

§ 52.2270

40 CFR Ch. I (7–1–18 Edition)

Tennessee and for which requirements are set forth under the Federal CAIR SO₂ 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 Tennessee State Implementation Plan as meeting the requirements of CAIR for PM_{2.5} relating to SO₂ 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, 2014,

(i) The provisions of paragraph (a) of this section relating to SO₂ 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 SO₂ allowances allocated for 2015 or any year thereafter.

(c)(1) The owner and operator of each source and each unit located in the State of Tennessee and for which requirements are set forth under the CSAPR SO₂ Group 1 Trading Program in subpart CCCC 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 Tennessee's State Implementation Plan (SIP) as correcting the SIP's deficiency that is the basis for the CSAPR Federal Implementation Plan under § 52.39, except to the extent the Administrator's approval is partial or conditional.

(2) Notwithstanding the provisions of paragraph (c)(1) of this section, if, at the time of the approval of Tennessee's SIP revision described in paragraph (c)(1) of this section, the Administrator

has already started recording any allocations of CSAPR SO₂ Group 1 allowances under subpart CCCC of part 97 of this chapter to units in the State for a control period in any year, the provisions of subpart CCCC of part 97 of this chapter authorizing the Administrator to complete the allocation and recordation of CSAPR SO₂ Group 1 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 48374, Aug. 8, 2011; 79 FR 71671, Dec. 3, 2014; 81 FR 74586, 74600, Oct. 26, 2016]

Subpart SS—Texas

§ 52.2270 Identification of plan.

(a) *Purpose and scope.* This section sets forth the applicable State Implementation Plan (SIP) for Texas under section 110 of the Clean Air Act, 42 U.S.C. 7410, and 40 CFR part 51 to meet national ambient air quality standards.

(b) *Incorporation by reference.* (1) Material listed in paragraphs (c) and (d) of this section with an EPA approval date prior to December 31, 1998, were approved for incorporation by reference by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Material is incorporated as it exists on the date of the approval, and notice of any change in the material will be published in the FEDERAL REGISTER. Entries in paragraphs (c) and (d) of this section with EPA approval dates after December 31, 1998, will be incorporated by reference in the next update to the SIP compilation.

(2) EPA Region 6 certifies that the rules/regulations provided by EPA in the SIP compilation at the addresses in paragraph (b)(3) are an exact duplicate of the officially promulgated State rules/regulations which have been approved as part of the State Implementation Plan as of December 31, 1998.

(3) Copies of the materials incorporated by reference may be inspected at the Region 6 EPA Office at 1445 Ross Avenue, Suite 700, Dallas, Texas, 75202-2733; the EPA, Air and Radiation Docket and Information Center, Air Docket (6102), 1200 Pennsylvania Ave., NW.,

Environmental Protection Agency

§ 52.2270

Washington, DC 20460; or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: [http://](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html)

www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.
(c) EPA approved regulations.

EPA APPROVED REGULATIONS IN THE TEXAS SIP

State citation	Title/Subject	State approval/ Submittal date	EPA approval date	Explanation
Chapter 19—Electronic Reporting				
Subchapter A—General Provisions				
Section 19.1	Definitions	2/7/2007	July 23, 2010, 75 FR 43062.	
Section 19.3	Applicability	2/7/2007	July 23, 2010, 75 FR 43062.	
Subchapter B—Electronic Reporting Requirements				
Section 19.10	Use of Electronic Document Receiving System.	2/7/2007	July 23, 2010, 75 FR 43062.	
Section 19.12	Authorized Electronic Signature	2/7/2007	July 23, 2010, 75 FR 43062.	
Section 19.14	Enforcement	2/7/2007	July 23, 2010, 75 FR 43062.	
Chapter 39—Public Notice				
Subchapter H—Applicability and General Provisions				
Section 39.402	Applicability to Air Quality Permits and Permit Amendments.	6/2/2010	10/6/2015, 80 FR 60296	SIP includes 39.402 (a)(1)–(a)(6), (a)(8), (a)(11), and (a)(12).
Section 39.405	General Notice Provisions	12/9/2015	5/9/2018, 83 FR 21180	SIP includes 39.405(f)(3) and (g), (h)(2)–(h)(4), (h)(6), (h)(8)–(h)(11), (i) and (j) as adopted on 12/9/2015. SIP includes 39.405(h)(1)9A as adopted on 6/2/2010.
Section 39.407	Mailing Lists	9/2/1999	1/6/2014, 79 FR 551.	
Section 39.409	Deadline for Public Comment, and Requests for Reconsideration, Contested Case Hearing, or Notice and Comment Hearing.	6/2/2010	1/6/2014, 79 FR 551.	

EPA APPROVED REGULATIONS IN THE TEXAS SIP—Continued

State citation	Title/Subject	State approval/ Submittal date	EPA approval date	Explanation
Section 39.411	Text of Public Notice	12/7/2016	5/9/2018, 83 FR 21180	SIP includes 39.411(a), 39.411(e)(1)–(4)(A)(i) and (iii), (4)(B), (e)(5) introductory paragraph, (e)(5)(A), (e)(5)(B), (e)(6)–(9), (e)(11)(A)(i), (e)(11)(A)(iii), (e)(11)(A)(iv), (e)(11)(B)–(F), (e)(13), (e)(15), (e)(16), (f)(1)–(8), (g), and (h) as adopted 12/7/2016. SIP includes 39.411(e)(10) as adopted on 3/26/2014.
Section 39.412	Combined Notice for Certain Greenhouse Gases Permit Applications.	3/26/2014	11/10/2014, 79 FR 66626.	
Section 39.418	Notice of Receipt of Application and Intent to Obtain Permit.	6/2/2010	1/6/2014, 79 FR 551	SIP includes 39.418(a), (b)(2)(A), (b)(3) and (c).
Section 39.419	Notice of Application and Preliminary Determination.	12/9/2015	5/9/2018, 83 FR 21180	SIP includes 39.419(e) (e)(1) and (e)(2).
Section 39.420	Transmittal of the Executive Director's Response to Comments and Decisions.	3/26/2014	11/10/2014, 79 FR 66626 ..	SIP includes 39.420(c)(1)(A)–(D)(i)(I) and (D)(i)(II), (D)(ii), (c)(2), and (d)–(e).
Subchapter K—Public Notice of Air Quality Applications				
Section 39.601	Applicability	6/2/2010	1/6/2014, 79 FR 551.	
Section 39.602	Mailed Notice	6/2/2010	1/6/2014, 79 FR 551	SIP does not include 39.602(c) adopted on 12/9/2015.
Section 39.603	Newspaper Notice	12/7/2016	5/9/2018, 83 FR 21180.	
Section 39.604	Sign-Posting	6/2/2010	1/6/2014, 79 FR 551.	
Section 39.605	Notice to Affected Agencies	6/2/2010	1/6/2014, 79 FR 551.	
Chapter 55—Requests for Reconsideration and Contested Case Hearings; Public Comment				
Subchapter E—Public Comment and Public Meetings				
Section 55.150	Applicability	6/14/2006	1/6/2014, 79 FR 551.	
Section 55.152	Public Comment Period	12/7/2016	5/9/2018, 83 FR 21180	SIP includes 55.152(a)(1), (a)(2), (a)(3), (a)(6), (a)(7), and (b).
Section 55.154	Public Meetings	6/2/2010	1/6/2014, 79 FR 551	SIP includes 55.154(a), (b), (c)(1)–(3) and (5), and (d)–(g).
Section 55.156	Public Comment Processing	12/9/2015	5/9/2018, 83 FR 21180	SIP includes 55.156(a), (b), (c)(1), and (g).
Chapter 101—General Air Quality Rules				
Subchapter A—General Rules				
Section 101.1	Definitions	7/6/2016	6/8/2017, 82 FR 26598.	
Section 101.2	Multiple air Contaminant Sources or Properties.	4/13/73	06/22/73, 38 FR 16568	Ref 52.2299(c)(7).

Environmental Protection Agency

§ 52.2270

EPA APPROVED REGULATIONS IN THE TEXAS SIP—Continued

State citation	Title/Subject	State approval/ Submittal date	EPA approval date	Explanation
Section 101.3	Circumvention	4/13/73	06/22/73, 38 FR 16568	Ref 52.2299(c)(7).
Section 101.4	Nuisance	4/13/73	06/22/73, 38 FR 16568	Ref 52.2299(c)(7).
Section 101.5	Traffic Hazard	4/13/73	06/22/73, 38 FR 16568	Ref 52.2299(c)(7).
Section 101.8	Sampling	12/11/73	1/27/82, 47 FR 03767	Ref 52.2299(c)(33).
Section 101.9	Sampling Ports	04/13/73	06/22/73, 38 FR 16568	Ref 52.2299(c)(7).
Section 101.10	Emissions Inventory Requirements	7/6/2016	6/8/2017, 82 FR 26598.	
Section 101.13	Use and Effect of Rules	4/13/73	06/22/73, 38 FR 16568	Ref 52.2299(c)(7).
Section 101.14	Sampling Procedures and Terminology.	4/13/73	06/22/73, 38 FR 16568	Ref 52.2299(c)(7).
Section 101.18	Remedies Cumulative	4/13/73	06/22/73, 38 FR 16568	Ref 52.2299(c)(7).
Section 101.19	Severability	4/13/73	06/22/73, 38 FR 16568	Ref 52.2299(c)(7).
Section 101.20	Compliance with Environmental Protection Agency Standards.	05/09/75 07/26/85	6/1/77, 42 FR 27894	Rule 23 Ref. 52.2299(c)(10)
			06/24/92, 57 FR 28093	Section 101.20(3), Ref 52.2299(c)(73). (1) and (2) NOT IN SIP.
Section 101.21	The National Primary and Secondary Air Quality Standards.	05/09/75	6/1/77, 42 FR 27894	Ref 52.2299(c)(10).
Section 101. Rule 16	Invoking Jurisdiction	4/13/73	6/22/73, 38 FR 16568	Ref 52.2299(c)(7). Not in current Texas General Rules.
Section 101. Rule 19	Initiation of Review	4/13/73	06/22/73, 38 FR 16568	Ref 52.2299(c)(7). Not in current Texas General Rules.
Subchapter F—Emissions Events and Scheduled Maintenance, Startup, and Shutdown Activities				
Division 1—Emissions Events				
Section 101.201	Emissions Event Reporting and Recordkeeping Requirements.	3/26/2014	11/10/2014, 79 FR 66626 ..	101.201(h) is not in the SIP.
Division 2—Maintenance, Startup, and Shutdown Activities				
Section 101.211	Scheduled Maintenance, Startup, and Shutdown Reporting and Recordkeeping Requirements.	1/23/06	11/10/10, 75 FR 68989	101.211(f) is not in the SIP.
Division 3—Operational Requirements, Demonstrations, and Actions to Reduce Excessive Emissions				
Section 101.221	Operational Requirements	1/23/06	11/10/10, 75 FR 68989.	The SIP does not include 101.222(h), 101.222 (i), and 101.222 (j). See section 52.2273(e).
Section 101.222	Demonstrations	1/23/06	11/10/10, 75 FR 68989	
Section 101.223	Actions to Reduce Excessive Emissions.	1/23/06	11/10/10, 75 FR 68989.	
Section 101.224	Temporary Exemptions During Drought Conditions.	8/21/02	03/30/05, 70 FR 16129.	
Division 4—Variances				
Section 101.231	Petition for Variance	08/21/02	03/30/05, 70 FR 16129.	
Section 101.232	Effect of Acceptance of Variance or Permit.	08/21/02	03/30/05, 70 FR 16129.	
Section 101.233	Variance Transfers	08/21/02	03/30/05, 70 FR 16129.	
Subchapter H—Emissions Banking and Trading				
Division 1—Emission Credit Program				
Section 101.300	Definitions	09/20/2017	12/7/2017, 82 FR 57679.	
Section 101.301	Purpose	6/3/2015	5/11/2017, 82 FR 21925.	

EPA APPROVED REGULATIONS IN THE TEXAS SIP—Continued

State citation	Title/Subject	State approval/ Submittal date	EPA approval date	Explanation
Section 101.302	General Provisions	09/20/2017	12/7/2017, 82 FR 57679.	
Section 101.303	Emission Reduction Credit Generation and Certification.	09/20/2017	12/7/2017, 82 FR 57679.	
Section 101.304	Mobile Emission Reduction Credit Generation and Certification.	09/20/2017	12/7/2017, 82 FR 57679.	
Section 101.305	Emission Reductions Achieved Outside the United States.	10/4/2006	5/18/10, 75 FR 27647.	
Section 101.306	Emission Credit Use	09/20/2017	12/7/2017, 82 FR 57679.	
Section 101.309	Emission Credit Banking and Trading	6/3/2015	5/11/2017, 82 FR 21925.	
Section 101.311	Program Audits and Reports	11/10/04	9/6/06, 71 FR 52698.	
Division 2—Emissions Banking and Trading of Allowances				
Section 101.330	Definitions	12/16/1999	1/3/2011, 76 FR 16.	
Section 101.331	Applicability	12/16/1999	1/3/2011, 76 FR 16.	
Section 101.332	General Provisions	12/16/1999	1/3/2011, 76 FR 16.	
Section 101.333	Allocation of Allowances	08/09/2000	1/3/2011, 76 FR 16.	
Section 101.334	Allowance Deductions	12/16/1999	1/3/2011, 76 FR 16.	
Section 101.335	Allowance Banking and Trading	12/16/1999	1/3/2011, 76 FR 16.	
Section 101.336	Emission Monitoring, Compliance Demonstration, and Reporting.	12/16/1999	1/3/2011, 76 FR 16.	
Section 101.338	Emission Reductions Achieved Outside the United States.	10/4/2006	1/3/2011, 76 FR 16.	
Section 101.339	Program Audits and Reports	10/4/2006	1/3/2011, 76 FR 16.	
Division 3—Mass Emissions Cap and Trade Program				
Section 101.350	Definitions	6/3/2015	5/11/2017, 82 FR 21925.	
Section 101.351	Applicability	6/3/2015	5/11/2017, 82 FR 21925.	
Section 101.352	General Provisions	6/3/2015	5/11/2017, 82 FR 21925.	
Section 101.353	Allocation of Allowances	6/3/2015	5/11/2017, 82 FR 21925.	
Section 101.354	Allowance Deductions	6/3/2015	5/11/2017, 82 FR 21925.	
Section 101.355	Allowance Banking and Trading	6/3/2015	5/11/2017, 82 FR 21925.	
Section 101.357	Use of Emission Reductions Generated from the Texas Emissions Reduction Plan (TERP).	3/13/2002	5/11/2017, 82 FR 21925.	
Section 101.359	Reporting	6/3/2015	5/11/2017, 82 FR 21925.	
Section 101.360	Level of Activity Certification	6/3/2015	5/11/2017, 82 FR 21925.	
Section 101.363	Program Audits and Reports	09/26/01	11/14/01, 66 FR 57252.	
Division 4—Discrete Emission Credit Program				
Section 101.370	Definitions	09/20/2017	12/7/2017, 82 FR 57679.	
Section 101.371	Purpose	6/3/2015	5/11/2017, 82 FR 21925.	
Section 101.372	General Provisions	09/20/2017	12/7/2017, 82 FR 57679.	
Section 101.373	Discrete Emission Reduction Credit Generation and Certification.	09/20/2017	12/7/2017, 82 FR 57679.	
Section 101.374	Mobile Discrete Emission Reduction Credit Generation and Certification.	09/20/2017	12/7/2017, 82 FR 57679.	
Section 101.375	Emission Reductions Achieved Outside the United States.	10/4/2006	5/18/2010, 75 FR 27644.	
Section 101.376	Discrete Emission Credit Use	09/20/2017	12/7/2017, 82 FR 57679.	
Section 101.378	Discrete Emission Credit Banking and Trading.	6/3/2015	5/11/2017, 82 FR 21925.	
Section 101.379	Program Audits and Reports	6/3/2015	5/11/2017, 82 FR 21925.	
Division 6—Highly Reactive Volatile Organic Compound Emissions Cap and Trade Program				
Section 101.390	Definitions	6/3/2015	5/11/2017, 82 FR 21925.	
Section 101.391	Applicability	6/3/2015	5/11/2017, 82 FR 21925.	
Section 101.392	Exemptions	6/3/2015	5/11/2017, 82 FR 21925.	
Section 101.393	General Provisions	6/3/2015	5/11/2017, 82 FR 21925.	
Section 101.394	Allocation of Allowances	6/3/2015	5/11/2017, 82 FR 21925.	
Section 101.396	Allowance Deductions	6/3/2015	5/11/2017, 82 FR 21925.	
Section 101.399	Allowance Banking and Trading	6/3/2015	5/11/2017, 82 FR 21925.	
Section 101.400	Reporting	6/3/2015	5/11/2017, 82 FR 21925.	
Section 101.401	Level of Activity Certification	4/6/2010	1/2/2014, 79 FR 57.	
Section 101.399	Allowance Banking and Trading	12/01/04	9/6/06, 71 FR 52659.	
Section 101.400	Reporting	12/1/4	9/6/06, 71 FR 52659.	
Section 101.401	Level of activity certification	2/1/4	9/6/06, 71 FR 52659.	

EPA APPROVED REGULATIONS IN THE TEXAS SIP—Continued

State citation	Title/Subject	State approval/ Submittal date	EPA approval date	Explanation
Section 101.403	Program audits and reports	12/01/04	9/6/06, 71 FR 52659.	
Division 7—Clean Air Interstate Rule				
Section 101.503	Clean Air Interstate Rule Oxides of Nitrogen Annual Trading Budget.	7/12/06	7/30/07, 72 FR 41453.	
Section 101.504	Timing Requirements for Clean Air Interstate Rule Oxides of Nitrogen Allowance Allocations.	07/12/06	07/30/, 72 FR 41453	Subsections 101.504(a)(2), 101.504(a)(3), 101.504(a)(4), 101.504(c), and 101.504(d) NOT IN SIP.
Section 101.506	Clean Air Interstate Rule Oxides of Nitrogen Allowance Allocations.	07/12/06	07/30/, 72 FR 41453	Subsections 101.506(a)(2), 101.506(b)(2), 101.506(b)(3), and 101.506(g) NOT IN SIP.
Section 101.508	Compliance Supplement Pool	07/12/06	07/30/07, 72 FR 41453.	
Chapter 106—Permits by Rule				
Subchapter A—General Requirements				
Section 106.1	Purpose	08/09/00	11/14/03, 68 FR 64548.	The SIP approved provisions at 30 TAC Section 106.4(a)(1), (a)(3), and (a)(4) are those adopted by the State as of 4/20/2011.
Section 106.2	Applicability	3/26/2014	11/10/2014, 79 FR 66626.	
Section 106.4	Requirements for Permitting by Rule	3/26/2014	11/10/2014, 79 FR 66626 ..	
Section 106.6	Registration of Emissions	11/20/02	11/14/03, 68 FR 64548.	
Section 106.8	Recordkeeping	10/10/01	11/14/03, 68 FR 64548.	
Section 106.13	References to Standard Exemptions and Exemptions from Permitting.	08/09/00	11/14/03, 68 FR 64548.	
Subchapter B—Registration Fees for New Permits by Rule				
Section 106.50	Registration Fees for Permits by Rule	9/25/2002	3/20/2009, 74 FR 11851..	
Chapter 111 (Reg 1)—Control of Air Pollution from Visible Emissions and Particulate Matter				
Subchapter A: Visible Emissions and Particulate Matter				
Division 1: Visible Emissions				
Section 111.111(a), (b).	Requirements for Specified Sources ..	6/18/1993	5/8/1996, 61 FR 20732.	
Section 111.111(c) ..	Requirements for Specified Sources ..	10/25/1991	1/18/1994, 59 FR 2532.	
Section 111.113	Alternative Opacity Limitations	6/16/1989	5/8/1996, 61 FR 20732.	
Division 2: Incineration				
Section 111.121	Single-Chamber Incineration	6/16/1989	4/28/2009, 74 FR 19144.	
Division 4: Materials Handling, Construction, Roads, Streets, Alleys, and Parking Lots				
Section 111.141	Geographic Areas of Application and Date of Compliance.	10/25/1991	1/18/1994, 59 FR 02532.	
Section 111.143	Materials Handling	6/16/1989	1/18/1994, 59 FR 02532.	
Section 111.145	Construction and Demolition	10/25/1991	1/18/1994, 59 FR 02532.	
Section 111.147	Roads, Streets, and Alleys	1/25/2012	12/14/2015, 80 FR 77254.	
Section 111.149	Parking Lots	6/16/1989	1/18/1994, 59 FR 02532.	

EPA APPROVED REGULATIONS IN THE TEXAS SIP—Continued

State citation	Title/Subject	State approval/ Submittal date	EPA approval date	Explanation
Division 5: Emission Limits on Nonagricultural Processes				
Section 111.151	Allowable Emissions Limits	6/16/1989	4/28/2009, 74 FR 19144.	
Section 111.153	Emission Limits for Steam Generators	6/16/1989	4/28/2009, 74 FR 19144.	
Division 6: Emission Limits on Agricultural Processes				
Section 111.171	Emission Limits Based on Process Weight Method.	6/16/1989	4/28/2009, 74 FR 19144.	
Section 111.173	Emissions Limits Based on Alternate Method.	6/16/1989	4/28/2009, 74 FR 19144.	
Section 111.175	Exemptions	6/16/1989	4/28/2009, 74 FR 19144.	
Division 7: Exemptions for Portable or Transient Operations				
Section 111.181	Exemption Policy	6/16/1989	4/28/2009, 74 FR 19144.	
Section 111.183	Requirements for Exemptions	6/16/1989	4/28/2009, 74 FR 19144.	
Subchapter B: Outdoor Burning				
Section 111.201	General Prohibitions	8/21/1996	4/28/2009, 74 FR 19144.	
Section 111.203	Definitions	6/28/2006	1/11/2017, 82 FR 3172.	
Section 111.205	Exceptions for Fire Training	8/21/1996	4/28/2009, 74 FR 19144.	
Section 111.207	Exceptions for Fires Used for Recreation, Ceremony, Cooking, and Warmth.	8/21/1996	4/28/2009, 74 FR 19144.	
Section 111.209	Exception for Disposal Fires	6/28/2006	1/11/2017, 82 FR 3172.	
Section 111.211	Exception for Prescribed Burn	1/15/2014	1/11/2017, 82 FR 3172.	
Section 111.213	Exception for Hydrocarbon Burning ...	8/21/1996	4/28/2009, 74 FR 19144.	
Section 111.215	Executive Director Approval of Otherwise Prohibited Outdoor Burning.	8/21/1996	4/28/2009, 74 FR 19144.	
Section 111.219	General Requirements for Allowable Outdoor Burning.	8/21/1996	4/28/2009, 74 FR 19144.	
Section 111.221	Responsibility for Consequences of Outdoor Burning.	8/21/1996	4/28/2009, 74 FR 19144.	
Chapter 112 (Reg 2)—Control of Air Pollution From Sulfur Compounds				
Section 112.1	Definitions	09/18/92	08/30/93, 58 FR 45456	Ref 52.2299(c)(76).
Section 112.2	Compliance, Reporting, and Record-keeping.	09/18/92	08/30/93, 58 FR 45456	Ref 52.2299(c)(76).
Section 112.3	Net Ground Level Concentrations	09/18/92	08/30/93, 58 FR 45456	Ref 52.2299(c)(76).
Section 112.4	Net Ground Level Concentrations—Exemption Conditions.	09/18/92	08/30/93, 58 FR 45456	Ref 52.2299(c)(76).
Section 112.5	Allowable Emission Rates—Sulfuric Acid Plant Burning Elemental Sulfur.	09/18/92	08/30/93, 58 FR 45456	Ref 52.2299(c)(76).
Section 112.6	Allowable Emission Rates—Sulfuric Acid Plant.	09/18/92	08/30/93, 58 FR 45456	Ref 52.2299(c)(76).
Section 112.7	Allowable Emission Rates—Sulfur Recovery Plant.	09/18/92	08/30/93, 58 FR 45456	Ref 52.2299(c)(76).
Section 112.8	Allowable Emissions Rates from Solid Fossil Fuel-Fired Steam Generators.	09/18/92	02/18/97, 62 FR 07163	Ref 52.2299(c)(101).
Section 112.9	Allowable Emission Rates—Combustion of Liquid Fuel.	09/18/92	08/30/93, 58 FR 45456	Ref 52.2299(c)(76).
Section 112.14	Allowable Emission Rates—Non-ferrous Smelter Processes.	09/18/92	08/30/93, 58 FR 45456	Ref 52.2299(c)(76).
Section 112.15	Temporary Fuel Shortage Plan Filing Requirements.	09/18/92	08/30/93, 58 FR 45456	Ref 52.2299(c)(76).
Section 112.16	Temporary Fuel Shortage Plan Operating Requirements.	09/18/92	08/30/93, 58 FR 45456	Ref 52.2299(c)(76).
Section 112.17	Temporary Fuel Shortage Plan Notification Procedures.	09/18/92	08/30/93, 58 FR 45456	Ref 52.2299(c)(76).
Section 112.18	Temporary Fuel Shortage Plan Reporting Requirements.	09/18/92	08/30/93, 58 FR 45456	Ref 52.2299(c)(76).
Section 112.19	Application for Area Control Plan	09/18/92	08/30/93, 58 FR 45456	Ref 52.2299(c)(76).
Section 112.20	Exemption Procedure	09/18/92	08/30/93, 58 FR 45456	Ref 52.2299(c)(76).
Section 112.21	Allowable Emission Rates Under Area Control Plan.	09/18/92	08/30/93, 58 FR 45456	Ref 52.2299(c)(76).

EPA APPROVED REGULATIONS IN THE TEXAS SIP—Continued

State citation	Title/Subject	State approval/ Submittal date	EPA approval date	Explanation
Section 112.41 to 112.47.	Control of Sulfuric Acid	05/12/89	.....	NOT in SIP but is a part of the EPA approved Texas 111(d) Plan
Section 112.51 to 112.59.	Control of Total Reduced Sulfur (TRS).	05/12/89	.....	NOT in SIP but is a part of the EPA approved Texas 111(d) Plan.
Chapter 114 (Reg 4)—Control of Air Pollution from Motor Vehicles				
Subchapter A—Definitions				
Section 114.1	Definitions	2/12/2014	10/7/2016, 81 FR 69684	
Section 114.2	Inspection and Maintenance Definitions.	4/29/2015	10/7/2016, 81 FR 69684	
Section 114.5	Transportation Planning Definition	05/03/00	12/5/02, 67 FR 72382.	
Section 114.6	Low Emission Fuel Definitions	8/22/12	5/6/13, 78 FR 26255.	
Subchapter C—Vehicle Inspection and Maintenance; Low Income Vehicle Repair Assistance, Retrofit, and Accelerated Vehicle Retirement Program; and Early Action Compact Counties				
Division 1: Vehicle Inspection and Maintenance				
Section 114.50	Vehicle Emission Inspection Requirements.	2/12/2014	10/7/2016, 81 FR 69679	Subsection 114.50(b)(2) is NOT part of the approved SIP.
Section 114.51	Equipment Evaluation Procedures for Vehicle Gas Analyzers.	11/18/2010	7/25/2014, 79 FR 43264.	
Section 114.53	Inspection and Maintenance Fees	4/29/2015	10/7/2016, 81 FR 69684	
Division 3: Early Action Compact Counties				
Section 114.80	Applicability	11/17/04	8/8/05, 70 FR 45542.	
Section 114.81	Vehicle Emissions Inspection Requirements.	11/17/04	8/8/05, 70 FR 45542.	
Section 114.82	Control Requirements	2/12/2014	10/7/2016, 81 FR 69684	
Section 114.83	Waivers and Extensions	2/12/2014	10/7/2016, 81 FR 69684	
Section 114.84	Prohibitions	2/12/2014	10/7/2016, 81 FR 69684	
Section 114.85	Equipment Evaluation Procedures for Vehicle Exhaust Gas Analyzers.	11/17/04	8/8/05, 70 FR 45542.	
Section 114.86	Low Income Repair Assistance Program (LIRAP) for Participating Early Action Compact Counties.	11/17/04	8/8/05, 70 FR 45542.	
Section 114.87	Inspection and Maintenance Fees	4/29/2015	10/7/2016, 81 FR 69684	
Subchapter D—Oxygen Requirements for Gasoline				
Section 114.100	Oxygenated Fuels	1/20/2017	2/27/2018, 83 FR 8361.	
Subchapter G—Transportation Planning				
Section 114.260	Transportation Conformity	6/27/2007	11/12/2014, 79 FR 67071.	
Section 114.270	Transportation Control Measures	6/27/2007	1/31/2014, 79 FR 5287.	
Subchapter H—Low Emission Fuels				
Division 1: Gasoline Volatility				
Section 114.301	Control Requirements for Reid Vapor Pressure.	4/25/00	4/26/01, 66 FR 20931	Part (c) is not approved.
Section 114.305	Approved Test Methods	1/20/2017	2/27/2018, 83 FR 8361.	
Section 114.306	Recordkeeping Requirements	4/25/2000	4/26/2001, 66 FR 20927	Not in SIP: 114.306(c)
Section 114.307	Exemptions	9/10/2014	7/20/2015, 80 FR 42732.	
Section 114.309	Affected Counties	9/10/2014	7/20/2015, 80 FR 42732.	

EPA APPROVED REGULATIONS IN THE TEXAS SIP—Continued

State citation	Title/Subject	State approval/ Submittal date	EPA approval date	Explanation
Division 2: Low Emission Diesel				
Section 114.312	Low Emission Diesel Standards	8/22/12	5/6/13, 78 FR 26255.	
Section 114.313	Designated Alternative Limits	8/22/12	5/6/13, 78 FR 26255.	
Section 114.314	Registration of Diesel Producers and Importers.	8/22/12	5/6/13, 78 FR 26255.	
Section 114.315	Approved Test Methods	8/22/12	5/6/13, 78 FR 26255.	
Section 114.316	Monitoring, Recordkeeping, and Reporting Requirements.	8/22/12	5/6/13, 78 FR 26255.	
Section 114.317	Exemptions to Low Emission Diesel Requirements.	8/22/12	5/6/13, 78 FR 26255.	
Section 114.318	Alternative Emission Reduction Plan ..	8/22/12	5/6/13, 78 FR 26255.	
Section 114.319	Affected Counties and Compliance Dates.	8/22/12	5/6/13, 78 FR 26255	
Subchapter I—Non-Road Engines				
Division 3—Non-Road Large Spark-Ignition Engines				
Section 114.420	Definitions	4/19/00	11/14/01, 66 FR 57222.	
Section 114.421	Emission Specifications	12/06/00	11/14/01, 66 FR 57222.	
Section 114.422	Control Requirements	4/19/00	11/14/01, 66 FR 57222.	
Section 114.427	Exemptions	4/19/00	11/14/01, 66 FR 57222.	
Section 114.429	Affected Counties and Compliance Schedules.	12/6/00	11/14/01, 66 FR 57222.	
Subchapter J—Operational Controls for Motor Vehicles				
Division 2: Locally Enforced Motor Vehicle Idling Limitations				
Section 114.510	Definitions	11/17/04	4/11/05, 70 FR 18308.	
Section 114.511	Applicability	11/17/04	4/11/05, 70 FR 18308.	
Section 114.512	Control Requirements for Motor Vehicle Idling.	7/20/2011	7/25/2014, 79 FR 43264.	
Section 114.517	Exemptions	8/8/2012	7/25/2014, 79 FR 43264.	
Subchapter K—Mobile Source Incentive Programs				
Division 3: Diesel Emissions Reduction Incentive Program for On-Road and Non-Road Vehicles				
Section 114.620	Definitions	2/24/2010	11/12/2014, 79 FR 67071.	
Section 114.621	Applicability	1/28/04	08/19/05, 70 FR 48647.	
Section 114.622	Incentive Program Requirements	4/9/2014	6/9/2017, 82 FR 26756.	
Section 114.623	Small Business Incentives	1/28/04	8/19/05, 70 FR 48647.	
Section 114.624	Rebate Grant Process	9/20/2006	4/9/2010, 75 FR 18061.	
Section 114.626	Monitoring, Recordkeeping, and Reporting Requirements.	8/22/01	08/19/05, 70 FR 48647.	
Section 114.629	Affected Counties and Implementation Schedule.	4/9/2014	6/9/2017, 82 FR 26756.	
Division 4: Texas Clean School Bus Program				
Section 114.640	Definitions	3/26/2014	6/9/2017, 82 FR 26756.	
Section 114.642	Applicability	3/26/2014	6/9/2017, 82 FR 26756.	
Section 114.644	Clean School Bus Program Requirements.	3/26/2014	6/9/2017, 82 FR 26756.	
Section 114.646	Monitoring, Recordkeeping, and Reporting Requirements.	3/26/2014	6/9/2017, 82 FR 26756.	
Section 114.648	Expiration	3/26/2014	6/9/2017, 82 FR 26756.	
Division 5: Texas Clean Fleet Program				
Section 114.650	Definitions	4/9/2014	6/9/2017, 82 FR 26756.	
Section 114.651	Applicability	3/28/2012	1/31/2014, 79 FR 5287.	
Section 114.652	Qualifying Vehicles	3/28/2012	1/31/2014, 79 FR 5287.	
Section 114.653	Grant Eligibility	4/9/2014	6/9/2017, 82 FR 26756.	
Section 114.654	Usage and Disposition	3/28/2012	1/31/2014, 79 FR 5287.	
Section 114.655	Grant Restrictions	2/24/2010	1/31/2014, 79 FR 5287.	
Section 114.656	Eligible Grant Amounts	4/9/2014	6/9/2017, 82 FR 26756.	
Section 114.657	Reporting Requirements	2/24/2010	1/31/2014, 79 FR 5287.	

Environmental Protection Agency

§ 52.2270

EPA APPROVED REGULATIONS IN THE TEXAS SIP—Continued

State citation	Title/Subject	State approval/ Submittal date	EPA approval date	Explanation
Section 114.658	Implementation Schedule	2/24/2010	1/31/2014, 79 FR 5287.	
Division 8: Drayage Truck Incentive Program				
Section 114.680	Definitions	8/3/2016	6/9/2017, 82 FR 26756.	
Section 114.681	Applicability	4/9/2014	6/9/2017, 82 FR 26756.	
Section 114.682	Eligible Vehicle Models	8/3/2016	6/9/2017, 82 FR 26756.	
Texas Department of Transportation Regulation—31 TAC Chapter 17—Vehicle Titles and Registration				
Section 17.80	Vehicle Emissions Verification System	11/09/93	08/22/94, 59 FR 43046	Ref 52.2299 (c)(87)(i)(F).
Texas Department of Public Safety—37 TAC Chapter 23—Vehicle Inspection				
Section 23.93	Vehicle Emissions Inspection Requirements.	10/26/2005	7/25/2014, 79 FR 43264.	
Chapter 115 (Reg 5)—Control of Air Pollution From Volatile Organic Compounds				
Subchapter A—Definitions				
Section 115.10	Covered Attainment Counties	6/15/2015	12/21/2017, 82 FR 60547.	
Subchapter B—General Volatile Organic Compound Sources				
Division 1: Storage of Volatile Organic Compounds				
Section 115.110	Applicability and Definitions	6/15/2015	12/21/2017, 82 FR 60547.	
Section 115.111	Exemptions	6/15/2015	12/21/2017, 82 FR 60547.	
Section 115.112	Control Requirements	6/15/2015	12/21/2017, 82 FR 60547.	
Section 115.113	Alternate Control Requirements	12/1/2011	9/9/2014, 79 FR 53302.	
Section 115.114	Inspection Requirements	6/15/2015	12/21/2017 82 FR 60547.	
Section 115.115	Monitoring Requirements	6/15/2015	12/21/2017, 82 FR 60547.	
Section 115.116	Testing Requirements	12/1/2011	9/9/2014, 79 FR 53302.	
Section 115.117	Approved Test Methods	6/15/2015	12/21/2017, 82 FR 60547.	
Section 115.118	Recordkeeping Requirements	6/15/2015	12/21/2017, 82 FR 60547.	
Section 115.119	Compliance Schedules	6/15/2015	12/21/2017, 82 FR 60547.	
Division 2: Vent Gas Control				
Section 115.120	Vent Gas Definitions	12/13/02	02/27/08, 73 FR 10383.	
Section 115.121	Emissions Specifications	6/15/2015	12/21/2017, 82 FR 60547.	
Section 115.122	Control Requirements	6/15/2015	12/21/2017, 82 FR 60547.	
Section 115.123	Alternate Control Requirements	12/13/02	02/27/08, 73 FR 10383.	
Section 115.125	Testing Requirements	6/15/2015	12/21/2017, 82 FR 60547.	
Section 115.126	Monitoring and Recordkeeping Requirements.	6/15/2015	12/21/2017, 82 FR 60547.	
Section 115.127	Exemptions	6/15/2015	12/21/2017, 82 FR 60547.	
Section 115.129	Counties and Compliance Schedules	6/15/2015	12/21/2017, 82 FR 60547.	
Division 3: Water Separation				
Section 115.131	Emission Specifications	5/4/94	5/22/97, 62 FR 27964.	
Section 115.132	Control Requirements	4/26/02	02/27/08, 73 FR 10383.	
Section 115.133	Alternate Control Requirements	4/26/02	02/27/08, 73 FR 10383.	
Section 115.135	Testing Requirements	05/4/94	05/22/97, 62 FR 27964.	
Section 115.136	Monitoring and Recordkeeping Requirements.	4/26/02	02/27/08, 73 FR 10383.	
Section 115.137	Exemptions	4/26/02	02/27/08, 73 FR 10383.	
Section 115.139	Counties and Compliance Schedules	6/15/2015	12/21/2017, 82 FR 60547.	
Division 4: Industrial Wastewater				
Section 115.140	Industrial Wastewater Definitions	4/26/02	2/27/08, 73 FR 10383.	
Section 115.142	Control Requirements	12/13/02	02/27/08, 73 FR 10383.	
Section 115.143	Alternate Control Requirements	12/13/02	02/27/08, 73 FR 10383.	
Section 115.144	Inspection and Monitoring Requirements.	12/13/02	2/27/08, 73 FR 10383.	
Section 115.145	Approved Test Methods	4/26/02	02/27/08, 73 FR 10383.	
Section 115.146	Recordkeeping Requirements	10/27/99	12/20/00, 65 FR 79745.	

EPA APPROVED REGULATIONS IN THE TEXAS SIP—Continued

State citation	Title/Subject	State approval/ Submittal date	EPA approval date	Explanation
Section 115.147	Exemptions	12/13/02	02/27/08, 73 FR 10383.	
Section 115.148	Training Requirements	10/27/99	12/20/00, 65 FR 79745.	
Section 115.149	Counties and Compliance Schedules	11/15/06	7/17/08, 73 FR 40972.	
Division 5: Municipal Solid Waste Landfills				
Section 115.152	Control Requirements	5/4/94	5/22/97, 62 FR 27964.	
Section 115.153	Alternate Control Requirements	4/26/02	2/27/08, 73 FR 10383.	
Section 115.155	Approved Test Methods	05/4/94	05/22/97, 62 FR 27964.	
Section 115.156	Monitoring and Recordkeeping Requirements.	5/4/94	05/22/97, 62 FR 27964.	
Section 115.157	Exemptions	5/4/94	5/22/97, 62 FR 27964.	
Section 115.159	Counties and Compliance Schedules	4/26/02	2/27/08, 73 FR 10383.	
Division 6: Batch Processes				
Section 115.160	Batch Process Definitions	12/13/02	02/27/08, 73 FR 10383.	
Section 115.161	Applicability	12/13/02	02/27/08, 73 FR 10383.	
Section 115.162	Control Requirements	12/06/00	07/16/01, 66 FR 36913.	
Section 115.163	Alternate Control Requirements	10/27/99	12/20/00, 65 FR 79745.	
Section 115.164	Determination of Emissions and Flow Rates.	12/06/00	07/16/01, 66 FR 36913.	
Section 115.165	Approved Test Methods and Testing Requirements.	12/06/00	07/16/01, 66 FR 36913.	
Section 115.166	Monitoring and Recordkeeping Requirements.	12/13/02	02/27/08, 73 FR 10383.	
Section 115.167	Exemptions	9/28/2005	7/10/2009, 74 FR 33146.	
Section 115.169	Counties and Compliance Schedules	9/28/2005	7/10/2009, 74 FR 33146.	
Subchapter C—Volatile Organic Compound Transfer Operations				
Division 1: Loading and Unloading of Volatile Organic Compounds				
Section 115.211	Emission Specifications	12/13/02	1/19/06, 71 FR 3009.	
Section 115.212	Control Requirements	12/6/00	07/16/01, 66 FR 36913.	
Section 115.213	Alternate Control Requirements	06/30/99	12/20/00, 65 FR 79745.	
Section 115.214	Inspection Requirements	4/26/02	1/19/06, 71 FR 3009.	
Section 115.215	Approved Test Methods	6/15/2015	12/21/2017, 82 FR 60547.	
Section 115.216	Monitoring and Record-keeping Requirements.	10/22/03	1/19/06, 71 FR 3009.	
Section 115.217	Exemptions	10/22/03	1/19/06, 71 FR 3009.	
Section 115.219	Counties and Compliance Schedules	6/15/2015	12/21/2017, 82 FR 60547.	
Section 115.220*	Filling of Gasoline Storage Vessels (Stage I) for Motor Vehicles Fuel Dispensing Facilities in Bexar County.	03/30/79	11/10/82, 47 FR 50866	Ref 52.2299(c)(48). The number 220* was created to avoid duplicate sections numbers in the SIP. There is no section 115.220 in the current SIP approved codification.
Division 2: Filling of Gasoline Storage Vessels (Stage I) for Motor Vehicle Fuel Dispensing Facilities				
Section 115.221	Emission Specifications	9/10/2014	4/30/2015, 80 FR 24215.	
Section 115.222	Control Requirements	9/10/2014	4/30/2015, 80 FR 24215.	
Section 115.223	Alternate Control Requirements	03/23/05	1/19/06, 71 FR 3009.	
Section 115.224	Inspection Requirements	9/10/2014	4/30/2015, 80 FR 24215.	
Section 115.225	Testing Requirements	9/10/2014	4/30/2015, 80 FR 24215.	
Section 115.226	Recordkeeping Requirements	9/10/2014	4/30/2015, 80 FR 24215.	
Section 115.227	Exemptions	9/10/2014	4/30/2015, 80 FR 24215.	
Section 115.229	Counties and Compliance Schedules	6/15/2015	12/21/2017, 82 FR 60547.	
Division 3: Control of Volatile Organic Leaks from Transport Vessels				
Section 115.234	Inspection Requirements	6/30/99	12/20/00, 65 FR 79745.	
Section 115.235	Approved Test Methods	06/30/99	12/20/00, 65 FR 79745.	
Section 115.236	Recordkeeping Requirements	6/30/99	12/20/00, 65 FR 79745.	
Section 115.237	Exemptions	06/30/99	12/20/00, 65 FR 79745.	

