Environmental Protection Agency § 52.936

in the State’s plan are based on dispersion techniques not permitted by EPA’s stack height rules. This certification does not apply to: Big Rivers-Green #1 & 2, Kentucky Utilities-Ghent #3 & 4, and Ashland Oil, Inc.-Catlettsburg.

(b) Determination of Attainment. EPA has determined, as of March 9, 2011, that the Louisville, IN-KY PM₁₀ non-attainment area has attained the 1997 PM₁₀ NAAQS. These determinations, in accordance with 40 CFR 51.1004(c), suspend the requirements for this area to submit an attainment demonstration, associated reasonably available control measures, reasonable further progress, contingency measures, and other plan elements related to attainment of the standards for as long as the area continues to meet the 1997 PM₁₀ NAAQS.

(c) Disapproval. EPA is disapproving portions of Kentucky’s Infrastructure SIP for the 2006 24-hour PM₁₀ NAAQS addressing interstate transport, specifically with respect to section 110(a)(2)(D)(I).

(d) Determination of Attainment. EPA has determined, as of September 7, 2011, that based upon 2007-2009 air quality data, the Huntington-Ashland, West Virginia-Kentucky-Ohio, non-attainment Area has attained the 1997 annual PM₁₀ NAAQS. This determination, in accordance with 40 CFR 52.1004(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 PM₁₀ NAAQS.

§ 52.934 [Reserved]

§ 52.935 PM₁₀ State implementation plan development in group II areas.

On July 7, 1988, the State submitted a committal SIP for the cities of Ashland and Catlettsburg in Boyd County. The committal SIP contains all the requirements identified in the July 1, 1987, promulgation of the SIP requirements for PM₁₀ at 52 FR 24681. The SIP commits the State to submit an emissions inventory, continue to monitor for PM₁₀, report data and to submit a full SIP if a violation of the PM₁₀ National Ambient Air Quality Standards is detected.

§ 52.936 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 Kentucky on June 25, 2008, and amended on May 28, 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 NOₓ and SO₂ 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 NOₓ. The deficiencies associated with NOₓ identified in EPA’s limited disapproval of the regional haze plan submitted by Kentucky on June 25, 2008, and amended on May 28, 2010, are satisfied by § 52.940.

(c) Measures Addressing Limited Disapproval Associated with SO₂. The deficiencies associated with SO₂ identified in EPA’s limited disapproval of the regional haze plan submitted by Kentucky on June 25, 2008, and amended on May 28, 2010, are satisfied by § 52.941.

[77 FR 33657, June 7, 2012]