Environmental Protection Agency

§ 52.1583 Requirements for state implementation plan revisions relating to new motor vehicles.

New Jersey must comply with the requirements of §51.120.
[60 FR 4737, Jan. 24, 1995]

§ 52.1584 Interstate pollutant transport provisions: What are the FIP requirements for decreases in emissions of nitrogen oxides?

(a)(1) The owner and operator of each source located within the State of New Jersey and for which requirements are set forth under the Federal CAIR NO\textsubscript{X} Annual Trading Program in subparts AA through II 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 New Jersey State Implementation Plan (SIP) as meeting the requirements of CAIR for PM\textsubscript{2.5} relating to NO\textsubscript{X} under §51.123 of this chapter, except to the extent the Administrator’s approval is partial or conditional or unless such approval is under §51.123(p) of this chapter.

(2) Notwithstanding any provisions of paragraph (a)(1) of this section, if, at the time of such approval of the State’s SIP, the Administrator has already allocated CAIR NO\textsubscript{X} allowances to sources in the State for any years, the provisions of part 97 of this chapter will be eliminated by the promulgation of an approval by the Administrator to complete the allocation of CAIR NO\textsubscript{X} allowances for those years shall continue to apply, unless the Administrator approves a SIP provision that provides for the allocation of the remaining CAIR NO\textsubscript{X} allowances for those years.

(b)(1) The owner and operator of each NO\textsubscript{X} source located within the State of New Jersey and for which requirements are set forth under the Federal CAIR NO\textsubscript{X} Ozone Season Trading Program in subparts AAAA through IIII 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 New Jersey State Implementation Plan (SIP) as meeting the
requirements of CAIR for ozone relating to NO\textsubscript{X} under §51.123 of this chapter, except to the extent the Administrator’s approval is partial or conditional or unless such approval is under §51.123(ee) of this chapter.

(2) Notwithstanding any provisions of paragraph (b)(1) of this section, if, at the time of such approval of the State’s SIP, the Administrator has already allocated CAIR NO\textsubscript{X} Ozone Season allowances to sources in the State for any years, the provisions of part 97 of this chapter authorizing the Administrator to complete the allocation of CAIR NO\textsubscript{X} Ozone Season allowances for those years shall continue to apply, unless the Administrator approves a SIP provision that provides for the allocation of the remaining CAIR NO\textsubscript{X} Ozone Season allowances for those years.

(c) Notwithstanding any provisions of paragraphs (a) and (b) of this section and subparts AA through II and AAAA through IIII of part 97 of this chapter to the contrary:

(1) With regard to any control period that begins after December 31, 2011,

(i) The provisions in paragraphs (a) and (b) of this section relating to NO\textsubscript{X} annual or ozone season emissions shall not be applicable; and

(ii) The Administrator will not carry out any of the functions set forth for the Administrator in subparts AA through II and AAAA through IIII of part 97 of this chapter;

(2) The Administrator will not deduct for excess emissions any CAIR NO\textsubscript{X} allowances or CAIR NO\textsubscript{X} Ozone Season allowances allocated for 2012 or any year thereafter;

(3) By November 7, 2011, the Administrator will remove from the CAIR NO\textsubscript{X} Allowance Tracking System accounts all CAIR NO\textsubscript{X} allowances allocated for a control period in 2012 and any subsequent year, and, thereafter, no holding or surrender of CAIR NO\textsubscript{X} allowances will be required with regard to emissions or excess emissions for such control periods; and

(4) By November 7, 2011, the Administrator will remove from the CAIR NO\textsubscript{X} Ozone Season Allowance Tracking System accounts all CAIR NO\textsubscript{X} Ozone Season allowances allocated for a control period in 2012 and any subsequent year, and, thereafter, no holding or surrender of CAIR NO\textsubscript{X} Ozone Season allowances will be required with regard to emissions or excess emissions for such control periods.

(d)(1) The owner and operator of each source and each unit located in the State of New Jersey and for which requirements are set forth under the TR NO\textsubscript{X} Annual Trading Program in subpart AAAAA 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 New Jersey’s State Implementation Plan (SIP) as correcting the SIP’s deficiency that is the basis for the TR Federal Implementation Plan under §52.38(a), except to the extent the Administrator’s approval is partial or conditional.

(2) Notwithstanding the provisions of paragraph (d)(1) of this section, if, at the time of the approval of New Jersey’s SIP revision described in paragraph (d)(1) of this section, the Administrator has already started recording any allocations of TR NO\textsubscript{X} Annual allowances under 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 NO\textsubscript{X} 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.

(e)(1) The owner and operator of each source and each unit located in the State of New Jersey and for which requirements are set forth under the TR NO\textsubscript{X} Ozone Season Trading Program in subpart BBBBB 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 New Jersey’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 (e)(1) of this section, if, at
the time of the approval of New Jersey's SIP revision described in paragraph (e)(1) of this section, the Administrator has already started recording any allocations of TR NO\textsubscript{X} 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 NO\textsubscript{X} 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.

[72 FR 62351, Nov. 2, 2007, as amended at 76 FR 48370, Aug. 8, 2011]

§ 52.1585 Interstate pollutant transport provisions; What are the FIP requirements for decreases in emissions of sulfur dioxide?

(a) The owner and operator of each SO\textsubscript{2} source located within the State of New Jersey and for which requirements are set forth under the Federal CAIR SO\textsubscript{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 New Jersey State Implementation Plan as meeting the requirements of CAIR for PM\textsubscript{2.5} relating to SO\textsubscript{2} under §51.124 of this chapter, except to the extent the Administrator’s approval is partial or conditional.

(b) Notwithstanding any provisions of paragraph (a) of this section and subparts AAA through III of part 97 of this chapter to units in the State for a control period in any year, the Administrator 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 New Jersey’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.

(2) The Administrator will not deduct for excess emissions any CAIR SO\textsubscript{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 New Jersey and for which requirements are set forth under the TR SO\textsubscript{2} Group 1 Trading Program in subpart CCCCC of part 97 of this chapter, must comply with such applicable requirements. The obligation to comply with such requirements will be eliminated by the promulgation of an approval by the Administrator of a revision to New Jersey’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.

(2) Notwithstanding any provisions of paragraph (c)(1) of this section, if, at the time of the approval of New Jersey’s SIP revision described in paragraph (c)(1) of this section, the Administrator has already started recording any allocations of TR SO\textsubscript{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 Administrator will not deduct for excess emissions any CAIR SO\textsubscript{2} allowances allocated for 2012 or any year thereafter.

[72 FR 62352, Nov. 2, 2007, as amended at 76 FR 48370, Aug. 8, 2011]

§ 52.1586 Section 110(a)(2) infrastructure requirements.

(a) 1997 8-hour ozone and the 1997 and 2006 PM\textsubscript{2.5} NAAQS. (1) Approval. In a February 25, 2008 submittal and supplemented on January 15, 2010, New Jersey certified that the State has satisfied the Clean Air Act (CAA) infrastructure requirements of section 110(a)(2) for the 1997 8-hour ozone and the 1997 and 2006 PM\textsubscript{2.5} NAAQS. These submittals satisfy the 1997 8-hour ozone and the 1997 and 2006 PM\textsubscript{2.5} NAAQS requirements of CAA sections 110(a)(2)(A), (B), (C) (enforcement program only), (D)(i)(II) prong 4.