EPA APPROVED REGULATIONS IN THE TEXAS SIP—Continued

State citation	Title/Subject	State approval/ Submittal date	EPA approval date	Explanation
Section 115.239	Counties and Compliance Schedules	6/15/2015	12/21/2017, 82 FR 60547.	
Division 4: Control of Vehicle Refueling Emissions (Stage II) at Motor Vehicle Fuel Dispensing Facilities				
Section 115.240	Stage II Vapor Recovery Definitions and List of California Air Resources Board Certified Stage II Equipment.	10/9/2013	3/17/14, 79 FR 14611.	
Section 115.241	Emission Specifications	10/9/2013	3/17/14, 79 FR 14611.	
Section 115.242	Control Requirements	10/9/2013	3/17/14, 79 FR 14611.	
Section 115.243	Alternate Control Requirements	10/9/2013	3/17/14, 79 FR 14611.	
Section 115.244	Inspection Requirements	10/9/2013	3/17/14, 79 FR 14611.	
Section 115.245	Testing Requirements	10/9/2013	3/17/14, 79 FR 14611.	
Section 115.246	Recordkeeping Requirements	10/9/2013	3/17/14, 79 FR 14611.	
Section 115.248	Training Requirements	3/23/05	1/19/06, 71 FR 3009.	
Section 115.252 to 115.259.	Control of Reid Vapor Pressure of Gasoline.	5/4/94	05/22/97, 62 FR 27964	Ref 52.2299(c)(104).
Subchapter D—Petroleum Refining, Natural Gas Processing, and Petrochemical Processes				
Division 1: Process Unit Turnaround and Vacuum-Producing Systems in Petroleum Refineries				
Section 115.311	Emission Specifications	4/26/02	2/27/08, 73 FR 10383.	
Section 115.312	Control Requirements	12/13/02	2/27/08, 73 FR 10383.	
Section 115.313	Alternate Control Requirements	4/26/02	02/27/08, 73 FR 10383.	
Section 115.315	Testing Requirements	5/8/92	3/7/95, 60 FR 12438.	
Section 115.316	Monitoring and Recordkeeping Requirements.	4/26/02	2/27/08, 73 FR 10383.	
Section 115.317	Exemptions	5/8/92	3/7/95, 60 FR 12438.	
Section 115.319	Counties and Compliance Schedules	11/15/06	7/17/08, 73 FR 40972.	
Division 2: Fugitive Emission Control in Petroleum Refineries in Gregg, Nueces, and Victoria Counties				
Section 115.322	Control Requirements	6/2/2010	2/26/2015, 80 FR 10352.	
Section 115.323	Alternate Control Requirements	6/2/2010	2/26/2015, 80 FR 10352.	
Section 115.324	Inspection Requirements	6/2/2010	2/26/2015, 80 FR 10352.	
Section 115.325	Testing Requirements	6/2/2010	2/26/2015, 80 FR 10352.	
Section 115.326	Recordkeeping Requirements	6/2/2010	2/26/2015, 80 FR 10352.	
Section 115.327	Exemptions	4/26/02	2/27/08, 73 FR 10383.	
Section 115.329	Counties and Compliance Schedules	8/8/01	2/27/08, 73 FR 10383.	
Division 3: Fugitive Emission Control in Petroleum Refining, Natural Gas/Gasoline Processing, and Petrochemical Processes in Ozone Nonattainment Areas				
Section 115.352	Control Requirements	6/2/2010	2/26/2015, 80 FR 10352.	
Section 115.353	Alternate Control Requirements	6/2/2010	2/26/2015, 80 FR 10352.	
Section 115.354	Monitoring and Inspection Requirements.	6/2/2010	2/26/2015, 80 FR 10352.	
Section 115.355	Approved Test Methods	6/2/2010	2/26/2015, 80 FR 10352.	
Section 115.356	Recordkeeping Requirements	6/2/2010	2/26/2015, 80 FR 10352.	
Section 115. 357	Exemptions	6/2/2010	2/26/2015, 80 FR 10352.	
Section 115.358	Alternative Work Practice	6/2/2010	2/26/2015, 80 FR 10352.	
Section 115.359	Counties and Compliance Schedules	6/15/2015	12/21/2017, 82 FR 60547.	
Subchapter E—Solvent-Using Processes				
Division 1: Degreasing Processes				
Section 115.410	Applicability	6/15/2015	12/21/2017, 82 FR 60547.	
Section 115.411	Exemptions	6/15/2015	12/21/2017, 82 FR 60547.	
Section 115.412	Control Requirements	11/17/04	3/29/05, 70 FR 15769.	
Section 115.413	Alternate Control Requirements	11/17/04	3/29/05, 70 FR 15769.	
Section 115.415	Testing	6/15/2015	12/21/2017, 82 FR 60547.	
Section 115.416	Recordkeeping Requirements	6/15/2015	12/21/2017, 82 FR 60547.	
Section 115.419	Counties and Compliance Schedules	6/15/2015	12/21/2017, 82 FR 60547.	
Division 2: Surface Coating Processes				
Section 115.420	Applicability and Definitions	6/15/2015	12/21/2017, 82 FR 60547.	
Section 115.421	Emissions Specifications	6/15/2015	12/21/2017, 82 FR 60547.	
Section 115.422	Control Requirements	6/15/2015	12/21/2017, 82 FR 60547.	

EPA APPROVED REGULATIONS IN THE TEXAS SIP—Continued

State citation	Title/Subject	State approval/ Submittal date	EPA approval date	Explanation
Section 115.423	Alternate Control Requirements	6/15/2015	12/21/2017, 82 FR 60547.	
Section 115.424	Inspection Requirements	6/29/00	10/30/01, 66 FR 54688	
Section 115.425	Testing Requirements	6/15/2015	12/21/2017, 82 FR 60547.	
Section 115.426	Monitoring and Recordkeeping Requirements.	6/15/2015	12/21/2017, 82 FR 60547.	
Section 115.427	Exemptions	6/15/2015	12/21/2017, 82 FR 60547.	
Section 115.429	Counties and Compliance Schedules	6/15/2015	12/21/2017, 82 FR 60547.	
Division 3: Flexographic and Rotogravure Printing				
Section 115.430	Applicability and Definitions	01/17/12	3/27/15, 80 FR 16291.	
Section 115.431	Exemptions	1/17/12	3/27/15, 80 FR 16291.	
Section 115.432	Control Requirements	1/17/12	3/27/15, 80 FR 16291.	
Section 115.433	Alternate Control Requirements	1/17/12	3/27/15, 80 FR 16291.	
Section 115.435	Testing Requirements	1/17/12	3/27/15, 80 FR 16291.	
Section 115.436	Monitoring and Recordkeeping Requirements.	1/17/12	3/27/15, 80 FR 16291.	
Section 115.439	Counties and Compliance Schedules	1/17/12	3/27/15, 80 FR 16291.	
Division 4: Offset Lithographic Printing				
Section 115.440	Applicability and Definitions	6/15/2015	12/21/2017, 82 FR 60547.	
Section 115.441	Exemptions	6/15/2015	12/21/2017, 82 FR 60547.	
Section 115.442	Control Requirements	6/15/2015	12/21/2017, 82 FR 60547.	
Section 115.443	Alternate Control Requirements	3/10/2010	8/4/2014, 79 FR 45106.	
Section 115.445	Approved Test Methods	3/10/2010	8/4/2014, 79 FR 45106.	
Section 115.446	Monitoring and Recordkeeping Requirements.	6/15/2015	12/21/2017, 82 FR 60547.	
Section 115.449	Compliance Schedules	6/15/2015	12/21/2017, 82 FR 60547.	
Division 5: Control Requirements for Surface Coating Processes				
Section 115.450	Applicability and Definitions	6/15/2015	12/21/2017, 82 FR 60547.	
Section 115.451	Exemptions	6/15/2015	12/21/2017, 82 FR 60547.	
Section 115.453	Control Requirements	6/15/2015	12/21/2017, 82 FR 60547.	
Section 115.454	Alternate Control Requirements	1/17/12	3/27/15, 80 FR 16291.	
Section 115.455	Approved Test Methods and Testing Requirements.	1/17/12	3/27/15, 80 FR 16291.	
Section 115.458	Monitoring and Recordkeeping Requirements.	1/17/12	3/27/15, 80 FR 16291.	
Section 115.459	Counties and Compliance Schedules	6/15/2015	12/21/2017, 82 FR 60547.	
Division 6: Industrial Cleaning Solvents				
Section 115.460	Applicability and Definitions	6/15/2015	12/21/2017, 82 FR 60547.	
Section 115.461	Exemptions	6/15/2015	12/21/2017, 82 FR 60547.	
Section 115.463	Control Requirements	1/17/12	3/27/15, 80 FR 16291.	
Section 115.464	Alternate Control Requirements	1/17/12	3/27/15, 80 FR 16291.	
Section 115.465	Approved Test Methods and Testing Requirements.	1/17/12	3/27/15, 80 FR 16291.	
Section 115.468	Monitoring and Recordkeeping Requirements.	1/17/12	3/27/15, 80 FR 16291.	
Section 115.469	Compliance Schedules	6/15/2015	12/21/2017, 82 FR 60547.	
Division 7: Miscellaneous Industrial Adhesives				
Section 115.470	Applicability and Definitions	1/17/12	3/27/15, 80 FR 16291.	
Section 115.471	Exemptions	6/15/2015	12/21/2017, 82 FR 60547.	
Section 115.473	Control Requirements	6/15/2015	12/21/2017, 82 FR 60547.	
Section 115.474	Alternate Control Requirements	1/17/12	3/27/15, 80 FR 16291.	
Section 115.475	Approved Test Methods and Testing Requirements.	1/17/12	3/27/15, 80 FR 16291.	
Section 115.478	Monitoring and Recordkeeping Requirements.	1/17/12	3/27/15, 80 FR 16291.	
Section 115.479	Compliance Schedules	6/15/2015	12/21/2017, 82 FR 60547.	
Subchapter F—Miscellaneous Industrial Sources				
Division 1: Cutback Asphalt				
Section 115.510	Cutback Asphalt Definitions	8/31/99	12/22/99, 64 FR 71670.	

Environmental Protection Agency

§ 52.2270

EPA APPROVED REGULATIONS IN THE TEXAS SIP—Continued

State citation	Title/Subject	State approval/ Submittal date	EPA approval date	Explanation	
Section 115.512	Control Requirements	11/17/04	3/29/05, 70 FR 15769.	Ref 52.2299(c)(88).	
Section 115.513	Alternative Control Requirements	8/31/99	12/22/99, 64 FR 71670.		
Section 115.515	Testing Requirements	8/31/99	12/22/99, 64 FR 71670.		
Section 115.516	Recordkeeping Requirements	11/17/04	3/29/05, 70 FR 15769.		
Section 115.517	Exemptions	11/17/04	3/29/05, 70 FR 15769		
Section 115.519	Compliance Schedules	6/15/2015	12/21/2017, 82 FR 60547.		
Division 2: Pharmaceutical Manufacturing Facilities					
Section 115.531	Emission Specifications	5/4/94	5/22/97, 62 FR 27964.		
Section 115.532	Control Requirements	4/26/02	2/27/08, 73 FR 10383.		
Section 115.533	Alternate Control Requirements	4/26/02	02/27/08, 73 FR 10383.		
Section 115.534	Inspection Requirements	5/4/94	5/22/97, 62 FR 27964.		
Section 115.535	Testing Requirements	4/26/02	2/27/08, 73 FR 10383.		
Section 115.536	Monitoring and Recordkeeping Requirements.	5/4/94	5/22/97, 62 FR 27964.		
Section 115.537	Exemptions	5/4/94	05/22/97, 62 FR 27964.		
Section 115.539	Counties and Compliance Schedules	11/15/06	7/17/08, 73 FR 40972.		
Division 3: Degassing or Cleaning of Stationary, Marine, and Transport Vessels					
Section 115.540	Applicability and Definitions	1/26/2011	9/23/2015, 80 FR 57304.		
Section 115.541	Emission Specifications	1/26/2011	9/23/2015, 80 FR 57304.		
Section 115.542	Control Requirements	1/26/2011	9/23/2015, 80 FR 57304.		
Section 115.543	Alternate control Requirements	1/26/2011	9/23/2015, 80 FR 57304.		
Section 115.544	Inspection, Monitoring, and Testing Requirements.	1/26/2011	9/23/2015, 80 FR 57304.		
Section 115.545	Approved Test Methods	1/26/2011	9/23/2015, 80 FR 57304.		
Section 115.546	Recordkeeping and Notification Requirements.	1/26/2011	9/23/2015, 80 FR 57304.		
Section 115.547	Exemptions	1/26/2011	9/23/2015, 80 FR 57304.		
Section 115.549	Counties and Compliance Schedules	5/23/2007	3/29/2010, 75 FR 15348.		
Division 4: Petroleum Dry Cleaning Systems					
Section 115.552	Control Requirements	4/26/02	2/27/08, 73 FR 10383.		
Section 115.553	Alternate Control Requirements	05/4/94	5/22/97, 62 FR 27964.		
Section 115.555	Testing Methods and Procedures	5/4/94	5/22/97, 62 FR 27964.		
Section 115.556	Recordkeeping Requirements	5/4/94	5/22/97, 62 FR 27964.		
Section 115.557	Exemptions	5/4/94	5/22/97, 62 FR 27964.		
Section 115.559	Counties and Compliance Schedules	4/26/02	2/27/08, 73 FR 10383.		
Subchapter G—Consumer-Related Sources					
Division 1: Automotive Windshield Washer Fluid					
Section 115.600	Consumer Products Definitions	1/28/04	02/10/05, 70 FR 7041.		
Section 115.610	Applicability	1/28/04	02/10/05, 70 FR 7041.		
Section 115.612	Control Requirements	1/28/04	02/10/05, 70 FR 7041.		
Section 115.613	Alternate Control Requirements	1/28/04	02/10/05, 70 FR 7041.		
Section 115.615	Testing Requirements	1/28/04	02/10/05, 70 FR 7041.		
Section 115.616	Recordkeeping and Reporting Requirements.	1/28/04	02/10/05, 70 FR 7041.		
Section 115.617	Exemptions	1/28/04	02/10/05, 70 FR 7041.		
Section 115.619	Counties and Compliance Schedules	1/28/04	2/10/05, 70 FR 7041.		
Division 2: Portable Fuel Containers					
Subchapter H—Highly-Reactive Volatile Organic Compounds					
Division 1: Vent Gas Control					
Section 115.720	Applicability and Definitions	12/01/04	9/06/06, 71 FR 52656.		
Section 115.722	Site-wide Cap and Control Requirements.	12/01/04	9/06/06, 71 FR 52656.		
Section 115.725	Monitoring and Testing Requirements	12/01/04	9/06/06, 71 FR 52656.		
Section 115.726	Recordkeeping and Reporting Requirements.	12/01/04	9/06/06, 71 FR 52656.		
Section 115.727	Exemptions	12/01/04	9/06/06, 71 FR 52656.		
Section 115.729	Counties and Compliance Schedules	12/1/04	9/06/06, 71 FR 52656.		

EPA APPROVED REGULATIONS IN THE TEXAS SIP—Continued

State citation	Title/Subject	State approval/ Submittal date	EPA approval date	Explanation
Division 2: Cooling Tower Heat Exchange Systems				
Section 115.760	Applicability and Cooling Tower Heat Exchange System Definitions.	12/1/04	9/06/06, 71 FR 52656.	
Section 115.761	Site-wide Cap	12/01/04	9/6/06, 71 FR 52656.	
Section 115.764	Monitoring and Testing Requirements	12/1/04	9/6/06, 71 FR 52656.	
Section 115.766	Recordkeeping and Reporting Requirements.	12/1/04	9/6/06, 71 FR 52656.	
Section 115.767	Exemptions	12/01/04	9/06/06, 71 FR 52656.	
Section 115.769	Counties and Compliance Schedules	12/1/04	9/6/06, 71 FR 52656.	
Division 3: Fugitive Emissions				
Section 115.780	Applicability	12/1/04	9/06/06, 71 FR 52656.	
Section 115.781	General Monitoring and Inspection Requirements.	6/2/2010	2/26/2015, 80 FR 10352.	
Section 115.782	Procedures and Schedule for Leak Repair and Follow-up.	6/2/2010	2/26/2015, 80 FR 10352.	
Section 115.783	Equipment Standards	12/1/04	9/06/06, 71 FR 52656.	
Section 115.784	Alternate Control Requirements	6/2/2010	2/26/2015, 80 FR 10352.	
Section 115.786	Recordkeeping Requirements	6/2/2010	2/26/2015, 80 FR 10352.	
Section 115.787	Exemptions	6/2/2010	2/26/2015, 80 FR 10352.	
Section 115.788	Audit Provisions	6/2/2010	2/26/2015, 80 FR 10352.	
Section 115.789	Counties and Compliance Schedules	12/1/04	9/06/06, 71 FR 52656.	
Subchapter J—Administrative Provisions				
Division 1: Alternate Means of Control				
Section 115.901	Insignificant Emissions	07/13/94	05/22/97, 62 FR 27964.	
Section 115.910	Availability of Alternate Means of Control.	4/26/02	2/27/08, 73 FR 10383.	
Section 115.911	Criteria for Approval of Alternate Means of Control Plans.	4/26/02	2/27/08, 73 FR 10383.	
Section 115.912	Calculations for Determining Alternate Means of Control Reductions.	4/26/02	02/27/08, 73 FR 10383.	
Section 115.913	Procedures for Alternate Means of Control Plan Submittal.	4/26/02	02/27/08, 73 FR 10383.	
Section 115.914	Procedures for an Alternate Means of Control Plan Approval.	4/26/02	02/27/08, 73 FR 10383.	
Section 115.915	Public Notice Format	4/26/02	2/27/08, 73 FR 10383.	
Section 115.916	Review of Approved Alternate Means of Control Plans and Termination of Alternate Means of Control Plans.	4/26/02	02/27/08, 73 FR 10383.	
Division 2: Early Reductions				
Section 115.920	Applicability	4/26/02	2/27/08, 73 FR 10383.	
Section 115.923	Documentation	04/26/02	2/27/08, 73 FR 10383.	
Division 3: Compliance and Control Plan Requirements				
Section 115.930	Compliance Dates	4/26/02	2/27/08, 73 FR 10383.	
Section 115.932	Control Plan Procedure	4/26/02	2/27/08, 73 FR 10383.	
Section 115.934	Control Plan Deviation	4/26/02	2/27/08, 73 FR 10383.	
Section 115.936	Reporting Procedure	11/10/93	5/22/97, 62 FR 27964.	
Section 115.940	Equivalency Determination	4/26/02	2/27/08, 73 FR 10383.	
Section 115.950	Use of Emissions Credits for Compliance.	12/06/00	9/6/06, 71 FR 52698.	
Chapter 116 (Reg 6)—Control of Air Pollution by Permits for New Construction or Modification				
Subchapter A—Definitions				
Section 116.10	Definitions	9/15/2010	9/9/2016, 81 FR 62385	SIP does not include 30 TAC Section 116.10(5)(F) or 116.10(9)(F).
Section 116.11	Compliance History Definitions	06/17/98	09/18/02, 67 FR 58709.	

EPA APPROVED REGULATIONS IN THE TEXAS SIP—Continued

State citation	Title/Subject	State approval/ Submittal date	EPA approval date	Explanation
Section 116.12	Nonattainment and Prevention of Significant Deterioration Review Definitions.	3/26/2014	11/10/2014, 79 FR 66626 ..	The SIP does NOT include the substantive revisions to the definitions of "major stationary source" at 30 TAC Section 116.12(19) or "major modification" at 30 TAC Section 116.12(20) pertaining to "Step 2" or "non-any-way" GHG sources. The SIP includes the TCEQ's letter dated 5/3/2012, which explains and clarifies the TCEQ's interpretation of the definition of "plant-wide applicability limit" in 30 TAC Section 116.12(24).
Section 116.13	Flexible Permit Definitions	7/31/2014	7/20/2015, 80 FR 42729.	
Section 116.14	Standard Permit Definitions	06/17/98	11/14/03, 68 FR 64548.	
Section 116.17	Qualified Facility Definitions	9/15/2010	9/9/2016, 81 FR 62385.	
Section 116.18	Electric Generating Facility Permits Definitions.	5/22/2002	1/11/2011, 76 FR 1525.	
Section 116.20	Portable Facilities Definitions	2/10/2010	10/6/2015, 80 FR 60296.	

Subchapter B—New Source Review Permits

Division 1—Permit Application

Section 116.110	Applicability	8/9/2000	7/14/2014, 79 FR 40666	SIP includes 30 TAC Section 116.110(a)(3) adopted on 6/17/1998. SIP does not include 30 TAC Sections 116.110(a)(5), 116.110(c), or 116.110(d).
Section 116.111	General Application	3/26/2014	11/10/2014, 79 FR 66626 ..	30 TAC Section 116.111(a)(2)(l) is SIP-approved as adopted by the State as of 8/21/2002. The SIP does NOT include 30 TAC Section 116.111(a)(2)(K).
Section 116.112	Distance Limitations	1/14/2004	12/7/2005, 70 FR 72720.	
Section 116.114	Application Review Schedule	6/2/2010	1/6/2014, 79 FR 551.	
Section 116.115	General and Special Conditions	2/9/2011	10/25/2012, 77 FR 65119.	
Section 116.116	Changes to Facilities	9/15/2010	9/9/2016, 81 FR 62385	SIP does not include 30 TAC Section 116.116(b)(3).
Section 116.117	Documentation and Notification of Changes to Qualified Facilities.	9/15/2010	9/9/2016, 81 FR 62385	SIP does not include 30 TAC Section 116.117(a)(4)(B).
Section 116.120	Voiding of Permits	8/20/03	4/2/10, 75 FR 16671.	
Section 116.127	Actual to Projected Actual and Emission Exclusion Test for Emissions.	2/9/2011	10/25/2012, 77 FR 65119.	

EPA APPROVED REGULATIONS IN THE TEXAS SIP—Continued

State citation	Title/Subject	State approval/ Submittal date	EPA approval date	Explanation
Division 4—Permit Fees				
Section 116.140	Applicability	06/17/98	09/18/02, 67 FR 58709.	
Section 116.141	Determination of Fees	9/25/2002	3/20/2009, 74 FR 11851..	
Section 116.143	Payment of Fees	8/20/2003	3/20/2009, 74 FR 11851..	
Division 5—Nonattainment Review				
Section 116.150	New Major Source or Major Modification in Ozone Nonattainment Area.	7/25/2012	10/25/2012, 77 FR 65119.	
Section 116.151	New Major Source or Major Modification in Nonattainment Area Other than Ozone.	7/25/2012	10/25/2012, 77 FR 65119.	
Division 6—Prevention of Significant Deterioration Review				
Section 116.160	Prevention of Significant Deterioration Requirements.	3/26/2014	11/10/2014, 79 FR 66626 ..	The PSD SIP includes 30 TAC Section 116.160(a) and (b) as adopted by the State as of 6/2/2010. The PSD SIP includes a letter from the TCEQ dated December 2, 2013, committing that Texas will follow a SIP amendment process to apply its PSD SIP to additional pollutants that are regulated in the future, including non-NAAQS pollutants. The PSD SIP includes a letter from the TCEQ dated May 30, 2014, clarifying the judicial review process for the Texas PSD permit program.
Section 116.161	Source Located in an Attainment Area with Greater than De Minimis Impact.	06/17/98	09/18/02, 67 FR 58709.	
Section 116.162	Evaluation of Air Quality Impacts	10/10/01	7/22/04, 69 FR 43752.	
Section 116.163	Prevention of Significant Deterioration Permit Fees.	9/25/2002	3/20/2009, 74 FR 11851..	
Section 116.164	Prevention of Significant Deterioration Applicability for Greenhouse Gases Sources.	3/26/2014	11/10/2014, 79 FR 66626 ..	The PSD SIP does NOT include 30 TAC Sections 116.164(a)(3), (a)(4), (a)(5), and (b).

EPA APPROVED REGULATIONS IN THE TEXAS SIP—Continued

State citation	Title/Subject	State approval/ Submittal date	EPA approval date	Explanation
Section 116.169	Greenhouse Gases Program Transitions.	3/26/2014	11/10/2014, 79 FR 66626 ..	The PSD SIP does NOT include 30 TAC Section 116.169(b). The PSD SIP includes a letter from the TCEQ dated January 13, 2014, regarding the TCEQ's authority to administer EPA-issued GHG PSD permits.
Division 7—Emission Reductions: Offsets				
Section 116.170	Applicability of Emission Reductions as Offsets.	8/20/2003	3/20/2009, 74 FR 11851..	
Section 116.172	Emissions Offsets from Rocket Engine Firing and Cleaning.	8/20/2003	3/20/2009, 74 FR 11851..	
Section 116.174	Determination by Executive Director to Authorize Reductions.	6/17/1998	11/2/2011, 76 FR 67600.	
Section 116.175	Recordkeeping	8/16/1993	11/2/2011, 76 FR 67600.	
Section 116.176	Use of Mass Cap Allowances for Offsets.	3/07/01	9/6/06, 71 FR 52664..	
Division 8—Portable Facilities				
Section 116.178	Relocations and Changes of Location of Portable Facilities.	2/10/2010	10/6/2015, 80 FR 60296.	
Subchapter C—Plant-wide Applicability Limits				
Division 1—Plant-wide Applicability Limits				
Section 116.180	Applicability	7/25/2012	10/25/2012, 77 FR 65119.	The SIP includes TCEQ's "Letter of explanation and interpretation of the Texas SIP for NSR Reform" dated 5/3/2012, which explains and clarifies TCEQ's interpretation of paragraphs (a), (b)(9) and (c)(2).
Section 116.182	Plant-Wide Applicability Limit Permit Application.	2/9/2011	10/25/2012, 77 FR 65119.	
Section 116.184	Application Review Schedule	1/11/2006	10/25/2012, 77 FR 65119.	
Section 116.186	General and Specific Conditions	7/25/2012	10/25/2012, 77 FR 65119 ..	
Section 116.188	Plant-Wide Applicability Limit	2/9/2011	10/25/2012, 77 FR 65119.	
Section 116.190	Federal Nonattainment and Prevention of Significant Deterioration Review.	2/9/2011	10/25/2012, 77 FR 65119.	
Section 116.192	Amendments and Alterations	2/9/2011	10/25/2012, 77 FR 65119.	
Section 116.194	Public Notification and Comment	6/2/2010	1/6/2014, 79 FR 551.	
Section 116.196	Renewal of Plant-Wide Applicability Limit Permit.	1/11/2006	10/25/12, 77 FR 65119.	
Section 116.198	Expiration and Voidance	1/11/2006	10/25/2012, 77 FR 65119.	
Subchapter D—Permit Renewals				
Section 116.310	Notification of Permit Holder	6/17/1998	11/14/2011, 76 FR 70354.	SIP does not include 30 TAC Section 116.311(a)(6).
Section 116.311	Permit Renewal Application	8/21/2002	9/9/2016, 81 FR 62385	
Section 116.312	Public Notification and Comment Procedures.	9/2/1999	1/6/2014, 79 FR 551.	

EPA APPROVED REGULATIONS IN THE TEXAS SIP—Continued

State citation	Title/Subject	State approval/ Submittal date	EPA approval date	Explanation
Section 116.313	Renewal Application Fees	8/20/2003	3/20/2009, 74 FR 11851..	
Section 116.314	Review Schedule	6/17/1998	11/14/2011, 76 FR 70354.	
Section 116.315	Permit Renewal Submittal	5/7/2008	3/11/10, 75 FR 11464.	
Subchapter F—Standard Permits				
Section 116.601	Types of Standard Permits	2/9/2011	4/1/2014, 79 FR 18183.	
Section 116.602	Issuance of Standard Permits	12/16/99	11/14/03, 68 FR 64548.	
Section 116.603	Public Participation in Issuance of Standard Permits.	9/20/06	9/17/08, 73 FR 53716.	
Section 116.604	Duration and Renewal of Registrations to Use Standard Permits.	12/16/99	11/14/03, 68 FR 64548.	
Section 116.605	Standard Permit Amendment and Revocation.	12/16/99	11/14/03, 68 FR 64548.	
Section 116.606	Delegation	12/16/99	11/14/03, 68 FR 64548.	
Section 116.610	Applicability	3/26/2014	11/10/2014, 79 FR 66626 ..	30 TAC Section 116.610(b) is SIP-approved as adopted by the State as of 11/20/2002. The SIP does NOT include 30 TAC Section 116.610(d)
Section 116.611	Registration to Use a Standard Permit	3/26/2014	11/10/2014, 79 FR 66626 ..	30 TAC Section 116.611(b) is SIP-approved as adopted by the State as of 11/20/2002. The SIP does NOT include 30 TAC Section 116.611(c)(3), (c)(3)(A), and (c)(3)(B).
Section 116.614	Standard Permit Fees	9/25/2002	3/20/2009, 74 FR 11851..	
Section 116.615	General Conditions	02/21/07	8/28/07, 72 FR 41998.	
Section 116.617	State Pollution Control Project Standard Permit.	1/11/2006	4/1/2014, 79 FR 18183.	
Section 116.620	Installation and/or Modification of Oil and Gas Facilities.	8/9/2000	2/14/2014, 79 FR 8861	The types of emission units that may be authorized by this section are the following: • Internal combustion engines (ICEs), • Natural gas turbines (NG turbines),
				• Flares, • Other combustion units (design heat input >40 million BTU per hour), • Natural gas glycol dehydration units, • Storage tanks, • Separators, • Condensers, • Vapor recovery units, • Process vents, and • Process fugitives

Environmental Protection Agency

§ 52.2270

EPA APPROVED REGULATIONS IN THE TEXAS SIP—Continued

State citation	Title/Subject	State approval/ Submittal date	EPA approval date	Explanation
Subchapter G: Flexible Permits				
Section 116.710	Applicability	7/31/2014	7/20/2015, 80 FR 42729.	SIP includes 30 TAC 116.711(1), (2)(A), (B) and (C)(i) and (ii), (D)–(J), and (L)–(N)
Section 116.711	Flexible Permit Application	7/31/2014	7/20/2015, 80 FR 42729	
Section 116.714	Application Review Schedule	6/17/1998	7/14/2014, 79 FR 40666.	SIP includes 30 TAC 116.715(a)–(e) and (f)(1) and (2)(B)
Section 116.715	General and Special Conditions	7/31/2014	7/20/2015, 80 FR 42729	
Section 116.716	Emission Caps and Individual Emission Limitations.	7/31/2014	7/20/2015, 80 FR 42729.	SIP includes 30 TAC Section 116.740(a).
Section 116.717	Implementation Schedule for Additional Controls.	7/31/2014	7/20/2015, 80 FR 42729.	
Section 116.718	Significant Emission Increase	7/31/2014	7/20/2015, 80 FR 42729.	
Section 116.720	Limitation on Physical and Operational Changes.	7/31/2014	7/20/2015, 80 FR 42729.	
Section 116.721	Amendments and Alterations	7/31/2014	7/20/2015, 80 FR 42729.	
Section 116.722	Distance Limitations	8/9/2000	7/14/2014, 79 FR 40666.	
Section 116.740	Public Notice and Comment	7/31/2014	7/20/2015, 80 FR 42729	
Section 116.750	Flexible Permit Fee	7/31/2014	7/20/2015, 80 FR 42729.	SIP includes 30 TAC Section 116.765(b) and (c).
Section 116.760	Flexible Permit Renewal	11/16/1994	7/20/2015, 80 FR 42729.	
Section 116.765	Compliance Schedule	7/31/2014	7/20/2015, 80 FR 42729	
Subchapter H—Permits for Grandfathered Facilities				
Division 1—General Applicability				
Section 116.770	Requirement to Apply	1/28/04	1/6/14 79 FR 577.	
Section 116.771	Implementation Schedule for Additional Controls.	5/22/02	1/6/14 79 FR 577.	
Section 116.772	Notice of Shutdown	1/28/04	1/6/14 79 FR 577.	
Division 2—Small Business Stationary Source Permits, Pipeline Facilities Permits, and Existing Facility Permits				
Section 116.774	Eligibility for Small Business Stationary Source Permits.	5/22/02	1/6/14 79 FR 577.	116.779(a)(10) is not in the SIP.
Section 116.775	Eligibility for Pipeline Facilities Permits.	5/22/02	1/6/14 79 FR 577.	
Section 116.777	Eligibility for Existing Facility Permits	5/22/02	1/6/14 79 FR 577.	
Section 116.778	Additional Requirements for Applications for Small Business Stationary Source Permits, Pipeline Facilities Permits, or Existing Facility Permits.	8/21/02	1/6/14 79 FR 577.	
Section 116.779	Applications for Small Business Stationary Source Permits, Pipeline Facilities Permits, or Existing Facility Permits.	5/22/02	1/6/14 79 FR 577	
Section 116.780	Public Participation for Initial Issuance of Pipeline Facilities Permits and Existing Facility Permits.	5/22/02	1/6/14 79 FR 577.	
Section 116.781	Notice and Comment Hearings for Initial Issuance of Pipeline Facilities Permits and Existing Facility Permits.	5/22/02	1/6/14 79 FR 577.	
Section 116.783	Notice of Final Action on Pipeline Facilities Permit Applications and Existing Facility Permit Applications.	5/22/02	1/6/14 79 FR 577.	
Section 116.785	Permit Fee	5/22/02	1/6/14 79 FR 577.	

EPA APPROVED REGULATIONS IN THE TEXAS SIP—Continued

State citation	Title/Subject	State approval/ Submittal date	EPA approval date	Explanation	
Section 116.786	General and Special Conditions	5/22/02	1/6/14 79 FR 577	116.786(c)(2)(B)(ii)(I) is not in the SIP.	
Section 116.787	Amendments and Alterations of Permits Issued Under this Division.	5/22/02	1/6/14 79 FR 577.		
Section 116.788	Renewal of Permits Issued Under this Division.	5/22/02	1/6/14 79 FR 577.		
Section 116.790	Delegation	5/22/02	1/6/14 79 FR 577.		
Subchapter I—Electric Generating Facility Permits					
Section 116.910	Applicability	5/22/2002	1/11/2011, 76 FR 1525.	Section 116.911(a)(2) is authorized for Minor NSR only.	
Section 116.911	Electric Generating Facility Permit	5/22/2002	4/1/2014, 79 FR 18183		
Section 116.912	Electric Generating Facilities	12/16/1999	1/11/2011, 76 FR 1525.		
Section 116.913	General and Special Conditions	5/22/2002	1/11/2011, 76 FR 1525.		
Section 116.914	Emissions Monitoring and Reporting Requirements.	12/16/1999	1/11/2011, 76 FR 1525.		
Section 116.916	Permits for Grandfathered and Electing Generating Facilities in El Paso County.	12/16/1999	1/11/2011, 76 FR 1525.		
Section 116.917	Electric Generating Facility Permit Application for Certain Grandfathered Coal-Fired Electric Generating Facilities and Certain Facilities Located at Electric Generating Facility Sites.	5/22/2002	1/11/2011, 76 FR 1525.		
Section 116.918	Additional General Special Conditions for Grandfathered Coal-Fired Electric Generating Facilities and Certain Facilities Located at Electric Generating Facility Sites.	5/22/2002	1/11/2011, 76 FR 1525.		
Section 116.919	Additional Requirements for Grandfathered Electric Generating Facility Permit Applications.	8/21/02	1/6/14 79 FR 577.		
Section 116.920	Applicability	12/16/1999	1/11/2011, 76 FR 1525.		
Section 116.921	Notice and Comment Hearings for Initial Issuance.	5/22/2002	1/11/2011, 76 FR 1525.		
Section 116.922	Notice of Final Action	12/16/1999	1/11/2011, 76 FR 1525.		
Section 116.926	Permit Fee	5/22/2002	1/11/2011, 76 FR 1525.		
Section 116.928	Delegation	5/22/2002	1/11/2011, 76 FR 1525.		
Section 116.930	Amendments and Alterations Issued Under this Subchapter.	5/22/2002	1/11/2011, 76 FR 1525.		
Section 116.931	Renewal	12/16/1999	1/11/2011, 76 FR 1525.		
Subchapter M: Best Available Retrofit Technology (BART)					
Section 116.1500	Definitions	2/25/2009	1/5/2016, 81 FR 350.		116.1510(d) is NOT part of the approved SIP.
Section 116.1510	Applicability and Exemption Requirements.	2/25/2009	1/5/2016, 81 FR 350		
Section 116.1520	Best Available Retrofit Technology (BART) Analysis.	2/25/2009	1/5/2016, 81 FR 350.		
Section 116.1530	Best Available Retrofit Technology (BART) Control Implementation.	2/25/2009	1/5/2016, 81 FR 350.		
Section 116.1540	Exemption from Best Available Retrofit Technology (BART) Control Implementation.	2/25/2009	1/5/2016, 81 FR 350.		
Chapter 117—Control of Air Pollution From Nitrogen Compounds					
Subchapter A—Definitions					
Section 117.10	Definitions	6/3/2015	4/13/2016, 81 FR 21750.		

Environmental Protection Agency

§ 52.2270

EPA APPROVED REGULATIONS IN THE TEXAS SIP—Continued

State citation	Title/Subject	State approval/ Submittal date	EPA approval date	Explanation
Subchapter B—Combustion Control at Major Industrial, Commercial, and Institutional Sources in Ozone Nonattainment Areas				
Division 1—Beaumont-Port Arthur Ozone Nonattainment Area Major Sources				
Section 117.100	Applicability	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.103	Exemptions	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.105	Emission Specifications for Reasonably Available Control Technology (RACT).	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.110	Emission Specifications for Attainment Demonstration.	5/30/2007	12/3/2008, 73 FR 73562	117.110(c) not in SIP.
Section 117.115	Alternative Plant-Wide Emission Specifications.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.123	Source Cap	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.130	Operating Requirements	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.135	Initial Demonstration of Compliance ...	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.140	Continuous Demonstration of Compliance.	2/11/2009	7/31/2009, 74 FR 38102.	
Section 117.145	Notification, Recordkeeping, and Reporting Requirements.	2/11/2009	7/31/2009, 74 FR 38102.	
Section 117.150	Initial Control Plan Procedures	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.152	Final Control Plan Procedures for Reasonably Available Control Technology.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.154	Final Control Plan Procedures for Attainment Demonstration Emission Specifications.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.156	Revision of Final Control Plan	5/30/2007	12/3/2008, 73 FR 73562.	
Division 3—Houston-Galveston-Brazoria Ozone Nonattainment Area Major Sources				
Section 117.300	Applicability	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.303	Exemptions	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.305	Emission Specifications for Reasonably Available Control Technology (RACT).	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.310	Emission Specifications for Attainment Demonstration.	5/30/2007	12/3/2008, 73 FR 73562	117.310(c) not in SIP.
Section 117.315	Alternative Plant-Wide Emission Specifications.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.320	System Cap	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.323	Source Cap	5/30/2007	1/14/2009, 74 FR 1927.	
Section 117.330	Operating Requirements	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.335	Initial Demonstration of Compliance ...	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.340	Continuous Demonstration of Compliance.	2/11/2009	7/31/2009, 74 FR 38102.	
Section 117.345	Notification, Recordkeeping, and Reporting Requirements.	2/11/2009	7/31/2009, 74 FR 38102.	
Section 117.350	Initial Control Plan Procedures	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.352	Final Control Plan Procedures for Reasonably Available Control Technology.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.354	Final Control Plan Procedures for Attainment Demonstration Emission Specifications.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.356	Revision of Final Control Plan	5/30/2007	12/3/2008, 73 FR 73562.	
Division 4—Dallas-Fort Worth Eight-Hour Ozone Nonattainment Area Major Sources				
Section 117.400	Applicability	6/3/2015	4/13/2016, 81 FR 21750.	
Section 117.403	Exemptions	6/3/2015	4/13/2016, 81 FR 21750.	
Section 117.405	Emission Specifications for Reasonably Available Control Technology (RACT).	6/3/2015	4/13/2016, 81 FR 21750	117.405(d) Not in SIP.
Section 117.410	Emission Specifications for Eight-Hour Attainment Demonstration Reporting.	6/3/2015	4/13/2016, 81 FR 21925	117.410(c) NOT in SIP.
Section 117.423	Source Cap	6/3/2015	4/13/2016, 81 FR 21750.	
Section 117.430	Operating Requirements	6/3/2015	4/13/2016, 81 FR 21750.	

EPA APPROVED REGULATIONS IN THE TEXAS SIP—Continued

State citation	Title/Subject	State approval/ Submittal date	EPA approval date	Explanation
Section 117.435	Initial Demonstration of Compliance ...	6/3/2015	4/13/2016, 81 FR 21750.	
Section 117.440	Continuous Demonstration of Compliance.	6/3/2015	4/13/2016, 81 FR 21750.	
Section 117.445	Notification, Recordkeeping, and Reporting Requirements.	6/3/2015	4/13/2016, 81 FR 21750.	
Section 117.450	Initial Control Plan Procedures	6/3/2015	4/13/2016, 81 FR 21750.	
Section 117.452	Final Control Plan Procedures for Reasonably Available Control Technology.	6/3/2015	4/13/2016, 81 FR 21750.	
Section 117.454	Final Control Plan Procedures for Attainment Demonstration Emission Specifications.	6/3/2015	4/13/2016, 81 FR 21750.	
Section 117.456	Revision of Final Control Plan	6/3/2015	4/13/2016, 81 FR 21750.	
Subchapter C—Combustion Control at Major Utility Electric Generation Sources in Ozone Nonattainment Areas				
Division 1—Beaumont-Port Arthur Ozone Nonattainment Area Utility Electric Generation Sources				
Section 117.1000	Applicability	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.1003	Exemptions	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.1005	Emission Specifications for Reasonably Available Control Technology (RACT).	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.1010	Emission Specifications for Attainment Demonstration.	5/30/2007	12/3/2008, 73 FR 73562	117.1010(b) not in SIP.
Section 117.1015	Alternative System-Wide Emission Specifications.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.1020	System Cap	4/6/2012	7/31/2014, 79 FR 44300.	
Section 117.1035	Initial Demonstration of Compliance ...	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.1040	Continuous Demonstration of Compliance.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.1045	Notification, Recordkeeping, and Reporting Requirements.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.1052	Final Control Plan Procedures for Reasonably Available Control Technology.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.1054	Final Control Plan Procedures for Attainment Demonstration Emission Specifications.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.1056	Revision of Final Control Plan	5/30/2007	12/3/2008, 73 FR 73562.	
Division 3—Houston-Galveston-Brazoria Ozone Nonattainment Area Utility Electric Generation Sources				
Section 117.1200	Applicability	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.1203	Exemptions	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.1205	Emission Specifications for Reasonably Available Control Technology (RACT).	5/30/2007	1/14/2009, 74 FR 1927.	
Section 117.1210	Emission Specifications for Attainment Demonstration.	5/30/2007	1/14/2009, 74 FR 1927	117.1210(b) not in SIP.
Section 117.1215	Alternative System-Wide Emission Specifications.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.1220	System Cap	4/6/2012	7/31/14, 79 FR 44300.	
Section 117.1235	Initial Demonstration of Compliance ...	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.1240	Continuous Demonstration of Compliance.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.1245	Notification, Recordkeeping, and Reporting Requirements.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.1252	Final Control Plan Procedures for Reasonably Available Control Technology.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.1254	Final Control Plan Procedures for Attainment Demonstration Emission Specifications.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.1256	Revision of Final Control Plan	5/30/2007	12/3/2008, 73 FR 73562.	
Division 4—Dallas-Fort Worth Eight-Hour Ozone Nonattainment Area Utility Electric Generation Sources				
Section 117.1303	Exemptions	6/3/2015	4/13/2016, 81 FR 21750.	

Environmental Protection Agency

§ 52.2270

EPA APPROVED REGULATIONS IN THE TEXAS SIP—Continued

State citation	Title/Subject	State approval/ Submittal date	EPA approval date	Explanation
Section 117.1310	Emission Specifications for Eight-Hour Attainment Demonstration.	6/3/2015	4/13/2016, 81 FR 21750	117.1310(b) Not in SIP.
Section 117.1335	Initial Demonstration of Compliance ...	6/3/2015	4/13/2016, 81 FR 21750.	
Section 117.1340	Continuous Demonstration of Compliance.	6/3/2015	4/13/2016, 81 FR 21750.	
Section 117.1345	Notification, Recordkeeping, and Reporting Requirements.	6/3/2015	4/13/2016, 81 FR 21750Plan.	
Section 117.1350	Initial Control Plan Procedures	6/3/2015	4/13/2016, 81 FR 21750.	
Section 117.1354	Final Control Plan Procedures for Attainment Demonstration Emission Specifications.	6/3/2015	4/13/2016, 81 FR 21750.	
Subchapter D—Combustion Control at Minor Sources in Ozone Nonattainment Areas				
Division 1—Houston-Galveston-Brazoria Ozone Nonattainment Area Minor Sources				
Section 117.2000	Applicability	5/30/2007	12/3/2008, 73 FR 73562.	117.2010(i) not in SIP.
Section 117.2003	Exemptions	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.2010	Emission Specification	5/30/2007	12/3/2008, 73 FR 73562	
Section 117.2030	Operating Requirements	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.2035	Monitoring and Testing Requirements	2/11/2009	7/31/2009, 74 FR 38102.	
Section 117.2045	Recordkeeping and Reporting Requirements.	2/11/2009	7/31/2009, 74 FR 38102.	
Division 2—Dallas-Fort Worth Eight-Hour Ozone Nonattainment Area Minor Sources				
Section 117.2100	Applicability	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.2103	Exemptions	5/8/2013	7/31/14, 79 FR 44300.	
Section 117.2110	Emission Specifications for Eight-Hour Attainment Demonstration.	5/18/2011	5/6/2013, 78 FR 26251.	
Section 117.2130	Operating Requirements	5/8/2013	7/31/2014, 79 FR 44300.	
Section 117.2135	Monitoring, Notification, and Testing Requirements.	5/8/2013	7/31/2014, 79 FR 44300.	
Section 117.2145	Recordkeeping and Reporting Requirements.	5/8/2013	7/31/2014, 79 FR 44300.	
Subchapter E—Multi-Region Combustion Control				
Division 1—Utility Electric Generation in East and Central Texas				
Section 117.3000	Applicability	5/30/2007	12/3/2008, 73 FR 73562.	117.3010(2) not in SIP.
Section 117.3003	Exemptions	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.3005	Gas-Fired Steam Generation	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.3010	Emission Specifications	5/30/2007	12/3/2008, 73 FR 73562	
Section 117.3020	System Cap	4/6/2012	7/31/2014, 79 FR 44302.	
Section 117.3035	Initial Demonstration of Compliance ...	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.3040	Continuous Demonstration of Compliance.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.3045	Notification, Recordkeeping, and Reporting Requirements.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.3054	Final Control Plan Procedures	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.3056	Revision of Final Control Plan	5/30/2007	12/3/2008, 73 FR 73562.	
Division 2—Cement Kilns				
Section 117.3100	Applicability	5/30/2007	1/14/2009, 74 FR 1927.	117.3123(f) not in SIP.
Section 117.3101	Cement Kilns Definitions	5/30/2007	1/14/2009, 74 FR 1927.	
Section 117.3103	Exemptions	5/30/2007	1/14/2009, 74 FR 1927.	
Section 117.3110	Emission Specifications	5/30/2007	1/14/2009, 74 FR 1927.	
Section 117.3120	Source Cap	5/30/2007	1/14/2009, 74 FR 1927.	
Section 117.3123	Dallas-Fort Worth Eight-Hour Ozone Attainment Demonstration Control Requirements.	5/30/2007	1/14/2009, 74 FR 1927	
Section 117.3140	Continuous Demonstration of Compliance.	5/30/2007	1/14/2009, 74 FR 1927.	
Section 117.3142	Emission Testing and Monitoring for Eight-Hour Attainment Demonstration.	5/30/2007	1/14/2009, 74 FR 1927.	

