the time of the approval of Pennsylvania’s SIP revision described in paragraph (b)(1) of this section, the Administrator has already started recording any allocations of TR NOx Ozone Season allowances under subpart BBBBBB of part 97 of this chapter to units in the State for a control period in any year, the provisions of subpart BBBBBB of part 97 of this chapter authorizing the Administrator to complete the allocation and recordation of TR NOx Ozone Season allowances to units in the State for each such control period shall continue to apply, unless provided otherwise by such approval of the State’s SIP revision.

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State of Pennsylvania and for which requirements are set forth under the TR \( \text{SO}_2 \) Group 1 Trading Program in subpart CCCCC of part 97 of this chapter must comply with such requirements. The obligation to comply with such requirements will be eliminated by the promulgation of an approval by the Administrator of a revision to Pennsylvania’s State Implementation Plan (SIP) as correcting the SIP’s deficiency that is the basis for the TR Federal Implementation Plan under §52.39, except to the extent the Administrator’s approval is partial or conditional.

(b) Notwithstanding the provisions of paragraph (a) of this section, if, at the time of the approval of Pennsylvania’s SIP revision described in paragraph (a) of this section, the Administrator has already started recording any allocations of TR \( \text{SO}_2 \) Group 1 allowances under subpart CCCCC of part 97 of this chapter to units in the State for a control period in any year, the provisions of subpart CCCCC of part 97 of this chapter authorizing the Administrator to complete the allocation and recordation of TR \( \text{SO}_2 \) Group 1 allowances to units in the State for each such control period shall continue to apply, unless provided otherwise by such approval of the State’s SIP revision.

[76 FR 48374, Aug. 8, 2011]

§ 52.2042 Visibility protection.

(a) Regional Haze. The requirements of section 169A of the Clean Air Act are not met because the regional haze plan submitted by Pennsylvania on December 20, 2010, does not include fully approvable measures for meeting the requirements of 40 CFR 51.308(d)(3) and 51.308(e) with respect to emissions of \( \text{NO}_x \) and \( \text{SO}_2 \) from electric generating units. EPA has given limited approval and limited disapproval to the plan provisions addressing these requirements.

(b) Measures Addressing Limited Disapproval Associated With \( \text{NO}_x \). The deficiencies associated with \( \text{NO}_x \) identified in EPA’s limited disapproval of the regional haze plan submitted by Pennsylvania on December 20, 2010, are satisfied §52.2040.

(c) Measures Addressing Limited Disapproval Associated With \( \text{SO}_2 \). The deficiencies associated with \( \text{SO}_2 \) identified in EPA’s limited disapproval of the regional haze plan submitted by Pennsylvania on December 20, 2010, are satisfied by §52.2041.

[77 FR 33658, June 7, 2012]

§§ 52.2043–52.2052 [Reserved]


As of April 3, 2013, EPA approves the following revised 2009 Motor Vehicle Emissions Budgets (MVEBs) for fine particulate matter (PM\( \text{_{2.5}} \)) and nitrogen oxides (\( \text{NO}_x \)) for the Pennsylvania Counties in the Philadelphia-Wilmington, PA–NJ–DE 1997 PM\( \text{_{2.5}} \) Nonattainment Area submitted by the Secretary of the Pennsylvania Department of Environmental Protection:

<table>
<thead>
<tr>
<th>Applicable geographic area</th>
<th>Year</th>
<th>Tons per year ( \text{NO}_x )</th>
<th>Tons per year PM( \text{_{2.5}} )</th>
</tr>
</thead>
</table>

[78 FR 19993, Apr. 3, 2013]

§ 52.2054 Control of asphalt paving material.

(a) Notwithstanding any provisions to the contrary in the Pennsylvania Implementation Plan, the Pennsylvania Department of Transportation shall restrict the annual usage of asphalts to the limits listed below in the following sixteen county area of Pennsylvania: Allegheny, Armstrong, Beaver, Butler, Cambria, Clarion, Fayette, Green, Indiana, Jefferson, Lawrence, Mercer, Somerset, Venango, Washington, and Westmoreland Counties:

(1) No more than twenty percent of the total amount of liquid bituminous asphalt paving material used shall be cutback asphalt; and