§ 52.2284 Interstate pollutant transport provisions; What are the FIP requirements for decreases in emissions of sulfur dioxide?

(a) The owner and operator of each \( \text{SO}_2 \) source located within the State of Texas and for which requirements are set forth under the Federal CAIR \( \text{SO}_2 \) Trading Program in subparts AAA through III of part 97 of this chapter must comply with such applicable requirements. The obligation to comply with these requirements in part 97 of this chapter will be eliminated by the promulgation of an approval by the Administrator of a revision to the Texas State Implementation Plan as meeting the requirements of CAIR for PM\( \text{2.5} \) relating to \( \text{SO}_2 \) under § 51.124 of this chapter, except to the extent the Administrator’s approval is partial or conditional or unless such approval is under § 51.124(r) of this chapter.

(b) Notwithstanding any provisions of paragraph (a) of this section and subparts AAA through III of part 97 of this chapter and any State’s SIP to the contrary:

(1) With regard to any control period that begins after December 31, 2011, (i) The provisions of paragraph (a) of this section relating to \( \text{SO}_2 \) emissions shall not be applicable; and (ii) The Administrator will not carry out any of the functions set forth for the Administrator in subparts AAA through III of part 97 of this chapter; and

(2) The Administrator will not deduct for excess emissions any CAIR \( \text{SO}_2 \) allowances allocated for 2012 or any year thereafter.

(c)(1) The owner and operator of each source and each unit located in the State of Texas and Indian country within the borders of the State and for which requirements are set forth under the TR \( \text{SO}_2 \) Group 2 Trading Program in subpart DDDDD of part 97 of this chapter must comply with such requirements. The obligation to comply with such requirements with regard to sources and units located in Indian country within the borders of the State will not be eliminated by the promulgation of an approval by the Administrator of a revision to Texas’ SIP.

(2) Notwithstanding the provisions of paragraph (c)(1) of this section, if, at the time of the approval of Texas’ SIP revision described in paragraph (c)(1) of this section, the Administrator has already started recording any allocations of TR \( \text{SO}_2 \) Group 2 allowances under subpart DDDDD of part 97 of this chapter to units in the State for a control period in any year, the provisions of subpart DDDDD of part 97 of this chapter authorizing the Administrator to complete the allocation and recordation of TR \( \text{SO}_2 \) Group 2 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.

[72 FR 62355, Nov. 2, 2007, as amended at 76 FR 48376, Aug. 8, 2011]

§ 52.2285 Control of evaporative losses from the filling of gasoline storage vessels in the Houston and San Antonio areas.

(a) Definitions:

(1) Gasoline means any petroleum distillate having a Reid vapor pressure of 4 pounds or greater which is produced for use as a motor fuel and is commonly called gasoline.

(2) Storage container means any stationary vessel of more than 1,000 gallons (3,785 liters) nominal capacity. Stationary vessels include portable vessels placed temporarily at a location; e.g., tanks on skids.

(3) Owner means the owner of the gasoline storage container(s).

(4) Operator means the person who is directly responsible for the operation of the gasoline storage container(s), whether the person be a lessee or an agent of the owner.

(5) Delivery Vessel means tank trucks and tank trailers used for the delivery of gasoline.

(6) Source means both storage containers and delivery vessels.