EPA APPROVED REGULATIONS IN THE TEXAS SIP—Continued

State citation	Title/Subject	State approval/ Submittal date	EPA approval date	Explanation
Section 117.3145	Notification, Recordkeeping, and Reporting Requirements.	5/30/2007	1/14/2009, 74 FR 1927.	
Division 3—Water Heaters, Small Boilers, and Process Heaters				
Section 117.3200	Applicability	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.3201	Definitions	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.3203	Exemptions	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.3205	Emission Specifications	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.3210	Certification requirements	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.3215	Notification and Labeling Requirements.	5/30/2007	12/3/2008, 73 FR 73562.	
Division 4—East Texas Combustion				
Section 117.3300	Applicability	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.3303	Exemptions	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.3310	Emission Specifications for Eight-Hour Attainment Demonstration.	5/30/2007	12/3/2008, 73 FR 73562	117.3310(e) not in SIP.
Section 117.3330	Operating Requirements	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.3335	Monitoring, Notification, and Testing Requirements.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.3345	Recordkeeping and Reporting Requirements.	5/30/2007	12/3/2008, 73 FR 73562.	
Subchapter F—Acid Manufacturing				
Division 1—Adipic Acid Manufacturing				
Section 117.4000	Applicability	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.4005	Emission Specifications	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.4025	Alternative Case Specific Specifications.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.4035	Initial Demonstration of Compliance ...	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.4040	Continuous Demonstration of Compliance.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.4045	Notification, Recordkeeping, and Reporting Requirements.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.4050	Control Plan Procedures	5/30/2007	12/3/2008, 73 FR 73562.	
Division 2—Nitric Acid Manufacturing—Ozone Nonattainment Areas				
Section 117.4100	Applicability	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.4105	Emission Specifications	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.4125	Alternative Case Specific Specifications.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.4135	Initial Demonstration of Compliance ...	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.4140	Continuous Demonstration of Compliance.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.4145	Notification, Recordkeeping, and Reporting Requirements.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.4150	Control Plan Procedures	5/30/2007	12/3/2008, 73 FR 73562.	
Division 2—Nitric Acid Manufacturing—Ozone Nonattainment Areas” under Subchapter F to read “Division 3—Nitric Acid Manufacturing—General				
Section 117.4200	Applicability	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.4205	Emission Specifications	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.4210	Applicability of Federal New Source Performance Standards.	5/30/2007	12/3/2008, 73 FR 73562.	
Subchapter G—General Monitoring and Testing Requirements				
Division 1—Compliance Stack Testing and Report Requirements				
Section 117.8000	Stack Testing Requirements	6/3/2015	4/13/2016, 81 FR 21750.	
Section 117.8010	Compliance Stack Test Reports	5/30/2007	12/3/2008, 73 FR 73562.	

Environmental Protection Agency

§ 52.2270

EPA APPROVED REGULATIONS IN THE TEXAS SIP—Continued

State citation	Title/Subject	State approval/ Submittal date	EPA approval date	Explanation
Division 2—Emission Monitoring				
Section 117.8100	Emission Monitoring System Requirements for Industrial, Commercial, and Institutional Sources.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.8110	Emission Monitoring System Requirements for Utility Electric Generation Sources.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.8120	Carbon Monoxide (CO) Monitoring	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.8130	Ammonia Monitoring	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.8140	Emission Monitoring for Engines	5/30/2007	12/3/2008, 73 FR 73562.	
Subchapter H—Administrative Provisions				
Division 1—Compliance Schedules				
Section 117.9000	Compliance Schedule for Beaumont-Port Arthur Ozone Nonattainment Area Major Sources.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.9020	Compliance Schedule for Houston-Galveston-Brazoria Ozone Nonattainment Area Major Sources.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.9030	Compliance Schedule for Dallas-Fort Worth Eight-Hour Ozone Nonattainment Area Major Sources.	6/3/2015	4/13/2016, 81 FR 21750.	
Section 117.9100	Compliance Schedule for Beaumont-Port Arthur Ozone Nonattainment Area Utility Electric Generation Sources.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.9120	Compliance Schedule for Houston-Galveston-Brazoria Ozone Nonattainment Area Utility Electric Generation Sources.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.9130	Compliance Schedule For Dallas-Fort Worth Eight-Hour Ozone Nonattainment Area Utility Electric Generation Sources.	6/3/2015	4/13/2016, 81 FR 21750.	
Section 117.9200	Compliance Schedule for Houston-Galveston-Brazoria Ozone Nonattainment Area Minor Sources.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.9210	Compliance Schedule for Dallas-Fort Worth Eight-Hour Ozone Nonattainment Area Minor Sources.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.9300	Compliance Schedule for Utility Electric Generation in East and Central Texas.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.9320	Compliance Schedule for Cement Kilns.	5/30/2007	1/14/2009, 74 FR 1927.	
Section 117.9340	Compliance Schedule for East Texas Combustion.	5/30/2007	12/3/2008, 73 FR 73562.	
Section 117.9500	Compliance Schedule for Nitric Acid and Adipic Acid Manufacturing Sources.	5/30/2007	12/3/2008, 73 FR 73562.	
Division 2—Compliance Flexibility				
Section 117.9800	Use of Emission Credits For Compliance.	6/3/2015	4/13/2016, 81 FR 21750.	
Section 117.9810	Use of Emission Reductions Generated from the Texas Emissions Reduction Plan (TERP).	6/3/2015	5/11/2017, 82 FR 21925.	
Chapter 118 (Reg 8)—Control Of Air Pollution Episodes				
Section 118.1	Generalized Air Pollution Episodes	03/05/00	07/26/00	
Section 118.2	Provisions Governing Generalized Episode Control.	03/05/00	07/26/00	
Section 118.3	Localized Air Pollution Episodes	03/05/00	07/26/00	
Section 118.4	Hearings.	03/05/00	07/26/00	
Section 118.5	Emission Reduction Plan	03/05/00	07/26/00	

EPA APPROVED REGULATIONS IN THE TEXAS SIP—Continued

State citation	Title/Subject	State approval/ Submittal date	EPA approval date	Explanation
Section 118.6	Texas Air Pollution Episode Contingency Plan and Emergency Management Center.	03/05/00	07/26/00.	
Chapter 122—Federal Operating Permits Program				
Subchapter B—Permit Requirements				
Division 2—Applicability				
Section 122.122	Potential to Emit	3/26/2014	11/10/2014 79 FR 66626	The SIP does NOT include 30 TAC Section 122.122(e)(3), (e)(3)(A), or (e)(3)(B).

(d) EPA-Approved State Source-Specific Requirements.

EPA-APPROVED TEXAS SOURCE-SPECIFIC REQUIREMENTS

Name of Source	Permit or Order Number	State Effective Date	EPA Approval Date	Comments
Alcoa Inc., Rockdale, Milam County, Texas.	Agreed Order No. 2000-0032-SIP.	4/19/2000	10/26/00, 65 FR 64155	H/GA, D/FW, and B/PA, Texas 1-hour ozone standard attainment demonstrations.
Eastman Chemical Company, Texas Operations, Longview, Harrison County, Texas.	Agreed Order No. 2000-0033-SIP.	4/19/2000	10/26/00, 65 FR 64156	H/GA, D/FW, and B/PA, Texas 1-hour ozone standard attainment demonstrations.
Gould National Battery, Incorporated.	Order Nos. 92-09(k), 93-12, 99-0351-SIP.	9/3/92, 6/2/93, 7/8/99, respectively.	11/29/94, 11/29/94, October 13, 1999, respectively.	92-09(k) and 93-12 were incorporated by reference in our approval of the lead SIP on 11/29/94, (59 FR 60905).
Continental Airlines at George Bush Intercontinental Airport, Houston, Texas.	Agreed Order No. 2000-0826-SIP.	10/18/00	11/14/2001, 66 FR 57222.	HGA, Texas 1-hour ozone standard attainment demonstrations.
Southwest Airlines at William Hobby Airport, Houston, Texas.	Agreed Order No. 2000-0827-SIP.	12/06/00	11/14/2001, 66 FR 57222.	HGA, Texas 1-hour ozone standard attainment demonstrations.
American Airlines, American Eagle Airlines at D/FW International airport, Texas.	Agreed Order No. 2000-1149-SIP.	5/23/2001	4/22/2002, 67 FR 19516.	DFW, Texas 1-hour ozone standard attainment demonstrations.
Delta Airlines at D/FW International Airport, Texas.	Agreed Order No. 2001-0221-AIR.	5/23/2001	4/22/2002, 67 FR 19516.	DFW, Texas 1-hour ozone standard attainment demonstrations.
Southwest Airlines at Love Field, Texas.	Agreed Order No. 2001-0222-AIR.	5/23/2001	4/22/2002, 67 FR 19516.	DFW, Texas 1-hour ozone standard attainment demonstrations.
ExxonMobil Oil Corporation, Jefferson County, Texas.	Agreed Order No. 2004-0846-SIP.	12/15/2004	4/12/2005, 70 FR 18995.	
Huntsman Petrochemical Corporation, Port Neches Plant, Jefferson County, Texas.	Agreed Order No. 2004-0882-SIP.	12/15/2004	4/12/2005, 70 FR 18995.	

Environmental Protection Agency

§ 52.2270

EPA-APPROVED TEXAS SOURCE-SPECIFIC REQUIREMENTS—Continued

Name of Source	Permit or Order Number	State Effective Date	EPA Approval Date	Comments
Huntsman Petrochemical Corporation, Port Arthur Plant, Jefferson County, Texas.	Agreed Order No. 2004-0845-SIP.	12/15/2004	4/12/2005, 70 FR 18995.	
ISP Elastomers, Jefferson County, Texas.	Agreed Order No. 2004-0842-SIP.	12/15/2004	4/12/2005, 70 FR 18995.	
Mobil Chemical Company, Division of ExxonMobil Oil Corporation, Jefferson County, Texas.	Agreed Order No. 2004-0841-SIP.	12/15/2004	4/12/2005, 70 FR 18995.	
Motiva Enterprises LLC, Jefferson County, Texas.	Agreed Order No. 2004-0843-SIP.	12/15/2004	4/12/2005, 70 FR 18995.	
Premcor Refining Group, Inc., Jefferson County, Texas.	Agreed Order No. 2004-0844-SIP.	12/15/2004	4/12/2005, 70 FR 18995.	
Mobil Chemical Company, Division of ExxonMobil Oil Corporation, Jefferson County, Texas.	Agreed Order No. 2004-1654-SIP.	12/15/2004	4/12/2005, 70 FR 18995.	
American Electric Power Knox Lee Plant (Gregg Co.), Pirkey Plant (Harrison Co.), Wilkes Plant (Cass Co.).	2001-0878-RUL	03/13/2002	8/19/2005, 70 FR 48642.	
Texas Utilities Martin Lake plant (Rusk Co.), Monticello plant (Titus Co.).	2001-0879-RUL	03/13/2002	8/19/2005, 70 FR 48642.	
Eastman Chemical Company Longview plant (Harrison Co.).	2001-0880-RUL	03/13/2002	8/19/2005, 70 FR 48642.	
Alcoa Inc, Rockdale, Milam County, Texas.	Permit Number 48437	4/27/05	8/15/2008, 73 FR 47835.	
Exide Technologies	Agreed Order No. 2011-0521-MIS.	8/14/2012	6/29/2017, 82 FR 29430.	

(e) EPA approved nonregulatory provisions and quasi-regulatory measures.

EPA APPROVED STATUTES IN THE TEXAS SIP

Title/Subject	State approval/submittal date	EPA approval date	Comments
Texas Clean Air Act (Article 4477-5), Vernon's Texas Civil Statutes.	1/28/72	05/31/72, 37 FR 10895	As amended by S.B. 48 of 1969.
Article 698d Air Pollution, Penal Code of Texas, 1925.	1/28/72	05/31/72, 37 FR 10895	As amended by S.B. No. 5 of 1969.
House Bill 322	1/28/72	05/31/72, 37 FR 10895	As passed by the 62nd Legislature of Texas, amending the Texas Clean Act regarding permits for construction or modification of facilities.
Texas Clean Air (Tex. Rev. Civ. Stat. Ann. Art. 4477-5) as amended June 13, 1979.	7/23/81	12/15/81, 46 FR 61125	Ref 52.2299(c)(29).
Air Pollution (Tex. Rev. Civ. Stat. Ann. Art. 4477-5b) as amended January 1, 1974.	7/23/81	12/15/81, 46 FR 61125	Ref 52.2299(c)(29).
Texas Administrative Procedure and Texas Register Act.	07/23/81	12/15/81, 46 FR 61125	Ref 52.2299(c)(29).
(Tex. Rev. Civ. Stat. Ann. Art. 6252-13a) effective January 1, 1976.	7/23/81	12/15/81, 46 FR 61125	Ref 52.2299(c)(29).

EPA APPROVED STATUTES IN THE TEXAS SIP—Continued

Title/Subject	State approval/submittal date	EPA approval date	Comments
Texas Open Record Act (Tex. Rev. Civ. Stat. Ann. Art. 6252-17a) as amended May 27, 1975.	07/23/81	12/15/81, 46 FR 61125	Ref 52.2299(c)(29).
Standards of Conduct of State Officers and Employees (Tex. Rev. Civ. Stat. Ann. Art. 6252-9b) effective January 1, 1974.	7/23/81	12/15/81, 46 FR 61125	Ref 52.2299(c)(29).
Department of Public Safety and Texas Air Control Board Rules and Regulations, Texas Vehicle Inspection Act Article XV.	11/9/84	06/26/85, 50 FR 26362	Ref 52.2299(c)(61).
Documentation to Authorize and Support the Implementation and Enforcement of the Texas Vehicle parameter Inspection and Maintenance Program, Appendix X, containing the following documents:			
A. Senate Bill 1205	11/9/84	06/26/85, 50 FR 26362	Ref 52.2299(c)(61).
B. Letters of Commitment from Texas Department of Public Safety City of Houston Police Department and Harris County Sheriff.	11/9/84	06/26/85, 50 FR 26362	Ref 52.2299(c)(61).
C. Parameter Vehicle Emission Inspection and Maintenance Rules and Regulations for Official Vehicle Inspection Stations and Certified Inspectors, July 1, 1984.	11/9/84	06/26/85, 50 FR 26362	Ref 52.2299(c)(61).
Texas Motor Vehicle Laws, 1981-1982—Rules and Regulations for Official Vehicle Inspection Stations and Certified Inspectors, November 11, 1983, Sections A,B,C, pages C-1, C-16, C-17, C-18, C-26, C-27, and C-28, D, and E pages E-1, E-6, E-7, E-8, and E-9.	11/9/84	06/26/85, 50 FR 26362	Ref 52.2299(c)(61).
VIMTCM, Appendix AJ, Excerpted Senate Bill 725, section 35(d) and (g) effective September 1, 1985; and House Bill 1593 sections 21 and 22 effective June 18, 1987.	09/30/85 and 12/21/87	02/09/89, 54 FR 06287	Ref 52.2299(c)(66).
Texas Clean Air Act (TCAA), Texas Health and Safety Code Ann. (Vernon 1992), Section 382.0365, "Small Business Stationary Source Assistance Program", enacted by the Texas 1991 legislative session and effective September 1, 1991.	11/13/92	08/19/94, 59 FR 42759	Ref 52.2299(c)(85).
Legal opinion letter dated October 15, 1992 from Kirk P. Watson, Chairman, TACB, to Mr. B.J. Wynne, III, Regional Administrator, EPA Region 6, regarding the composition of the Small Business Compliance Advisory Panel of Texas.	11/13/92	08/19/94, 59 FR 42759	Ref 52.2299(c)(85).
House Bill 1969, an act relating to motor vehicle registration, inspections, and providing penalties amending:			
(1) Sections 382.037 and 382.038 of the Texas Health and Safety Code;	11/12/93 and 03/09/94	08/22/94, 59 FR 43046	Ref 52.2299(c)(87).

Environmental Protection Agency

§ 52.2270

EPA APPROVED STATUTES IN THE TEXAS SIP—Continued

Title/Subject	State approval/submittal date	EPA approval date	Comments
(2) Section 2 Chapter 88, General Laws, Acts of the 41st legislature, 2nd called session, 1929 (Article 6675a-2, Vernon's Texas Civil Statutes);	11/12/93 and 03/09/94	08/22/94, 59 FR 43046	Ref 52.2299(c)(87).
(3) Title 116, Article 6675b-4, 6675b-4A, and 6675b-4B;	11/12/93 and 03/09/94	08/22/94, 59 FR 43046	Ref 52.2299(c)(87).
(4) Section 141(d), and section 142(h), Uniform Act Regulating Traffic on Highways (Article 6701d, Vernon's Civil Statutes);	11/12/93 and 03/09/94	08/22/94, 59 FR 43046	Ref 52.2299(c)(87).
(5) Section 4.202, County Road and Bridge Act (Article 6702-1, Vernon's Texas Civil Statutes). Signed by the Governor on 1/8/93, effective 08/30/93.	11/12/93 and 03/09/94	08/22/94, 59 FR 43046	Ref 52.2299(c)(87).
Texas Health and Safety Code (Vernon 1990), the Texas Clean Air Act, sections 382.017, 382.037, 382.038, effective September 1, 1991.	11/12/93 and 3/09/94	8/22/94, 59 FR 43046	Ref 52.2299(c)(87).
Order No. 93-23, as adopted November 10, 1993, and Order No. 94-02 as adopted February 16, 1994.	11/12/93 and 03/09/94	08/22/94, 59 FR 43046	Ref 52.2299(c)(87).
Texas Civil Statutes, Articles 6675a-1 to 6675b-2 and 6687-1. (Vernon 1993).	11/12/93 and 03/09/94	08/22/94, 59 FR 43046	Ref 52.2299(c)(87).
Texas Portable Fuel Container State Implementation Plan.	All Affected 1997 Eight-Hour Ozone Standard Nonattainment And Near Nonattainment Areas In The State Of Texas.	3/4/2010	2/24/2011, 76 FR 10249

EPA APPROVED NONREGULATORY PROVISIONS AND QUASI-REGULATORY MEASURES IN THE TEXAS SIP

Name of SIP provision	Applicable geographic or nonattainment area	State submittal/effective date	EPA approval date	Comments
Public Hearings	Statewide	2/8/72	05/31/72, 37 FR 10895	Ref 52.2299(c)(1).
HydroCarbon Emission Data.	Statewide	5/2/72	05/31/72, 37 FR 10895	Ref 52.2299(c)(2).
Source Surveillance	Statewide	5/3/72	5/31/72, 37 FR 10895 ..	Ref 52.2299(c)(2).
Minor Revisions	Statewide	07/31/72	10/28/72, 37 FR 23092	Ref 52.2299(c)(4).
Attainment Date Corrections.	Statewide	11/10/72	2/8/73, 38 FR 03600	Ref 52.2299(c)(6).
Classification Revisions for PM, SOx, and CO.	Statewide	03/21/75	4/18/77, 42 FR 20131 ..	Ref 52.2299(c)(9).
Administrative Revisions.	Statewide .....	.....	4/20/77, 42 FR 20463 ..	Ref 52.2299(c)(11).
Air Quality Surveillance Plan.	Statewide	08/02/76	4/18/77, 42 FR 20131 ..	Ref 52.2299(c)(12).
Air Quality Surveillance Plan.	Statewide	08/12/77	3/7/78, 43 FR 09276	Ref 52.2299(c)(13).
Administrative Revisions to Section X.	Statewide .....	.....	7/6/77, 42 FR 34518	Ref 52.2299(c)(14).
Administrative Revisions to Section IX.	Statewide	08/14/78	4/11/79, 44 FR 21644 ..	Ref 52.2299(c)(16).
Board Order No. 78-6	Corpus Christi, TX	07/24/78	09/24/79, 44 FR 55005	Ref 52.2299(c)(17) (see 52.2275)
Draft inspection/maintenance legislation and study schedule.	Harris County	4/13/79	12/18/79, 44 FR 74831	Ref 52.2299(c)(18).
Adopted inspection/maintenance legislation and administrative revisions.	Harris County	08/09/79	12/19/79, 44 FR 74831	Ref 52.2299(c)(19).

EPA APPROVED NONREGULATORY PROVISIONS AND QUASI-REGULATORY MEASURES IN THE TEXAS SIP—Continued

Name of SIP provision	Applicable geographic or nonattainment area	State submittal/effective date	EPA approval date	Comments
Plan Revisions (Part D requirements).	Statewide	4/13/79	03/25/80, 45 FR 19244	Ref 52.2299(c)(20).
Administrative Revisions to Transportation Control.	Statewide	08/09/79	03/25/80, 45 FR 19244	Ref 52.2299(c)(21).
Transportation Control Measures for Harris County.	Harris County	12/28/79	08/06/80, 45 FR 52148	Ref 52.2299(c)(24).
Board Order No. 78–8	General Portland, Inc., New Braunfels, Comal County, TX.	09/13/78	08/28/81, 46 FR 43425	Ref 52.2299(c)(26). (See 52.2276).
Administrative Revision to Section I.	Statewide	07/23/81	11/13/81, 46 FR 55970	Ref 52.2299(c)(28).
Administrative Revision to Section V.	Statewide	07/23/81	12/15/81, 46 FR 61125	Ref 52.2299(c)(29).
Plan Revisions for Intergovernmental Consultation and Composition.	Statewide	4/13/79	03/29/82, 47 FR 13143	Ref 52.2299(c)(32).
Texas Lead SIP and Board Order No. 82–11.	Statewide excluding Dallas and El Paso areas.	06/12/80	10/4/83, 48 FR 45248 ..	Ref 52.2299(c)(41).
Texas Air Pollution Emergency Episode Contingency Plan.	Statewide	05/18/82	10/07/82, 47 FR 44261	Ref 52.2299(c)(42).
Administrative Revision to Section XII.	Statewide	07/06/82	10/25/82, 47 FR 47247	Ref 52.2299(c)(47).
Administrative Revision to Section III.	N/A	08/17/82	03/31/83, 48 FR 13428	Ref 52.2299(c)(51).
Administrative Revision to Section IX.	Statewide	06/22/83	11/07/83, 48 FR 51153	Ref 52.2299(c)(52).
Lead Plan for Dallas County, TX.	Dallas County, TX	4/6/84	08/15/84, 49 FR 32580	Ref 52.2299(c)(54).
Revisions to Lead Plan for Dallas County, TX.	Dallas County, TX	07/16/84	08/15/84, 49 FR 32580	Ref 52.2299(c)(55).
Lead Plan for El Paso County.	El Paso County, TX	06/20/84	08/13/84, 49 FR 32190	Ref 52.2299(c)(56).
Alternative Emission Control Plan for Exxon Baytown Refinery.	Baytown, TX	03/18/83	07/10/85, 50 FR 26992	Ref 52.2299(c)(60) (Board Order No. 83–2).
Plan for Ozone Attainment in Harris County.	Harris County, TX	12/09/82, 1/3/84, 03/18/85.	06/26/85, 50 FR 26362	Ref 52.2299(c)(61).
Alternative Emission Reduction Plan for Continental Can Company, Longview, TX.	Gregg County, (Longview), TX.	07/25/85	05/05/89, 54 FR 19373	Ref 52.2299(c)(64).
Revision to Lead Plan for El Paso County and Board Order No. 87–14.	El Paso County, TX	10/26/87	05/06/88, 53 FR 16263	Ref 52.2299(c)(65).
Ozone Attainment Plan for Dallas and Tarrant Counties.	Dallas and Tarrant Counties, TX.	09/30/85 and 12/21/87	02/09/89, 54 FR 06287	Ref 52.2299(c)(66).
Vehicle Inspection and Maintenance.	Dallas-Fort Worth, El Paso County and Houston-Galveston-Brazoria.	6/11/2015	10/7/2016, 81 FR 69684	
VIMTCM, Appendix AK, Portions 1 through 6.	Dallas and Tarrant Counties, TX.	12/18/87	02/09/89, 54 FR 06287	Ref 52.2299(c)(66).
VIMTCM, Appendix AM, Sections 1, 2, and 3.	Dallas and Tarrant Counties, TX.	12/18/87	02/09/89, 54 FR 06287	Ref 52.2299(c)(66).
VIMTCM, Appendix AN	Dallas and Tarrant Counties, TX.	12/18/87	02/09/89, 54 FR 06287	Ref 52.2299(c)(66).

Environmental Protection Agency

§ 52.2270

EPA APPROVED NONREGULATORY PROVISIONS AND QUASI-REGULATORY MEASURES IN THE TEXAS SIP—Continued

Name of SIP provision	Applicable geographic or nonattainment area	State submittal/effective date	EPA approval date	Comments
Part II of the Visibility Protection Plan and Board Order No. 87-15.	Big Bend and Guadalupe Mountain National Parks.	09/18/87	02/23/89, 54 FR 07770	Ref 52.2299(c)(67).
Alternative Emission Reduction Plan (Bubble) for E.I. DuPont de Nemours & Company's Sabine River Works, Orange, TX.	Orange County, TX	03/12/82	4/13/90	Ref 52.2299(c)(70).
Revisions to Texas Air Pollution Episode Contingency Plan.	Statewide	10/02/87	09/06/90, 55 FR 36634	Ref 52.2299(c)(71).
Revisions to Ozone Attainment Plan for Dallas and Tarrant Counties.	Dallas and Tarrant Counties, TX.	03/05/90	08/03/90, 55 FR 31587	Ref 52.2299(c)(72).
Revisions for Prevention of Significant Deterioration and Board Orders No. 85-07, 87-09, and 88-08.	Statewide	12/11/85, 10/26/87, 9/29/88	06/4/92, 57 FR 28098 ..	Ref 52.2299(c)(73). For Board Order 87-09, the provisions at paragraphs 7(a) and 7(b) have been replaced by EPA's SIP-approval of 30 TAC 39.411(f)(8)(A) and 39.605(1)(D). See 1/6/14, 79 FR 551
Board Order No. 90-07	Tarrant County	06/22/90	10/12/90, 55 FR 41525	Ref 52.2299(c)(74).
Board Order No. 92-19	Statewide	09/18/92	08/30/93, 58 FR 45457	Ref 52.2299(c)(76).
Revision for Prevention of Significant Deterioration and Board Order No. 90-13.	Statewide	12/14/90	09/09/94, 59 FR 46557	Ref 52.2299(c)(78).
Revision addressing PM-10 nonattainment area requirements for El Paso and Board Orders 89-03 and 91-15.	El Paso, TX	11/05/91	1/18/94, 59 FR 02535 ..	Ref 52.2299(c)(79).
City of El Paso, TX, Ordinance, Title 9.	El Paso, TX	12/11/90	1/18/94, 59 FR 02535 ..	Ref 52.2299(c)(79).
Board Order No. 92-16	Ozone nonattainment areas.	10/16/92	4/15/94, 59 FR 17943 ..	Ref 52.2299(c)(81).
Board Order No. 92-20	Ozone nonattainment areas.	08/20/92	08/26/94, 59 FR 44039	Ref 52.2299(c)(82).
Revision for the El Paso CO nonattainment area and Board Order No. 92-15.	El Paso County, TX	09/18/92	09/12/94, 59 FR 46766	Ref 52.2299(c)(84).
Small Business Stationary Source Technical and Environmental Compliance Assistance Program.	Statewide	11/13/92	08/19/94, 59 FR 42759	Ref 52.2299(c)(85).
Board Order No. 92-22	Statewide	11/06/92	08/19/94, 59 FR 42759	Ref 52.2299(c)(85).
Board Order No. 92-04	N/A	5/8/92	3/7/95, 60 FR 12438	Ref 52.2299(c)(88).
Board Order No. 92-16	N/A	10/16/92	3/7/95, 60 FR 12438	Ref 52.2299(c)(88).
Revision to Modify SLAMS and NAMS Monitoring Systems and Board Order No. 93-24.	Statewide	11/10/93	10/4/94, 59 FR 50504 ..	Ref 52.2299(c)(90).
Employer Trip Reduction Program and Board Order No. 92-14.	Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller Counties.	11/13/92	03/07/95, 60 FR 12442	Ref 52.2299(c)(91).
Revision limiting SO2 by agreed orders 94-09 through 94-22.	Certain Nonpermitted facilities in Harris County.	08/03/94	03/06/95, 60 FR 12125	Ref 52.2299(c)(93).

EPA APPROVED NONREGULATORY PROVISIONS AND QUASI-REGULATORY MEASURES IN THE TEXAS SIP—Continued

Name of SIP provision	Applicable geographic or nonattainment area	State submittal/effective date	EPA approval date	Comments
Revision addressing visible emissions with Board Orders 89-03, 90-12, 92-19, and 93-06.	Statewide	08/21/89, 1/29/91, 10/15/92, and 8/4/93.	05/8/96, 61 FR 20732 ..	Ref 52.2299(c)(94).
Alternative Emission Reduction (Bubble) for Shell Oil Company's Deer Park manufacturing complex.	Deer Park, TX	07/26/93	06/19/95, 60 FR 31915	Ref 52.2299(c)(95).
Transportation Conformity and Board Order No. 94-40.	Areas designated non-attainment and areas subject to a maintenance plan.	10/12/94	11/8/95, 60 FR 56244 ..	Ref 52.2299(c)(96).
Revision to Permitting Regulations and Board Orders No. 85-07, 87-09, 87-17, 88-08, 89-06, 90-05, 91-10, 92-06, 92-18, and 93-17.	Statewide	07/26/85, 07/17/87, 12/18/87, 07/15/88, 08/11/89, 05/18/90, 09/20/91, 5/8/92, 10/16/92, 08/16/93.	09/27/95, 60 FR 49781	Ref 52.2299(c)(97).
VOC RACT Negative Declarations.	Beaumont/Port Arthur, Dallas/Fort Worth, El Paso, Houston/Galveston.	1/10/96	10/30/96, 61 FR 55894	Ref 52.2299(c)(103).
VOC RACT Negative Declaration for SOCOMI Batch Processing Source Category.	El Paso	1/10/96	6/7/07, 72 FR 31457..	
Alternate Control Strategy for Bell Helicopter Textron, Inc.	Ft Worth, TX, Plant 1 facility.	4/18/96	05/30/97, 62 FR 29297	Ref 52.2299(c)(100).
Revisions to the Plan concerning Sulfur Dioxide in Milam County.	Rockdale, TX	10/15/92 and 09/20/95	09/30/97, 61 FR 49685	Ref 52.2299(c)(101).
TNRCC Order No. 93-20, 94-06, 94-26, 94-0676-SIP.	The four ozone non-attainment areas in TX.	11/10/93, 5/4/94, 07/13/94, 11/9/94.	05/22/97, 62 FR 27964	Ref 52.2299(c)(104).
15% ROP Plan	Beaumont/Port Arthur ozone nonattainment area.	08/09/96	2/10/98, 63 FR 6659	Ref 52.2299(c)(107).
15% ROP Plan	Dallas/Ft Worth, El Paso, and Houston/Galveston ozone nonattainment areas.	8/9/96	11/10/98, 63 FR 62943	Ref 52.2299(c)(113) See also 52.2309.
Lead Maintenance Plan for Gould National Battery, Incorporated.	Collin County	08/31/99	10/13/99, 64 FR 55425	Ref. 59 FR 60905 (11/29/94).
Post 96 Rate of Progress Plan.	Houston, Texas	5/19/98	4/25/01 66 FR 20750 ...	Originally submitted 11/9/94 and revised 8/9/96.
Contingency Measures	Houston, Texas	5/19/98	4/25/01 66 FR 20751 ...	Originally submitted 11/9/94 and revised 8/9/96.
Post 96 Rate of Progress Plan.	Houston, Texas	5/19/98	4/25/01 66 FR 20750 ...	Originally submitted 11/9/94 and revised 8/9/96.
Contingency Measures	Houston, Texas	5/19/98	4/25/01 66 FR 20751 ...	Originally submitted 11/9/94 and revised 8/9/96.
Attainment Demonstration for the 1-hour Ozone NAAQS.	Houston/Galveston, TX	12/09/00	11/14/01, 66 FR 57195.	
Speed Limit Reduction Voluntary Mobile Emissions Program.	Houston/Galveston, TX Houston/Galveston, TX	9/26/02	11/14/02, 67 FR 68944 11/14/02, 67 FR 68944.	Section 6.3.12

Environmental Protection Agency

§ 52.2270

EPA APPROVED NONREGULATORY PROVISIONS AND QUASI-REGULATORY MEASURES IN THE TEXAS SIP—Continued

Name of SIP provision	Applicable geographic or nonattainment area	State submittal/effective date	EPA approval date	Comments
Texas Senate Bill 5	Houston/Galveston, TX	9/26/00	11/14/01, 66 FR 57195.	
Transportation Control Measures Appendix I.	Houston/Galveston, TX	12/09/00	11/14/01, 66 FR 57195.	
Commitment to Mid-course review.	Houston/Galveston, TX	4/19/01	11/14/01, 66 FR 57195.	
Table 7.1–1 Enforceable Commitments.	Houston/Galveston, TX	9/26/01	11/14/01, 66 FR 57195.	
15% Rate of Progress Plan.	Houston/Galveston, TX	12/09/00	11/14/01, 66 FR 57195.	
Revisions to the 1990 Base Year Inventory.	Houston/Galveston, TX	12/09/00	11/14/01, 66 FR 57195.	
Reasonably Available Control Measure Analysis.	Houston/Galveston, TX	9/26/01	11/14/01, 66 FR 57195.	
Memorandum of Agreement between TNRCC and Houston Airport System.	Houston/Galveston Area Ozone Nonattainment Area.	10/18/2000	11/14/01, 66 FR 57222	HGA, Texas 1-hour ozone standard attainment demonstrations.
Vehicle Miles Traveled Offset Plan.	Houston/Galveston Ozone nonattainment area.	05/09/00	11/14/01, 66 FR 57251	Originally submitted 11/12/93 and revised 11/06/94, 8/25/97, and 05/17/00.
Memorandum of Agreement between TNRCC and the City of Dallas, Texas.	Dallas/Fort Worth Ozone Nonattainment Area.	5/23/01	4/22/02, 67 FR 19516 ..	DFW, Texas 1-hour ozone standard attainment demonstrations.
Memorandum of Agreement between TNRCC and the City of Fort Worth, Texas.	Dallas/Fort Worth Ozone Nonattainment Area.	5/23/01	4/22/02, 67 FR 19516 ..	DFW, Texas 1-hour ozone standard attainment demonstrations.
Memorandum of Agreement between TNRCC and the D/FW International Airport Board, Texas.	Dallas/Fort Worth Ozone Nonattainment Area.	5/23/01	4/22/02, 67 FR 19516 ..	DFW, Texas 1-hour ozone standard attainment demonstrations.
Transportation Control Measures SIP Revision.	All Nonattainment and Maintenance Areas.	5/9/2000	12/5/2002, 67 FR 72382.	Chapter 1. Introduction, Chapter 2. General, and Chapter 3. Criteria and Procedures.
Section 179B Demonstration of Attainment for Carbon Monoxide for El Paso.	El Paso CO nonattainment area	09/27/95	07/02/03, 68 FR 39460	Supplemented 02/11/98.
Carbon Monoxide On-Road Emissions Budget for Conformity.	El Paso CO nonattainment area	09/27/95	07/02/03.	
Contingency Measure for El Paso Carbon Monoxide Area.	El Paso CO nonattainment area	09/27/95	07/02/03, 68 FR 39460.	
Section 179B Attainment Demonstration Report.	El Paso ozone nonattainment area.	10/03/94	6/10/04	Approval includes a revision submitted 08/09/96.
Deferral of the post 1996 RFP.	El Paso ozone nonattainment area.	.....	6/10/04.	
Enforceable commitment to conduct additional modeling for the area as new data become available. This modeling effort will be conducted under the auspices of the 1983 La Paz Agreement between the United States and Mexico.	El Paso ozone nonattainment area.	10/03/94	6/10/04.	

EPA APPROVED NONREGULATORY PROVISIONS AND QUASI-REGULATORY MEASURES IN THE TEXAS SIP—Continued

Name of SIP provision	Applicable geographic or nonattainment area	State submittal/effective date	EPA approval date	Comments
VOC and NO _x Motor Vehicle Emissions Budget for Conformity.	El Paso ozone non-attainment area.	12/11/97	6/10/04.	
Second 10-year maintenance plan for Victoria County.	Victoria	2/5/03	1/3/05, 70 FR 22.	
Post 1999 Rate of Progress Plan.	Houston/Galveston, TX	11/16/04	2/14/05, 70 FR 7407.	
Revisions to the 1990 Base Year Inventory.	Houston/Galveston, TX	11/16/04	2/14/05, 70 FR 7407.	
Approval of the Post-1996 Rate-of-Progress Plan and Motor Vehicle Emission Budgets.	Dallas-Fort Worth	10/25/1999	3/28/05, 70 FR 15592.	
Adjustments to the 1990 base year emissions inventory.	Dallas-Fort Worth	10/25/1999	3/28/05, 70 FR 15592.	
Approval of the 15% Rate of Progress Plan and the Motor Vehicle Emissions Budget.	Dallas-Fort Worth	9/8/1996	4/12/2005, 70 FR 18993.	
Memorandum of Agreement between Texas Council on Environmental Quality and the North Central Texas Council of Governments Providing Emissions Offsets to Dallas Fort Worth International Airport.	Dallas-Fort Worth	1/14/04	4/22/05, 70 FR 20816.	
Clean Air Action Plan, 8-hour ozone standard attainment demonstration, and Transportation Emission Reduction Measures (TERMs) for the Austin EAC area.	Bastrop, Caldwell, Hays, Travis and Williamson Counties, TX.	12/06/04	8/19/05, 70 FR 48640.	
Clean Air Action Plan and 8-hour ozone standard attainment demonstration for the Northeast Texas Early Action Compact area.	Gregg, Harrison, Rusk, Smith and Upshur Counties, TX.	12/06/04	8/19/05, 70 FR 48642.	
Clean Air Plan, 8-hour ozone standard attainment demonstration and Transportation Emission Reduction Measures (TERMs) for the San Antonio EAC area.	Bexar, Comal, Guadalupe, and Wilson Counties, TX.	12/06/04	8/22/05, 70 FR 48877.	
Voluntary Mobile Emission Program.	Dallas/Fort Worth, TX ..	4/25/00	8/26/05, 70 FR 50208.	
Dallas—Fort Worth SIP, Appendix G; Transportation Control Measures in the Dallas/Fort Worth Ozone Nonattainment Area.	Dallas/Fort Worth Ozone Nonattainment Area.	1/14/04	09/27/05, 70 FR 56374.	

Environmental Protection Agency

§ 52.2270

EPA APPROVED NONREGULATORY PROVISIONS AND QUASI-REGULATORY MEASURES IN THE TEXAS SIP—Continued

Name of SIP provision	Applicable geographic or nonattainment area	State submittal/effective date	EPA approval date	Comments
Approval of the Speed Limits Local Initiative Measure in the DFW nine county area. Affected counties are Dallas, Tarrant, Collin, Denton, Parker, Johnson, Ellis, Kaufman, Rockwall.	Dallas-Fort Worth	9/16/2010	1/9/2014, 79 FR 1596 ..	Recategorized as a Transportation Control Measure.
Memorandum of Understanding Between the Texas Department of Transportation and the Texas Natural Resource Conservation Commission.	Statewide	08/15/02	12/12/2005, 70 FR 73380.	
Post 1996 Rate of Progress Plan.	Beaumont/Port Arthur, TX.	11/16/04	2/22/06, 71 FR 8965.	
Revisions to the 1990 Base Year Inventory.	Beaumont/Port Arthur, TX.	11/16/04	2/22/06, 71 FR 8965.	
Attainment Demonstration for Houston/Galveston/Brazoria (HGB) One-hour Ozone Nonattainment Area Adopting Strategy Based on NO _x and Point Source Highly-Reactive VOC Emission Reductions.	Houston/Galveston, TX	12/1/04	09/06/06, 71 FR 52670.	
Texas Clean Air Interstate Rule Nitrogen Oxides Annual Trading Program Abbreviated SIP Revision.	Statewide	07/12/06	07/30/07, 72 FR 41453	Only CAIR Phase I NO _x Annual and CSP Allocations approved into SIP.
2002 Emissions Inventory.	Collin, Dallas, Denton, Ellis, Johnson, Kaufman, Parker, Rockwall and Tarrant Counties, TX.	4/27/05	8/15/2008, 73 FR 47835.	
Energy Efficiency Measures.	Collin, Dallas, Denton, Ellis, Johnson, Kaufman, Parker, Rockwall and Tarrant Counties, TX.	4/27/05	8/15/2008, 73 FR 47835.	
El Paso County Carbon Monoxide Maintenance Plan.	El Paso, TX	2/13/08	8/4/08, 73 FR 45162.	
Dallas-Fort Worth 1997 8-hour ozone Attainment Demonstration SIP and its 2009 attainment MVEBs, RACM demonstration, and Failure-to-Attain Contingency Measures Plan.	Collin, Dallas, Denton, Ellis, Johnson, Kaufman, Parker, Rockwall and Tarrant Counties, TX.	May 23, 2007, November 7, 2008.	January 14, 2009, 74 FR 1903.	Conditional Approval.
Transportation Control Measures.	Collin, Dallas, Denton, Ellis, Johnson, Kaufman, Parker, Rockwall and Tarrant Counties, TX.	May 23, 2007	January 14, 2009, 74 FR 1903.	
VMEP	Collin, Dallas, Denton, Ellis, Johnson, Kaufman, Parker, Rockwall and Tarrant Counties, TX.	May 23, 2007	January 14, 2009, 74 FR 1903.	

