AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

57.205 Submission of supplementary information upon relaxation of an SO_2 SIP emission limitation.

Subpart C—Constant Controls and Related Requirements

57.301 General requirements.
57.302 Performance level of interim constant controls.
57.303 Total plantwide emission limitation.
57.304 Bypass, excess emissions and malfunctions.
57.305 Compliance monitoring and reporting.

Subpart D—Supplementary Control System Requirements

57.401 General requirements.
57.402 Elements of the supplementary control system.
57.403 Written consent.
57.404 Measurements, records, and reports.
57.405 Formulation, approval, and implementation of requirements.

Subpart E—Fugitive Emission Evaluation and Control

57.501 General requirements.
57.502 Evaluation.
57.503 Control measures.
57.504 Continuing evaluation of fugitive emission control measures.
57.505 Amendments of the NSO.

Subpart F—Research and Development Requirements

57.601 General requirements.
57.602 Approval of proposal.
57.603 Criteria for approval.
57.604 Evaluation of projects.
57.605 Consent.
57.606 Confidentiality.

Subpart G—Compliance Schedule Requirements

57.701 General requirements.
57.702 Compliance with constant control emission limitation.
57.703 Compliance with the supplementary control system requirements.
57.704 Compliance with fugitive emission evaluation and control requirements.
57.705 Contents of SIP Compliance Schedule required by § 57.201(d) (2) and (3).

Subpart H—Waiver of Interim Requirement for Use of Continuous Emission Reduction Technology

57.801 Purpose and scope.
57.802 Request for waiver.
57.803 Issuance of tentative determination; notice.
57.804 Request for hearing; request to participate in hearing.
57.805 Submission of written comments on tentative determination.
57.806 Presiding Officer.
57.807 Hearing.
57.808 Opportunity for cross-examination.
57.809 *Ex parte* communications.
57.810 Filing of briefs, proposed findings, and proposed recommendations.
57.811 Recommended decision.
57.812 Appeal from or review of recommended decision.
57.813 Final decision.
57.814 Administrative record.
57.815 State notification.
57.816 Effect of negative recommendation.

APPENDIX A TO PART 57—PRIMARY NONFERROUS SMELTER ORDER (NSO) APPLICATION

AUTHORITY: Secs. 110, 114, 119, 301, Clean Air Act, as amended (42 U.S.C. 7410, 7414, 7419, and 7601); sec. 406 of Pub. L. 95–95.

SOURCE: 50 FR 6448, Feb. 15, 1985, unless otherwise noted.

Subpart A—General

§ 57.101 Purpose and scope.

(a) *Applicability of the regulations.* The regulations in subparts A through H govern:

(1) The eligibility of smelters for a Primary Nonferrous Smelter Order (NSO) under section 119 of the Clean Air Act;

(2) The procedures through which an NSO can be approved or issued by EPA; and

(3) The minimum contents of each NSO required for EPA issuance or approval under section 119. Subpart I *et seq.*, will contain NSOs in effect for individual smelters.

(b) *State authority to adopt more stringent requirements.* Nothing in this part shall preclude a State from imposing more stringent requirements, as provided by section 116 of the Clean Air Act.

§ 57.102 Eligibility.

(a) A primary copper, lead, zinc, molybdenum, or other nonferrous smelter is eligible for an NSO if it meets the following conditions:

(1) The smelter was in existence and operating on August 7, 1977;

(2) The smelter is subject to an approved or promulgated sulfur dioxide (SO_2) State Implementation Plan (SIP)