permitted by EPA’s stack height rules. The certification does not apply to: Alabama Electric Cooperative—Lowman Steam Plant; Alabama Power Company—Gorgas Steam Plant, Gaston Steam Plant, Greene County Steam Plant, Gadsden Steam Plant, and Barry Steam Plant; Alabama River Pulp; Champion International Corporation; Container Corporation of America; Exxon Company’s Big Escambia Creek Treating Facility; General Electric’s Burkville Plant; International Paper; Scott Paper Company; Tennessee Valley Authority’s Colbert, and Widows Creek Steam Plant; Union Camp Corporation; and U.S. Steel.

(a) Determination of Attaining Data. EPA has determined, as of September 20, 2010, the Birmingham, Alabama, nonattainment area has attaining data for the 2006 24-hour PM$_{2.5}$ NAAQS. This clean data determination, in accordance with 40 CFR 51.1004(c), suspends the requirements for this area to submit an attainment demonstration, associated reasonably available control measures, a reasonable further progress plan, contingency measures, and other planning SIPs related to attainment of the standard for as long as this area continues to meet the 1997 annual PM$_{2.5}$ NAAQS.

(b) Determination of Attaining Data. EPA has determined, as of May 31, 2011, the Chattanooga, Tennessee, nonattainment area has attaining data for the 1997 annual PM$_{2.5}$ NAAQS. This determination, in accordance with 40 CFR 51.1004(c), suspends the requirements for this area to submit an attainment demonstration, associated reasonably available control measures, a reasonable further progress plan, contingency measures, and other planning SIPs related to attainment of the standard for as long as this area continues to meet the 1997 annual PM$_{2.5}$ NAAQS.

(d) Disapproval. EPA is disapproving portions of Alabama’s Infrastructure SIP for the 2006 24-hour PM$_{2.5}$ NAAQS addressing interstate transport, specifically with respect to section 110(a)(2)(D)(1)(I).

(e) Disapproval. EPA is disapproving portions of Alabama’s Infrastructure SIP for the 1997 annual and 2006 24-hour PM$_{2.5}$ NAAQS addressing section 110(a)(2)(E)(ii) that requires the State to comply with section 128 of the CAA.

§ 52.63 PM$_{10}$ State Implementation Plan development in group II areas. On March 15, 1989, the State submitted a committal SIP for the cities of Leeds and North Birmingham in Jefferson County. The committal SIP contains all the requirements identified in the July 1, 1987, promulgation of the SIP requirements for PM$_{10}$ at 52 FR 24681. The SIP commits the State to submit an emissions inventory, continue to monitor for PM$_{10}$, report data and to submit a full SIP if a violation of the PM$_{10}$ and National Ambient Air Quality Standards is detected.

§ 52.64 Determination of attainment. Based upon EPA’s review of the air quality data for the 3-year period 2007–2009, EPA determined that the Chattanooga, Alabama-Georgia-Tennessee PM$_{2.5}$ nonattainment area attained the 1997 annual PM$_{2.5}$ NAAQS by the applicable attainment date of April 5, 2010. Therefore, EPA has met the requirement pursuant to CAA section 179(c) to determine, based on the Area’s air quality as of the attainment date, whether the Area attained the standard. EPA also determined that the Chattanooga, Alabama-Georgia-Tennessee PM$_{2.5}$ nonattainment area is not...