EPA APPROVED NONREGULATORY PROVISIONS AND QUASI-REGULATORY MEASURES IN THE TEXAS SIP—Continued

Name of SIP provision	Applicable geographic or nonattainment area	State submittal/effective date	EPA approval date	Comments
VOC RACT finding for the 1-hour ozone NAAQS and the 1997 8-hour ozone NAAQS.	Collin, Dallas, Denton, Ellis, Johnson, Kaufman, Parker, Rockwall and Tarrant Counties, TX.	May 23, 2007	January 14, 2009, 74 FR 1903.	
El Paso County 1997 8-Hour Ozone Maintenance Plan.	El Paso, TX	1/11/06	1/15/09, 74 FR 2387.	
Approval of the 1997 8-hour Ozone 15% Reasonable Further Progress Plan, and 2008 RFP Motor Vehicle Emission Budgets.	Dallas/Fort Worth, TX ..	05/23/07	10/7/08, 73 FR 58475.	
Revised 2002 Base Year Emissions Inventory.	Dallas/Fort Worth, TX ..	05/23/07	10/7/08, 73 FR 58475.	
Approval of the 1997 8-hour Ozone 15% Reasonable Further Progress Plan, and 2008 RFP Motor Vehicle Emission Budgets.	Houston-Galveston-Brazoria, TX.	5/23/07	4/22/09, 74 FR 18298.	
2002 Base Year Emissions Inventory.	Houston-Galveston-Brazoria, TX.	5/23/07	4/22/09, 74 FR 18298.	
VOC and NO _x RACT demonstration for the 1-hour ozone NAAQS.	Beaumont/Port Arthur Area: Hardin, Jefferson, and Orange Counties.	9/28/2005	7/10/2009, 74 FR 33146.	
Redesignation Request for the 1997 8-hour Ozone NAAQS (Hardin, Jefferson, and Orange Counties).	Beaumont/Port Arthur, TX.	12/10/2008	10/20/2010, 75 FR 64675.	
Determination of Attainment for the 1-hour Ozone NAAQS (Hardin, Jefferson, and Orange Counties).	Beaumont/Port Arthur, TX.	12/10/2008	10/20/2010, 75 FR 64675.	
2002 Base Year Emissions Inventory. (1997 8-hour Ozone NAAQS).	Beaumont/Port Arthur, TX.	12/10/2008	10/20/2010, 75 FR 64675.	
Texas Clean-Fuel Vehicle Program Equivalency Demonstration (1-hour Ozone NAAQS).	Beaumont/Port Arthur, TX.	12/10/2008	10/20/2010, 75 FR 64675.	
Substitute Control Measures for the SIP-Approved Failure-to-attain Contingency Measures (1-hour Ozone NAAQS).	Beaumont/Port Arthur, TX.	12/10/2008	10/20/2010, 75 FR 64675.	
Post 1996 Rate of Progress Plan Contingency Measures (1-hour Ozone NAAQS).	Beaumont/Port Arthur, TX.	11/16/2004	10/20/2010, 75 FR 64675.	
Maintenance Plan (1997 8-hour Ozone NAAQS, CAA Section 175A).	Beaumont/Port Arthur, TX.	12/10/2008	10/20/2010, 75 FR 64675.	
2021 Motor Vehicle Emissions Budget (1997 8-hour Ozone NAAQS).	Beaumont/Port Arthur, TX.	12/10/2008	10/20/2010, 75 FR 64675.	

Environmental Protection Agency

§ 52.2270

EPA APPROVED NONREGULATORY PROVISIONS AND QUASI-REGULATORY MEASURES IN THE TEXAS SIP—Continued

Name of SIP provision	Applicable geographic or nonattainment area	State submittal/effective date	EPA approval date	Comments
Infrastructure and Interstate Transport for the 1997 Ozone and the 1997 and 2006 PM _{2.5} NAAQS.	Statewide	12/12/2007, 3/11/2008, 4/4/2008, 5/1/2008, 11/23/2009.	12/28/2011, 76 FR 81371.	Approval for CAA elements 110(a)(2)(A), (B), (E), (F), (G), (H), (K), (L), and (M). Full approval for CAA elements 110(a)(2)(C), (D)(i)(II), (D)(ii) and (J) with approval of the GHG PSD revision (11/10/2014, 79 FR 66626). 1997 and 2006 PM _{2.5} element D(i)(I) approved 5/14/2018, 83 FR 22208
Letter of explanation and interpretation of the Texas SIP for NSR Reform.	Statewide	5/3/2012	10/25/2012, 77 FR 65119.	Letter dated 5/3/2012 from TCEQ to EPA explains and clarifies TCEQ's interpretation of section 116.12(22); and section 116.186(a), (b)(9), and (c)(2).
On-Road Mobile Source Emissions Inventory and Motor Vehicle Emissions Budget Update.	Beaumont/Port Arthur, TX.	12/10/2012	2/4/2013, 78 FR 7673 ..	MOVES update to motor vehicle emissions budgets.
Voluntary Mobile Emission Reduction Program (VMEP).	Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery and Waller Counties, TX.	June 13, 2007	4/2/13, 78 FR 19599.	
NO _x RACT finding for the 1997 8-hour ozone NAAQS.	Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery and Waller Counties, TX.	April 6, 2010	4/2/13, 78 FR 19599.	
VOC RACT finding for the 1997 8-hour ozone NAAQS.	Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery and Waller Counties, TX.	April 6, 2010	4/2/13, 78 FR 19599	For selected categories.
Victoria County 1997 8-Hour Ozone Maintenance Plan.	Victoria, TX	7/28/2010	8/8/2013, 78 FR 48318.	
Reasonable Further Progress Plan (RFP), RFP Contingency Measures.	Houston-Galveston-Brazoria, TX.	4/1/2010, 5/6/2013, 79 FR 51.		
RFP Motor Vehicle Emission Budgets (2008, 2011, 2014, 2017 and 2018).	Houston-Galveston-Brazoria, TX.	5/6/2013, 79 FR 51.		
Vehicle miles traveled offset analysis.	Houston-Galveston-Brazoria, TX.	5/6/2013, 79 FR 51.		

EPA APPROVED NONREGULATORY PROVISIONS AND QUASI-REGULATORY MEASURES IN THE TEXAS SIP—Continued

Name of SIP provision	Applicable geographic or nonattainment area	State submittal/effective date	EPA approval date	Comments
Houston-Galveston-Brazoria 1997 8-hour Ozone NAAQS Attainment Demonstration SIP and its MECT and HECT air pollution control program revisions, VMEP measures and TCMS, 2018 MVEB, RACM demonstration, and Failure to attain contingency measure plan.	Houston-Galveston-Brazoria, TX.	4/6/2010 5/6/2013	1/2/2014, 79 FR 57.	
Stage II Vapor Recovery Program SIP.	Statewide	10/9/2013	3/17/14, 79 FR 14611.	
VOC RACT negative declaration for Fiberglass Boat Manufacturing Materials, Leather Tanning and Finishing, Surface Coating for Flat Wood Paneling, Letterpress Printing, Automobile and Light-Duty Truck Assembly Coating, Rubber Tire Manufacturing, and Vegetable Oil Manufacturing Operations.	Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery and Waller Counties, TX.	April 6, 2010..		
VOC RACT finding for the 1997 8-hour ozone NAAQS, except for the 2006–2010 EPA-issued CTG series.	Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery and Waller Counties, TX.	April 6, 2010	4/15/14, 79 FR 21144.	
Flexible Permits Interpretative Letter from the TCEQ.	Statewide	December 9, 2013	7/14/2014 79 FR 40666	Clarifies how the TCEQ implements the rules regarding (1) Director discretion; (2) BACT; (3) changes made by Standard Permits or Permits by Rule; (4) compliance with permit and permit application; and (5) start-up and shutdown emissions to ensure compliance with CAA requirements.
Vehicle Inspection and Maintenance.	Dallas-Fort Worth, El Paso County and Houston-Galveston-Brazoria.	6/11/2015	10/7/2016, 81 FR 69684.	
VOC RACT finding for Lithographic Printing under the 1997 8-hour ozone NAAQS, including the 2006 EPA-issued CTG.	Houston-Galveston-Brazoria (Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery and Waller Counties, TX).	4/6/2010	8/4/2014, 79 FR 45106	HGB as Severe.
VOC RACT finding for Lithographic Printing under the 1997 8-hour ozone NAAQS, including the 2006 EPA-issued CTG.	Dallas-Fort Worth (Collin, Dallas, Denton, Ellis, Johnson, Kaufman, Parker, Rockwall, and Tarrant Counties, TX).	4/6/2010	8/4/2014, 79 FR 45106	DFW as Moderate and Serious.

Environmental Protection Agency

§ 52.2270

EPA APPROVED NONREGULATORY PROVISIONS AND QUASI-REGULATORY MEASURES IN THE TEXAS SIP—Continued

Name of SIP provision	Applicable geographic or nonattainment area	State submittal/effective date	EPA approval date	Comments
Conformity with the National Ambient Air Quality Standards.	Statewide	10/28/2011	7/18/2014, 79 FR 41908.	The General Conformity SIP is removed from the Texas SIP; the federal rules at 40 CFR Part 93, subpart B apply now.
Commitment Letter from the TCEQ regarding regulation of PSD pollutants into the future.	Statewide	December 2, 2013	11/10/2014, 79 FR 66626.	Clarifies that the TCEQ has the authority under the Texas Clean Air Act to apply the Texas PSD program to all pollutants newly subject to regulation, including non-NAQS pollutants into the future.
Clarification Letter from the TCEQ regarding authority to administer EPA issued GHG PSD permits.	Statewide	January 13, 2014	11/10/2014, 79 FR 66626.	Clarifies that the TCEQ has the general authority to administer EPA issued GHG PSD permits. Also clarifies that the TCEQ has authority to process and issue any and all subsequent PSD actions relating to EPA issued GHG PSD permits.
Clarification Letter from the TCEQ regarding Judicial Review for PSD Permits.	Statewide	May 30, 2014	11/10/2014, 79 FR 66626.	Clarifies the judicial review process for Texas PSD permits.
Failure-to-Attain Contingency Measures Plan.	Collin, Dallas, Denton, Ellis, Johnson, Kaufman, Parker, Rockwall and Tarrant Counties, TX.	3/10/2010	11/12/2014, 79 FR 67071].	
Reasonable Further Progress Plan (RFP), RFP Contingency Measures, RFP Motor Vehicle Emission Budgets for 2011 and 2012, and Revised 2002 Base Year Emissions Inventory.	Collin, Dallas, Denton, Ellis, Johnson, Kaufman, Parker, Rockwall and Tarrant Counties, TX.	12/7/2011	11/12/2014, 79 FR 67071].	
Enhanced Ambient Monitoring and the Clean-fuel Fleet Programs.	Collin, Dallas, Denton, Ellis, Johnson, Kaufman, Parker, Rockwall and Tarrant Counties, TX.	12/7/2011	11/12/2014, 79 FR 67071].	
DFW nine-county area ESL TCM to traffic signalization TCMs.	Dallas-Fort Worth: Dallas, Tarrant, Collin, Denton, Parker, Johnson, Ellis, Kaufman and Rockwall Counties.	9/16/2010	1/9/2014, 79 FR 1596 ..	DFW ESLs recategorized as TCM 1/9/2014, substituted with traffic signalization TCMs 11/3/2014.
2011 Emissions Inventory for the 2008 Ozone NAAQS.	Dallas-Fort Worth and Houston-Galveston-Brazoria Ozone Nonattainment Areas.	7/16/2014	2/20/2015, 80 FR 9204.	
NO _x RACT finding for the 1997 8-hour ozone NAAQS.	Collin, Dallas, Denton, Tarrant, Ellis, Johnson, Kaufman, Parker, and Rockwall Counties, TX.	1/17/12	3/27/15, 80 FR 16291 ..	DFW as Moderate and Serious.

§ 52.2270

40 CFR Ch. I (7–1–18 Edition)

EPA APPROVED NONREGULATORY PROVISIONS AND QUASI-REGULATORY MEASURES IN THE TEXAS SIP—Continued

Name of SIP provision	Applicable geographic or nonattainment area	State submittal/effective date	EPA approval date	Comments
VOC RACT finding of negative declaration for Fiberglass Boat Manufacturing Materials, Ship Building and Ship Repair Coating, Leather Tanning and Finishing, Surface Coating for Flat Wood Paneling, Vegetable Oil Manufacturing, Letterpress Printing, Plywood Veneer Dryers, Rubber Tire Manufacturing, and Batch Processes Operations.	Collin, Dallas, Denton, Tarrant, Ellis, Johnson, Kaufman, Parker, and Rockwall Counties, TX.	1/17/12	3/27/15, 80 FR 16291 ..	DFW as Moderate and Serious.
VOC RACT finding for all sectors under the 1997 8-hour ozone NAAQS, including the 2006–2008 EPA-issued CTG series and non-CTG major sources.	Collin, Dallas, Denton, Tarrant, Ellis, Johnson, Kaufman, Parker, and Rockwall Counties, TX.	1/17/12	3/27/15, 80 FR 16291 ..	DFW as Moderate and Serious.
VOC RACT finding for all sectors under the 1997 8-hour ozone NAAQS, including the 2006–2008 EPA-issued CTG series and non-CTG major sources.	Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery and Waller Counties, TX.	1/17/12	3/27/15, 80 FR 16291 ..	HGB as Severe.
Revision to El Paso PM ₁₀ Attainment Demonstration SIP (dust control contingency measures).	El Paso, TX	3/7/2012	12/14/2015, 80 FR 77254.	

Environmental Protection Agency

§ 52.2270

EPA APPROVED NONREGULATORY PROVISIONS AND QUASI-REGULATORY MEASURES IN THE TEXAS SIP—Continued

Name of SIP provision	Applicable geographic or nonattainment area	State submittal/effective date	EPA approval date	Comments
Texas Regional Haze SIP.	Statewide	3/19/2009	1/5/2016, 81 FR 350	The following sections are not approved as part of the SIP: The reasonable progress four-factor analysis, reasonable progress goals and the calculation of the emission reductions needed to achieve the uniform rates of progress for the Guadalupe Mountains and Big Bend; calculation of natural visibility conditions; calculation of the number of deciviews by which baseline conditions exceed natural visibility conditions; long-term strategy consultations with Oklahoma; Texas securing its share of reductions necessary to achieve the reasonable progress goals at Big Bend, the Guadalupe Mountains, and the Wichita Mountains; technical basis for its long-term strategy and emission limitations and schedules for compliance to achieve the RPGs for Big Bend, the Guadalupe Mountains and Wichita Mountains.
Infrastructure and Transport SIP Revision for the 2010 SO ₂ NAAQS.	Statewide	5/6/2013	1/11/2016, 81 FR 1128	Approval for CAA elements 110(a)(2)(A), (B), (C), (D)(i)(II) (PSD portion), D(ii), (E), (F), (G), (H), (J), (K), (L), and (M).
Infrastructure and Interstate Transport for the 2008 Pb NAAQS.	Statewide	9/8/2011, 10/13/2011 ...	1/14/2016, 81 FR 1882..	
Infrastructure and Transport SIP Revisions for the 2010 Nitrogen Dioxide Standard.	Statewide	12/7/2012	9/9/2016, 81 FR 62378	Approval for 110(a)(2)(A), (B), (C), (D)(i) (portions pertaining to nonattainment and interference with maintenance), D(ii), (E), (F), (G), (H), (K), (L) and (M). Approval for 110(a)(2)(J) on 10/7/2016, 81 FR 69684

§ 52.2270

40 CFR Ch. I (7–1–18 Edition)

EPA APPROVED NONREGULATORY PROVISIONS AND QUASI-REGULATORY MEASURES IN THE TEXAS SIP—Continued

Name of SIP provision	Applicable geographic or nonattainment area	State submittal/effective date	EPA approval date	Comments
Infrastructure and Transport SIP Revisions for the 2008 Ozone Standard.	Statewide	12/13/2012	9/9/2016, 81 FR 62375	Approval for 110(a)(2)(A), (B), (C), (D)(i) (portion pertaining to PSD), D(ii), (E), (F), (G), (H), (K), (L) and (M). Approval for 110(a)(2)(J) 10/7/2016, 81 FR 69684
Revisions to the State Implementation Plan (SIP) Concerning the Qualified Facility Program as Authorized by Senate Bill 1126.	Statewide	9/15/2010	9/9/2016, 81 FR 62385.	
DFW nine-county area US67/IH–35E HOV Lane TCM to traffic signalization TCMs.	Dallas-Fort Worth: Dallas, Tarrant, Collin, Denton, Parker, Johnson, Ellis, Kaufman and Rockwall Counties.	8/16/2016	11/9/2016, 81 FR 78724.	
Austin Early Action Compact area Vehicle Inspection and Maintenance.	Travis and Williamson Counties.	6/11/2015	10/7/2016, 81 FR 69684	
DFW Reasonable Further Progress (RFP) Plan, RFP Contingency Measures, RFP Motor Vehicle Emission Budgets for 2017, and Revised 2011 Base Year Emissions Inventory for the 2008 Ozone NAAQS.	Collin, Dallas, Denton, Ellis, Johnson, Kaufman, Parker, Rockwall, Tarrant and Wise Counties, TX.	7/10/2015	12/7/2016, 81 FR 88125.	Supplement submitted on April 22, 2016.
Discrete Emissions Reduction Credits (DERC) SIP.	Collin, Dallas, Denton, Ellis, Johnson, Kaufman, Parker, Rockwall and Tarrant Counties, TX.	12/10/2008	5/11/2017, 82 FR 21925.	
Vehicle Inspection and Maintenance, Nonattainment New Source Review and Emission Statement Requirements for the 2008 Ozone NAAQS.	Houston-Galveston-Brazoria, TX.	12/29/2016	5/15/2017, 82 FR 22294.	
Vehicle Inspection and Maintenance and Nonattainment New Source Review Requirements for the 2008 Ozone NAAQS.	Dallas-Fort Worth, TX ..	7/6/2016	6/14/2017, 82 FR 27125.	
Second 10-year Lead maintenance plan for 1978 Lead NAAQS.	Collin County, TX	9/15/2009	6/29/2017, 82 FR 29430.	
Lead Attainment Demonstration for 2008 Lead NAAQS.	Collin County, TX	10/10/2012	6/29/2017, 82 FR 29430.	
Maintenance Plan for 2008 Lead NAAQS.	Collin County, TX	11/02/2016	6/29/2017, 82 FR 29430.	
Second 10-year Carbon Monoxide maintenance plan (limited maintenance plan) for the El Paso CO area.	El Paso, TX	9/21/2016	9/8/2017, 82 FR 42457.	

Environmental Protection Agency

§ 52.2270, Nt.

EPA APPROVED NONREGULATORY PROVISIONS AND QUASI-REGULATORY MEASURES IN THE TEXAS SIP—Continued

Name of SIP provision	Applicable geographic or nonattainment area	State submittal/effective date	EPA approval date	Comments
Conditional approval of NO _x RACT finding for the Martin Marietta (formerly Texas Industries, Inc., or TXI) cement manufacturing plant under the 2008 8-Hour ozone NAAQS.	Ellis County, TX	07/10/15	09/22/17, 82 FR 44322	TCEQ commitment letter of July 29, 2016.
NO _x RACT finding under the 2008 8-Hour ozone NAAQS.	Collin, Dallas, Denton, Tarrant, Ellis, Johnson, Kaufman, Parker, Rockwall, and Wise Counties, TX.	07/10/15	09/22/17, 82 FR 44322	DFW as Moderate and Serious.
NO _x RACT finding of negative declarations for nitric acid and adipic acid operations under the 2008 8-Hour ozone NAAQS.	Collin, Dallas, Denton, Tarrant, Ellis, Johnson, Kaufman, Parker, Rockwall, and Wise Counties, TX.	07/10/15	09/22/17, 82 FR 44322	DFW as Moderate and Serious.
Texas Regional Haze BART Requirement for EGUs for PM.	Statewide	3/31/2009	10/17/2017, 82 FR 48363.	
DFW VOC RACT Demonstration.	DFW 2008 Ozone NAAQS non-attainment area.	7/10/2015	12/21/2017, 82 FR 60547.	

¹ As revised 9/26/01.

[64 FR 36589, July 7, 1999]

EDITORIAL NOTE: FOR FEDERAL REGISTER citations affecting § 52.2270, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.fdsys.gov.

EFFECTIVE DATE NOTES: At 83 FR 25921, June 5, 2018, § 52.2270(e) was amended in the second table titled “EPA-Approved Nonregulatory Provisions and Quasi-Regulatory Measures in the Texas SIP” by adding an entry for “Infrastructure and Interstate Transport for the 2012 PM_{2.5} NAAQS” at the end, effective July 5, 2018. For the convenience of the user, the added and text is set forth as follows:

§ 52.2270 Identification of plan

* * * * *

(e) * * *

EPA APPROVED NONREGULATORY PROVISIONS AND QUASI-REGULATORY MEASURES IN THE TEXAS SIP

Name of SIP provision	Applicable geographic or nonattainment area	State submittal/effective date	EPA approval date	Comments
* * Infrastructure and Interstate Transport for the 2012 PM _{2.5} NAAQS.	Statewide	* 12/01/2015	* 6/5/2018, [Insert Federal Register citation].	* * * * * Approval for CAA elements 110(a)(2)(A), (B), (C), (D)(i)(I), (D)(i)(II) (portion pertaining to PSD), (D)(ii), (E), (F), (G), (H), (J), (K), (L), and (M). 6/5/2018, [Insert Federal Register citation].

§ 52.2271

40 CFR Ch. I (7-1-18 Edition)

2. At 83 FR 18430, Apr. 27, 2018, §52.2270(c), the table titled “EPA Approved Regulations in the Texas SIP” is amended by revising the entry for section 111.203 under Chapter 111, Subchapter B and adding an entry for section 111.217, effective July 26, 2018. For the convenience of the user, the revised and added and text is set forth as follows:

§ 52.2270 Identification of plan.

* * * * *

(c) * * *

EPA-APPROVED REGULATIONS IN THE TEXAS SIP

State citation	Title/subject	State approval/ submittal date	EPA approval date	Explanation
*	*	*	*	*
Subchapter B: Outdoor Burning				
*	*	*	*	*
Section 111.203	Definitions	7/7/2017	4/27/2018, [Insert Federal Register citation].	
*	*	*	*	*
Section 111.217	Requirements for Certified and Insured Prescribed Burn Managers.	7/7/2017	4/27/2018, [Insert Federal Register citation].	
*	*	*	*	*

§ 52.2271 Classification of regions.

(a) The Texas plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Ozone
Abilene-Wichita Falls Intrastate	II	III	III	III	III
Amarillo-Lubbock Intrastate	II	III	III	III	III
Austin-Waco Intrastate	II	III	III	III	I
Brownsville-Laredo Intrastate	I	III	III	III	III
Corpus Christi-Victoria Intrastate	I	II	III	III	I
Midland-Odessa-San Angelo Intrastate	II	II	III	III	III
Metropolitan Houston-Galveston Intrastate	I	I	III	III	I
Metropolitan Dallas-Fort Worth Intrastate	II	III	III	III	I
Metropolitan San Antonio Intrastate	II	III	III	III	I
Southern Louisiana-Southeast Texas Interstate	II	I	III	III	I
El Paso-Las Cruces Alamogordo Interstate	I	IA	III	I	I
Shreveport-Texarkana-Tyler Interstate	II	III	III	III	III

(b) The proposed priority classifications for particulate matter and carbon monoxide submitted by the Governor on March 21, 1975 are disapproved.

(c) The revision of section II, classification of regions, submitted by the

Texas Air Control Board with the semi-annual in 1975 is disapproved.

[37 FR 10895, May 31, 1972, as amended at 39 FR 16347, May 8, 1974; 42 FR 20131, Apr. 18, 1977; 42 FR 27894, June 1, 1977; 45 FR 19244, Mar. 25, 1980]

§ 52.2272 [Reserved]

§ 52.2273 Approval status.

(a) With the exceptions set forth in this subpart, the Administrator approves Texas' plan for the attainment and maintenance of the national standards.

(b) The EPA is disapproving the following Texas SIP revisions submittals under 30 TAC Chapter 35—Emergency and Temporary Orders and Permits; Temporary Suspension or Amendment of Permit Conditions as follows:

(1) The following provisions under 30 TAC Chapter 35, Subchapter A—Purpose, Applicability and Definitions:

(i) 30 TAC Section 35.1—Purpose—adopted November 18, 1998 and submitted December 10, 1998.

(ii) 30 TAC Section 35.2—Applicability—adopted November 18, 1998 and submitted December 10, 1998.

(iii) 30 TAC Section 35.3—Definitions—adopted November 18, 1998 and submitted December 10, 1998.

(2) The following provisions under 30 TAC Chapter 35, Subchapter B—Authority of the Executive Director:

(i) 30 TAC Section 35.11—Purpose and Applicability—adopted November 18, 1998 and submitted December 10, 1998.

(ii) 30 TAC Section 35.12—Authority of the Executive Director—adopted November 18, 1998 and submitted December 10, 1998.

(iii) 30 TAC Section 35.13—Eligibility of the Executive Director—adopted November 18, 1998 and submitted December 10, 1998.

(3) The following provisions under 30 TAC Chapter 35, Subchapter C—General Provisions:

(i) 30 TAC Section 35.21—Action by the Commission or Executive Director—adopted November 18, 1998 and submitted December 10, 1998.

(ii) 30 TAC Section 35.22—Term and Renewal of Orders—adopted November 18, 1998 and submitted December 10, 1998.

(iii) 30 TAC Section 35.23—Effect of Orders—adopted November 18, 1998 and submitted December 10, 1998.

(iv) 30 TAC Section 35.24—Application for Emergency or Temporary Orders—adopted November 18, 1998 and submitted December 10, 1998. No action is taken on subsection (b) and para-

graphs (e)(6)–(7) which are outside the scope of the SIP.

(v) 30 TAC Section 35.25—Notice and Opportunity for Hearing—adopted November 18, 1998 and submitted December 10, 1998. No action is taken on paragraphs (e)(1)–(8) and (11)–(15) which are outside the scope of the SIP.

(vi) 30 TAC Section 35.26—Contents of Emergency or Temporary Order—adopted November 18, 1998 and submitted December 10, 1998.

(vii) 30 TAC 35.27—Hearing Required—adopted November 18, 1998 and submitted December 10, 1998.

(viii) 30 TAC Section 35.28—Hearing Requests—adopted November 18, 1998 and submitted December 10, 1998.

(ix) 30 TAC Section 35.29—Procedures for a Hearing—adopted November 18, 1998 and submitted December 10, 1998.

(x) 30 TAC Section 35.30—Application Fees—adopted November 18, 1998 and submitted December 10, 1998.

(4) The following provisions under 30 TAC Chapter 35, Subchapter K—Air Orders:

(i) 30 TAC Section 35.801—Emergency Orders Because of a Catastrophe—adopted November 18, 1998 and submitted December 10, 1998; revised June 28, 2006 and submitted July 17, 2006.

(ii) 30 TAC Section 35.802—Applications for an Emergency Order—adopted August 16, 1993 and submitted August 31, 1993 (as 30 TAC 116.411); revised November 18, 1998 and submitted December 10, 1998 (as redesignated to 30 TAC 35.802); revised June 28, 2006 and submitted July 17, 2006.

(iii) 30 TAC Section 35.803—Public Notification—adopted August 16, 1993 and submitted August 31, 1993 (as 30 TAC 116.412); revised November 18, 1998 and submitted December 10, 1998 (as redesignated to 30 TAC 35.803).

(iv) 30 TAC Section 35.804—Issuance of an Emergency Order—adopted November 18, 1998 and submitted December 10, 1998; revised June 28, 2006 and submitted July 17, 2006.

(v) 30 TAC Section 35.805—Contents of an Emergency Order—adopted August 16, 1993 and submitted August 31, 1993 (as 30 TAC 116.415); revised November 18, 1998 and submitted December 10, 1998 (as redesignated to 30 TAC 35.805); revised June 28, 2006 and submitted July 17, 2006.

§ 52.2274

40 CFR Ch. I (7–1–18 Edition)

(vi) 30 TAC Section 35.806—Requirement to Apply for a Permit or Modification—adopted August 16, 1993 and submitted August 31, 1993 (as 30 TAC 116.416); revised November 18, 1998 and submitted December 10, 1998 (as redesignated to 30 TAC Section 35.806).

(vii) 30 TAC Section 35.807—Affirmation of an Emergency Order—adopted August 16, 1993 and submitted August 31, 1993 (as 30 TAC 116.414); revised November 18, 1998 and submitted December 10, 1998 (as redesignated to 30 TAC Section 35.807); revised June 28, 2006 and submitted July 17, 2006.

(viii) 30 TAC Section 35.808—Modification of an Emergency Order—adopted August 16, 1993 and submitted August 31, 1993 (as 30 TAC Section 116.417); revised November 18, 1998 and submitted December 10, 1998 (as redesignated to 30 TAC Section 35.808); revised June 28, 2006 and submitted July 17, 2006.

(ix) 30 TAC Section 35.809—Setting Aside an Emergency Order—adopted August 16, 1993 and submitted August 31, 1993 (as 30 TAC Section 116.418); revised November 18, 1998 and submitted December 10, 1998 (as redesignated to 30 TAC Section 35.809).

(c) The EPA is disapproving the Texas SIP revision submittals under 30 TAC Chapter 101—General Air Quality Rules as follows:

(1) The following provisions under 30 TAC Chapter 101, Subchapter F—Emissions Events and Scheduled Maintenance, Startup, and Shutdown Activities:

(i) 30 TAC Section 101.222 (Demonstrations): Sections 101.222(h), 101.222(i), and 101.222(j), adopted December 14, 2005, and submitted January 23, 2006.

(ii) [Reserved]

(2) [Reserved]

(d) The EPA is disapproving the following Texas SIP revisions submittals under 30 TAC Chapter 116—Control of Air Pollution by Permits for New Construction and Modification as follows:

(1) The following provisions under 30 TAC Chapter 116, Subchapter A—Definitions:

(i) Definition of “actual emissions” in 30 TAC Section 116.10(1), submitted March 13, 1996 and repealed and re-

adopted June 17, 1998 and submitted July 22, 1998;

(ii) Definition of “allowable emissions” in 30 TAC Section 116.10(2), submitted March 13, 1996; repealed and re-adopted June 17, 1998 and submitted July 22, 1998; and submitted September 11, 2000.

(iii) Definition of “modification of existing facility” pertaining to oil and natural gas processing facilities adopted February 14, 1996 and submitted on March 13, 1996 at 30 TAC Section 116.10(11)(G); repealed and re-adopted June 17, 1998, submitted July 22, 1998; adopted August 21, 2002, and submitted September 4, 2002.

(iv) Definition of “modification of existing facility” pertaining to oil and natural gas processing facilities adopted September 15, 2010, and submitted October 5, 2010, as 30 TAC Section 116.10(9)(F).

(2) The following provisions under 30 TAC Chapter 116, Subchapter B—New Source Review Permits:

(i) 30 TAC Section 116.118 submitted March 13, 1996 and repealed and re-adopted June 17, 1998 and submitted July 22, 1998.

(ii) [Reserved]

(3) The following provision under 30 TAC Chapter 116, Subchapter K—Emergency Orders: 30 TAC Section 116.1200—Applicability, adopted August 16, 1993 and submitted August 31, 1993 (as 30 TAC Section 116.410); revised November 18, 1998 and submitted December 10, 1998; revised January 11, 2006 and submitted February 1, 2006 (as redesignated to 30 TAC Section 116.1200).

(e) The EPA is disapproving the attainment demonstration for the Dallas/Fort Worth Serious ozone nonattainment area under the 1997 ozone standard submitted January 17, 2012. The disapproval applies to the attainment demonstration, the determination for reasonably available control measures, and the attainment demonstration motor vehicle emission budgets for 2012.

[81 FR 62386, Sept. 9, 2016]

§ 52.2274 General requirements.

(a) The requirements of § 51.116(c) of this chapter are not met since the legal

Environmental Protection Agency

§ 52.2275

authority to provide for public availability of emission data is inadequate.

[39 FR 34537, Sept. 26, 1974, as amended at 51 FR 40676, Nov. 7, 1986]

§ 52.2275 Control strategy and regulations: Ozone.

(a) Section 510.3 of revised Regulation V, which was submitted by the Governor on July 20, 1977, is disapproved.

(b) Notwithstanding any provisions to the contrary in the Texas Implementation Plan, the control measures listed in paragraph (d) of this section shall be implemented in accordance with the schedule set forth below.

(c)(1) Removal from service of a 12,000 BPD vacuum distillation unit at the Corpus Christi refinery of the Champlin Petroleum Company, Corpus Christi, Texas, with a final compliance date no later than October 1, 1979. This shall result in an estimated hydrocarbon emission reduction of at least 139 tons per year.

(2) Dedication of gasoline storage tank 91-TK-3 located at the Corpus Christi refinery of the Champlin Petroleum Company, Corpus Christi, Texas to the exclusive storage of No. 2 Fuel Oil or any fluid with a vapor pressure equivalent to, or less than that of No. 2 Fuel Oil, with a final compliance date no later than October 1, 1979. This shall result in an estimated hydrocarbon emission reduction of at least 107.6 tons per year.

(d) *Determinations that Certain Areas Did Not Attain the 1-Hour Ozone NAAQS.* EPA has determined that the Houston/Galveston/Brazoria severe-17 1-hour ozone nonattainment area did not attain the 1-hour ozone NAAQS by the applicable attainment date of November 15, 2007. This determination bears on the area's obligations with respect to implementation of two specific 1-hour ozone standard anti-backsliding requirements: section 172(c)(9) contingency measures for failure to attain and sections 182(d)(3) and 185 major stationary source fee programs.

(e) Approval—The Texas Commission on Environmental Quality (TCEQ) submitted a revision to the Texas SIP on February 18, 2003, concerning the Victoria County 1-hour ozone maintenance plan. This SIP revision was adopted by

TCEQ on February 5, 2003. This SIP revision satisfies the Clean Air Act requirement, as amended in 1990, for the second 10-year update to the Victoria County 1-hour ozone maintenance area.

(f) *Determination of attainment.* Effective November 17, 2008 EPA has determined that the Dallas/Fort Worth (DFW) 1-hour ozone nonattainment area has attained the 1-hour ozone standard. Under the provisions of EPA's Clean Data Policy, this determination suspends the requirements for this area to submit an attainment demonstration or 5% increment of progress plan, a reasonable further progress plan, contingency measures, and other State Implementation Plans related to attainment of the 1-hour ozone NAAQS for so long as the area continues to attain the 1-hour ozone NAAQS.

(g) Approval. The Texas Commission on Environmental Quality (TCEQ) submitted a 1997 8-hour ozone NAAQS maintenance plan for the area of El Paso County on January 20, 2006. The area is designated unclassifiable/attainment for the 1997 8-hour ozone standard. EPA determined this request for El Paso County was complete on June 13, 2006. The maintenance plan meets the requirements of section 110(a)(1) of the Clean Air Act and is consistent with EPA's maintenance plan guidance document dated May 20, 2005. The EPA therefore approved the 1997 8-hour ozone NAAQS maintenance plan for the area of El Paso County on January 15, 2009.

(h) *Determination of attainment for the 1-hour ozone standard and redesignation for the 1997 8-hour ozone standard.* Effective November 19, 2010, EPA has determined that the Beaumont/Port Arthur ozone nonattainment area has attained the 1-hour ozone National Ambient Air Quality Standard (NAAQS) and has redesignated the area to attainment for the 1997 8-hour ozone standard. With this final redesignation to attainment for the 1997 8-hour ozone NAAQS and this final determination of attainment for the 1-hour ozone NAAQS, the 1-hour anti-backsliding obligations to submit planning SIPs to meet the attainment

demonstration and reasonably available control measures (RACM) requirements, and the ROP and contingency measures requirements, cease to apply.

(i) *Determination of attainment.* Effective October 1, 2015 the EPA has determined that the Dallas/Fort Worth 8-hour ozone nonattainment area has attained the 1997 ozone standard. Under the provisions of the EPA's Clean Data Policy, this determination suspends the requirements for this area to submit an attainment demonstration and other State Implementation Plans related to attainment of the 1997 ozone NAAQS for so long as the area continues to attain the 1997 ozone NAAQS.

(j) *Approval of Redesignation Substitute for the Houston-Galveston-Brazoria 1-hour Ozone Nonattainment Area.* EPA has approved the redesignation substitute for the Houston-Galveston-Brazoria 1-hour ozone nonattainment area submitted by the State of Texas on July 22, 2014. The State is no longer being required to adopt any additional applicable 1-hour ozone NAAQS requirements for the area.

(k) *Determination of Attainment.* Effective January 29, 2016 the EPA has determined that the Houston-Galveston-Brazoria 8-hour ozone nonattainment area has attained the 1997 ozone standard. Under the provisions of the EPA's Clean Data Policy, this determination suspends the requirements for this area to submit an attainment demonstration and other State Implementation Plans related to attainment of the 1997 ozone NAAQS for so long as the area continues to attain the 1997 ozone NAAQS.

(l) The portion of the SIP submitted on December 13, 2012 addressing Clean Air Act section 110(a)(2)(D)(i)(I) for the 2008 ozone NAAQS is disapproved.

(m) *Approval of Redesignation Substitute for the Dallas-Fort Worth 1-hour Ozone and 1997 Ozone Nonattainment Areas.* EPA has approved the redesignation substitute for the Dallas-Fort Worth 1-hour ozone and 1997 ozone nonattainment areas submitted by the State of Texas on August 18, 2015. The State is no longer being required to adopt any additional applicable to 1-hour ozone and 1997 ozone NAAQS requirements for the area.

(n) *Approval of Redesignation Substitute for the Houston-Galveston-Brazoria 1997 Ozone Nonattainment Area.* EPA has approved the redesignation substitute for the Houston-Galveston-Brazoria 1997 ozone NAAQS nonattainment area submitted by the State of Texas on August 18, 2015. The State is no longer being required to adopt any additional applicable 1997 ozone NAAQS requirements for the area.

[42 FR 37380, July 21, 1977]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.2275, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.fdsys.gov.

§ 52.2276 Control strategy and regulations: Particulate matter.

(a) *Part D conditional approval.* The Texas plan for total suspended particulate (TSP) for the nonattainment area of Dallas 3 is conditionally approved until the State satisfactorily completes the following items:

(1) Draft SIP revision supplement submitted to EPA by March 3, 1980.

(2) Public hearing completed by May 5, 1980.

(3) Adopt revision and revised Regulation I as it pertains to control of non-traditional sources, if necessary, and submit to EPA by August 1, 1980.

(b) Notwithstanding any provisions to the contrary in the Texas Implementation Plan, the control measures listed in paragraph (c) of this section shall be implemented in accordance with the schedule set forth below.

(c) No later than January 1, 1980, Parker Brothers and Co., Inc., at its limestone quarry facilities near New Braunfels, Comal County, Texas shall install fabric filters on the primary crusher and on the secondary crusher and screens, meeting the requirements of Appendix A of the Texas Air Control Board Order 78-8 adopted August 11, 1978. After the date of installation of the fabric filters, Parker Brothers and Co., Inc., shall not emit particulate matter in excess of 0.03 grains per standard cubic foot from the exhaust stack of the fabric filter on its primary crusher and shall not emit particulate matter in excess of 0.03 grains per standard cubic foot from the exhaust

Environmental Protection Agency

§ 52.2283

stack of the fabric filter on its secondary crusher and screens.

[46 FR 43425, Aug. 28, 1981, and 46 FR 47545, Sept. 29, 1981]

§§ 52.2277–52.2281 [Reserved]

§ 52.2282 Public hearings.

(a) The requirements of § 51.102 of this chapter are not met because principal portions of the revised plan were not made available to the public for inspection and comment prior to the hearing.

[38 FR 16568, June 22, 1973, as amended at 51 FR 40675, Nov. 7, 1986]

§ 52.2283 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 Texas and for which requirements are set forth under the Federal CAIR NO_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 Texas State Implementation Plan (SIP) as meeting the requirements of CAIR for PM_{2.5} relating to NO_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_x 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_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_x allowances for those years.

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

(1) With regard to any control period that begins after December 31, 2014,

(i) The provisions in paragraph (a) of this section relating to NO_x annual 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 of part 97 of this chapter;

(2) The Administrator will not deduct for excess emissions any CAIR NO_x allowances allocated for 2015 or any year thereafter;

(3) By March 3, 2015, the Administrator will remove from the CAIR NO_x Allowance Tracking System accounts all CAIR NO_x allowances allocated for a control period in 2015 and any subsequent year, and, thereafter, no holding or surrender of CAIR NO_x allowances will be required with regard to emissions or excess emissions for such control periods.

(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 CSAPR NO_x Annual Trading Program in subpart AAAAA of part 97 of this chapter must comply with such requirements with regard to emissions occurring in 2015 and 2016.

(2) [Reserved]

(d)(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 CSAPR NO_x Ozone Season Group 1 Trading Program in subpart BBBB of part 97 of this chapter must comply with such requirements with regard to emissions occurring in 2015 and 2016.

(2) 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 CSAPR NO_x Ozone Season Group 2 Trading Program in subpart EEEEE of part 97 of this chapter must comply with such requirements with regard to emissions occurring in 2017 and each subsequent year. The obligation to comply with such requirements with regard to sources and units in the State will be eliminated by the promulgation of an approval by the Administrator of a revision to Texas' State Implementation Plan (SIP) as

§ 52.2284

40 CFR Ch. I (7–1–18 Edition)

correcting the SIP's deficiency that is the basis for the CSAPR Federal Implementation Plan (FIP) under § 52.38(b) for those sources and units, except to the extent the Administrator's approval is partial or conditional, provided that because the CSAPR FIP was promulgated as a partial rather than full remedy for an obligation of the State to address interstate air pollution, the SIP revision likewise will constitute a partial rather than full remedy for the State's obligation unless provided otherwise in the Administrator's approval of the SIP revision. 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.

(3) Notwithstanding the provisions of paragraph (d)(2) of this section, if, at the time of the approval of Texas' SIP revision described in paragraph (d)(2) of this section, the Administrator has already started recording any allocations of CSAPR NO_x Ozone Season Group 2 allowances under subpart EEEEE of part 97 of this chapter to units in the State for a control period in any year, the provisions of subpart EEEEE of part 97 of this chapter authorizing the Administrator to complete the allocation and recordation of CSAPR NO_x Ozone Season 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 48375, Aug. 8, 2011; 79 FR 71671, Dec. 3, 2014; 81 FR 74586, 74600, Oct. 26, 2016; 82 FR 45496, Sept. 29, 2017]

§ 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 SO₂ source located within the State of Texas and for which requirements are set forth under the Federal CAIR SO₂ 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_{2.5} relating to SO₂ 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, 2014,

(i) The provisions of paragraph (a) of this section relating to SO₂ 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 SO₂ allowances allocated for 2015 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 CSAPR SO₂ Group 2 Trading Program in subpart DDDDD of part 97 of this chapter must comply with such requirements with regard to emissions occurring in 2015 and 2016.

(2) [Reserved]

[72 FR 62355, Nov. 2, 2007, as amended at 76 FR 48376, Aug. 8, 2011; 79 FR 71671, Dec. 3, 2014; 81 FR 74586, 74600, Oct. 26, 2016; 82 FR 45497, Sept. 29, 2017]

§ 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

Environmental Protection Agency

§ 52.2285

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.

(b) This section is applicable to the following counties in Texas: Harris, Galveston, Brazoria, Fort Bend, Waller, Montgomery, Liberty, Chambers, Matagorda, Bexar, Comal, and Guadalupe.

(c) No person shall transfer or permit the transfer of gasoline from any delivery vessel into any stationary storage container with a nominal capacity greater than 1,000 gallons (3,785 liters) unless such container is equipped with a submerged fill pipe and unless the displaced vapors from the storage container are processed by a system that prevents release to the atmosphere of no less than 90 percent by weight of total hydrocarbon compounds in said vapors.

(1) The vapor recovery system shall include one or more of the following:

(i) A vapor-tight return line from the storage container to the delivery vessel and a system that will ensure that the vapor return line is connected before gasoline can be transferred into the container.

(ii) Other equipment that prevents release to the atmosphere of no less than 90 percent by weight of the total hydrocarbon compounds in the displaced vapor provided that approval of the proposed design, installation, and operation is obtained from the Regional Administrator prior to start of construction.

(2) The vapor recovery system shall be so constructed that it will be compatible with a vapor recovery system, which may be installed later, to recover vapors displaced by the filling of motor vehicle tanks.

(3) The vapor-laden delivery vessel shall meet the following requirements:

(i) The delivery vessel must be so designed and maintained as to be vapor-tight at all times.

(ii) If any gasoline storage compartment of a vapor-laden delivery vessel is refilled in one of the counties listed in paragraph (b) of this section, it shall be refilled only at a facility which is equipped with a vapor recovery system, or the equivalent, which prevents release to the atmosphere of at least 90 percent by weight of the total hydrocarbon compounds in the vapor displaced from the delivery vessel during refilling.

(iii) Gasoline storage compartments of one thousand gallons or less in gasoline delivery vehicles presently in use on November 6, 1973 will not be required to be retrofitted with a vapor return system until January 1, 1977.

(iv) Facilities which have a daily throughput of 20,000 gallons of gasoline or less are required to have a vapor recovery system in operation no later than May 31, 1977. Delivery vessels and storage vessels served exclusively by facilities required to have a vapor recovery system in operation no later than May 31, 1977, also are required to meet the provisions of this section no later than May 31, 1977.

(d) The provisions of paragraph (c) of this section shall not apply to the following:

(1) Storage containers used for the storage of gasoline *used on a farm for farming purposes*, as that expression is used in the Internal Revenue Code, 26 U.S.C. section 6420.

(2) Any container having a nominal capacity less than 2,000 gallons (7,571 liters) installed prior to November 6, 1973.

(3) Transfers made to storage containers equipped with floating roofs or their equivalent.

(4) Any facility for loading and unloading of volatile organic compounds (including gasoline bulk terminals) in Bexar, Brazoria, Galveston and Harris Counties, any gasoline bulk plants in Harris County, and any filling of gasoline storage vessels (Stage I) for motor vehicle fuel dispensing facilities in Bexar, Brazoria, Galveston, and Harris Counties which is subject to Texas Air

Control Board Regulation V subsections 115.111-115.113, 115.121-115.123, and 115.131-115.135, respectively.

(e) Except as provided in paragraph (f) of this section, the owner or operator of a source subject to paragraph (c) of this section shall comply with the increments contained in the following compliance schedule:

(1) Contracts for emission control systems or process modifications must be awarded or orders must be issued for the purchase of component parts to accomplish emission control or process modification not later than March 31, 1975.

(2) Initiation of onsite construction or installation of emission control equipment or process change must begin not later than July 1, 1975.

(3) On-site construction or installation of emission control equipment or process modification must be completed no later than June 30, 1976.

(4) Final compliance is to be achieved no later than August 31, 1976.

(5) Any owner or operator of sources subject to the compliance schedule in this paragraph shall certify in writing to the Regional Administrator whether or not the required increment of progress has been met. The certification shall be submitted within five days after the deadlines for each increment. The certification shall include the name(s) and street address(es) of the facility (facilities) for which the certification applies, and the date(s) the increment(s) of progress was (were) met—if met. The Regional Administrator may request whatever supporting information he considers necessary for proper certification.

(f) Paragraph (e) of this section shall not apply to the owner or operator of:

(1) A source which is presently in compliance with paragraph (c) of this section and which has certified such compliance to the Regional Administrator by January 1, 1974. The certification shall include the name(s) and street address(es) of the facility (facilities) for which the certification applies. The Regional Administrator may request whatever supporting information he considers necessary for proper certification.

(2) To a source for which a compliance schedule is adopted by the State and approved by the Administrator.

(3) To a source whose owner or operator receives approval from the Administrator by June 1, 1974, of a proposed alternative schedule. No such schedule may provide for compliance after August 31, 1976. If approval is promulgated by the Administrator, such schedule shall satisfy the requirements of this section for the affected source.

(g) Nothing in this section shall preclude the Administrator from promulgating a separate schedule for any source to which the application of the compliance schedule in paragraph (e) of this section fails to satisfy the requirements of §§ 51.261 and 51.262(a) of this chapter.

(h) After August 31, 1976 paragraph (c) of this section shall be applicable to every storage container (except those exempted in paragraph (d) of this section) located in the counties specified in paragraph (b) of this section. Every storage container installed after August 31, 1976 shall comply with the requirements of paragraph (c) of this section from the time of installation. In the affected counties, storage containers which were installed, or converted to gasoline storage after November 6, 1973, but before August 31, 1976 shall comply with paragraph (c) of this section in accordance with the schedule established in paragraph (e) of this section.

[42 FR 37380, July 21, 1977, as amended at 47 FR 50868, Nov. 10, 1982; 51 FR 40676, Nov. 7, 1986]

§ 52.2286 Control of evaporative losses from the filling of gasoline storage vessels in the Dallas-Fort Worth area.

(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.

Environmental Protection Agency

§ 52.2286

(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 truck and tank trailers used for the delivery of gasoline.

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

(b) This section is applicable to the following counties in Texas: Dallas, Tarrant, Denton, Wise, Collin, Parker, Rockwall, Kaufman, Hood, Johnson, and Ellis.

(c) No person shall transfer or permit the transfer of gasoline from any delivery vessel into any stationary storage container with a nominal capacity greater than 1,000 gallons (3,785 liters) unless such container is equipped with a submerged fill pipe and unless the displaced vapors from the storage container are processed by a system that prevents release to the atmosphere of no less than 90 percent by weight of total hydrocarbon compounds in said vapors.

(1) The vapor recovery system shall include one or more of the following:

(i) A vapor-tight return line from the storage container to the delivery vessel and a system that will ensure that the vapor return line is connected before gasoline can be transferred into the container.

(ii) Other equipment that prevents release to the atmosphere of no less than 90 percent by weight of the total hydrocarbon compounds in the displaced vapor provided that approval of the proposed design, installation, and operation is obtained from the Regional Administrator prior to start of construction.

(2) The vapor recovery system shall be so constructed that it will be compatible with a vapor recovery system, which may be installed later, to recover vapors displaced by the filling of motor vehicle tanks.

(3) The vapor-laden delivery vessel shall meet the following requirements:

(i) The delivery vessel must be so designed and maintained as to be vapor-tight at all times.

(ii) If any gasoline storage compartment of a vapor-laden delivery vessel is refilled in one of the counties listed in paragraph (b) of this section, it shall be refilled only at a facility which is equipped with a vapor recovery system, or the equivalent, which prevents release to the atmosphere of at least 90 percent by weight of the total hydrocarbon compounds in the vapor displaced from the delivery vessel during refilling.

(d) The provisions of paragraph (c) of this section shall not apply to the following:

(1) Storage containers used for the storage of gasoline *used on a farm for farming purposes*, as that expression is used in the Internal Revenue Code, 26 U.S.C. section 6420.

(2) Any container having a nominal capacity less than 2,000 gallons (7,571 liters) installed prior to promulgation of this section.

(3) Transfers made to storage containers equipped with floating roofs or their equivalent.

(4) Any facility for loading and unloading of volatile organic compounds (including gasoline bulk terminals) in Dallas or Tarrant County, and any filling of gasoline storage vessels (Stage I) for motor vehicle fuel dispensing facilities in Dallas or Tarrant County which is subject to Texas Air Control Board Regulation V subsections 115.111-115.113 and 115.131-115.135, respectively.

(e) Except as provided in paragraph (f) of this section, the owner or operator of a source subject to paragraph (c) of this section shall comply with the increments contained in the following compliance schedule:

(1) Contracts for emission control systems or process modifications must be awarded or orders must be issued for the purchase of component parts to accomplish emission control or process modification no later than September 30, 1977.

(2) Initiation of on-site construction or installation of emission control equipment or process modification must begin no later than January 31, 1978.

(3) On-site construction or installation of emission control equipment or process modification must be completed no later than August 31, 1978.

(4) Final compliance is to be achieved no later than September 30, 1978.

(5) Any owner or operator of sources subject to the compliance schedule in this paragraph shall certify in writing to the Regional Administrator whether or not the required increment of progress has been met. The certification shall be submitted not later than February 15, 1978, for award of contracts and initiation of construction, and not later than October 15, 1978, for completion of construction and final compliance. The certification shall include the name(s) and street address(es) of the facility (facilities) for which the certification applies, and the date(s) the increment(s) of progress was (were) met—if met. The Regional Administrator may request whatever supporting information he considers necessary for proper certification.

(f) Paragraph (e) of this section shall not apply to the owner or operator of:

(1) A source which is presently in compliance with paragraph (c) of this section and which has certified such compliance to the Regional Administrator by August 1, 1977. The certification shall include the name(s) and street address(es) of the facility (facilities) for which the certification applies. The Regional Administrator may request whatever supporting information he considers necessary for proper certification.

(2) A source for which a compliance schedule is adopted by the State and approved by the Administrator.

(3) To a source whose owner or operator receives approval from the Administrator by August 1, 1977, of a proposed alternative schedule. No such schedule may provide for compliance after September 30, 1978. If approval is promulgated by the Administrator, such schedule shall satisfy the requirements of this section for the affected source.

(g) Nothing in this section shall preclude the Administrator from promulgating a separate schedule for any source to which the application of the compliance schedule in paragraph (e) of this section fails to satisfy the requirements of §51.15 (b) and (c) of this chapter.

(h) After September 30, 1978, paragraph (c) of this section shall be applicable to every storage container (ex-

cept those exempted in paragraph (d) of this section) located in the counties specified in paragraph (b). Every storage container installed after September 30, 1978 shall comply with the requirements of paragraph (c) of this section from the time of installation. In the affected counties, storage containers which were installed, or converted to gasoline storage after promulgation of this section, but before September 30, 1978 shall comply with paragraph (c) of this section in accordance with the schedule established in paragraph (e).

[42 FR 37381, July 21, 1977, as amended at 47 FR 50868, Nov. 10, 1982]

§§ 52.2287–52.2298 [Reserved]

§ 52.2299 Original identification of plan section.

(a) This section identifies the original “Texas Air Pollution Control Implementation Plan” and all revisions submitted by Texas that were federally approved prior to December 31, 1998.

(b) The plan was officially submitted on January 28, 1972.

(c) The plan revisions listed below were submitted on the dates specified.

(1) Certification that statewide public hearings had been held on the plan was submitted by the Texas Air Control Board (TACB) on February 8, 1972. (Nonregulatory)

(2) A discussion of its policy concerning the confidentiality of certain hydrocarbon emission data was submitted by the TACB on May 2, 1972. (Nonregulatory)

(3) A discussion of the source surveillance and extension sections of the plan was submitted by the TACB on May 3, 1972. (Nonregulatory)

(4) A discussion of minor revisions to the plan was submitted by the Governor on July 31, 1972. (Nonregulatory)

(5) Revisions of section XI, paragraph C.3: Rule 9: Regulation V and control strategy for photochemical oxidants/hydrocarbons in Texas designated regions 7 and 10; regulation VII; and control strategy for nitrogen oxides in regions 5, 7, and 8 were submitted by the TACB on August 8, 1972.

(6) A request that inconsistencies in the plan concerning the attainment

Environmental Protection Agency

§ 52.2299

dates of primary air standards be corrected was submitted by the Governor on November 10, 1972. (Nonregulatory)

(7) Revisions to regulation IV, regulation V, the general rules and control strategy for photochemical oxidants/hydrocarbons, and a request for a two year extension to meet Federal standards for photochemical oxidants was submitted by the Governor on April 13, 1973.

(8) Revisions to regulation IV (Control of Air Pollution from Motor Vehicles) were adopted on October 30, 1973, and were submitted by the Governor on December 11, 1973.

(9) A revision of priority classifications for particulate matter, sulfur oxides, and carbon monoxide was submitted by the Governor on March 21, 1975. (Nonregulatory)

(10) Revisions to rule 23, concerning compliance with new source performance standards, and rule 24, concerning compliance with national emission standards for hazardous air pollutants were submitted by the Governor on May 9, 1975.

(11) Administrative revisions were submitted by the TACB with the semi-annual report in 1974 for sections I, II, III, IV, XI and XIII, and with the semi-annual report in 1975 for sections I, II, XI, and XII. (Nonregulatory)

(12) A revision of section IX, Air Quality Surveillance, was submitted by the Governor on August 2, 1976. (Nonregulatory)

(13) Revisions to section IX, Air Quality Surveillance Plan, which include changes of several air quality monitoring sites, were submitted by the TACB on August 12, 1977. (Nonregulatory)

(14) Administrative revisions to section X, the Permit System, were submitted by the TACB in 1973, 1974, 1975, and 1977. (Nonregulatory)

(15) Revisions to regulation V for control of volatile carbon compound emissions, as amended on December 10, 1976, were submitted by the Governor on July 20, 1977.

(16) An administrative revision to section IX, Air Quality Surveillance System, was submitted by the Texas Air Control Board on August 14, 1978. (Nonregulatory)

(17) Board Order No. 78-6, creditable as emission offsets for the Corpus Christi Petrochemical Company project in Corpus Christi, was submitted by the Governor on July 24, 1978, as amendments to the Texas State Implementation Plan (see § 52.2275).

(18) Draft inspection/maintenance legislation and a schedule for conducting a pilot inspection/maintenance study were submitted by the Governor on April 13, 1979.

(19) Adopted inspection/maintenance legislation and administrative revisions concerning inspection/maintenance were submitted by the Governor on August 9, 1979.

(20) Revision to the plan for attainment of standards for particulate matter, carbon monoxide, and ozone (Part D requirements) were submitted by the Governor on April 13, 1979.

NOTE: The provisions of Rule 104 submitted by the Governor on 1/28/72 and approved by EPA on 5/31/72 remain in effect in other than nonattainment areas.

(21) Administrative revisions to the transportation control portion of the plan were submitted by the Governor on August 9, 1979 (non-regulatory).

(22) No action is being taken on Subchapters 131.07.52, .53, and .54 of Regulation V, submitted by the Governor April 13, 1979 for the ozone nonattainment counties of Harris, Galveston, Brazoria, Bexar, Dallas, and Tarrant.

(23) No action is being taken on the control strategy for the TSP nonattainment area of Houston 1, submitted by the Governor on April 13, 1979.

(24) A revision identifying and committing to implement currently planned Transportation Control Measures (TCMs) for Harris County was submitted by the Governor on December 28, 1979.

(25) Revisions to Regulation VI (i.e., Subchapter 116.3(a)(13-15)), and the definition of "de minimis impact," were adopted by the Texas Air Control Board on July 11, 1980, and submitted by the Governor on July 25, 1980.

(26) Board Order No. 78-8 creditable as emission offsets for the General Portland, Inc., project in New Braunfels, Comal County, Texas, was submitted by the Governor on September 13, 1978, as an amendment to

the Texas State Implementation Plan (see § 52.2276).

(27) Revisions to Regulation V (i.e., Subchapters 115.171-176) and particulate matter (TSP) control strategies for the nonattainment areas of San Benito, Brownsville, Corpus Christi 1, Corpus Christi 2, Dallas 1, and El Paso 4 were adopted by the Texas Air Control Board on July 11, 1980, and submitted by the Governor on July 25, 1980.

(28) An administrative revision to section I, Introduction, was submitted by the TACB on July 23, 1981. (Non-regulatory)

(29) An administrative revision to section V, Legal Authority, was submitted by the TACB on July 23, 1981. (Nonregulatory).

(30) Revisions to the Texas SIP for the Union Carbide Corporation Bubble in Texas City, Texas were submitted by the Governor on December 15, 1981.

(31) Revisions to the ozone, total suspended particulate, and carbon monoxide control strategies, General Rules (i.e., definition for vapor mounted seal and section 101.22), Regulation IV (i.e., addition of section 114.2(b)), and Regulation V (i.e., deletion of sections 115.46 and 115.71, 115.101-106, sections 115.144, 115.153, title of sections 115.161-163 and 115.162, 115.171-176, 115.191-194, sections 115.252, 115.262, 115.401, 115.411, and title of sections 115.421-424) were adopted by the Texas Air Control Board on March 20, 1981, and submitted by the Governor on July 20, 1981.

(32) Revisions to the plan for inter-governmental consultation and composition of the Texas Air Control Board were submitted by the Governor on April 13, 1979.

(33) A revision to General Rule 9—Sampling, as adopted by the Texas Air Control Board on October 30, 1973, was submitted by the Governor on December 11, 1973.

(34) Revisions to the General Rules (i.e., the addition of definitions for liquid-mounted seal, miscellaneous metal parts and products, factory surface coating of flat wood paneling, vapor tight, and waxy high pour point crude oil) and Regulation V (i.e., sections 115.101-106, section 115.191 (9) and (10), sections 115.193, 115.194, 115.201-203, 115.221-223, 115.231-233, 115.251-255,

115.261-264, and 115.421-424) were adopted by the Texas Air Control Board on July 11, 1980 and submitted by the Governor on July 25, 1980.

(35) [Reserved]

(36) Revisions to Regulation VI (i.e., section 116.1, section 116.2, section 116.3(a), section 116.3(a)(2), the addition of sections 116.3(a)(3), 116.3(a)(4), and 116.3(a)(5), section 116.3(a)(6), section 116.3(b)(2), the addition of sections 116.3(b)(3), 116.3(b)(4), 116.4, and 116.5, section 116.6, section 116.7, and section 116.8) were adopted by the Texas Air Control Board on March 27, 1975 and submitted by the Governor on May 9, 1975.

(37) Revisions to Regulation VI (i.e., the deletion of 131.08.00.009) were adopted by the Texas Air Control Board on March 30, 1979 and submitted by the Governor on April 13, 1979.

(38) Revisions to Regulation VI (i.e., the deletion of 131.08.00.003(a)(3) and 131.08.00.003(a)(5), section 116.3(a)(4), section 116.3(a)(5), section 116.3(a)(9), section 116.3(a)(10), section 116.3(a)(12), and section 116.10) were adopted by the Texas Air Control Board on March 20, 1981 and submitted by the Governor on July 20, 1981.

(39) [Reserved]

(40) Revisions to Subchapter 115.135 (formerly 131.07.54.105) of Regulation V were adopted by the Texas Air Control Board on September 7, 1979 and submitted by the Governor to EPA on November 2, 1979 (i.e., removal of Jefferson, Orange, El Paso, Nueces, and Travis Counties).

(41) The Texas Lead SIP was submitted to EPA on June 12, 1980, by the Governor of Texas, as adopted by the Texas Air Control Board on March 21, 1980. Additional information was submitted in letters dated January 29, 1982, March 15, 1982, June 3, 1982, June 15, 1982, August 23, 1982, and October 14, 1982. Also additional information and Board Order 82-11 were submitted in a letter dated December 3, 1982. No action is taken regarding the Dallas and El Paso areas.

(42) An administrative revision for Section VIII (Texas Air Pollution Emergency Episode Contingency Plan)

and a revision to Regulation VIII (Control of Air Pollution Episodes) was submitted by the TACB on May 18, 1982 and December 29, 1981, respectively.

(43) A revision to Regulation V deleting Ector County from the provisions of subsections 115.111 and .113 was adopted on March 20, 1981 and submitted by the Governor on July 20, 1981.

(44) Revisions to Regulation I, sections 111.2(7), 111.3, 111.11, 111.12, 111.26, 111.61–111.65, and 111.71–111.76, for control of particulate matter and visible emissions as submitted by the Governor on January 22, 1974.

(45) Revisions to Regulation I, section 111.2 for control of particulate matter and visible emissions as submitted by the Governor on December 29, 1975.

(46) Revisions to Regulation I, Sections 111.2(8), 111.2(9), 111.22, 111.91 and 111.92 for control of particulate matter and visible emissions as submitted by the Governor on April 13, 1979.

(47) Revisions to section XII (Resources) as submitted by the Executive Director on July 6, 1982.

(48) Revisions to Subchapters 115.111–115.113 (formerly 131.07.52.101–131.07.52.104) regarding gasoline bulk terminals, 115.123–115.124 (formerly 131.07.53.101–131.07.53.103) regarding gasoline bulk plants, and 115.131–115.135 (formerly 131.07.54.101–131.07.54.105) regarding the filling of gasoline storage vessels at motor vehicle fuel dispensing facilities (Stage I vapor recovery at service stations) of Regulation V for the counties of Harris, Galveston, Brazoria, Bexar, Dallas, and Tarrant were adopted by the Texas Air Control Board on March 30, 1979 and submitted by the Governor to EPA on April 13, 1979.

(49) Revisions to Subchapters 115.111 and 115.113 (formerly 131.07.52.101 and 131.07.52.103) regarding gasoline bulk terminals, 115.121 and 115.123 (formerly 131.07.53.101 and 131.07.53.103) regarding gasoline bulk plants, and 115.131, 115.132, and 115.135 (formerly 131.07.54.101, 131.07.54.102, and 131.07.54.105) regarding the filling of gasoline storage vessels at motor vehicle fuel dispensing facilities (Stage I vapor recovery at service stations) of Regulation V were adopted by the

Texas Air Control Board on July 11, 1980 and submitted by the Governor to EPA on July 25, 1980.

(50) Revisions to the General Rules (i.e., deletion of the definitions for chemical process plant, exhaust emission, gas processing plant, and non-methane hydrocarbons, and revisions to the definitions for gasoline bulk plant, gasoline terminal, lowest achievable emission rate, standard conditions, submerged fill pipe, paper coating, and light-duty truck coating), Regulation I (i.e., the deletion of sections 111.61–111.65, revisions to title of sections 111.71–111.76 and section 111.71, addition of sections 111.81–111.83, deletion of section 111.91, and revisions to section 111.92), and Regulation V (i.e., section 115.1, sections 115.11–115.13, sections 115.31–115.32, sections 115.41–115.45, section 115.81, and section 115.91, all for Bexar County only; and, sections 115.101–115.106; title of sections 115.141–115.144 and section 115.141, section 115.142, and section 115.144; title of sections 115.151–115.153 and section 115.152, and section 115.153; sections 115.161–115.163 and title; title of sections 115.171–115.176 and section 115.173, section 115.175, and section 115.176; title of sections 115.191–115.194 and section 115.191, section 115.192, and section 115.193; title of sections 115.201–115.203 and section 115.203; title of sections 115.221–115.223 and sections 115.222–115.223; sections 115.231–115.233 and title; title of sections 115.251–115.255 and section 115.253, and section 115.255; section 115.401; title of sections 115.411–115.413 and sections 115.411 and 115.412; title only of sections 115.421–115.424) were adopted by the Texas Air Control Board on January 8, 1982, and submitted by the Governor on August 9, 1982, with an addendum from the State on January 13, 1983.

(51) A revision to Section III (Public Participation/Intergovernmental Coordination) was submitted by the Texas Air Control Board on August 17, 1982 and a letter of clarification was submitted on January 28, 1983. The revision also supercedes and deletes Section XIII which was approved on May 31, 1972.

(52) An administrative revision to Section IX, Air Quality Surveillance,

was submitted by the TACB on June 22, 1983. (Nonregulatory)

(53) A revision to Regulation VI (i.e., the addition of section 116.11) was adopted by the Texas Air Control Board on December 3, 1982, and submitted by the Governor on May 13, 1983.

(54) Revisions to the Texas State Implementation Plan for lead for Dallas County (concerning a lead control plan for the area around the secondary lead smelter in West Dallas), were submitted to EPA on April 6, 1984, by the Governor of Texas, as adopted by the Texas Air Control Board on February 17, 1984.

(55) Revisions to the Texas State Implementation Plan for lead for Dallas County (concerning a lead control plan for the area around the secondary lead smelter in South Dallas), and revisions to Regulation III, chapter 113, Subchapter B, Lead Smelters in Dallas County, were submitted to EPA on July 16, 1984, by the Governor of Texas, as adopted by Texas Air Control Board on May 18, 1984. No action is taken on Regulation III, Sections 113.113 and 113.114.

(56) Revisions to the Texas State Implementation Plan for lead for El Paso County, with revisions to Regulation III, Chapter 113, Subchapter B, Nonferrous Smelters in El Paso County, were submitted to EPA on June 20, 1984, by the Governor of Texas, as adopted by Texas Air Control Board on February 17, 1984. Also, letters providing additional information were submitted by Texas on June 11 and June 28, 1984. No action is taken on Regulation III, Sections 113.111 113.112. The date of compliance listed in § 113.122 of February 28, 1989 (for section 113.53) is disapproved. EPA is taking no action on the attainment date for El Paso County.

(57)–(58) [Reserved]

(59) Revisions to TACB Regulation VI and definitions in the General Rules as adopted on June 10, 1983 and submitted by the Governor on December 22, 1983, including a letter of clarification on their definitions submitted by the Texas Air Control Board on March 27, 1984.

(60) The Alternative Emission Control Plan for the Exxon Baytown Refin-

ery in Baytown, Texas was adopted by the Texas Air Control Board on March 18, 1983, in Board Order No. 83-2.

(61) Revisions to the plan for attainment of the standard for Ozone in Harris County were submitted by the Governor on December 9, 1982, January 3, 1984, and March 18, 1985.

(i) Revisions adopted on December 3, 1982, include the following changes to Regulation V and the general rules. New sections or subsections 115.105(7), 115.111(2)(b), 115.111(2)(c), 115.111(2)(d), 115.163, 115.164, 115.193(c)(5), 115.193(c)(6), 115.271, 115.272, 115.273, 115.274, 115.275, and 115.421 are added. Revisions to 115.106(b), 115.106(c), 115.113, 115.141, 115.142, 115.161, 115.162, 115.191(9)(a)(i), 115.251(a)(1), 115.252(a)(4), 115.252(b), 115.252(c), 115.253(a), 115.254, 115.255(c), and 115.401(b) were made. Section 101.1 of the general rules was revised to include definitions of new terms. The revisions also included the following commitments: emissions tracking, pages 87–88; projections of reasonable further progress, pages 91 and 93; and emission reduction commitments for transportation control measures, Appendix V.

(ii) Revisions adopted on September 9, 1983, include revisions to Regulation IV. New sections or subsections 114.1(e), 114.1(f), 114.3, and 114.5 are added.

(iii) Revisions adopted on November 9, 1984 include the following:

(A) Recordkeeping and record submittal requirements, pages 12–13,

(B) Mechanics training program commitments, pages 17–18,

(C) Public Awareness Plan commitments, pages 19–20,

(D) Implementation Schedule, page 25(1–3),

(E) Reasonable Further Progress Chart, Table 13, and

(F) Department of Public Safety and Texas Air Control Board Rules and Regulations, Texas Vehicle Inspection Act Article XV, and Documentation to Authorize and Support the Implementation and Enforcement of the Texas Vehicle Parameter Inspection and Maintenance Program, Appendix X, containing the following documents:

—Senate Bill 1205

Environmental Protection Agency

§ 52.2299

—Letters of commitment from Texas Department of Public Safety, City of Houston Police Department, and Harris County Sheriff
—Parameter Vehicle Emission Inspection and Maintenance Rules and Regulations for Official Vehicle Inspection Stations and Certified Inspectors, July 1, 1984
—Texas Motor Vehicle Laws, 1981–1982
—Rules and Regulations for Official Vehicle Inspection Stations and Certified Inspectors, November 11, 1983, Sections A, B, C pages C-1, C-16, C-17, C-18, C-26, C-27, and C-28, D, and E pages E-1, E-6, E-7, E-8, and E-9.

(62) Revision to the Texas State Implementation Plan for Good Engineering Practice—Stack Height regulations, Texas Air Control Board Regulation VI, §116.3(a)(14), as adopted by the Texas Air Control Board on July 17, 1987, were submitted by the Governor of Texas on October 26, 1987. This revision included definitions for *owner or operator, emission limitation and emission standards, stack, a stack in existence, dispersion technique, good engineering practice, nearby, excessive concentration*, and regulations related to *stack height provisions and stack height procedures* for new source review.

(i) Incorporation by reference.

(A) Texas Air Control Board Regulation VI, §116.3(a)(14), adopted by the Board on July 17, 1987.

(ii) Other material—one.

(63) Revisions to TACB Regulation VI and definitions in the General Rules were submitted by the Governor on December 13, 1985.

(i) Incorporation by reference. December 13, 1985 letter from the Governor to EPA, and Revisions adopted on September 20, 1985, include the following changes to Regulation VI and the General Rules. Revisions to §116.11 were made, and §101.1 of the General Rules was revised to include an amendment to the term *major facility/stationary source*.

(64) Board Order No. 85-2, an alternate emission reduction plan for the Continental Can Company, U.S.A. can coating plant in Longview, Texas was submitted by the Governor on July 25, 1985, as amendments to the Texas State Implementation Plan. The source is now subject to the legally enforceable requirements stated in Board Order No. 85-2 and in TACB Permit Number C-16765.

(i) Incorporation by reference.

(A) Texas Air Control Board Order No. 85-2 adopted on May 10, 1985, and TACB Permit Number C-16765 as revised November 21, 1986.

(65) In a October 26, 1987, letter, the Governor of Texas submitted a revision to the Texas State Implementation Plan for Lead in El Paso County. These revisions to the control strategy are adequate to demonstrate attainment by August 14, 1987, of the National Ambient Air Quality Standards for lead in El Paso County by modeling. Enclosed in this letter were Texas Air Control Board (TACB) Board Order No. 87-14 as passed and approved on August 14, 1987; the revisions to Regulation III, Subchapter B as appended to the Board Order; and a certification of Public Hearing.

(i) Incorporation by reference.

(A) TACB Board Order No. 87-14, as adopted on August 14, 1987.

(B) The March 23, 1988, letter and enclosures from TACB to EPA.

(66) Revisions to the plan for attainment of the standard for ozone in Dallas and Tarrant Counties were submitted by the Governor on September 30, 1985 and December 21, 1987.

(i) Incorporation by reference.

(A) Revisions to the Texas Air Control Board Regulation IV, Section 114.1 (c), (e), (f), 114.3, 114.5 (a), (b), (d), (e), (f), and (g) adopted July 26, 1985.

(B) Vehicle Inspection and Maintenance and Transportation Control Measures (VIMTCM), Appendix AG, Emission Reduction Commitments for Transportation Control Measures in Post-1982 SIP Areas adopted by the Texas Air Control Board on August 28, 1985.

(C) VIMTCM, Appendix AJ, Excerpted Senate Bill 725, section 35 (d) and (g) effective September 1, 1985; and House Bill 1593 sections 21 and 22 effective June 18, 1987.

(D) The following portions of VIMTCM, Appendix AK, Texas Vehicle Parameter Inspection and Maintenance Program adopted by the Texas Air Control Board on December 18, 1987.

1 Record keeping and Record submittal Requirements, pages 15–17

2 Quality Control, Audit and Surveillance Procedures, pages 17–18

3 Procedures to Assure that Noncomplying Vehicles are Not Operated on the Public Roads, pages 18-20

4 Mechanic Training Program, pages 21-23

5 A Public Awareness Plan, pages 23-25

6 Vehicle Maintenance Program (Anti-tampering), pages 25-27

(E) VIMTCM, Appendix AM, Department of Public Safety Rules and Regulations Concerning Vehicle Inspection and Maintenance Programs, Sections 1, 2, and 3 adopted by the Texas Air Control Board on December 18, 1987.

(F) VIMTCM, Appendix AN, Local Government Letters of Commitment to Enforce Vehicle Inspection and Maintenance Programs adopted by the Texas Air Control Board on December 18, 1987.

(67) Part II of the Visibility Protection Plan was submitted by the Governor on November 18, 1987. This submittal includes a visibility long-term strategy and general plan provisions as adopted by the Texas Air Control Board on September 18, 1987.

(i) Incorporation by reference.

(A) Revision entitled, "State Implementation Plan Revisions for Visibility Protection in Class I Areas: Phase I, September 18, 1987" (including Appendices A and B).

(B) Texas Air Control Board Order No. 87-15, adopted September 18, 1987.

(ii) Additional material.

(A) None.

(68) [Reserved]

(69) Revisions to the plan for attainment of the standard for ozone in Dallas and Tarrant Counties were submitted by the Governor on October 11, 1985, December 21, 1987, and December 13, 1988. EPA is approving these stationary source VOC regulations and commitments under part A, section 110 of the Clean Air Act. However, these regulations do not represent RACT under part D, section 172 of the Clean Air Act for numerous reasons, including cross-line averaging and director's equivalency determinations without first being submitted to and approved by EPA as a SIP revision.

(i) Incorporation by reference.

(A) Revisions to Texas Air Control Board Regulation V (31 TAC chapter 115), Control of Air Pollution from Volatile Organic Compounds: Rules 115.111 introductory paragraph; 115.111(2)(E); 115.111(2)(F); 115.113 intro-

ductory paragraph, 115.113 last entry in table; except El Paso County for Rules 115.131 introductory paragraph, 115.132(6), 115.132(7), 115.135 introductory paragraph, and 115.135 second to last entry in table; 115.162 introductory paragraph only; 115.163(b)(2); 115.163(b)(3); 115.164(b) first paragraph only; 115.164(b)(3); 115.164(b)(4); 115.171(a); except El Paso County for Rule 115.171(b); 115.175(f); 115.176(a); 115.176(c); 115.191(9)(A)(iii); 115.191(9)(A)(iv); 115.191(9)(A)(v); 115.193(c)(3); 115.223; except El Paso County for Rules 115.261 undesignated heading, 115.261 introductory paragraph, 115.262(a), and 115.264; as adopted by the Texas Air Control Board on July 26, 1985. Rules 115.171(c); 115.171(d); 115.176(d); 115.193(c) first paragraph only; 115.193(c)(1); 115.193(c)(2); 115.193(c)(6); 115.193(d) first paragraph only; 115.193(e); 115.194; 115.201(b)(1); 115.202; 115.203(a); and 115.291 through 115.294 and the corresponding undesignated heading; as adopted by the Texas Air Control Board on December 18, 1987. Rules 115.111(4)(C); except El Paso County for Rule 115.111(5); 115.111(6); 115.111(7); 115.113 last entry in table; 115.131(2); except El Paso County for Rule 115.131(3); 115.131(4); 115.131(5); 115.132 introductory paragraph only; 115.132(2); 115.134(3); 115.135 last entry in table; 115.141(a); 115.141(b); 115.142(a) first paragraph; 115.142(b); 115.143(a); 115.143(b); 115.143(c); 115.144; 115.162(3)(B); 115.163(a); 115.163(c); 115.163(d); 115.164(b)(7); 115.171(e); 115.172(a) first paragraph only; 115.172(a)(1); 115.172(a)(3); 115.172(a)(4); 115.172(a)(5)(A); 115.172(a)(6); 115.172(a)(7); 115.172(b) first paragraph only; 115.172(b)(1); 115.173(a) first paragraph only; 115.173(a)(2); 115.173(a)(4)(A); 115.173(a)(4)(B); 115.173(a)(4)(E); 115.173(a)(6); 115.173(b) first paragraph only; 115.173(b)(2); 115.173(b)(4); 115.173(b)(5); 115.173(b)(10); 115.173(b)(11); 115.173(c); 115.174(a) first paragraph only; 115.174(a)(1)(A); 115.174(a)(1)(B); 115.174(a)(1)(C); 115.174(a)(7); 115.174(a)(8); 115.174(a)(9); 115.174(b) first paragraph only; 115.174(b)(2); 115.174(b)(4); 115.174(b)(5); 115.174(c); 115.175(e); 115.175(g); 115.176(e); 115.191(a) first paragraph only; 115.191(a)(8)(A); 115.191(a)(8)(B);

Environmental Protection Agency

§ 52.2299

115.191(a)(8)(C); 115.191(a)(9)(C); 115.191(a)(11); 115.191(b); 115.191(c); 115.192(a); 115.192(b); 115.192(c); 115.193(f); 115.201(a); 115.201(b) first paragraph only; 115.201(b)(2) through 115.201(b)(6); 115.201(c); 115.203(b); 115.221(a) first paragraph only; 115.221(a)(4); and 115.221(b); as adopted by the Texas Air Control Board on October 14, 1988.

(B) Revisions to the Texas Air Control Board General Rules (31 TAC chapter 101), rule 101.1, Definitions for: automobile refinishing; consumer-solvent products; as adopted by the Texas Air Control Board on December 18, 1987. Rule 101.1, Definitions for: architectural coating; automotive primer or primer surfacers (used in automobile refinishing); automotive wipe-down solutions; coating application system; delivery vessel/tank-truck tank; exempt solvent; flexographic printing process; non-flat architectural coating; packaging rotogravure printing; publication rotogravure printing; rotogravure printing; surface coating processes; transfer efficiency; and vapor balance system; as adopted by the Texas Air Control Board on October 14, 1988.

(C) The following portions of the Post-1982 Ozone Control Strategies Dallas and Tarrant Counties Texas State Implementation Plan Revisions (TX82SIP), as adopted by the Texas Air Control Board on December 18, 1987.

(1)(d) Emissions Tracking, page 56 (last paragraph), 57, and 58.

(2)(e) Regulation Review, pages 58–60.

(3)(a) Emissions Reductions and Growth Unaffected by This Plan, page 63 (first two full paragraphs).

(4)(e) Transportation Control Measures, pages 67–68.

(5)(4) Projection of Reasonable Further Progress (RFP), pages 71–72.

(6)(5) Contingency Plan, page 72.

(7)(a) Emissions Reductions and Growth Unaffected by This Plan, page 75.

(8)(e) Transportation Control Measures, pages 79–80.

(9)(4) Projection of Reasonable Further Progress (RFP), pages 83–84.

(10)(5) Contingency Plan, page 84.

(D) TX82SIP, appendix AG, Emission Reduction Commitments for Transportation Control Measures in Post-1982

SIP Areas, as adopted by the Texas Air Control Board on December 18, 1987.

(E) Texas Air Control Board Order No. 85–06, as adopted July 26, 1985.

(F) Texas Air Control Board Order No. 87–18, as adopted December 18, 1987.

(G) Texas Air Control Board Order No. 88–10, as adopted October 14, 1988.

(ii) Additional Material.

(A) A letter dated September 25, 1989, from Allen Eli Bell, Executive Director, Texas Air Control Board to Robert E. Layton Jr., P.E., Regional Administrator, EPA Region 6.

(B) TX82SIP, (c) Additional Control Technique Guidelines (CTGs), pages 48–49.

(C) TX82SIP, appendix AL, Transportation Control Measure Evaluation and Documentation of Highway Vehicle Data adopted by the Texas Air Control Board on December 18, 1987.

(70) On March 12, 1982, the Governor of Texas submitted a request to revise the Texas SIP to include an Alternative Emission Reduction Plan for the E.I. Du Pont de Nemours & Company's Sabine River Works at Orange, Orange County, Texas. This Bubble uses credits obtained from the shutdown of sixteen methanol storage tanks and a methanol truck and railcar loading terminal in lieu of controls on one cyclohexane storage tank and two methanol storage tanks.

(i) Incorporation by reference.

(A) Texas Air Control Board Order No. 82–1, entitled "E.I. Du Pont de Nemours and Company Incorporated" passed and approved by the Board on January 8, 1982.

(ii) Additional material.

(A) Letter dated October 23, 1989, from the Director of the Texas Air Control Board (TACB) Technical Support and Regulation Development Program, giving assurances that the State has resources and plans necessary to strive toward attainment and maintenance of the National Ambient Air Quality Standard (NAAQS) for ozone taking into account the influence of this Bubble on air quality.

(B) Letter dated May 31, 1988, from the Director of the TACB Technical Services Division, giving quantification of emissions and developmental information relative to volatile organic compound emissions from the

storage and terminal facilities at the Du Pont plant.

(C) Letter dated June 21, 1988, from the Director of the TACB Technical Services Division, giving the throughput basis for emission calculations for the tanks and discussing status of the equipment in the trade.

(D) Record of Communication of a phone call from Bill Riddle, EPA Region 6 Emissions Trading Coordinator, to Clayton Smith and Wayne Burnop, Environmental Engineers for the TACB, dated November 7, 1989. TACB confirms that there has been no *shifting demand* for the bubble.

(E) Record of Communication of a phone call from Mr. Bertie Fernando, TACB Environmental Engineer, to Bill Riddle, EPA Region 6 Emissions Trading Coordinator, dated December 15, 1989. TACB gives the status of the equipment in the bubble as a follow up to the June 21, 1988, letter mentioned in paragraph (c) of this section.

(71) Revisions to section VIII of the Texas SIP entitled "Texas Air Pollution Episode Contingency Plan" as submitted by the Texas Air Control Board (TACB) in a letter dated October 2, 1987. Revisions to TACB Regulation VIII, 31 TAC Chapter 118, "Emergency Episode Planning," as approved by TACB on July 16, 1987, and on April 14, 1989, and submitted by the Governor in letters dated October 26, 1987, and October 13, 1989, respectively.

(i) Incorporation by reference.

(A) Amended TACB Regulation VIII, 31 TAC chapter 118, Rules 118.1(a), 118.1(b)(2), 118.1(c), 118.2, 118.3, 118.4, 118.5(d), 118.5(e), 118.5(f) and 118.6 as approved on July 17, 1987, and the repeal of Rule 118.7 as approved by TACB on July 17, 1987.

(B) Amended TACB Regulation VIII, 31 TAC chapter 118, Rules 118.1(b), 118.1(b)(1), Table 1 of Rule 118.1, first paragraph of Rule 118.5, and 118.5(1), 118.5(2), 118.5(3), as approved by TACB on April 14, 1989.

(C) TACB Order 87-10, approved July 17, 1987.

(D) TACB Order 89-01, approved April 14, 1989.

(E) Texas SIP section VIII "Texas Air Pollution Episode Contingency Plan" pages VIII-3 through VIII-14,

VIII-A-2 through VIII-A-4, and VIII-B-2 through VIII-B-3.

(ii) Additional material

(A) Revisions to section VIII as submitted on October 2, 1987, from Eli Bell, superceding and deleting section VIII as approved by EPA on October 7, 1982, at 47 FR 44260 (Texas Air Pollution Emergency Episode Contingency Plan).

(B) A letter dated February 10, 1989, from Steven Spaw, TACB, to William B. Hathaway, U.S. EPA.

(72) Revisions to the plan for attainment of the standard for ozone in Dallas and Tarrant counties were submitted by the Governor on March 5, 1990 limiting the volatility of gasoline.

(i) Incorporation by reference.

(A) Revisions to the Texas Air Control Board Regulation V (31 TAC chapter 115), Control of Air Pollution from Volatile Organic Compounds, Rule 115.242-249 as adopted by the Texas Air Control Board on December 8, 1989.

(B) Texas Air Control Board Order No. 89-13, as adopted December 8, 1988.

(73) Revisions for Prevention of Significant Deterioration (PSD) are: Regulation VI—Section 116.3(a)(13) as adopted by the Texas Air Control Board (TACB) on July 26, 1985 and as revised by the TACB on July 17, 1987 and July 15, 1988 and submitted by the Governor on December 11, 1985, October 26, 1987, and September 29, 1988, respectively; the PSD Supplement as adopted by the TACB on July 17, 1987 and submitted by the Governor on October 26, 1987; General Rules—Section 101.20(3) as adopted by the TACB on July 26, 1985 and submitted by the Governor on December 11, 1985; and the TACB commitment letters submitted by the Executive Director on September 5, 1989 and April 17, 1992. Approval of the PSD SIP is partially based on previously approved TACB regulations and State statutes.

(i) Incorporation by reference.

(A) Revisions to the TACB Regulation VI (31 TAC chapter 116)—Control of Air Pollution by Permits for New Construction or Modification: Rule 116.3(a)(13) as adopted by the TACB on July 26, 1985 and as revised by the TACB on July 17, 1987 and July 15, 1988.

(B) Revision to TACB General Rules (31 TAC Chapter 101)—Rule 101.20(3) as adopted by the TACB on July 26, 1985.

Environmental Protection Agency

§ 52.2299

(C) TACB Board Order No. 85-07, as adopted on July 26, 1985.

(D) TACB Board Order No. 87-09, as adopted on July 17, 1987.

(E) TACB Board Order No. 88-08, as adopted on July 15, 1988.

(F) The following portions of the PSD Supplement, as adopted by the TACB on July 17, 1987: 1. (2) Initial Classification of areas in Texas, pages 1-2; 2. (3) Re-designation procedures, page 2; 3. (4) plan assessment, pages 2-3; 4. (6) Innovative Control Technology, page 3; and 5. (7) Notification, (a) through (d), page 4.

(ii) Additional material.

(A) The PSD Supplement as adopted by the TACB on July 17, 1987.

(B) A letter dated September 5, 1989, from the Executive Director of the TACB to the Regional Administrator of EPA Region 6.

(C) A letter dated April 17, 1992, from the Executive Director of the TACB to the Division Director of Air, Pesticides and Toxics Division, EPA Region 6.

(74) Revisions to Texas Air Control Board's volatile organic compound regulations were submitted by the Governor of Texas on July 16, 1990.

(i) Incorporation by reference

(A) Revisions to Texas Air Control Board Regulation V (31 TAC Chapter 115) Control of Air Pollution from Volatile Organic Compounds, Subchapter E: Solvent-Using Processes, Surface Coating Processes, §115.421 introductory paragraph, §115.421(8)(A), §115.425 introductory paragraph, §115.425(3), §115.429 introductory paragraph, and §115.429(2)(E), as adopted by the Texas Air Control Board on June 22, 1990.

(B) Texas Air Control Board Order No. 90-07 as adopted by the Texas Air Control Board on June 22, 1990.

(ii) Additional material

(A) Texas Air Control Board July 10, 1990, certification signed by Steve Spaw, P.E., Executive Director, Texas Air Control Board.

(75) Revisions to the State Implementation Plan for particulate matter (PM₁₀ Group III) General Rules (31 TAC Chapter 101), §101.1 Definitions for "De minimis impact", "Particulate matter", "Particulate matter emissions", "PM₁₀", "PM₁₀ emissions", and "Total suspended particulate", as adopted on

June 16, 1989, by the Texas Air Control Board (TACB), were submitted by the Governor on August 21, 1989.

(i) Incorporation by reference.

(A) General Rules (31 TAC Chapter 101), Section 101.1 Definitions for "De minimis impact", "Particulate matter", "Particulate matter emissions", "PM₁₀", "PM₁₀ emissions", and "Total suspended particulate", as adopted on June 16, 1989, by the TACB.

(ii) Additional material—None.

(76) A revision to the Texas State Implementation Plan (SIP) to include revisions to Texas Air Control Board (TACB) Regulation II, 31 TAC Chapter 112. Control of Air Pollution from Sulfur Compounds, submitted by the Governor by cover letter dated October 15, 1992.

(i) Incorporation by reference.

(A) Revisions to Texas Air Control Board (TACB), Regulation II, 31 TAC Chapter 112, Section 112.1, "Definitions;" Section 112.2, "Compliance, Reporting, and Recordkeeping;" Section 112.3, "Net Ground Level Concentrations;" Section 112.4, "Net Ground Level Concentration—Exemption Conditions;" Section 112.5, "Allowable Emission Rates—Sulfuric Acid Plant Burning Elemental Sulfur;" Section 112.6, "Allowable Emission Rates—Sulfuric Acid Plant;" Section 112.7, "Allowable Emission Rates—Sulfur Recovery Plant;" Section 112.8, "Allowable Emission Rates From Solid Fossil Fuel-Fired Steam Generators," Subsections 112.8(a), except for the phrase "Except as provided in subsection (b) of this section," 112.8(c), 112.8(d), 112.8(e); Section 112.9, "Allowable Emission Rates—Combustion of Liquid Fuel;" Section 112.14, "Allowable Emission Rates—Nonferrous Smelter Processes;" Section 112.15, "Temporary Fuel Shortage Plan Filing Requirements;" Section 112.16, "Temporary Fuel Shortage Plan Operating Requirements;" Section 112.17, "Temporary Fuel Shortage Plan Notification Procedures;" Section 112.18, "Temporary Fuel Shortage Plan Reporting Requirements;" Section 112.19, "Application for Area Control Plan;" Section 112.20, "Exemption Procedure;" and Section 112.21, "Allowable Emission Rates Under Area Control Plan," as adopted by the TACB on September 18, 1992.

(B) Texas Air Control Board Order No. 92–19, as adopted by the Texas Air Control Board on September 18, 1992.

(ii) Additional material.

(A) Texas Air Control Board certification letter dated October 1, 1992, and signed by William R. Campbell, Executive Director, Texas Air Control Board.

(B) Texas Air Control Board clarification letter dated July 5, 1993, from William R. Campbell, Executive Director, Texas Air Control Board, to A. Stanley Meiburg, Director, Air, Pesticides, and Toxics Division, EPA Region 6.

(77) Revisions to Texas Air Control Board Regulation V (31 TAC Chapter 115), Control of Air Pollution from Volatile Organic Compounds, were submitted by the Governor on March 5, 1990, July 16, 1990, May 10, 1991, and September 30, 1991.

(i) Incorporation by reference.

(A) Revisions to Texas Air Control Board Regulation V (31 TAC Chapter 115), Control of Air Pollution from Volatile Organic Compounds, as adopted by the Texas Air Control Board on December 8, 1989.

(B) Revisions to Texas Air Control Board Regulation V (31 TAC Chapter 115), Control of Air Pollution from Volatile Organic Compounds, as adopted by the Texas Air Control Board on June 22, 1990: 115.425(1)(D) and 115.425(1)(E).

(C) Revisions to Texas Air Control Board Regulation V (31 TAC Chapter 115), Control of Air Pollution from Volatile Organic Compounds, as adopted by the Texas Air Control Board on May 10, 1991: 115.010—Definitions for coating, coating line, leak, pounds of volatile organic compounds (VOC) per gallon of coating (minus water and exempt solvents), pounds of volatile organic compounds (VOC) per gallon of solids, printing line, volatile organic compound (VOC), 115.112(c), 115.114 introductory paragraph, 115.114(3), 115.116(1), 115.116(3)(B) through 115.116(3)(D), 115.119(a)(1), 115.119(a)(2), 115.122(a)(3), 115.126(1)(B) through 115.126(1)(E), 115.129(a)(1), 115.129(a)(2), 115.132(a)(4), 115.136, 115.139(a)(1), 115.139(a)(2), 115.212(a)(4), 115.212(a)(5), 115.212(a)(6), 115.215(5), 115.216(2)(B) through 115.216(2)(D), 115.219(a)(1) through 115.219(a)(3), 115.222(7) through

115.222(9), 115.229(1), 115.229(2), 115.239, 115.315(2), 115.316(1)(A) through 115.316(1)(D), the repeal of 115.317, 115.319(1), 115.319(2), 115.322(4), 115.324(1)(A), 115.324(1)(B), 115.324(2)(A) through 115.324(2)(E), 115.325(2), 115.327(1) through 115.327(5), 115.329 introductory paragraph, 115.329(1), 115.329(2) 115.332 introductory paragraph, 115.332(4), 115.334(1)(D), 115.334(1)(E), 115.334(2), 115.335 introductory paragraph, 115.335(2), 115.336 introductory paragraph, 115.337(1) through 115.337(5), 115.339, 115.342(4), 115.344(1)(D), 115.344(1)(E), 115.344(2), 115.345(2), 115.347(1) through 115.347(6), 115.349, 115.417(3) through 115.417(6), 115.419(1) through 115.419(3), 115.421 introductory paragraph, 115.421(1) through 115.421(8)(B) introductory paragraph, 115.421(8)(C) through 115.421(9)(A)(v), 115.421(9)(C), 115.422 introductory paragraph, 115.422(1), 115.422(1)(A) through 115.422(1)(C), 115.422(2), 115.423(2) through 115.423(4), 115.424 introductory paragraph, 115.424(1) through 115.424(3), 115.425(2), 115.425(3)(B)(i), 115.425(3)(B)(iii), 115.426 introductory paragraph, 115.426(2), 115.426(2)(A)(ii) through 115.426(2)(A)(iv), 115.426(3), 115.427(6), 115.427(6)(A), 115.427(6)(B), 115.427(7), 115.429(1), 115.429(2)(A), 115.429(2)(B), 115.432 introductory paragraph, 115.432(1), 115.432(1)(A) through 115.432(1)(C)(iii), 115.432(2), 115.432(3), 115.435(5) through 115.435(7), 115.436(3)(B) through 115.436(3)(D), 115.437(1), 115.437(2), 115.439(1), 115.439(2), 115.512(3), 115.519, 115.532(5), 115.536(2)(A)(ii) through 115.536(2)(A)(iv), 115.537(5), 115.537(6), 115.539(1), 115.539(2).

(D) Revisions to Texas Air Control Board Regulation V (31 TAC Chapter 115), Control of Air Pollution from Volatile Organic Compounds, as adopted by the Texas Air Control Board on September 20, 1991: 115.010—Definitions for capture efficiency, capture system, carbon adsorber, carbon adsorption system, control device and control system, 115.126(1), 115.129(a)(3), 115.136, 115.139(a)(2), 115.224(2), 115.229(2), 115.422(2), 115.423(3), 115.425(4) through 115.425(4)(C)(iii), 115.426(3), 115.426(4), 115.429(2)(C), 115.435 introductory paragraph, 115.435(7) through 115.435(7)(C)(iii), 115.435(8), 115.436(6), 115.439(2).

Environmental Protection Agency

§ 52.2299

(78) Revision to the Texas State Implementation Plan for Prevention of Significant Deterioration adopted by the Texas Air Control Board (TACB) on December 14, 1990, and submitted by the Governor on February 18, 1991.

(i) Incorporation by reference.

(A) Revision to TACB Regulation VI (31 TAC Chapter 116)—Control of Air Pollution by Permits for New Construction or Modification: Section 116.3(a)(13) as adopted by the TACB on December 14, 1990, and effective January 7, 1991.

(B) TACB Board Order No. 90-13, as adopted on December 14, 1990.

(79) A revision to the Texas SIP addressing moderate PM-10 nonattainment area requirements for El Paso was submitted by the Governor of Texas by letter dated November 5, 1991. The SIP revision included, as per section 179B of the Clean Air Act, a modeling demonstration providing for timely attainment of the PM-10 National Ambient Air Quality Standards for El Paso but for emissions emanating from Mexico.

(i) Incorporation by reference.

(A) Revisions to Texas Air Control Board (TACB), Regulation I, Section 111.101, "General Prohibition;" Section 111.103, "Exceptions to Prohibition of Outdoor Burning;" Section 111.105, "General Requirements for Allowable Outdoor Burning;" Section 111.107, "Responsibility for Consequences of Outdoor Burning;" Section 111.143, "Materials Handling;" Section 111.145, "Construction and Demolition," Subsections 111.145(1), 111.145(2); Section 111.147, "Roads, Streets, and Alleys," Subsections 111.147(1)(B), 111.147(1)(C), 111.147(1)(D); and Section 111.149, "Parking Lots," as adopted by the TACB on June 16, 1989.

(B) TACB Order No. 89-03, as adopted by the TACB on June 16, 1989.

(C) Revisions to TACB, Regulation I, Section 111.111, "Requirements for Specified Sources," Subsection 111.111(c); Section 111.141, "Geographic Areas of Application and Date of Compliance;" Section 111.145, "Construction and Demolition," Subsections 111.145(first paragraph), 111.145(3); and Section 111.147, "Roads, Streets, and Alleys," Subsections 111.147(first paragraph), 111.147(1)(first paragraph),

111.147(1)(A), 111.147(1)(E), 111.147(1)(F), and 111.147(2), as adopted by the TACB on October 25, 1991.

(D) TACB Order No. 91-15, as adopted by the TACB on October 25, 1991.

(E) City of El Paso, Texas, ordinance, Title 9 (Health and Safety), Chapter 9.38 (Woodburning), Section 9.38.010, "Definitions;" Section 9.38.020, "No-Burn Periods;" Section 9.38.030, "Notice Required;" Section 9.38.040, "Exemptions;" Section 9.38.050, "Rebuttable Presumption;" and Section 9.38.060, "Violation Penalty," as adopted by the City Council of the City of El Paso on December 11, 1990.

(ii) Additional material.

(A) November 5, 1991, narrative plan addressing the El Paso moderate PM-10 nonattainment area, including emission inventory, modeling analyses, and control measures.

(B) A Memorandum of Understanding between the TACB and the City of El Paso defining the actions required and the responsibilities of each party pursuant to the revisions to the Texas PM-10 SIP for El Paso, passed and approved on November 5, 1991.

(C) TACB certification letter dated July 27, 1989, and signed by Allen Eli Bell, Executive Director, TACB.

(D) TACB certification letter dated October 28, 1991, and signed by Steve Spaw, Executive Director, TACB.

(E) El Paso PM-10 SIP narrative from pages 91-92 that reads as follows: "* * * provided that adequate information becomes available, a contingency plan will be developed in conjunction with future El Paso PM-10 SIP revisions. It is anticipated that EPA, TACB, the City of El Paso, and SEDUE will continue a cooperative effort to study the PM-10 air quality in the El Paso/Juarez air basin. Based on the availability of enhanced emissions and monitoring data, as well as more sophisticated modeling techniques (e.g., Urban Airshed Model), future studies will attempt to better define the relative contributions of El Paso and Juarez to the PM-10 problem in the basin. At that time, a contingency plan can more appropriately be developed in a cooperative effort with Mexico."

(80) A revision to the Texas State Implementation Plan to adopt an alternate control strategy for the surface

coating processes at Lockheed Corporation of Fort Worth.

(i) Incorporation by reference.

(A) Texas Air Control Board Order Number 93-13 issued and effective June 18, 1993, for Lockheed Corporation, Fort Worth approving an Alternate Reasonably Available Control Technology (ARACT). A letter from the Governor of Texas dated August 19, 1993, submitting to the EPA the ARACT demonstration.

(ii) Additional material—the document prepared by GD titled “The Proposed Alternate Reasonably Available Control Technology Determination for U.S. Air Force Plant Number Four and Ancillary Facilities of General Dynamics” dated September 16, 1991.

(81) A revision to the Texas SIP to include revisions to Texas Regulation V, 31 TAC §§115.241–115.249—Control of Vehicle Refueling Emissions (Stage II) at Motor Vehicle Fuel Dispensing Facilities adopted by the State on October 16, 1992, effective November 16, 1992, and submitted by the Governor by cover letter dated November 13, 1992.

(i) Incorporation by reference.

(A) Revisions to Texas Regulation V, 31 TAC §§115.241–115.249—Control of Vehicle Refueling Emissions (Stage II) at Motor Vehicle Fuel Dispensing Facilities, effective November 16, 1992.

(B) Texas Air Control Board Order No. 92-16, as adopted October 16, 1992.

(ii) Additional materials.

(A) September 30, 1992, narrative plan addressing: general requirements, definitions, determination of regulated universe, certification of approved vapor recovery systems, training, public information, recordkeeping, requirements for equipment installation and testing, annual in-use above ground inspections, program penalties, resources, and benefits.

(82) A revision to the Texas SIP to include a new Texas Natural Resource Conservation Commission, Part III, Chapter 101, *General Rules*, section 101.10, *Emission Inventory Requirements*. In a concurrent action, the TNRCC repealed the existing section 101.10 concerning filing of emissions data. The new rule and the repealing of the old rule was submitted to the EPA on October 15, 1992, by the Governor, as a proposed revision to the SIP.

(i) Incorporation by reference.

(A) TNRCC, Part III, Chapter 101, *General Rules*, section 101.10, *Emission Inventory Requirements*, as adopted by the TNRCC on August 20, 1992.

(B) TNRCC Order No. 92-20, as adopted by the TNRCC on August 20, 1992.

(ii) Additional material.

(A) TNRCC certification letter dated October 8, 1992, and signed by William R. Campbell, Executive Director, TNRCC.

(83) A revision to the Texas SIP to include an alternate particulate control plan for certain unpaved industrial roadways at the ASARCO copper smelter in El Paso, submitted by the Governor by cover letter dated March 30, 1994.

(i) Incorporation by reference.

(A) Texas Natural Resource Conservation Commission Order No. 94-01, as adopted by the Texas Natural Resource Conservation Commission on March 9, 1994.

(B) TNRCC Attachment 3 containing the Texas Air Control Board permit number 20345 for the ASARCO primary copper smelter in El Paso, Texas, issued May 11, 1992.

(C) TNRCC Attachment 4 containing the June 8, 1993, letter from Mr. Troy W. Dalton, Texas Air Control Board (TACB), to Mr. Thomas Diggs, U.S. EPA Region 6, addressing the ASARCO Inc. (El Paso) waiver request from TACB Regulation I, Section 111.147(1)(A), including the enclosure entitled “Waiver Provisions to Texas Air Control Board Regulation 111.147(1)(A) for ASARCO, Incorporated, El Paso Account No. EE-0007-G.”

(ii) Additional material.

(A) March 9, 1994, SIP narrative addressing the alternate particulate control plan (in lieu of paving) for certain unpaved industrial roadways at the ASARCO copper smelter in El Paso.

(84) A revision to the Texas SIP for the El Paso moderate carbon monoxide nonattainment area which has a design value less than 12.7 parts per million was submitted by the Governor of Texas to meet the November 15, 1992, CAA deadline. The elements in this incorporation include the general SIP revision and the oxygenated fuels regulations submitted to the EPA on October 23, 1992, and the completed emissions

Environmental Protection Agency

§ 52.2299

inventory submitted to the EPA on November 17, 1992.

(i) Incorporation by reference.

(A) Addition of a new Section 114.13, "Oxygenated Fuels" to the Texas Air Control Board (TACB), Regulation IV.

(B) TACB Board Order Number 92-15, as adopted by the TACB on September 18, 1992.

(C) SIP narrative plan entitled "Revisions to the State Implementation Plan (SIP) for Carbon Monoxide (CO), 1992 CO SIP for Moderate Area—El Paso," adopted by the Texas Air Control Board September 18, 1992, addressing: 3. 1992 CO SIP Revisions for Moderate Area El Paso (new.) e. Attainment Demonstration, pages 9-10; f. Oxygenated Fuels 3) Administrative Requirements, page 13, b) Clerical Reviews, page 15, c) Field Inspections, page 15; and e) enforcement (i)-(iv), pages 17-19.

(ii) Additional material.

(A) SIP narrative plan entitled "Revisions to the State Implementation Plan (SIP) for Carbon Monoxide (CO), 1992 CO SIP for Moderate Area—El Paso," adopted by the Texas Air Control Board September 18, 1992.

(B) Governor of Texas submittal of November 13, 1992, regarding the El Paso CO emissions inventory.

(C) The TACB certification letter dated October 1, 1992, and signed by William R. Campbell, Executive Director, TACB.

(85) The State is required to implement a Small Business Stationary Source Technical and Environmental Compliance Assistance Program (PROGRAM) as specified in the plan revision submitted by the Governor on November 13, 1992. This plan submittal, as adopted by the Texas Air Control Board (TACB) on November 6, 1992, was developed in accordance with section 507 of the Clean Air Act (CAA).

(i) Incorporation by reference.

(A) Texas Clean Air Act (TCAA), TEXAS HEALTH AND SAFETY CODE ANN. (Vernon 1992), §382.0365, "Small Business Stationary Source Assistance Program", enacted by the Texas 1991 legislative session and effective September 1, 1991. Included in TCAA, §382.0365, are provisions establishing a small business assistance program (SBAP), an Ombudsman, and a Compli-

ance Advisory Panel (CAP); establishing membership of the CAP; and addressing the responsibilities and duties of the SBAP, Ombudsman, and the CAP.

(B) TACB Order No. 92-22, as adopted by the TACB on November 6, 1992.

(C) Appendix C, "Schedule of Implementation", appended to the narrative SIP Revision entitled, "Revisions to the State Implementation Plan for the Small Business Stationary Source Technical and Environmental Compliance Assistance Program, Texas Air Control Board; November 1992".

(ii) Additional material.

(A) Narrative SIP Revision entitled, "Revisions to the State Implementation Plan for the Small Business Stationary Source Technical and Environmental Compliance Assistance Program, Texas Air Control Board; November 1992".

(B) TACB certification letter dated November 10, 1992, and signed by William R. Campbell, Executive Director, TACB.

(C) Legal opinion letter dated October 15, 1992 from Kirk P. Watson, Chairman, TACB, to Mr. B.J. Wynne, III, Regional Administrator, EPA Region 6, regarding the composition of the Small Business Compliance Advisory Panel for Texas.

(86) [Reserved]

(87) A revision to the Texas SIP to include revisions to Texas Regulation IV, 31 TAC §114.3—Vehicle Emissions Inspection and Maintenance Program, adopted by the State on November 10, 1993, and February 16, 1994, regulations effective December 8, 1993, and revisions to Texas Department of Transportation, Chapter 17. Vehicle Titles and Registration—Vehicle Emissions Verification System, 43 TAC §17.80, adopted by the State on October 28, 1993, effective November 22, 1993, and submitted by the Governor by cover letters dated November 12, 1993 and March 9, 1994.

(i) Incorporation by reference.

(A) House Bill 1969 an act relating to motor vehicle registration, inspections and providing penalties amending:

(1) Sections 382.037 and 382.038 of the Texas Health and Safety Code;

(2) Section 2 Chapter 88, General Laws, Acts of the 41st Legislature, 2nd

Called Session, 1929 (Article 6675a-2, Vernon's Texas Civil Statutes);

(3) Title 116, Articles 6675b-4, 6675b-4A, and 6675b-4B;

(4) Section 141(d), and section 142(h), Uniform Act Regulating Traffic on Highways (Article 6701d, Vernon's Civil Statutes);

(5) Section 4.202, County Road and Bridge Act (Article 6702-1, Vernon's Texas Civil Statutes) signed by the Governor on June 8, 1993, and effective August 30, 1993.

(B) Texas Health and Safety Code (Vernon 1990), the Texas Clean Air Act, sections 382.017, 382.037, 382.038, and 382.039 effective September 1, 1991.

(C) Revisions to Texas Regulation IV, 31 TAC §114.3—Vehicle Emissions Inspection and Maintenance Program, effective December 8, 1993.

(D) Order No. 93-23, as adopted November 10, 1993, and Order No. 94-02 as adopted February 16, 1994.

(E) Texas Civil Statutes, Articles 6675a-1 to 6675b-2 and 6687-1. (Vernon 1993).

(F) Revisions to Texas Department of Transportation, Chapter 17. Vehicle Titles and Registration—Vehicle Emissions Verification System, 43 TAC §17.80, effective November 22, 1993.

(ii) Additional materials.

(A) SIP narrative plan entitled "Revisions to the State Implementation Plan (SIP) for the Control of Ozone Air Pollution—Inspection/Maintenance SIP for Dallas/Fort Worth, El Paso, Beaumont/Port Arthur, and Houston/Galveston Ozone Nonattainment Areas," submitted to the EPA on November 12, 1993, and on March 9, 1994 addressing by section: 8(a)(1) Applicability, 8(a)(2) Adequate Tools and Resources, 8(a)(3) I/M Performance Standards, 8(a)(4) Network Type and Program Evaluation, 8(a)(5) Test Frequency and Convenience, 8(a)(6) Vehicle coverage, 8(a)(7) Test Procedures and Standards and Test Equipment, 8(a)(8) Quality Control, 8(a)(9) Quality Assurance, 8(a)(10) Waivers and Compliance Via Diagnostic Inspection, 8(a)(11) Motorist Compliance Enforcement, 8(a)(12) Motorist Compliance Enforcement Program Oversight, 8(a)(13) Enforcement Against Contractors, Stations and Inspectors, 8(a)(14) Compliance with Recall Notices, 8(a)(15) Data Collection,

8(a)(16) Data Analysis and Reporting, 8(a)(17) Inspector Training and Licensing or Certification, 8(a)(18) Public Information, 8(a)(19) Consumer Protection Provisions, 8(a)(20) Improving Repair Effectiveness, 8(a)(21) On-Road Testing, 8(a)(22) State Implementation Plan Submission and Appendices.

(B) Letter dated May 4, 1994, from John Hall, Chairman of the Texas Natural Resource Conservation Commission to the EPA, clarifying the State's intent regarding its Executive Director's exemption policy and repair effectiveness program.

(88) Revisions to the Texas State Implementation Plan, submitted to EPA on June 8 and November 13, 1992, respectively. These revisions adopt expansion of applicability for Reasonably Available Control Technology (RACT) rules for volatile organic compounds (VOCs) to ensure that all major VOC sources are covered by RACT, to revise the major source definition, and to revise certain monitoring, record-keeping, and reporting requirements for Victoria County, Texas.

(i) Incorporation by reference.

(A) Texas Air Control Board Order No. 92-04, as adopted on May 8, 1992.

(B) Revisions to the General Rules, as adopted by the Board on May 8, 1992, section 101.1—New definitions for capture efficiency, capture system, carbon adsorber, carbon adsorption system, coating, coating line, control device, control system, pounds of volatile organic compounds (VOC) per gallon of coating (minus water and exempt solvents), pounds of volatile organic compounds (VOC) per gallon of solids, printing line; revised definitions for component, exempt solvent, leak, vapor recovery system, volatile organic compound (VOC).

(C) Revisions to Regulation V, as adopted by the Board on May 8, 1992, sections 115.010 (Definitions)—Beaumont/Port Arthur area, Dallas/Fort Worth area, El Paso area, Houston/Galveston area; revised definition for delivery vessel/tank truck tank; 115.112(a), 115.112(a)(3), 115.112(b)(1), 115.112(b)(2), 115.112(b)(2)(A) through 115.112(b)(2)(D), 115.112(b)(2)(E), 115.112(b)(2)(F), 115.112(c), 115.112(c)(3)(A), 115.112(c)(3)(B), 115.113(a) through 115.113(c), 115.114(a),

Environmental Protection Agency**§ 52.2299**

115.114(b), 115.114(b)(1), 115.114(b)(2), 115.115(a), 115.115(b), 115.115(b)(1) through 115.115(b)(8), 115.116(a), 115.116(a)(4), 115.116(b), 115.116(b)(1) through 115.116(b)(4), 115.117(a), 115.117(b), 115.117(b)(1) through 115.117(b)(6), 115.117(b)(6)(A) through 115.117(b)(6)(C), 115.117(b)(7), 115.117(b)(7)(A) through 115.117(b)(7)(C), 115.117(c), 115.117(c)(1) through 115.117(c)(4), 115.119 introductory paragraph, 115.121(a), 115.121(a)(1), 115.121(a)(1)(C), 115.121(a)(2), 115.121(a)(3), 115.121(b), 115.121(b)(1) through 115.121(b)(3), 115.121(c), 115.121(c)(1), 115.121(c)(2) through 115.121(c)(4), 115.122(a), 115.122(b), 115.122(c), 115.122(c)(1) through 115.122(c)(4), 115.123(a) through 115.123(c), 115.125(a), 115.125(a)(2), 115.125(b), 115.125(b)(1) through 115.125(b)(7), 115.126 introductory paragraph, 115.127(a), 115.127(a)(2), 115.127(a)(3), 115.127(a)(3)(B), 115.127(a)(3)(C), 115.127(a)(4), 115.127(a)(4)(C), 115.127(b), 115.127(b)(1), 115.127(b)(2), 115.127(b)(2)(A) through 115.127(b)(2)(B), 115.127(c), 115.127(c)(1), 115.127(c)(2), 115.127(c)(2)(A) through 115.127(c)(2)(C), 115.129 introductory paragraph, 115.129(1) through 115.129(3), 115.131(a), 115.131(a)(2) through 115.131(a)(4), 115.131(b) through 115.131(c), 115.132(a), 115.132(b), 115.132(b)(1) through 115.132(b)(3), 115.132(c), 115.132(c)(3), 115.133(a) through 115.133(c), 115.135(a), 115.135(b), 115.135(b)(1) through 115.135(b)(6), 115.136(a), 115.136(a)(1), 115.136(a)(2), 115.136(a)(2)(A) through 115.136(a)(2)(D), 115.136(a)(3), 115.136(a)(4), 115.136(b), 115.137(a), 115.137(a)(1) through 115.137(a)(4), 115.137(b), 115.137(b)(1) through 115.137(b)(4), 115.137(c), 115.137(c)(1) through 115.137(c)(3), 115.139 introductory paragraph, 115.139(1), 115.139(2), 115.211 introductory paragraph, 115.211(1)(A), 115.211(1)(B), 115.211(2), 115.212(a), 115.212(a)(4), 115.212(a)(5), 115.212(b), 115.212(b)(1), 115.212(b)(2), 115.212(b)(2)(A), 115.212(b)(2)(B), 115.212(b)(3), 115.212(b)(3)(A) through 115.212(b)(3)(C), 115.212(c), 115.212(c)(1), 115.213(a) through 115.213(c), 115.214(a), 115.214(a)(3), 115.214(a)(4), 115.214(b), 115.214(b)(1), 115.214(b)(2), 115.215(a), 115.215(b), 115.215(b)(1) through 115.215(b)(8), 115.216 introductory para- graph, 115.216(4), 115.217(a), 115.217(a)(2) through 115.217(a)(4), 115.217(b), 115.217(b)(1) through 115.217(b)(3), 115.217(c), 115.217(c)(3), 115.219 introducto- ry paragraph, 115.219(1) through 115.219(6), 115.221 introductory para- graph, 115.222 introductory paragraph, 115.222(6), 115.223 introductory para- graph, 115.224 introductory paragraph, 115.224(2), 115.225 introductory para- graph, 115.226 introductory paragraph, 115.227 introductory paragraph, 115.229 introductory paragraph, 115.234 intro- ductory paragraph, 115.235 introductory paragraph, 115.236 introductory para- graph, 115.239 introductory paragraph, 115.311(a), 115.311(a)(1), 115.311(a)(2), 115.311(b), 115.311(b)(1), 115.311(b)(2), 115.312(a), 115.312(a)(2), 115.312(b), 115.312(b)(1), 115.312(b)(1)(A), 115.312(b)(1)(B), 115.312(b)(2), 115.313(a) through 115.313(b), 115.315(a), 115.315(b), 115.315(b)(1) through 115.315(b)(7), 115.316 introductory paragraph, 115.316(1), 115.316(2), 115.316(3), 115.317 introducto- ry paragraph, 115.319 introductory paragraph, 115.319(1), 115.319(2), 115.322(a), 115.322(b), 115.322(b)(1) through 115.322(b)(5), 115.323(a), 115.323(a)(2), 115.323(b), 115.323(b)(1), 115.323(b)(2), 115.324(a), 115.324(a)(4), 115.324(b), 115.324(b)(1), 115.324(b)(1)(A) through 115.324(b)(1)(D), 115.324(b)(2), 115.324(b)(2)(A) through 115.324(b)(2)(C), 115.324(b)(3) through 115.324(b)(8), 115.324(b)(8)(A), 115.324(b)(8)(A)(i), 115.324(b)(8)(A)(ii), 115.324(b)(8)(B), 115.325(a), 115.325(b), 115.325(b)(1) through 115.325(b)(3), 115.326(a), 115.326(a)(2), 115.326(b), 115.326(b)(1), 115.326(b)(2), 115.326(b)(2)(A) through 115.326(b)(2)(I), 115.326(b)(3), 115.326(b)(4), 115.327(a), 115.327(a)(2), 115.327(a)(4), 115.327(a)(5), 115.327(b), 115.327(b)(1), 115.327(b)(1)(A) through 115.327(b)(1)(C), 115.327(b)(2) through 115.327(b)(6), 115.329 introductory paragraph, 115.332 intro- ductory paragraph, 115.333 introductory paragraph, 115.334 introductory para- graph, 115.334(3), 115.334(3)(A), 115.335 intro- ductory paragraph, 115.336 introducto- ry paragraph, 115.337 introductory paragraph, 115.337(2) through 115.337(4), 115.337(4)(E), 115.339 introductory para- graph, 115.342 introductory paragraph, 115.343 introductory paragraph, 115.344 introductory paragraph, 115.345 intro- ductory paragraph, 115.346 introductory

paragraph, 115.347 introductory paragraph, 115.347(3), 115.349 introductory paragraph, 115.412(a), 115.412(a)(1)(F)(iv), 115.412(a)(3)(I), 115.412(a)(3)(I)(viii), 115.412(b), 115.412(b)(1), 115.412(b)(1)(A), 115.412(b)(1)(A)(i), 115.412(b)(1)(A)(iii), 115.412(b)(1)(B), 115.412(b)(1)(F), 115.412(b)(1)(F)(i), 115.412(b)(1)(F)(iv), 115.412(b)(2)(A), 115.412(b)(2)(B), 115.412(b)(2)(B)(i), 115.412(b)(2)(B)(iii), 115.412(b)(2)(C), 115.412(b)(2)(D), 115.412(b)(2)(D)(i), 115.412(b)(2)(D)(iv), 115.412(b)(2)(E), 115.412(b)(2)(F), 115.412(b)(2)(F)(i), 115.412(b)(2)(F)(xiii), 115.412(b)(3), 115.412(b)(3)(A), 115.412(b)(3)(A)(i), 115.412(b)(3)(A)(ii), 115.412(b)(3)(B), 115.412(b)(3)(I), 115.412(b)(3)(I)(i) through 115.412(b)(3)(I)(viii), 115.413(a), 115.413(a)(1), 115.413(a)(2), 115.413(b), 115.413(b)(1), 115.413(b)(2), 115.415(a), 115.415(a)(1), 115.415(a)(2), 115.415(b), 115.415(b)(1), 115.415(b)(1)(A), 115.415(b)(1)(B), 115.415(b)(2), 115.415(b)(2)(A) through 115.415(b)(2)(E), 115.416(a), 115.416(b), 115.416(b)(1), 115.416(b)(2), 115.417(a), 115.417(a)(1) through 115.417(a)(6), 115.417(b), 115.417(b)(1) through 115.417(b)(6), 115.419(a) through 115.419(b), 115.421(a), 115.421(a)(8), 115.421(a)(8)(A), 115.421(a)(8)(B), 115.421(a)(8)(C), 115.421(a)(9), 115.421(a)(9)(v), 115.421(a)(11), 115.421(b), 115.421(b)(1) through 115.421(b)(9), 115.421(b)(9)(A), 115.421(b)(9)(A)(i) through 115.421(b)(9)(A)(iv), 115.421(b)(9)(B), 115.421(b)(9)(C), 115.421(b)(10), 115.422(a), 115.422(a)(1), 115.422(a)(2), 115.423(a), 115.423(a)(3), 115.423(a)(4), 115.423(b), 115.423(b)(1) through 115.423(b)(4), 115.424(a), 115.424(a)(1) through 115.424(a)(3), 115.424(a)(2), 115.424(b), 115.424(b)(1), 115.424(b)(2), 115.425(a), 115.425(a)(1), 115.425(a)(2), 115.425(a)(3), 115.425(a)(3)(B), 115.425(a)(4)(C)(ii), 115.425(b), 115.424(b)(1), 115.424(b)(1)(A) through 115.425(b)(1)(E), 115.425(b)(2), 115.424(b)(2)(A) through 115.425(b)(2)(E), 115.426(a), 115.426(a)(1), 115.426(a)(1)(C), 115.426(a)(2), 115.426(a)(2)(B), 115.426(a)(3), 115.426(a)(4), 115.426(b), 115.426(b)(1), 115.426(b)(1)(A) through 115.426(b)(1)(D), 115.426(b)(2), 115.426(b)(2)(A), 115.426(b)(2)(A)(iv), 115.426(b)(2)(B), 115.426(b)(2)(C), 115.427(a), 115.427(a)(1), 115.427(a)(2), 115.427(a)(2)(A), 115.427(a)(2)(B), 115.427(a)(3), 115.427(a)(4), 115.427(a)(5), 115.427(a)(5)(A), 115.427(b), 115.427(b)(1), 115.427(b)(2), 115.427(b)(2)(A) through 115.427(b)(2)(E), 115.427(b)(3), 115.427(b)(3)(A) through 115.427(b)(3)(C), 115.429(a) through 115.429(c), 115.432(a), 115.432(a)(2), 115.432(a)(3), 115.432(b), 115.432(b)(1) through 115.432(b)(3), 115.432(b)(3)(A) through 115.432(b)(3)(C), 115.433(a), 115.433(b), 115.435(a), 115.435(a)(6), 115.435(a)(7), 115.435(a)(7)(C)(ii), 115.435(a)(8), 115.435(b), 115.435(b)(1) through 115.435(b)(7), 115.436(a), 115.436(a)(1), 115.436(a)(2), 114.436(a)(4) through 115.436(a)(6), 115.436(b), 115.436(b)(1) through 115.436(b)(3), 115.436(b)(3)(A) through 115.436(b)(3)(C), 115.436(b)(4), 115.436(b)(5), 115.437(a), 115.437(a)(1) through 115.437(a)(4), 115.437(b), 115.439(a) through 115.439(c), 115.512 introductory paragraph, 115.512 (1) through 115.512(3), 115.513 introductory paragraph, 115.515 introductory paragraph, 115.516 introductory paragraph, 115.517 introductory paragraph, 115.519(a) through 115.519(b), 115.531(a), 115.531(a)(2), 115.531(a)(3), 115.531(b), 115.531(b)(1) through 115.531(b)(3), 115.532(a), 115.532(a)(4), 115.532(a)(5), 115.532(b), 115.532(b)(1)(A), 115.532(b)(1)(B), 115.532(b)(2), 115.532(b)(3), 115.532(b)(3)(A), 115.532(b)(3)(B), 115.532(b)(4), 115.533(a), 115.533(b), 115.534(a), 115.534(b), 115.534(b)(1), 115.534(b)(2), 115.535(a), 115.535(b), 115.535(b)(1) through 115.535(b)(6), 115.536(a), 115.536(a)(1), 115.536(a)(2), 115.536(a)(3), 115.536(a)(4), 115.536(b), 115.536(b)(1), 115.536(b)(2), 115.536(b)(2)(A), 115.536(b)(2)(A)(i) through 115.536(b)(2)(A)(iii), 115.536(b)(2)(B), 115.536(b)(3), 115.536(b)(3)(A), 115.536(b)(3)(B), 115.536(b)(4), 115.536(b)(5), 115.537(a), 115.537(a)(1) through 115.537(a)(7), 115.537(b), 115.537(b)(1) through 115.537(b)(5), 115.539(a), 115.539(b), 115.612 introductory paragraph, 115.613 introductory paragraph, 115.614 introductory paragraph, 115.615 introductory paragraph, 115.615(1), 115.617 introductory

Environmental Protection Agency**§ 52.2299**

paragraph, 115.617(1), 115.619 introductory paragraph.

(D) Texas Air Control Board Order No. 92-16, as adopted on October 16, 1992.

(E) Revisions to the General Rules, as adopted by the Board on October 16, section 101.1: Introductory paragraph, new definition for extreme performance coating; revised definitions for gasoline bulk plant, paragraph vii of miscellaneous metal parts and products coating, mirror backing coating, volatile organic compound.

(F) Revisions to Regulation V, as adopted by the Board on October 16, 1992, sections 115.010—new definition for extreme performance coating; revised definitions for gasoline bulk plant, paragraph vii of miscellaneous metal parts and products coating, mirror backing coating, and volatile organic compound; 115.116 title (Monitoring and Recordkeeping Requirements), 115.116(a)(2), 115.116(a)(3), 115.116(a)(3)(A) through 115.116(a)(3)(C), 115.116(a)(5), 115.116(b)(2), 115.116(b)(3), 115.116(b)(3)(A) through 115.116(b)(3)(D), 115.116(b)(4), 115.116(b)(5), 115.119(a), 115.119(b), 115.126 title (Monitoring and Recordkeeping Requirements), 115.126(a), 115.126(a)(1)(A), 115.126(a)(1)(C), 115.126(a)(1)(E), 115.126(b), 115.126(b)(1), 115.126(b)(1)(A) through 115.126(b)(1)(E), 115.126(b)(2), 115.126(b)(2)(A) through 115.126(b)(2)(D), 115.126(b)(3), 115.126(b)(3)(A), 115.126(b)(3)(B), 115.127(a)(4)(A) through 115.127(a)(4)(C), 115.129(a), 115.129(a)(1), 115.129(b), 115.136 title (Monitoring and Recordkeeping Requirements), 115.136(a)(4), 115.136(b), 115.136(b)(1), 115.136(b)(2), 115.136(b)(2)(A) through 115.136(b)(2)(D), 115.136(b)(3), 115.136(b)(4), 115.139(a), 115.139(b), 115.211(a), 115.211(b), 115.215(a), 115.215(b), 115.216 title (Monitoring and Recordkeeping Requirements), 115.216(a), 115.216(a)(2)(A) through 115.216(a)(2)(C), 115.216(a)(5), 115.216(b), 115.216(b)(1), 115.216(b)(2), 115.216(b)(2)(A) through 115.216(b)(2)(D), 115.216(b)(3), 115.216(b)(3)(A), 115.216(b)(3)(B), 115.216(b)(4), 115.217(a)(6), 115.219(a)(1) through 115.219(a)(4), 115.219(b), 115.316 title (Monitoring and Recordkeeping Requirements), 115.316(a), 115.316(a)(1)(A), 115.316(a)(1)(C), 115.316(a)(4), 115.316(b),

115.316(b)(1), 115.316(b)(1)(A) through 115.316(b)(1)(D), 115.316(b)(2), 115.316(b)(2)(A) through 115.316(b)(2)(C), 115.316(b)(3), 115.316(b)(4), 115.319(a)(1), 115.319(a)(2), 115.319(b), 115.421(a), 115.421(a)(12), 115.421(a)(12)(A), 115.421(a)(12)(A)(i), 115.421(a)(12)(A)(ii), 115.421(a)(12)(B), 115.425(a)(4)(C)(ii), 115.426 title (Monitoring and Recordkeeping Requirements), 115.426(a)(2), 115.426(a)(2)(A)(i), 115.426(b)(2), 115.426(b)(2)(i), 115.427(a)(5)(C), 115.427(a)(6), 115.427(a)(6)(A) through 115.427(a)(6)(C), 115.427(a)(7), 115.429(d), 115.436 title (Monitoring and Recordkeeping Requirements), 115.436(a)(3), 115.436(a)(3)(C), 115.436(b), 115.436(b)(3), 115.436(b)(3)(B) through 115.436(b)(3)(D), 115.439(d), 115.536 title (Monitoring and Recordkeeping Requirements), 115.536(a)(1), 115.536(a)(2), 115.536(a)(2)(A), 115.536(a)(2)(A)(ii), 115.536(a)(5), 115.536(b)(1), 115.536(b)(2), 115.536(b)(2)(A), 115.536(b)(2)(A)(ii) through 115.536(b)(2)(A)(iv), 115.539(c).

(89) A revision to the Texas State Implementation Plan to adopt an attainment demonstration control strategy for lead which addresses that portion of Collin County owned by GNB.

(i) Incorporation by reference.

(A) Texas Air Control Board Order Number 92-09 issued and effective October 16, 1992, for settlement of the enforcement action against the GNB facility at Frisco, Texas.

(B) Texas Air Control Board Order Number 93-10 issued and effective June 18, 1993, for control of lead emissions from the GNB facility at Frisco, Texas.

(C) Texas Air Control Board Order Number 93-12 issued and effective June 18, 1993, establishing contingency measures relating to the GNB facility at Frisco, Texas.

(ii) Additional material.

(A) The lead attainment demonstration prepared by the State, dated July 1993.

(90) A revision to the Texas SIP regarding ozone monitoring. The State of Texas will modify its SLAMS and its NAMS monitoring systems to include a PAMS network design and establish monitoring sites. The State's SIP revision satisfies 40 CFR 58.20(f) PAMS requirements.

(i) Incorporation by reference.

(A) TNRCC Order Number 93-24 as adopted by the TNRCC November 10, 1993.

(B) SIP narrative plan entitled "Revisions to the State Implementation Plan (SIP) for the Control of Ozone Air Pollution" adopted by the TNRCC on November 10, 1993, addressing: 1993 Rate-of-Progress SIP for Dallas/Fort Worth, El Paso, Beaumont/Port Arthur and Houston/Galveston Ozone Non-attainment Areas, Section VI: Control Strategy, B. Ozone Control Strategy, 7. SIP Revisions for 1993 Rate-of-Progress (new.), a. Ozone Control Plan, 1) General, f) Photochemical Assessment Monitoring Stations, page 87, second paragraph, first sentence; third paragraph; fourth paragraph; and, the fifth paragraph which ends on page 88; page 88, first complete paragraph, including numbers (1), (2) and (3).

(ii) Additional material.

(A) The Texas SIP revision narrative regarding PAMS.

(B) TNRCC certification letter dated November 10, 1993, and signed by Gloria A. Vasquez, Chief Clerk, TNRCC.

(91)-(92) [Reserved]

(93) A revision to the Texas State Implementation Plan (SIP) to include agreed orders limiting sulfur dioxide (SO₂) allowable emissions at certain nonpermitted facilities in Harris County, and to include a modeling demonstration showing attainment of the SO₂ National Ambient Air Quality Standards, was submitted by the Governor by cover letter dated August 3, 1994.

(i) Incorporation by reference.

(A) Texas Natural Resource Conservation Commission (TNRCC) Order No. 94-09, as adopted by the TNRCC on June 29, 1994.

(B) TNRCC Order No. 94-10 for Anchor Glass Container, as adopted by the TNRCC on June 29, 1994.

(C) TNRCC Order No. 94-11 for Crown Central Petroleum Corporation, as adopted by the TNRCC on June 29, 1994.

(D) TNRCC Order No. 94-12 for Elf Atochem North America, Inc., as adopted by the TNRCC on June 29, 1994.

(E) TNRCC Order No. 94-13 for Exxon Company USA, as adopted by the TNRCC on June 29, 1994.

(F) TNRCC Order No. 94-14 for ISK Biosciences Corporation, as adopted by the TNRCC on June 29, 1994.

(G) TNRCC Order No. 94-15 for Lyondell Citgo Refining Company, LTD., as adopted by the TNRCC on June 29, 1994.

(H) TNRCC Order No. 94-16 for Lyondell Petrochemical Company, as adopted by the TNRCC on June 29, 1994.

(I) TNRCC Order No. 94-17 for Merichem Company, as adopted by the TNRCC on June 29, 1994.

(J) TNRCC Order No. 94-18 for Mobil Mining and Minerals Company, as adopted by the TNRCC on June 29, 1994.

(K) TNRCC Order No. 94-19 for Phibro Energy USA, Inc., as adopted by the TNRCC on June 29, 1994.

(L) TNRCC Order No. 94-20 for Shell Chemical and Shell Oil, as adopted by the TNRCC on June 29, 1994.

(M) TNRCC Order No. 94-21 for Shell Oil Company, as adopted by the TNRCC on June 29, 1994.

(N) TNRCC Order No. 94-22 for Simpson Pasadena Paper Company, as adopted by the TNRCC on June 29, 1994.

(ii) Additional material.

(A) May 27, 1994, letter from Mr. Norman D. Radford, Jr. to the TNRCC and the EPA Region 6 requesting approval of an equivalent method of monitoring sulfur in fuel and an equivalent method of determining compliance.

(B) June 28, 1994, letter from Anthony C. Grigsby, Executive Director, TNRCC, to Crown Central Petroleum Corporation, approving an alternate monitoring and compliance demonstration method.

(C) June 28, 1994, letter from Anthony C. Grigsby, Executive Director, TNRCC, to Exxon Company USA, approving an alternate monitoring and compliance demonstration method.

(D) June 28, 1994, letter from Anthony C. Grigsby, Executive Director, TNRCC, to Lyondell Citgo Refining Co., LTD., approving an alternate monitoring and compliance demonstration method.

(E) June 28, 1994, letter from Anthony C. Grigsby, Executive Director, TNRCC, to Phibro Energy, USA, Inc., approving an alternate monitoring and compliance demonstration method.

(F) June 28, 1994, letter from Anthony C. Grigsby, Executive Director,

TNRCC, to Shell Oil Company, approving an alternate monitoring and compliance demonstration method.

(G) June 8, 1994, letter from Mr. S. E. Pierce, Mobil Mining and Minerals Company, to the TNRCC requesting approval of an alternative quality assurance program.

(H) June 28, 1994, letter from Anthony C. Grigsby, Executive Director, TNRCC, to Mobil Mining and Minerals Company, approving an alternative quality assurance program.

(I) August 3, 1994, narrative plan addressing the Harris County Agreed Orders for SO₂, including emission inventories and modeling analyses (i.e. the April 16, 1993, report entitled "Evaluation of Potential 24-hour SO₂ Non-attainment Area in Harris County, Texas-Phase II" and the June, 1994, addendum).

(J) TNRCC certification letter dated June 29, 1994, and signed by Gloria Vasquez, Chief Clerk, TNRCC.

(94) Revisions to the Texas SIP addressing visible emissions requirements were submitted by the Governor of Texas by letters dated August 21, 1989, January 29, 1991, October 15, 1992 and August 4, 1993.

(i) Incorporation by reference.

(A) Revisions to Texas Air Control Board (TACB), Regulation I, Section 111.111, "Requirements for Specified Sources;" Subsection 111.111(a) (first paragraph) under "Visible Emissions;" Subsections 111.111(a)(1) (first paragraph), 111.111(a)(1)(A), 111.111(a)(1)(B) and 111.111(a)(1)(E) under "Stationary Vents;" Subsection 111.111(b) (first paragraph) under "Compliance Determination Exclusions;" and Subsections 111.113 (first paragraph), 111.113(1), 111.113(2), and 111.113(3) under "Alternate Opacity Limitations," as adopted by the TACB on June 16, 1989.

(B) TACB Board Order No. 89-03, as adopted by the TACB on June 16, 1989.

(C) Revisions to Texas Air Control Board (TACB), Regulation I, Section 111.111, "Requirements for Specified Sources;" Subsections 111.111(a)(4)(A) and 111.111(a)(4)(B)(i) under "Railroad Locomotives or Ships;" Subsections 111.111(a)(5)(A) and 111.111(a)(5)(B)(i) under "Structures;" and Subsections 111.111(a)(6)(A) and 111.111(a)(6)(B)(i)

under "Other Sources," as adopted by the TACB on October 12, 1990.

(D) TACB Board Order No. 90-12, as adopted by the TACB on October 12, 1990.

(E) Revisions to Texas Air Control Board (TACB), Regulation I, Section 111.111, "Requirements for Specified Sources;" Subsections 111.111(a)(1)(C), 111.111(a)(1)(D), 111.111(a)(1)(F) (first paragraph), 111.111(a)(1)(F)(i), 111.111(a)(1)(F)(ii), 111.111(a)(1)(F)(iii), 111.111(a)(1)(F)(iv), and 111.111(a)(1)(G) under "Stationary Vents;" Subsections 111.111(a)(2) (first paragraph), 111.111(a)(2)(A), 111.111(a)(2)(B), and 111.111(a)(2)(C) under "Sources Requiring Continuous Emissions Monitoring;" Subsection 111.111(a)(3) (first paragraph) under "Exemptions from Continuous Emissions Monitoring Requirements;" Subsection 111.111(a)(4), "Gas Flares," title only; Subsection 111.111(a)(5) (first paragraph) under "Motor Vehicles;" Subsections 111.111(a)(6)(A), 111.111(a)(6)(B) (first paragraph), 111.111(a)(6)(B)(i) and 111.111(a)(6)(B)(ii) under "Railroad Locomotives or Ships" (Important note, the language for 111.111(a)(6)(A) and 111.111(a)(6)(B)(i) was formerly adopted as 111.111(a)(4)(A) and 111.111(a)(4)(B)(i) on October 12, 1990); Subsections 111.111(a)(7)(A), 111.111(a)(7)(B) (first paragraph), 111.111(a)(7)(B)(i) and 111.111(a)(7)(B)(ii) under "Structures" (Important note, the language for 111.111(a)(7)(A) and 111.111(a)(7)(B)(i) was formerly adopted as 111.111(a)(5)(A) and 111.111(a)(5)(B)(i) on October 12, 1990); and Subsections 111.111(a)(8)(A), 111.111(a)(8)(B) (first paragraph), 111.111(a)(8)(B)(i) and 111.111(a)(8)(B)(ii) under "Other Sources" (Important note, the language for 111.111(a)(8)(A) and 111.111(a)(8)(B)(i) was formerly adopted as 111.111(a)(6)(A) and 111.111(a)(6)(B)(i) on October 12, 1990), as adopted by the TACB on September 18, 1992.

(F) TACB Board Order No. 92-19, as adopted by the TACB on September 18, 1992.

(G) Revisions to Texas Air Control Board (TACB), Regulation I, Section 111.111, "Requirements for Specified Sources;" Subsections 111.111(a)(4)(A) (first paragraph), 111.111(a)(4)(A)(i), 111.111(a)(4)(A)(ii), and 111.111(a)(4)(B)

under “Gas Flares,” as adopted by the TACB on June 18, 1993.

(H) TACB Board Order No. 93-06, as adopted by the TACB on June 18, 1993.

(ii) Additional material.

(A) TACB certification letter dated July 27, 1989, and signed by Allen Eli Bell, Executive Director, TACB.

(B) TACB certification letter dated January 9, 1991, and signed by Steve Spaw, Executive Director, TACB.

(C) TACB certification letter dated October 1, 1992, and signed by William Campbell, Executive Director, TACB.

(D) TACB certification letter dated July 13, 1993, and signed by William Campbell, Executive Director, TACB.

(95) Alternate emission reduction (bubble) plan for the Shell Oil Company’s Deer Park manufacturing complex submitted to the EPA by the Governor of Texas in a letter dated July 26, 1993.

(i) Incorporation by reference.

(A) TACB Order 93-11, as adopted by the TACB on June 18, 1993.

(B) SIP narrative entitled, “Site-Specific State Implementation Plan,” section IV.H.1.b., attachment (4), entitled, “Alternate Emission Reduction (“Bubble”) Plan Provisions for Uncontrolled Vacuum-Producing Vents, Shell Oil Company, Deer Park Manufacturing Complex, HG-0659-W,” adopted by the TACB on June 18, 1993.

(ii) Additional material.

(A) SIP narrative entitled, “Site-Specific State Implementation Plan,” section IV.H.1.b., adopted by the TACB on June 18, 1993.

(B) TACB certification letter dated July 5, 1993, and signed by William R. Campbell, Executive Director, TACB.

(96) A revision to the Texas State Implementation Plan for Transportation Conformity: Regulation 30 TAC Chapter 114 “Control of Air Pollution from Motor Vehicles”, Section 114.27 “Transportation Conformity” as adopted by the Texas Natural Resource Conservation Commission (TNRCC) on October 19, 1994, was submitted by the Governor on November 6, 1994. No action is taken on a portion of 30 TAC 114.27(c) that contains provisions of 40 CFR 51.448.

(i) Incorporation by reference.

(A) The TNRCC 30 TAC Chapter 114 “Control of Air Pollution from Motor

Vehicles”, 114.27 “Transportation Conformity” as adopted by the TNRCC on October 19, 1994. No action is taken on a portion of 30 TAC 114.27(c) that contains provisions of 40 CFR 51.448.

(B) TNRCC order No. 94-40 as passed and approved on October 12, 1994.

(ii) Additional material. None.

(97) Revisions to the Texas SIP addressing revisions to the Texas Air Control Board (TACB) General Rules, 31 Texas Administrative Code (TAC) Chapter 101, “General Rules”, section 101.1, “Definitions”, and revisions to TACB Regulation VI, 31 TAC Chapter 116, “Control of Air Pollution by Permits for New Construction or Modification,” were submitted by the Governor of Texas by letters dated December 11, 1985, October 26, 1987, February 18, 1988, September 29, 1988, December 1, 1989, September 18, 1990, November 5, 1991, May 13, 1992, November 13, 1992, and August 31, 1993.

(i) Incorporation by reference.

(A) Revisions to TACB Regulation VI, 31 TAC Chapter 116, sections 116.2 and 116.10(a)(4), as adopted by the TACB on July 26, 1985.

(B) TACB Board Order No. 85-07, as adopted by the TACB on July 26, 1985.

(C) Amended TACB Regulation VI, 31 TAC Chapter 116, section 116.10(a)(3) as adopted by the TACB on July 17, 1987.

(D) TACB Board Order No. 87-09, as adopted by the TACB on July 17, 1987.

(E) Amended TACB Regulation VI, 31 TAC Chapter 116, sections 116.10(a)(1), 116.10(c)(1), 116.10(c)(1)(A), 116.10(c)(1)(B), 116.10(c)(1)(C) and 116.10(f), as adopted by the TACB on December 18, 1987.

(F) TACB Board Order No. 87-17, as adopted by the TACB on December 18, 1987.

(G) Amended TACB Regulation VI, 31 TAC Chapter 116, redesignation of section 116.1 to 116.1(a), revision to section 116.1(b), and redesignation of 116.10(a)(6) to 116.10(a)(7), as adopted by the TACB on July 15, 1988.

(H) TACB Board Order No. 88-08, as adopted by the TACB on July 15, 1988.

(I) Amended TACB Regulation VI, 31 TAC Chapter 116, sections 116.1(a), 116.3(f), 116.5, 116.10(a)(7), 116.10(b)(1), 116.10(d), 116.10(e), 116.11(b)(3), 116.11(e), and 116.11(f), as adopted by the TACB on August 11, 1989.

(J) TACB Board Order No. 89-06, as adopted by the TACB on August 11, 1989.

(K) Amended TACB Regulation VI, 31 TAC Chapter 116, sections 116.1(c), 116.3(a)(1), 116.3(a)(1)(A), and 116.3(a)(1)(B), as adopted by the TACB on May 18, 1990.

(L) TACB Board Order No. 90-05, as adopted by the TACB on May 18, 1990.

(M) Amended TACB Regulation VI, 31 TAC Chapter 116, section 116.1(a)(15), as adopted by the TACB on September 20, 1991.

(N) TACB Board Order No. 91-10, as adopted by the TACB on September 20, 1991.

(O) Revisions to TACB General Rules, 31 TAC Chapter 101 to add definitions of "actual emissions"; "allowable emissions"; "begin actual construction"; "building, structure, facility, or installation"; "commence"; "construction"; "de minimis threshold"; "emissions unit"; "federally enforceable"; "necessary preconstruction approvals or permits"; "net emissions increase"; "nonattainment area"; "reconstruction"; "secondary emissions"; and "synthetic organic chemical manufacturing process" and to modify definitions of "fugitive emission"; "major facility/stationary source"; and "major modification" (except for Table I), as adopted by the TACB on May 8, 1992.

(P) Amended TACB Regulation VI, 31 TAC Chapter 116, sections 116.3(a)(1), (3), (4), (5), (7), (8), (9), (10), (11), (12), and (13); 116.3(c)(1); and 116.11(b)(4), as adopted by the TACB on May 8, 1992.

(Q) TACB Board Order No. 92-06, as adopted by the TACB on May 8, 1992.

(R) Amended TACB Regulation VI, 31 TAC Chapter 116, sections 116.3(a); 116.3(a)(7) and (10); 116.3(c); and 116.14 as, adopted by the TACB on October 16, 1992.

(S) TACB Board Order No. 92-18, adopted by the TACB on October 16, 1992.

(T) Amended TACB Regulation VI, 31 TAC Chapter 116, Table I, as adopted in section 116.012 by the TACB on August 16, 1993, is approved and incorporated into section 101.1 in lieu of Table I adopted May 8, 1992.

(U) TACB Board Order No. 93-17, as adopted by the TACB on August 16, 1993

(ii) Additional materials—None.

(98)–(99) [Reserved]

(100) A revision to the Texas State Implementation Plan (SIP) to adopt an alternate control strategy for the surface coating processes at the Bell Helicopter Textron, Incorporated (Bell) Plant 1 Facility.

(i) Incorporation by reference.

(a) Texas Natural Resource Conservation Commission Agreed Order for Docket No. 95-1642-SIP, issued and effective April 2, 1996, for Bell's Plant 1 facility.

(b) A letter from the Governor of Texas dated April 18, 1996, submitting to the EPA the Agreed Order and the site-specific SIP revision for Bell.

(ii) Additional material.

(a) The site-specific revision to the Texas State Implementation Plan for Bell, dated January 16, 1996.

(b) The alternate reasonably available control technology demonstration prepared by Bell, dated December 1995.

(101) Revisions to Texas Natural Resource Conservation Commission Regulation II and the Texas State Implementation Plan concerning the Control of Air Pollution from Sulfur Compounds, submitted by the Governor by cover letters dated October 15, 1992 and September 20, 1995. These revisions relax the SO₂ limit from 3.0 lb/MMBtu to 4.0 lb/MMBtu, and include Agreed Order No. 95-0583-SIP, which stipulates specific SO₂ emission limit compliance methodologies for the Aluminum Company of America, located in Rockdale, Texas.

(i) Incorporation by reference.

(A) Texas Natural Resource Conservation Commission Agreed Order No. 95-0583-SIP, approved and effective on August 23, 1995.

(B) Revisions to 30 TAC Chapter 112, Section 112.8 'Allowable Emission Rates from Solid Fossil Fuel-Fired Steam Generators,' Subsections 112.8(a) and 112.8(b) as adopted by the Texas Air Control Board on September 18, 1992, and effective on October 23, 1992.

(ii) Additional material.

(A) The State submittal entitled, "Revisions to the State Implementation Plan Concerning Sulfur Dioxide in Milam County," dated July 26, 1995, including Appendices G-2-1 through G-2-6.

(B) The document entitled *Dispersion Modeling Analysis of ALCOA Rockdale Operations, Rockdale, Texas*, dated April 28, 1995 (document No. 1345-05).

(102) The Governor of Texas submitted on August 31, 1993, and July 12, 1995, revisions to the Texas State Implementation Plan for Prevention of Significant Deterioration adopted by TACB on August 16, 1993, and by Texas Natural Resource Conservation Commission (TNRCC) on March 1, 1995. The revisions adopted on August 16, 1993, were a comprehensive recodification of and revisions to the existing requirements. The revision adopted on March 1, 1995, amended the recodified Section 116.160(a) to incorporate the PM-10 PSD increments.

(i) Incorporation by reference.

(A) TACB Board Order Number 93-17, as adopted by TACB on August 16, 1993.

(B) Recodified and revised Regulation VI—Control of Air Pollution by Permits for New Construction or Modification, as adopted by TACB on August 16, 1993, Repeal of 31 TAC Sections 116.3(a)(9), 116.3(a)(11), 116.3(a)(12), 116.3(14), and 116.11(b) (1)–(4); New Sections 116.160 introductory paragraph, 116.160 (a)–(d), 116.161, 116.162 introductory paragraph, 116.162 (1)–(4), 116.163 (a)–(e) and 116.141 (a),(c)–(e).

(C) Revisions to Regulation VI—Control of Air Pollution by Permits for New Construction or Modification: as adopted by Texas Natural Resource Conservation Commission (TNRCC) on August 16, 1993. New Section 116.010, definition of *de minimis* impact.

(D) Revision to General Rules, as adopted by Texas Natural Resource Conservation Commission (TNRCC) on August 16, 1993, Repeal Section 101.1 definition of *de minimis* impact.

(E) Texas Natural Resource Conservation Commission (TNRCC) Commission Order Docket Number 95-0276-RUL, as adopted by Texas Natural Resource Conservation Commission (TNRCC) on March 1, 1995.

(F) Revision to Regulation VI—Control of Air Pollution by Permits for New Construction or Modification, revised 30 TAC Section 116.160(a), as adopted by Texas Natural Resource Conservation Commission (TNRCC) on March 1, 1995.

(103) Revisions to the Texas SIP addressing VOC RACT Negative Declarations. A revision to the Texas SIP was submitted on January 10, 1996, which included negative declarations for various categories. Section 172(c)(1) of the Clean Air Act Amendments of 1990 requires nonattainment areas to adopt, at a minimum, the reasonably available control technology (RACT) to reduce emissions from existing sources. Pursuant to section 182(b)(2) of the Act, for moderate and above ozone nonattainment areas, the EPA has identified 13 categories for such sources and developed the Control Technique Guidelines (CTGs) or Alternate Control Techniques (ACTs) documents to implement RACT at those sources. When no major volatile organic compound (VOC) sources for a source category exist in a nonattainment area, a State may submit a negative declaration for that category. Texas submitted negative declarations for the areas and source categories listed in this paragraph (c)(103). For the Beaumont/Port Arthur region, negative declarations were submitted for the following eight categories: clean-up solvents, aerospace coatings, shipbuilding and repair, wood furniture, plastic part coatings-business machines, plastic part coatings-others, autobody refinishing, and offset lithography. For Dallas/Fort Worth, negative declarations were submitted for six categories: industrial wastewater, clean-up solvents, shipbuilding and repair, autobody refinishing, plastic part coatings-business machines, and offset lithography. For the Houston/Galveston area, negative declarations were submitted for seven categories: clean-up solvents, aerospace coatings, wood furniture, plastic part coatings-business machines, plastic part coatings-others, autobody refinishing, and offset lithography. For El Paso, negative declarations were submitted for nine categories: industrial wastewater, clean-up solvents, aerospace coatings, shipbuilding and repair, wood furniture, plastic part coatings-business machines, plastic part coatings-others, autobody refinishing, and offset lithography. This submittal satisfies section 182(b)(2) of the Clean Air Act Amendments of 1990 for these particular CTG/ACT source

categories for the Texas ozone non-attainment areas stated in this paragraph (c)(103).

(i) Incorporation by reference. The letter dated January 10, 1996, from the Governor of Texas to the Regional Administrator, submitting the Post-1996 Rate of Progress Plan as a revision to the SIP, which included VOC RACT negative declarations.

(ii) Additional material. Pages 53, 55 through 59, 61, 63, and 64 of the Post-1996 Rate of Progress Plan, adopted by the Texas Natural Resource Conservation Commission on December 13, 1995.

(104) Revisions to the Texas State Implementation Plan, submitted to the EPA in letters dated November 13, 1993, May 9, 1994, August 3, 1994, and November 14, 1994. These control measures can be found in the 15 Percent Plans for the Beaumont/Port Arthur, Dallas/Fort Worth, El Paso and Houston/Galveston ozone nonattainment areas. These control measures are being approved for the purpose of strengthening of the SIP.

(i) Incorporation by reference.

(A) Revisions to the General Rules as adopted by the Texas Natural Resource Conservation Commission on November 10, 1993; Section 101.1—New Definitions for Alcohol Substitutes (used in offset lithographic printing), Automotive basecoat/clearcoat system (used in automobile refinishing), Automotive precoat (used in automobile refinishing), Automotive pretreatment (used in automobile refinishing), Automotive sealers (used in automobile refinishing), Automotive specialty coatings (used in automobile refinishing), Automotive three-stage system (used in automobile refinishing), Batch (used in offset lithographic printing), Cleaning solution (used in offset lithographic printing), Fountain Solution (used in offset lithographic printing), Hand-held lawn and garden and utility equipment, Heatset (used in Offset lithographic Printing), HVLP spray guns, Industrial Solid Waste introductory paragraph and (A)–(C), Lithography (used in offset lithographic printing), Marine terminal, Marine vessel, Municipal solid waste facility, Municipal solid waste landfill, Municipal solid waste landfill emissions, Non-heatset (used in offset lithographic printing), Offset lithog-

raphy, Sludge, Solid waste introductory paragraph and (A)–(C), Synthetic Organic Chemical Manufacturing Industry batch distillation operation, Synthetic Organic Chemical Manufacturing Industry batch process, Synthetic Organic Chemical Manufacturing Industry distillation operation, Synthetic Organic Chemical Manufacturing Industry distillation unit, Synthetic Organic Chemical Manufacturing Industry reactor process, Transport vessel, Utility engines, Vapor recovery system, VOC introductory paragraph and (A)–(D).

(B) Revisions to Regulation V, as adopted by the Commission on November 10, 1993; Section 115.010. new definitions for Alcohol substitutes (used in offset lithographic printing), Automotive basecoat/clearcoat system (used in automobile refinishing), Automotive precoat (used in automobile refinishing), Automotive pretreatment (used in automobile refinishing), Automotive sealers (used in automobile refinishing), Automotive specialty coatings (used in automobile refinishing), Automotive three-stage system (used in automobile refinishing), Batch (used in offset lithographic printing), Cleaning solution (used in offset lithographic printing), Fountain Solution (used in offset lithographic printing), Hand-held lawn and garden and utility equipment, Heatset (used in Offset lithographic Printing), High-volume low-pressure spray guns, Industrial solid waste introductory paragraph and (A)–(C), Leakless Valve, Lithography (used in offset lithographic printing) Marine terminal, Marine vessel, Municipal solid waste facility, Municipal solid waste landfill, Municipal solid waste landfill emissions, Non-heatset (used in offset lithographic printing), Offset lithography, Owner or operator of a motor vehicle dispensing facility (as used in §§ 115.241–115.249 of this title, relating to Control of Vehicle Refueling Emissions (Stage II) at Motor Fuel Dispensing Facilities), Sludge, Solid waste introductory paragraph and (A)–(C), Synthetic Organic Chemical Manufacturing Industry batch distillation operation, Synthetic Organic Chemical Manufacturing Industry batch process, Synthetic Organic Chemical Manufacturing Industry distillation operation,

Synthetic Organic Chemical Manufacturing Industry distillation unit, Synthetic Organic Chemical Manufacturing Industry reactor process, Transport vessel, Utility Engines, Vapor recovery system, Volatile Organic Compound introductory and (A)–(D). Revised sections 115.121(a)(1), 115.121(a)(2), 115.121(a)(3), 115.121(a)(4), 115.122(a)(2), 115.122(a)(3), 115.122(a)(3)(A), 115.122(a)(3)(B), 115.123(a), 115.123(a)(1), 115.123(a)(2), 115.126(a)(1), 115.126(a)(1)(C), 115.126(b)(1)(C), 115.127(a)(1), 115.127(a)(2), 115.127(a)(3), 115.127(a)(4), 115.127(a)(5), 115.127(a)(5)(A), 115.127(a)(5)(B), 115.127(a)(5)(C), 115.129(a)(1), 115.129(a)(2), 115.129(a)(3), 115.129(a)(4), 115.152(a)(2), 115.152(a)(2)(A)–115.152(a)(2)(C), 115.152(a)(3), 115.152(b), 115.152(b)(1), 115.152(b)(2), 115.152(b)(3), 115.155 introductory paragraph, 115.155(1), 115.155(4), 115.155(5), 115.155(6), 115.155(7), 115.155(9), 115.156(1), 115.156(3), 115.156(3)(B), 115.156(3)(C), 115.156(3)(D), 115.156(3)(D)(i)–115.156(3)(D)(iii), 115.156(3)(E), 115.156(3)(E)(i), 115.156(3)(E)(ii), 115.211(a)(1), 115.211(b), 115.212(a)(1), 115.212(a)(2), 115.212(a)(3), 115.212(a)(4), 115.212(a)(5)(A), 115.212(a)(5)(A)(i), 115.212(a)(5)(A)(ii), 115.212(a)(5)(B), 115.212(a)(6), 115.212(a)(7), previously approved 115.212(a)(4)(A) now redesignated 115.212(a)(8)(A), 115.212(a)(8)(B), 115.212(a)(8)(C), 115.212(a)(9)(A)–115.212(a)(9)(D), 115.212(a)(10)(A), 115.212(a)(10)(B), 115.212(b), 115.212(b)(1), 115.212(b)(2), 115.212(b)(3), 115.212(b)(3)(A), 115.212(b)(3)(A)(i), 115.212(b)(3), 115.217(a)(11)(B) (note that 115.217(a)(11)(A) and 115.217(a)(11)(B) were moved to 115.217(a)(9)(A) and 115.217(a)(9)(B) in the May 9, 1994 adoption without revisions, 115.217(b)(1), 115.217(b)(2)(A)–115.217(b)(2)(C), 115.217(b)(3), 115.217(b)(4), 115.217(b)(4)(A)–115.217(b)(4)(C), 115.217(b)(5), 115.217(b)(5)(A), 115.217(b)(5)(B), 115.217(c)(1), 115.217(c)(2)(A)–115.217(c)(2)(C), 115.217(c)(3), 115.217(c)(4), 115.217(c)(4)(A)–115.217(c)(4)(C), 115.217(c)(5), 115.217(c)(5)(A), 115.217(c)(5)(B), 115.219(b), 115.222(1), 115.222(5), 115.222(6), 115.222(7), 115.222(8), 115.222(9), 115.222(10), 115.222(11), 115.226 introductory paragraph, 115.226(1), 115.226(2), 115.226(2)(A), 115.226(2)(B), 115.227(1), 115.227(2), 115.227(3), 115.227(3)(A), 115.227(3)(B), 115.229(a), 115.229(b), 115.229(c), 115.229(c)(1), 115.229(c)(2), 115.234 introductory paragraph, 115.234(1), 115.234(2), 115.235(1), 115.235(4), 115.236 introductory paragraph, 115.236(1), 115.237(1), 115.237(2), 115.237(3), 115.239(a), 115.239(b), 115.242(1), 115.242(1)(A), 115.242(1)(B), 115.242(2), 115.242(2)(A)–115.242(2)(F), 115.242(3), 115.242(3)(A), 115.242(3)(B), 115.242(3)(C), 115.242(3)(C)(i)–115.242(3)(C)(iii), 115.242(3)(D)–115.242(3)(K), 115.242(4), 115.242(5), 115.242(6), 115.242(7), 115.242(8), 115.242(9), 115.242(9)(A)–115.242(9)(C), 115.242(10), 115.242(10)(A), 115.242(10)(B), 115.242(11), 115.242(12), 115.242(12)(A)–115.242(12)(C), 115.243 introductory paragraph, 115.243(1), 115.243(2), 115.244 introductory paragraph, 115.244(1), 115.244(2), 115.244(3), 115.244(4), 115.245 introductory paragraph, 115.245(1), 115.245(1)(A), 115.245(1)(A)(i)–115.245(1)(A)(iv), 115.245(1)(B), 115.245(1)(C), 115.245(1)(D), 115.245(2), 115.245(3), 115.245(3)(A)–115.245(3)(C), 115.245(4), 115.245(5), 115.245(5)(A), 115.245(5)(B), 115.245(6), 115.246(1), 115.246(2), 115.246(3), 115.246(4), 115.246(5), 115.246(6), 115.246(7), 115.246(7)(A), 115.246(7)(B), 115.247(2), 115.248(1), 115.248(1)(A), 115.248(1)(B), 115.248(3), 115.248(3)(A)–115.248(3)(E), 115.248(4), 115.248(4)(A), 115.248(4)(B), 115.248(4)(B)(i), 115.248(4)(B)(ii), 115.249(1), 115.249(2), 115.249(3), 115.249(4), 115.324(a)(8)(A)(iii), 115.334(3)(A)(iii). New sections 115.352, 115.353, 115.354, 115.355, 115.356, 115.357, and 115.359. Revised sections 115.421(a)(8)(B), 115.421(a)(8)(B)(i), 115.421(a)(8)(C), 115.421(a)(8)(C)(i)–115.421(a)(8)(C)(ix), 115.421(a)(8)(D), 115.421(a)(11), 115.422 introductory paragraph, 115.422(1), 115.422(2), 115.426(a)(1)(B), 115.426(a)(2)(A)(iii), 115.426(b)(1)(B), 115.426(b)(2)(A)(iii), 115.427(a)(1)(B), 115.427(a)(2), 115.427(a)(3), 115.427(a)(4), 115.427(a)(4)(A)–115.427(a)(4)(E), 115.427(a)(5), 115.427(a)(6), deletion of 115.427(a)(7), 115.429(a), 115.429(b), 115.429(c). New Subchapter E: Offset Lithography, sections 115.442, 115.443, 115.445, 115.446, 115.449, and new Subchapter F: Miscellaneous Industrial Sources, Degassing or Cleaning of Stationary and Transport Vessels, sections 115.541, 115.542, 115.543, 115.544, 115.545,

Environmental Protection Agency

§ 52.2299

115.546, 115.547, 115.549. Revised sections 115.910(b), 115.930, 115.932, 115.940. New Subchapter J: Administrative Provisions, Standard Permits, section 115.950.

(C) Texas Natural Resources Conservation Commission Order No. 93-20 as adopted November 10, 1993.

(D) Revisions to the General Rules as adopted by the Commission on May 4, 1994; 101.1 new definitions for Alcohol (used in offset lithographic printing), Bakery oven, Clear coat (used in wood parts and products coating), Clear sealers (used in wood parts and products coating), Final repair coat (used in wood parts and products coating), Opaque ground coats and enamels (used in wood parts and products coating), Semitransparent spray stains and toners (used in wood parts and products coating), Semitransparent wiping and glazing stains (used in wood parts and products coating), Shellacs (used in wood parts and products coating), Surface coating processes (M) Wood parts and Products Coating, Topcoat (used in wood parts and products coatings), Varnishes (used in wood parts and products coatings), Wash coat (used in wood parts and products coating).

(E) Revisions to Regulation V as adopted by the Commission on May 4, 1994; 115.10 new Definitions for Alcohol (used in offset lithographic printing), Bakery oven, Clear coat (used in wood parts and products coating), Clear sealers (used in wood parts and products coating), Continuous monitoring, Final repair coat (used in wood parts and products coating), Leak-free marine vessel, Marine loading facility, Marine terminal, Opaque ground coats and enamels (used in wood part 115.541(b)(2), 115.541(b)(3), 115.541(b)(4), 115.541(b)(5), 115.542(a), 115.543, 115.544 introductory paragraph, 115.545 introductory paragraph, 115.546 introductory paragraph, 115.547 introductory paragraph, 115.549(a), 115.549(b), 115.549(c), new sections 115.552, 115.553, 115.555, 115.556, 115.557, 115.559, repeal of sections 115.612, 115.613, 115.614, 115.615, 115.617, 115.619, new sections 115.600, 115.610, 115.612, 115.613, 115.614, 115.615, 115.616, 115.617, and 115.619.

(F) Texas Natural Resource Conservation Commission Order No. 94-06 as adopted May 4, 1994.

(G) Revision to Regulation V as adopted by the Commission on July 13, 1994; new sections 115.901, 115.910, 115.911, 115.912, 115.913, 115.914, 115.915, 115.916, 115.920, 115.923.

(H) Texas Natural Resource Conservation Commission Order No. 94-26 as adopted July 13, 1994.

(I) Texas Natural Resource Conservation Commission Order No. 94-0676-SIP as adopted November 9, 1994.

(ii) Additional material.

(A) Appendix A of the Revision to the Texas SIP adopted by the Commission on November 9, 1994 concerning alternate means of control.

(105) Revisions to the Texas State Implementation Plan, submitted to EPA in letters dated January 11, 1995; July 12, 1995; November 10, 1995; January 10, 1996; March 13, 1996; August 9, 1996 and May 21, 1997. Sections 115.122(a)(3), 126(a)(4), 126(a)(5), 127(a)(5) and 129(2)-129(5) pertaining to bakeries, 115.140-115.149 pertaining to Industrial Wastewater, 115.421(a)(13) pertaining to wood coating, and 115.152-115.159 pertaining to municipal waste landfills retain their limited approval as revised in these SIP revisions because they strengthen the SIP. All other sections of these SIP revisions receive full approval.

(i) Incorporation by Reference.

(A) Revisions to the General Rules as adopted by the Texas Natural Resources Conservation Commission (Commission) on January 4, 1995, effective January 27, 1995, Section 101.10(a)(1).

(B) Revisions to Regulation V, as adopted by the Commission on January 4, 1995, effective on January 27, 1995, Sections 115.112(c), 115.112(c)(2)(A), 115.112(c)(3), 115.113(a), 115.113(b), 115.113(c), 115.115(a)(7), 115.115(b)(7), 115.116(a)(2), 115.116(a)(2)(A)-115.116(a)(2)(J), 115.117(c), 115.119 introductory paragraph, 115.121(b), 115.122(a)(4)(B), 115.123(a)(1), 115.127(a)(5)(C), 115.127(b)(2)(A), 115.127(b)(2)(B), 115.143 introductory paragraph, 115.147(6), 115.149(a), 115.149(b), 115.159(a), 115.219(c).

(C) Certification dated January 4, 1995 that copies of revisions to General Rules and Regulation V adopted by the Commission on January 4, 1995, and submitted to EPA on January 11, 1995,

are true and correct copies of documents on file in the permanent records of the Commission.

(D) Revisions to Regulation V, as adopted by the Commission on May 24, 1995, effective June 16, 1995, Sections 115.212(a)(1), 115.212(a)(2), 115.212(a)(5)(A)(i), 115.212(a)(5)(A)(ii), 115.212(a)(5)(C), 115.212(a)(5)(C)(i), 115.212(a)(5)(C)(ii), 115.212(a)(5)(D), 115.212(a)(10)(C), 115.212(a)(10)(C)(i), 115.212(a)(10)(C)(ii), 115.212(a)(12)(B), 115.212(b)(1), 115.212(b)(3)(A), 115.212(b)(3)(A)(i), 115.212(b)(3)(A)(ii), 115.212(b)(3)(C), 115.212(c)(1), 115.212(c)(2), 115.212(c)(3)(A), 115.212(c)(3)(A)(i), 115.212(c)(3)(A)(ii), 115.212(c)(3)(C), 115.213(a), 115.213(b), 115.213(c), 115.214(a)(3), 115.214(a)(4), 115.214(a)(4)(A)–115.214(a)(4)(E), 115.214(a)(5), 115.215(a)(7), 115.215(b)(7), 115.216(a)(3)(A), 115.215(a)(3)(B), 115.216(a)(4)(A), 115.216(a)(4)(B), 115.216(a)(5)(A), 115.216(a)(6)(C), 115.217(a)(3), 115.217(a)(4), 115.217(a)(6)(A)–115.217(a)(6)(D), 115.217(b)(2), 115.217(b)(4), 115.217(b)(4)(D), 115.217(b)(5)(C), 115.217(c)(2), 115.217(c)(4)(D), 115.217(c)(5)(C), 115.219 introductory paragraph, 115.219(1), 115.219(2), 115.219(3), 115.219(4), 115.219(5).

(E) Certification dated May 24, 1995, that the copy of revisions to Regulation V adopted by the Commission on May 24, 1995, and submitted to EPA on July 12, 1995, is a true and correct copy of the document on file in the permanent records of the Commission.

(F) Revisions to Regulation V, as adopted by the Commission on October 25, 1995, effective November 20, 1995, Sections 115.131(a), 115.131(c), 115.132(c), 115.133(a), 115.133(b), 115.133(c), 115.135(a), 115.135(a)(5), 115.135(b), 115.135(b)(5), 115.137(a)(1), 115.137(a)(2), 115.137(a)(3), 115.137(c), 115.137(c)(4), 115.139 introductory paragraph.

(G) Certification dated October 25, 1995, that the copy of revisions to Regulation V adopted by the Commission on October 25, 1995, and submitted to EPA on November 10, 1995, is a true and correct copy of the document on file in the permanent records of the Commission.

(H) Revisions to Regulation V, as adopted by the Commission on Decem-

ber 6, 1995, effective December 28, 1995, Section 115.612(a)(1) (Table III).

(I) Certification dated December 6, 1995, that the copy of revisions to Regulation V adopted by the Commission on December 6, 1995, and submitted to EPA on March 13, 1996, is a true and correct copy of the document on file in the permanent records of the Commission.

(J) Revisions to the General Rules as adopted by the Texas Natural Resource Conservation Commission on February 14, 1996, effective March 7, 1996, Section 101.1, definitions of Automotive basecoat/clearcoat system (used in vehicle refinishing (body shops)), Automotive precoat (used in vehicle refinishing (body shops)), Automotive pretreatment (used in vehicle refinishing (body shops)), Automotive primer or primer surfacers (used in vehicle refinishing (body shops)), Automotive sealers (used in vehicle refinishing (body shops)), Automotive specialty coatings (used in vehicle refinishing (body shops)), Automotive three-stage system (used in vehicle refinishing (body shops)), Automotive wipe-down solutions (used in vehicle refinishing (body shops)), Cold solvent cleaning, Conveyorized degreasing, Gasoline bulk plant, Gasoline terminal, High-bake coatings, Low-bake coatings, Mechanical shoe seal, Open-top vapor degreasing, Remote reservoir cold solvent cleaning, Vehicle refinishing (body shops), Volatile organic compound.

(K) Revisions to Regulation V, as adopted by the Commission on February 14, 1996, effective March 7, 1996, Section 115.1, definitions of Automotive basecoat/clearcoat system (used in vehicle refinishing (body shops)), Automotive precoat (used in vehicle refinishing (body shops)), Automotive pretreatment (used in vehicle refinishing (body shops)), Automotive primer or primer surfacers (used in vehicle refinishing (body shops)), Automotive sealers (used in vehicle refinishing (body shops)), Automotive specialty coatings (used in vehicle refinishing (body shops)), Automotive three-stage system (used in vehicle refinishing (body shops)), Automotive wipe-down solutions (used in vehicle refinishing (body shops)), Cold solvent cleaning,

Environmental Protection Agency**§ 52.2299**

Conveyorized degreasing, External floating roof, Gasoline bulk plant, Gasoline terminal, High-bake coatings, Internal floating cover, Low-bake coatings, Mechanical shoe seal, Open-top vapor degreasing, Remote reservoir cold solvent cleaning, Vehicle refinishing (body shops), Volatile organic compound, sections 115.112(a)(2), 115.112(a)(2)(A), 115.112(a)(2)(B), 115.112(a)(2)(D), 115.112(b)(2)(A), 115.112(b)(2)(B), 115.112(b)(2)(D), new 115.114, 115.116(a)(1), 115.116(b)(1), 115.117(a)(1), 115.117(a)(4), 115.117(a)(6), 115.116(a)(6)(A), 115.117(a)(7), 115.117(a)(7)(A), 115.117(b)(1), 115.117(b)(4), 115.117(b)(6)(A), 115.117(b)(7)(A), 115.117(c), 115.117(c)(1), 115.121(a)(1)–115.121(a)(4), 115.121(c), 115.122(a)(1)–115.122(a)(3), 115.122(a)(3)(C), 115.122(a)(3)(D), 115.122(c), 115.123(c), 115.126(a)(1), 115.126(a)(5), 115.126(a)(5)(A), 115.127(a)(1), 115.127(a)(2), 115.127(a)(2)(A)–115.127(a)(2)(E), 115.127(a)(3), 115.127(a)(3)(A)–115.127(a)(3)(C), 115.127(a)(4), 115.127(a)(4)(A)–115.127(a)(5)(E), 115.127(a)(5), 115.127(a)(6), 115.127(a)(7), 115.127(b)(2), 115.127(b)(3), 115.127(b)(4), 115.127(c), 115.127(c)(2)(B), 115.127(c)(3), 115.127(c)(4), 115.129(1)–115.129(5), 115.212(a)(11), 115.219 introductory paragraph, 115.219(5), 115.219(5)(A)–115.219(5)(C), 115.412(a), 115.413(a), 115.413(b), 115.416(a), 115.417(a)(3), 115.417(a)(4), 115.417(b)(5), 115.419 introductory paragraph, 115.421(a), 115.421(a)(1)–115.421(a)(8), 115.421(a)(8)(B), 115.421(a)(8)(B)(i)–115.421(a)(8)(B)(ix), 115.421(a)(8)(C), 115.421(a)(9)(A)(i)–115.421(a)(9)(A)(v), 115.421(a)(12)(A), 115.421(a)(12)(A)(i), 115.421(a)(12)(A)(ii), 115.421(b), 115.421(b)(1)–115.421(b)(8), 115.421(b)(8)(A), 115.421(b)(8)(A)(i)–115.421(b)(8)(A)(iv), 115.422(1), 115.422(2), 115.423(a)(1), 115.423(a)(2), 115.423(b), 115.423(b)(1), 115.423(b)(2), 115.423(b)(4), 115.425(a)(1)(C), 115.425(b)(1)(C), 115.426(a)(1)(B), 115.427(a)(1)(A)–115.427(a)(1)(D), 115.427(a)(3), 115.427(a)(5), 115.427(b)(2), 115.427(b)(2)(B)–115.427(b)(2)(D), 115.427(b)(3), 115.429(a), 115.429(b), 115.433(a), 115.433(b), 115.435(a)(5), 115.435(b)(5), 115.436(a), 115.436(b), 115.437(a)(1), 115.437(a)(2), 115.439(b),

115.439(c), 115.442(1)(F)(i), 115.442(1)(F)(ii), 115.443 introductory paragraph, 115.445(5), 115.446(7), 115.512(1), 115.512(2), 115.513 introductory paragraph, 115.517(1), 115.541(a)(2)(C), 115.541(2)(E), 115.541(b), 115.541(b)(5), 115.542(a)(1), 115.542(a)(2), 115.542(a)(5), 115.542(b), 115.542(b)(1), 115.542(b)(2), 115.542(b)(4), 115.543 introductory paragraph, 115.546(1)(A), 115.547 introductory paragraph, 115.547(2), 115.547(4), 115.547(5), 115.549(a)–115.549(c), 115.600 introductory paragraph and definitions of Consumer product, Pesticide, Sections 115.614(a), 115.614(c), 115.614(c)(1), 115.614(c)(1)(A)–115.614(c)(1)(F), 115.614(c)(2), 115.614(c)(2)(A)–115.614(c)(2)(F), 115.614(d), 115.614(e), 115.614(f), 115.617(h).

(L) Certification dated February 14, 1996, that copies of revisions to General Rules and Regulation V adopted by The Commission on February 14, 1996, and submitted to EPA on March 13, 1996, are true and correct copies of documents on file in the permanent records of the Commission.

(M) Revisions to Regulation V, as adopted by the Commission on July 24, 1996, effective August 16, 1996, Sections 115.214(a)(4), 115.214(a)(4)(E), 115.214(a)(5), 115.216(a), 115.216(a)(7), 115.216(a)(7)(A)–115.216(a)(7)(G), 115.616(a), 115.616(a)(1)–115.616(a)(3).

(N) Certifications dated July 24, 1996, that the copy of revisions to Regulation V adopted by the Commission on July 24, 1996, and submitted to EPA on August 9, 1996, is a true and correct copy of the document on file in the permanent records of the Commission.

(O) Revisions to the General Rules as adopted by the Commission on April 30, 1997, effective May 22, 1997, Section 101.1, introductory paragraph and definitions of Component, Leak, Synthetic Organic Chemical Manufacturing Industry (SOCMI) batch distillation operation, Synthetic Organic Chemical Manufacturing Industry (SOCMI) batch process, Synthetic Organic Chemical Manufacturing Industry (SOCMI) distillation operation, Synthetic Organic Chemical Manufacturing Industry (SOCMI) distillation unit, Synthetic Organic Chemical Manufacturing Industry (SOCMI) reactor process, Tank-truck tank, Vehicle refinishing (body

shops), Volatile organic compound (introduction paragraph).

(P) Revisions to Regulation V, as adopted by the Commission on April 30, 1997, effective May 22, 1997, Section 115.10, introductory paragraph and definitions of Fugitive emission, Leak, Synthetic Organic Chemical Manufacturing Industry (SOCMI) batch distillation operation, Synthetic Organic Chemical Manufacturing Industry (SOCMI) batch process, Synthetic Organic Chemical Manufacturing Industry (SOCMI) distillation operation, Synthetic Organic Chemical Manufacturing Industry (SOCMI) distillation unit, Synthetic Organic Chemical Manufacturing Industry (SOCMI) reactor process, Tank-truck tank, Vehicle refinishing (body shops), Volatile organic compound (introduction paragraph), and Sections 115.112(a)(2), 115.112(a)(2)(F), 115.112(b)(2), 115.112(b)(2)(F), 115.114(a), 115.114(a)(1), 115.114(a)(2), 115.114(a)(4), 115.114(b), 115.114(b)(1), 115.114(b)(2), 115.114(a)(4), 115.114(c), 115.114(c)(1), 115.114(c)(2), 115.115(a)(6), 115.115(b)(6), 115.116(a)(5), 115.116(b)(5), 115.119(a), 115.119(b), 115.121(a)(1), 115.121(a)(2), 115.121(a)(2)(A)–115.121(a)(2)(E), 115.121(a)(3), 115.121(b), 115.121(c), 115.121(c)(1), 115.121(c)(2), 115.121(c)(3), 115.121(c)(4), 115.122(a)(1), 115.122(a)(1)(A), 115.122(a)(1)(B), 115.122(a)(1)(C), 115.122(a)(2), 115.122(a)(2)(A), 115.122(a)(2)(B), 115.122(a)(3), 115.122(a)(4), 115.122(a)(4)(A), 115.122(a)(4)(B), 115.122(b), 115.122(b)(1), 115.122(b)(2), 115.122(b)(3), 115.122(c), 115.122(c)(1), 115.122(c)(1)(A)–115.122(c)(1)(C), 115.122(c)(2), 115.122(c)(2)(A), 115.122(c)(2)(B), 115.122(c)(3), 115.122(c)(3)(A), 115.122(c)(3)(B), 115.122(c)(4), 115.122(c)(4)(A), 115.122(c)(4)(B), 115.123(a)(1), 115.123(b), 115.123(c), 115.126(a), 115.126(a)(3), 115.126(a)(4)(A), 115.126(a)(4)(B), 115.126(a)(4)(C), 115.126(a)(5)(A)–115.126(a)(5)(C), 115.126(b), 115.126(b)(3), 115.127(a)(2), 115.127(a)(2)(C), 115.127(a)(2)(D), 115.127(a)(2)(E), 115.127(a)(3), 115.127(a)(4), 115.127(a)(4)(A)–115.127(a)(4)(E), 115.127(a)(5), 115.127(c), 115.127(c)(1), 115.127(c)(1)(A)–115.127(c)(1)(C), 115.127(c)(2), 115.129(1)–115.129(5), 115.132(a)(1), 115.132(a)(4)(A),

115.132(a)(4)(B), 115.132(b)(1), 115.132(c), 115.132(c)(1), 115.136(a)(4), 115.136(b)(4), 115.137(a)(3), 115.137(b)(5), 115.137(c), 115.137(c)(4), 115.146(5), 115.147(5)(A), 115.147(5)(B), 115.147(5)(C), 115.149(b), 115.153 introductory paragraph, 115.156(3)(E)(i), 115.159(a), 115.159(b), 115.159(c), 115.211(a)(1), 115.211(a)(3), 115.212(a)(1), 115.212(a)(2), 115.212(a)(3), 115.212(a)(3)(A), 115.212(a)(3)(A)(i), 115.212(a)(3)(A)(ii), 115.212(a)(3)(B), 115.212(a)(3)(C), 115.212(a)(3)(C)(i), 115.212(a)(3)(C)(ii), 115.212(a)(3)(D), 115.212(a)(4), 115.212(a)(5), 115.212(a)(6), 115.212(a)(6)(A), 115.212(a)(6)(B), 115.212(a)(6)(C), 115.212(a)(7), 115.212(a)(7)(A)–115.212(a)(7)(D), 115.212(a)(8), 115.212(a)(8)(A), 115.212(a)(8)(B), 115.212(a)(8)(B)(i), 115.212(a)(8)(B)(ii), 115.212(a)(8)(B)(iii), 115.212(a)(8)(C), 115.212(a)(8)(C)(i), 115.212(a)(8)(C)(ii), 115.212(a)(9), 115.212(a)(10), 115.212(a)(10)(A), 115.212(a)(10)(B), 115.214(a)(4), 115.214(a)(4)(E), 115.214(a)(5), 115.215(a)(8), 115.216(a), 115.216(a)(1), 115.216(a)(6), 115.216(b), 115.216(b)(1), 115.217(a)(1), 115.217(a)(2), 115.217(a)(3), 115.217(a)(4), 115.217(a)(4)(A), 115.217(a)(4)(B), 115.217(a)(5), 115.217(a)(6), 115.217(a)(6)(A)–115.217(a)(6)(D), 115.217(a)(7), 115.217(a)(7)(A)–115.217(a)(7)(E), 115.217(a)(8), 115.217(a)(8)(A)–115.217(a)(8)(C), 115.217(a)(9), 115.217(b)(2), 115.217(b)(4)(A)–115.217(b)(4)(D), 115.217(b)(5), 115.217(c)(2), 115.217(c)(4), 115.217(c)(4)(A)–115.217(c)(4)(D), 115.217(c)(5), 115.219(1), 115.219(4), 115.221 introductory paragraph, 115.222(7), 115.223 introductory paragraph, 115.226 introductory paragraph, 115.226(1), 115.253 introductory paragraph, 115.256 introductory paragraph, 115.311(a)(1), 115.311(a)(2), 115.311(b)(1)–115.311(b)(2), 115.312(a)(2), 115.312(a)(2)(A)–115.312(a)(2)(C), 115.312(b)(2), 115.312(b)(2)(A)–115.312(b)(2)(C), 115.313(a), 115.313(b), 115.319 introductory paragraph, 115.322 introductory paragraph, 115.322(1)–115.322(5), 115.323 introductory paragraph, 115.323(1), 115.323(2), new 115.324, 115.325 introductory paragraph, 115.325(1)–115.325(3), 115.326 introductory paragraph, 115.326(1), 115.326(2), 115.326(2)(A)–115.326(2)(I), 115.326(3), 115.324(4), 115.327 introductory paragraph, 115.327(1),

Environmental Protection Agency

§ 52.2299

115.327(1)(A)–115.327(1)(C), 115.327(2)–115.327(6), 115.329 introductory paragraph, 115.352(1), 115.352(2), 115.352(9), 115.353 introductory paragraph, 115.354(1)(C), 115.354(4)–115.354(7), 115.354(7)(A), 115.354(7)(B), 115.354(8), 115.356(1)(I), 115.356(3), 115.357(2), 115.357(8), 115.421(a), 115.421(a)(13)(A), 115.422(3)(A), 115.422(3)(B), 115.424(a)(1), 115.424(a)(2), 115.424(b)(1), 115.426(a)(1)(D), 115.426(a)(2)(C), 115.426(b)(1)(D), 115.426(b)(2)(C), 115.427(a)(5), 115.427(a)(6), 115.442(1)(B)–115.442(1)(D), 115.446(8), 115.449(a), 115.449(b), 115.449(c), 115.532(a)(5), 115.532(a)(5)(A), 115.532(a)(5)(B), 115.533(a), 115.533(b), 115.536(a)(5), 115.536(b)(5), 115.537(a)(5), 115.539 introductory paragraph, 115.552(b)(1), 115.522(b)(2), 115.533 introductory paragraph, 115.559(a)–115.559(d), and repeal of Sections 115.332, 115.333, 115.334, 115.335, 115.336, 115.337, 115.339, 115.342, 115.343, 115.344, 115.345, 115.346, 115.347, 115.349.

(Q) Certification dated April 30, 1997, that copies of revisions to General Rules and Regulation V adopted by the Commission on April 30, 1997, and submitted to EPA on May 21, 1997, are true and correct copies of documents on file in the permanent records of the Commission.

(R) Texas Natural Resource Conservation Commission order adopting amendments to the SIP; Docket Number 95–1198–RUL, issued December 19, 1995.

(ii) Additional Material.

(A) TNRCC certification letter dated December 13, 1995, and signed by the Chief Clerk, TNRCC that the attached are true and correct copies of the SIP revision adopted by the Commission on December 13, 1995.

(B) The following portions of the SIP narrative entitled Post-1996 Rate of Progress Plan for the Beaumont/Port Arthur and Houston/Galveston Ozone Nonattainment Areas Dated December 13, 1995: The section pertaining to Storage Tanks (pp. 17–37), the section pertaining to SO₂ Reactor and Distillation (p. 40), the Section pertaining to Plastic Parts Coating (pp. 54–55).

(106) A revision to the Texas State Implementation Plan: Regulation 30 TAC Chapter 101 “General Rules”, Section 101.30 “Conformity of General and

State Actions to State Implementation Plans” as adopted by the Texas Natural Resource Conservation Commission (TNRCC) on November 16, 1994, and July 9, 1997, was submitted by the Governor on November 22, 1994, and August 21, 1997, respectively.

(i) Incorporation by reference.

(A) The Texas Natural Resource Conservation Commission (TNRCC) Regulation 30, TAC Chapter 101 “General Rules”, Section 101.30 “Conformity of General and State Actions to State Implementation Plans” as adopted by TNRCC on November 16, 1994, and July 9, 1997.

(B) TNRCC orders Docket No. 94–0709–SIP and 97–0143–RUL as passed and approved on November 16, 1994, and July 9, 1997, respectively.

(107) A revision to the Texas State Implementation Plan addressing the 15% Rate-of-Progress Plan requirements for the Beaumont/Port Arthur ozone nonattainment area was submitted by a cover letter from Governor George Bush dated August 9, 1996. This revision will aid in ensuring that reasonable further progress is made towards attaining the National Ambient Air Quality Standard (NAAQS) for ozone in the Beaumont/Port Arthur area. This submittal also contained revisions to the 1990 base year emissions inventory, Motor Vehicle Emission Budget, and contingency plan for the Beaumont/Port Arthur area.

(i) Incorporation by reference. Texas Natural Resource Conservation Commission (TNRCC) order adopting amendments to the State Implementation Plan; Docket Number 96–0465–SIP, issued July 31, 1996.

(ii) Additional material.

(A) TNRCC certification letter dated July 24, 1996, and signed by Gloria Vasquez, Chief Clerk, TNRCC.

(B) The SIP narrative plan and tables entitled, “Revisions to the State Implementation Plan for the Control of Ozone Air Pollution,” as it applies to the Beaumont/Port Arthur area dated July 24, 1996.

(108) A revision to the Texas State Implementation Plan to adopt an alternate control strategy for the surface coating processes at Raytheon TI Systems, Inc., Lemmon Avenue Facility.

(i) Incorporation by reference.

(A) Commission Order Number 96-1180-SIP issued and effective December 4, 1996, for Texas Instruments, Inc., prior owner of the Lemmon Avenue facility, approving an alternate Reasonably Available Control Technology (ARACT) demonstration for its Lemmon Avenue facility. Raytheon TI Systems assumed operating responsibility for this facility on July 3, 1997.

(B) A letter from the Governor of Texas dated January 9, 1997, submitting the TI ARACT to the Regional Administrator.

(ii) Additional material. The document prepared by the Texas Natural Resource Conservation Commission titled "A Site-Specific Revision to the SIP Concerning the Texas Instruments Lemmon Avenue Facility."

(109) [Reserved]

(110) Revision to the Texas State Implementation Plan adopted by the Texas Natural Resource Conservation Commission (TNRCC) on October 15, 1997, and submitted by the Governor on November 12, 1997, repealing the Perchloroethylene Dry Cleaning Systems regulations from the Texas SIP.

(i) Incorporation by reference. TNRCC Order Docket No. 97-0534-RUL issued October 21, 1997, repealing Perchloroethylene Dry Cleaning Systems regulations (Sections 115.521 to 115.529) from 30 TAC Chapter 115.

(ii) Additional materials.

(A) Letter from the Governor of Texas dated November 12, 1997, submitting amendments to 30 TAC Chapter 115 for approval as a revision to the SIP.

(111) Recodified and revised Regulation IV, 30 TAC Chapter 114 "Control of Air Pollution From Motor Vehicles" regulations of Texas submitted by the Governor on November 20, 1997, to reformat original Chapter 114 sections into seven new subchapters (A through G) and to remove original section 114.1(e), concerning leaded gasoline dispensing labeling requirements.

(i) Incorporation by reference.

(A) Commission Order 97-0713-RUL, adopted by the commission on November 5, 1997.

(B) SIP narrative entitled "Revisions to 30 TAC Chapter 114 and to the State Implementation Plan (Reformatting of the Chapter)" adopted by the commis-

sion on November 5, 1997, addressing: adoption of new Sections 114.1-114.5, 114.20, 114.21, 114.50-114.53, 114.100, 114.150-114.157, 114.200-114.202, 114.250, 114.260, 114.270, and repeal of original sections 114.1, 114.3-114.7, 114.13, 114.23, 114.25, 114.27, 114.29-114.40.

(112) Revision to the Texas State Implementation Plan submitted by the Governor on January 10, 1996.

(i) Incorporation by reference.

(A) Texas Natural Resource Conservation Commission (TNRCC) General Rules (30 TAC Chapter 101), Section 101.2(b), adopted by TNRCC on December 13, 1995, effective January 8, 1996.

(B) TNRCC Docket No. 95-0849-RUL issued December 13, 1995, for adoption of amendments to 30 TAC Chapter 101, Section 101.2(b), regarding Multiple Air Contaminant Sources or Properties and revision to the SIP.

(ii) Additional materials. A letter from the Governor of Texas dated January 10, 1996, submitting revisions to 30 TAC Chapter 101, Section 101.2(b), for approval as a revision to the SIP.

(113) The Texas Natural Resource Conservation Commission submitted a revision to the State Implementation Plan (SIP) on August 9, 1996. This revision contained, among other things, 15% Rate-of-Progress plans for the Dallas/Fort Worth, El Paso and Houston/Galveston ozone nonattainment areas which will aid in ensuring the attainment of the National Ambient Air Quality Standards for ozone. This submittal also contained revisions to the 1990 base year emissions inventories, the associated Motor Vehicle Emission Budgets and contingency plans.

(i) Incorporation by reference. Texas Natural Resource Conservation Commission (TNRCC) order adopting amendments to the SIP; Docket Number 96-0465-SIP, issued July 31, 1996.

(ii) Additional material.

(A) TNRCC certification letter dated July 24, 1996, and signed by Gloria Vasquez, Chief Clerk, TNRCC.

(B) The SIP narrative plan and tables dated July 24, 1996 entitled, "Revisions to the State Implementation Plan (SIP) for the Control of Ozone Air Pollution," as it applies to the Dallas/Fort Worth, El Paso and Houston areas' 15%

Environmental Protection Agency

§ 52.2299

Rate-of-Progress plans, emissions inventories, motor vehicle emissions budgets and contingency plans.

(114) Recodified regulations of Texas Administrative Code, Title 30, Chapter 113, Subchapter B, controlling lead emissions from stationary sources, and submitted by the Governor in a letter dated August 21, 1997.

(i) Incorporation by reference.

(A) Texas Natural Resource Conservation Commission (TNRCC) order adopting amendments to the State Implementation Plan; Docket Number 97-0143-RUL, issued July 9, 1997.

(B) Texas Administrative Code, Title 30, Chapter 113, Subchapter B, entitled "Lead from Stationary Sources," adopted by the TNRCC on July 9, 1997. Newly recodified sections 113.31, 113.32, 113.33, 113.34, 113.35, 113.36, 113.37, 113.41, 113.42, 113.43, 113.44, 113.45, 113.46, 113.47, 113.48, 113.52, 113.61, 113.62, 113.63, 113.64, 113.65, 113.66, 113.67, and 113.68.

(ii) Additional material. TNRCC certification letter dated June 25, 1997, and signed by Gloria Vasquez, Chief Clerk, TNRCC.

(115) [Reserved]

(116) A revision to the Texas State Implementation Plan (SIP) to include two modified Agreed Orders limiting sulfur dioxide (SO₂) allowable emissions at two facilities in Harris County, submitted by the Governor by cover letter dated May 29, 1997.

(i) Incorporation by reference.

(A) TNRCC Docket No. 96-1188-AIR Order Modifying Commission Order No. 94-15 for Lyondel-Citgo Refining Company, LTD., as adopted by the TNRCC on June 29, 1994, and modified on July 31, 1996;

(B) TNRCC Docket No. 96-1187-AIR, Order Modifying Commission Order No. 94-22 for Simpson Pasadena Paper Company, as adopted by the TNRCC on June 29, 1994, and modified on July 31, 1996.

(ii) Additional material. TNRCC submittal to the EPA dated May 29, 1997, entitled, "Revisions to the SIP Concerning Sulfur Dioxide in Harris County."

(117) Revisions to the Texas State Implementation Plan submitted to the EPA in a letter dated April 13, 1998. These revisions address Reasonably Available Control Technology for Wood

Furniture coating operations and Ship Building and Repair. The revisions also address coating of oil and gas platforms at ship building and repair facilities.

(i) Incorporation by Reference.

(A) Revisions to Regulation V, as adopted by the Commission on March 18, 1998, effective April 7, 1998, sections 115.10. Definitions—Introductory Paragraph, 115.420 Surface Coating Definitions, 115.420(a) General Surface Coating Definitions, 114.420(a)(1)–115.420(a)(10), 115.420(b) Specific surface coating definitions—Introductory Paragraph, 115.420(b)(1), 115.420(b)(2), 115.420(b)(2)(A), 115.420(b)(2)(B), 115.420(b)(3)–115.420(b)(9), 115.420(b)(10), 115.420(b)(10)(A)–115.420(b)(10)(E), 115.420(b)(10)(F), 115.420(b)(10)(F)(i)–115.420(b)(10)(F)(vii), 115.420(b)(10)(G), 115.420(b)(11), 115.420(b)(12), 115.420(b)(12)(A)–115.420(b)(12)(FF), 115.420(b)(13), 115.420(b)(13)(A), 115.420(b)(13)(A)(i), 115.420(b)(13)(A)(ii), 115.420(b)(13)(B), 115.420(b)(13)(B)(i)–115.420(b)(13)(B)(ix), 115.420(b)(14), 115.420(b)(15), 115.420(15)(A), 115.420(15)(A)(i)–115.420(15)(A)(xi), 115.420(15)(B), 115.420(15)(B)(i)–115.420(15)(B)(xix), 115.421(a), 115.421(a)(8), 115.421(a)(8)(B), 115.421(a)(8)(B)(i)–115.421(a)(8)(B)(ix), 115.421(a)(13), 115.421(a)(13)(A), 115.421(a)(13)(A)(i)–115.421(a)(13)(A)(vii), 115.421(a)(13)(A)(viii), 115.421(a)(13)(A)(ix), 115.421(a)(14), 115.421(a)(14)(A), 115.421(a)(14)(A)(i), 115.421(a)(14)(A)(ii), 115.421(a)(14)(A)(iii), 115.421(a)(14)(A)(iii)(I)–115.421(a)(14)(A)(iii)(III), 115.421(a)(14)(A)(iv)–115.421(a)(14)(A)(vi), 115.421(a)(14)(B), 115.421(a)(15), 115.421(a)(15)(A), 115.421(a)(15)(B), 115.421(a)(15)(B)(i), 115.421(a)(15)(B)(ii), 115.421(b), 115.422. Control Requirements—Introductory Paragraph, 115.422(2), 115.422(3), 115.422(3)(A), 115.422(3)(B), 115.422(3)(C), 115.422(3)(C)(i), 115.422(3)(C)(ii), 115.422(3)(C)(ii)(I), 115.422(3)(C)(ii)(II), 115.422(3)(C)(iii)–115.422(3)(C)(v), 115.422(3)(C)(vi), 115.422(3)(C)(vi)(I), 115.422(3)(vi)(II), 115.422(3)(D), 115.422(3)(E), 115.422(3)(E)(i), 115.422(3)(E)(ii), 115.422(4), 115.422(4)(A)–115.422(4)(C), 115.422(5), 115.422(5)(A), 115.422(5)(B), 115.423(a), 115.423(a)(1), 115.423(a)(2), 115.423(b), 115.423(b)(1),

§ 52.2300

115.423(b)(2), 115.426(a), 115.426(a)(1),
115.426(a)(1)(B), 115.426(a)(1)(B)(i),
115.426(a)(1)(B)(ii), 115.426(a)(2),
115.426(a)(2)(A), 115.426(a)(2)(A)(i),
115.426(b), 115.426(b)(1), 115.426(b)(1)(B),
115.426(b)(2), 115.426(b)(2)(A),
115.426(b)(2)(A)(i), 115.427(a),
115.427(a)(1), 115.427(a)(1)(B),
115.427(a)(1)(C), 115.427(a)(3),
115.427(a)(3)(A), 115.427(a)(3)(B),
115.427(a)(3)(D)–115.427(a)(3)(I),
115.427(b), 115.427(b)(4), 115.429(a), and
115.429(b).

(B) Certification Dated March 18, 1998 that these are true and correct copies of revisions to 30 TAC Chapter 115 and the SIP.

(118)–(119) [Reserved]

(120) Revisions submitted by the Governor on May 29, 1997, June 23, 1998, and December 22, 1998, that change the definition of “primarily operated,” commit to on-board diagnostic testing, remove the test-on-resale of vehicles subject to the inspection and maintenance program, and provide the legal authority for denial of re-registration of vehicles that have not complied with the I/M program requirements, and the establishment of a class C misdemeanor penalty for operating a grossly polluting vehicle in a nonattainment area.

(i) Incorporation by reference:

(A) Narrative of State Implementation Plan revision submitted May 29, 1997, by the Governor.

(B) Narrative of State Implementation Plan revision submitted June 23, 1998, by the Governor.

(C) Letter from the Governor dated December 22, 1998, submitting Senate Bill 1856.

(ii) Additional material:

(A) Senate Bill 1856.

(B) Memorandum of Agreement between the Texas Natural Resource Conservation Commission and the Texas Department of Public Safety adopted November 20, 1996, and signed February 5, 1997.

(121) Revisions submitted by the Governor on July 13, 2000, that remove approval of the Alternate Reasonably Available Control Technology (ARACT) for Lockheed Corporation, Bell Helicopter Textron, Incorporated; Bell

40 CFR Ch. I (7–1–18 Edition)

Plant 1, and Raytheon TI Systems, Inc., (RTIS).

[37 FR 10895, May 31, 1972. Redesignated and amended at 64 FR 36589, July 7, 1999; 66 FR 54691, Oct. 30, 2001]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.2299, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.fdsys.gov.

§ 52.2300 [Reserved]

§ 52.2301 Federal compliance date for automobile and light-duty truck coating. Texas Air Control Board Regulation V (31 TAC chapter 115), control of air pollution from volatile organic compound, rule 115.191(1)(8)(A).

(a) The requirements of section 110 of the Clean Air Act are not met regarding the final compliance date, as found in TACB rule 115.191(a)(8)(A), for the requirements of TACB Rule 115.191(a)(8)(A).

(b) TACB adopted revisions to rule 115.191(a)(8)(A) on October 14, 1988, and submitted them to EPA on December 13, 1988. Prior to the submittal, automobile and light-duty truck coating operations were to have complied with final control limits of § 115.191(a)(8)(B) of the federally approved State Implementation Plan (SIP), by December 31, 1986. In the December 13, 1988, submittal, the final control limits had been moved to § 115.191(a)(8)(A) and had been given a new extended compliance date of December 31, 1987. EPA does not recognize the later compliance data and retains the original compliance date for the final emission limits of December 31, 1986. The owner or operator of an automobile and light-duty truck coating operation shall comply with the requirements of TACB rule 115.191(a)(8)(A) no later than December 31, 1986.

[56 FR 40257, Aug. 14, 1991]

§ 52.2302 Federal implementation plan for regional haze.

(a) Requirements for Martin Lake Units 1, 2, and 3; Monticello Units 1, 2, and 3; Limestone Units 1 and 2; Sandow Unit 4; Big Brown Units 1 and 2; Coletto Creek Unit 1; Tolk Units 1 and 2; and San Miguel affecting visibility.

Environmental Protection Agency

§ 52.2302

(1) *Applicability.* The provisions of this section shall apply to each owner or operator, or successive owners or operators, of the coal burning equipment designated as: Martin Lake Units 1, 2, and 3; Monticello Units 1, 2, and 3; Limestone Units 1 and 2; Sandow Unit 4; Big Brown Units 1 and 2; Coletto Creek Unit 1; Tolk Units 1 and 2; and San Miguel.

(2) *Compliance dates.* Compliance with the requirements of this section is required by February 4, 2019 for Martin Lake Units 1, 2, and 3; Monticello Unit 3, Limestone Units 1 and 2; and Sandow Unit 4. Compliance with the requirements of this section is required by February 4, 2021 for Big Brown Units 1 and 2; Monticello Units 1 and 2; Coletto Creek Unit 1; and Tolk Units 1 and 2. Compliance with the requirements of this section is required by February 4, 2017 for San Miguel. These compliance dates apply unless otherwise indicated by compliance dates contained in specific provisions.

(3) *Definitions.* All terms used in this part but not defined herein shall have the meaning given them in the Clean Air Act (CAA) and in 40 CFR parts 51 and 60. For the purposes of this section:

24-hour period means the period of time between 12:01 a.m. and 12 midnight.

Air pollution control equipment includes selective catalytic control units, baghouses, particulate or gaseous scrubbers, and any other apparatus utilized to control emissions of regulated air contaminants which would be emitted to the atmosphere.

Boiler-operating-day means any 24-hour period between 12:00 midnight and the following midnight during which any fuel is combusted at any time at the steam generating unit.

Daily average means the arithmetic average of the hourly values measured in a 24-hour period.

Heat input means heat derived from combustion of fuel in a unit and does not include the heat input from preheated combustion air, recirculated flue gases, or exhaust gases from other sources. Heat input shall be calculated in accordance with 40 CFR part 75.

Owner or Operator means any person who owns, leases, operates, controls, or supervises any of the coal burning

equipment designated in paragraph (a) of this section.

Regional Administrator means the Regional Administrator of EPA Region 6 or his/her authorized representative.

Unit means one of the coal fired boilers covered under paragraph (a) of this section.

(4) *Emissions limitations—SO₂ emission limit.* The individual sulfur dioxide emission limit for a unit shall be as listed in the table in this paragraph (a)(4) in pounds per million British thermal units (lb/MMBtu) as averaged over a rolling 30-boiler-operating-day period.

Unit	SO ₂ Emission limit (lbs/MMBtu)
Sandow 4	0.20
Martin Lake 1	0.12
Martin Lake 2	0.12
Martin Lake 3	0.11
Monticello 3	0.06
Limestone 2	0.08
Limestone 1	0.08
Big Brown 1	0.04
Big Brown 2	0.04
Monticello 1	0.04
Monticello 2	0.04
Coletto Creek 1	0.04
Tolk 172B	0.06
Tolk 171B	0.06
San Miguel	0.60

(i) For each unit, SO₂ emissions for each calendar day shall be determined by summing the hourly emissions measured in pounds of SO₂. For each unit, heat input for each boiler-operating-day shall be determined by adding together all hourly heat inputs, in millions of BTU. Each boiler-operating-day of the thirty-day rolling average for a unit shall be determined by adding together the pounds of SO₂ from that day and the preceding 29-boiler-operating-days and dividing the total pounds of SO₂ by the sum of the heat input during the same 30-boiler-operating-day period. The result shall be the 30-boiler-operating-day rolling average in terms of lb/MMBtu emissions of SO₂. If a valid SO₂ pounds per hour or heat input is not available for any hour for a unit, that heat input and SO₂ pounds per hour shall not be used in the calculation of the 30-boiler-operating-day rolling average for SO₂.

(ii) In lieu of paragraph (a)(4)(i) of this section, and if San Miguel meets paragraph (a)(5)(i) of this section, it

may install a CEMS at the inlet of the scrubber system. The 30 BOD SO₂ average from the existing outlet CEMS must read at or below 6.0% (94% control) of a 30 BOD SO₂ average from the inlet CEMS.

(5) *Testing and monitoring.* (i) No later than the compliance date as set out in paragraph (a)(2) of this section, the owner or operator shall install, calibrate, maintain and operate Continuous Emissions Monitoring Systems (CEMS) for SO₂ on the units listed in paragraph (a)(1) of this section in accordance with 40 CFR 60.8 and 60.13(e), (f), and (h), and appendix B of part 60 of this chapter. No later than the compliance date as set out in paragraph (a)(2), San Miguel must submit a letter to the Regional Administrator that informs the EPA which compliance option it elects, as specified in paragraph (a)(4) of this section. San Miguel must then adhere to the compliance method set forth in that letter to the Regional Administrator. All owners or operators shall comply with the quality assurance procedures for CEMS found in 40 CFR part 75. Compliance with the emission limits for SO₂ shall be determined by using data from a CEMS.

(ii) Continuous emissions monitoring shall apply during all periods of operation of the coal burning equipment, including periods of startup, shutdown, and malfunction, except for CEMS breakdowns, repairs, calibration checks, and zero and span adjustments. Continuous monitoring systems for measuring SO₂ and diluent gas shall complete a minimum of one cycle of operation (sampling, analyzing, and data recording) for each successive 15-minute period. Hourly averages shall be computed using at least one data point in each fifteen minute quadrant of an hour. Notwithstanding this requirement, an hourly average may be computed from at least two data points separated by a minimum of 15 minutes (where the unit operates for more than one quadrant in an hour) if data are unavailable as a result of performance of calibration, quality assurance, preventive maintenance activities, or backups of data from data acquisition and handling system, and recertification events. When valid SO₂ pounds per hour, or SO₂ pounds per million Btu

emission data are not obtained because of continuous monitoring system breakdowns, repairs, calibration checks, or zero and span adjustments, emission data must be obtained by using other monitoring systems approved by the EPA to provide emission data for a minimum of 18 hours in each 24 hour period and at least 22 out of 30 successive boiler-operating-days.

(6) *Reporting and recordkeeping requirements.* Unless otherwise stated all requests, reports, submittals, notifications, and other communications to the Regional Administrator required by this section shall be submitted, unless instructed otherwise, to the Director, Multimedia Planning and Permitting Division, U.S. Environmental Protection Agency, Region 6, to the attention of Mail Code: 6PD, at 1445 Ross Avenue, Suite 1200, Dallas, Texas 75202-2733. For each unit subject to the emissions limitation in this section and upon completion of the installation of CEMS as required in this section, the owner or operator shall comply with the following requirements:

(i) For each emissions limit in this section, comply with the notification, reporting, and recordkeeping requirements for CEMS compliance monitoring in 40 CFR 60.7(c) and (d).

(ii) For each day, provide the total SO₂ emitted that day by each emission unit. For any hours on any unit where data for hourly pounds or heat input is missing, identify the unit number and monitoring device that did not produce valid data that caused the missing hour.

(7) *Equipment operations.* At all times, including periods of startup, shutdown, and malfunction, the owner or operator shall, to the extent practicable, maintain and operate the unit including associated air pollution control equipment in a manner consistent with good air pollution control practices for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Regional Administrator which may include, but is not limited to, monitoring results, review of operating and maintenance procedures, and inspection of the unit.

(8) *Enforcement.* (i) Notwithstanding any other provision in this implementation plan, any credible evidence or information relevant as to whether the unit would have been in compliance with applicable requirements if the appropriate performance or compliance test had been performed, can be used to establish whether or not the owner or operator has violated or is in violation of any standard or applicable emission limit in the plan.

(ii) Emissions in excess of the level of the applicable emission limit or requirement that occur due to a malfunction shall constitute a violation of the applicable emission limit.

(b) [Reserved]

[81 FR 351, Jan. 5, 2016]

§ 52.2303 Significant deterioration of air quality.

(a) The plan submitted by Texas is approved as meeting the requirements of part C, Clean Air Act for preventing significant deterioration of air quality. The plan consists of the following:

(1) Prevention of significant deterioration plan requirements as follows:

(i) December 11, 1985 (as adopted by the Texas Air Control Board (TACB) on July 26, 1985).

(ii) October 26, 1987 (as revised by TACB on July 17, 1987).

(iii) September 29, 1988 (as revised by TACB on July 15, 1988).

(iv) February 18, 1991 (as revised by TACB on December 14, 1990).

(v) May 13, 1992 (as revised by TACB on May 8, 1992).

(vi) August 31, 1993 (as recodified, revised and adopted by TACB on August 16, 1993).

(vii) July 12, 1995 (as revised by the Texas Natural Resource Conservation Commission (TNRCC) on March 1, 1995) containing revisions to chapter 116—Control of Air Pollution for New Construction or Modification, sections 116.10, 116.141 and 116.160–116.163.

(viii) July 22, 1998 (as revised by TNRCC on June 17, 1998) containing revisions to chapter 116—Control of Air Pollution for New Construction or Modification, sections 116.160 and 116.161.

(ix) September 16, 2002 (as revised by TNRCC on October 10, 2001) containing revisions to chapter 116—Control of Air

Pollution for New Construction or Modification, sections 116.160 and 116.162.

(x) June 30, 2014 (as revised by the Texas Commission on Environmental Quality on April 20, 2011 and submitted on May 19, 2011) to address PSD permitting requirements for PM_{2.5} promulgated by EPA on May 16, 2008, October 20, 2010, and December 9, 2013.

(xi) November 10, 2014 (as revised by the Texas Commission on Environmental Quality on March 24, 2014, and submitted on April 16, 2014, and further clarified in letters dated December 2, 2013, January 13, 2014, and May 30, 2014) to address PSD permitting requirements of GHG emissions for major sources and modifications required to obtain PSD permits because of emissions of pollutants other than GHGs promulgated by EPA on June 3, 2010.

(2) The Prevention of Significant Deterioration (PSD) Supplement document, submitted October 26, 1987 (as adopted by the TACB on July 17, 1987) and revised on July 2, 2010, to remove paragraphs (7)(a) and (7)(b). See EPA's final approval action on January 6, 2014.

(3) Revision to General Rules, Rule 101.20(3), submitted December 11, 1985 (as adopted by TACB on July 26, 1985).

(b) The plan approval is partially based on commitment letters provided by the Executive Director of the Texas Air Control Board, dated September 5, 1989 and April 17, 1992.

(c) The requirements of section 160 through 165 of the Clean Air Act are not met for federally designated Indian lands. Therefore, the provisions of § 52.21 except paragraph (a)(1) are hereby adopted and made a part of the applicable implementation plan and are applicable to sources located on land under the control of Indian governing bodies.

[57 FR 28098, June 24, 1992, as amended at 59 FR 46557, Sept. 9, 1994; 62 FR 44088, Aug. 19, 1997; 68 FR 11324, Mar. 10, 2003; 68 FR 74490, Dec. 24, 2003; 69 FR 43755, July 22, 2004; 79 FR 31049, May 30, 2014; 79 FR 66641, Nov. 10, 2014]

§ 52.2304 Visibility protection.

(a) *Reasonably Attributable Visibility Impairment.* The requirements of section 169A of the Clean Air Act are not met because the plan does not include

§ 52.2305

40 CFR Ch. I (7–1–18 Edition)

fully approvable measures for meeting the requirements of 40 CFR 51.305 for protection of visibility in mandatory Class I Federal areas.

(b) [Reserved]

(c) *Regional Haze*. The requirements of section 169A of the Clean Air Act are not met because the regional haze plan submitted by Texas on March 31, 2009, 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 NO_x and SO₂ from electric generating units. EPA has given limited disapproval to the plan provisions addressing these requirements.

(d) Portions of SIPs addressing non-interference with measures required to protect visibility in any other state are disapproved for the 1997 PM_{2.5}, 2006 PM_{2.5}, 1997 ozone, 2008 ozone, 2010 NO₂ and 2010 SO₂ NAAQS.

(e) The following portions of the Texas regional haze SIP submitted March 19, 2009 are disapproved: The reasonable progress four-factor analysis, reasonable progress goals and the calculation of the emission reductions needed to achieve the uniform rates of progress for the Guadalupe Mountains and Big Bend; calculation of natural visibility conditions; calculation of the number of deviations by which baseline conditions exceed natural visibility conditions; long-term strategy consultations with Oklahoma; Texas securing its share of reductions necessary to achieve the reasonable progress goals at Big Bend, the Guadalupe Mountains, and the Wichita Mountains; technical basis for its long-term strategy and emission limitations and schedules for compliance to achieve the reasonable progress goals for Big Bend, the Guadalupe Mountains and Wichita Mountains.

(f) *Measures addressing disapproval associated with NO_x and SO₂*. (1) The deficiencies associated with NO_x identified in EPA's limited disapproval of the regional haze plan submitted by Texas on March 31, 2009, and EPA's disapprovals in paragraph (d) of this section, are satisfied by § 52.2283(d).

(2) The deficiencies associated with SO₂ identified in EPA's limited disapproval of the regional haze plan submitted by Texas on March 31, 2009, and

EPA's disapprovals in paragraph (d) of this section, are satisfied by § 52.2312.

[50 FR 28553, July 12, 1985, as amended at 52 FR 45137, Nov. 24, 1987; 54 FR 7770, Feb. 23, 1989; 77 FR 33658, June 7, 2012; 81 FR 352, Jan. 5, 2016; 82 FR 3129, Jan. 10, 2017; 82 FR 48363, Oct. 17, 2017]

§ 52.2305 What are the requirements of the Federal Implementation Plan (FIP) to issue permits under the Prevention of Significant Deterioration requirements to sources that emit greenhouse gases?

(a) The requirements of sections 160 through 165 of the Clean Air Act are not met to the extent the plan, as approved, for Texas does not apply with respect to emissions of the pollutant GHGs from certain stationary sources. Therefore, the provisions of § 52.21 except paragraph (a)(1) are hereby made a part of the plan for Texas for:

(1) Beginning on May 1, 2011, the pollutant GHGs from stationary sources described in § 52.21(b)(49)(iv), and

(2) Beginning July 1, 2011, in addition to the pollutant GHGs from sources described under paragraph (a)(1) of this section, stationary sources described in § 52.21(b)(49)(v).

(b) For purposes of this section, the "pollutant GHGs" refers to the pollutant GHGs, as described in § 52.21(b)(49)(i).

(c) [Reserved]

(d) The authority provided in paragraphs (a) and (b) of this section is rescinded except in the three limited circumstances described in paragraphs (d)(1) through (3) of this section:

(1) The EPA will retain permitting authority for all GHG PSD permit applications for major sources and major modifications required to obtain PSD permits because of emissions of pollutants other than GHGs submitted to the EPA where the permit applicant submitted a written request by May 15, 2014, that the EPA continue processing the application.

(2) The EPA will retain permitting authority for all GHG PSD permit applications for major sources and major modifications required to obtain PSD permits because of emissions of pollutants other than GHGs submitted to the EPA after February 18, 2014, unless and until the applicant submits to the EPA

Environmental Protection Agency

§ 52.2308

a written request to transfer the permitting authority to TCEQ (or withdraws the application) prior to issuance of a final permit decision under 40 CFR 124.15(b).

(3) The EPA will retain permitting authority for GHG PSD permits issued by the EPA for major sources and major modifications required to obtain PSD permits because of emissions of pollutants other than GHGs and GHG PSD permit applications denied by the EPA for major sources and major modifications required to obtain PSD permits because of emissions of pollutants other than GHGs for which either the time for filing an administrative appeal has not expired or all administrative and judicial appeals processes have not been completed by November 10, 2014. Except that the EPA will not retain authority over a permit if an applicant submits a written request to the EPA to withdraw the permit application while an administrative appeal is pending and the Regional Administrator then withdraws the permit under 40 CFR 124.19(j) or the Environmental Appeals Board grants a voluntary remand under 40 CFR 124.19(j) or another appropriate remedy.

[76 FR 25209, May 3, 2011, as amended at 79 FR 66650, Nov. 10, 2014]

§ 52.2306 Particulate Matter (PM₁₀) Group II SIP commitments.

On July 18, 1988, the Governor of Texas submitted a revision to the State Implementation Plan (SIP) that contained commitments for implementing all of the required activities including monitoring, reporting, emission inventory, and other tasks that may be necessary to satisfy the requirements of the PM₁₀ Group II SIPs. The Texas Air Control Board adopted these revisions on May 13, 1988. The State of Texas has committed to comply with the PM₁₀ Group II SIP requirements, as articulated in the FEDERAL REGISTER notice of July 1, 1987 (52 FR 24670), for the defined areas of Dallas, Harris, Lubbock, and Nueces counties as provided in the Texas PM₁₀ Group II SIPs. In addition to the SIP, a letter from the Governor of Texas, dated July 18, 1988, stated that:

* * * In the July 1, 1987 issue of the FEDERAL REGISTER, the U.S. Environmental Pro-

tection Agency announced the requirement that each state submit a committal SIP for PM₁₀ Group II areas instead of full control strategies. States were also required to submit demonstrations of attainment and maintenance of the PM₁₀ National Ambient Air Quality Standards. The TACB is committed to carrying out the activities contained in the enclosed proposed SIP to satisfy those requirements * * *.

[54 FR 25586, June 16, 1989]

§ 52.2307 Small business assistance program.

The Governor of Texas submitted on November 13, 1992 a plan revision to develop and implement a Small Business Stationary Source Technical and Environmental Compliance Assistance Program to meet the requirements of section 507 of the Clean Air Act by November 15, 1994. The plan commits to provide technical and compliance assistance to small businesses, hire an Ombudsman to serve as an independent advocate for small businesses, and establish a Compliance Advisory Panel to advise the program and report to the EPA on the program's effectiveness.

[59 FR 42765, Aug. 19, 1994]

§ 52.2308 Area-wide nitrogen oxides (NO_x) exemptions.

(a) The Texas Natural Resource Conservation Commission (TNRCC) submitted to the EPA on June 17, 1994, a petition requesting that the Dallas ozone nonattainment area be exempted from the NO_x control requirements of section 182(f) of the Clean Air Act (CAA) as amended in 1990. The Dallas nonattainment area consists of Dallas, Tarrant, Denton, and Collin counties. The exemption request was based on a photochemical grid modeling which shows that the Dallas nonattainment area would attain the National Ambient Air Quality Standards (NAAQS) for ozone by the CAA mandated deadline without the implementation of the additional NO_x controls required under section 182(f). On November 21, 1994, the EPA conditionally approved this exemption request, conditioned upon the EPA approving the modeling portion of the Dallas attainment demonstration SIP.

(b) The TNRCC submitted to the EPA on June 17, 1994, a petition requesting that the El Paso ozone nonattainment

area be exempted from the NO_x control requirements of section 182(f) of the Clean Air Act (CAA) as amended in 1990. The El Paso nonattainment area consists of El Paso county, and shares a common airshed with Juarez, Mexico. The exemption request was based on a photochemical grid modeling which shows that the El Paso nonattainment area would attain the NAAQS for ozone by the CAA mandated deadline without the implementation of the additional NO_x controls required under section 182(f), but for emissions emanating from Mexico. On November 21, 1994, the EPA conditionally approved this exemption request, conditioned upon the EPA approving the modeling portion of the El Paso attainment demonstration SIP.

(c) The Texas Natural Resource Conservation Commission submitted to the EPA on May 4, 1994, a petition requesting that the Victoria County incomplete data ozone nonattainment area be exempted from the requirement to meet the NO_x provisions of the Federal transportation conformity rule. The exemption request was based on monitoring data which demonstrated that the National Ambient Air Quality Standard for ozone had been attained in this area for the 35 months prior to the petition, with the understanding that approval of the State's request would be contingent upon the collection of one additional month of data. The required additional month of verified data was submitted later and, together with the data submitted with the State's petition, demonstrated attainment of the NAAQS for 36 consecutive months. The EPA approved this exemption request on March 2, 1995.

(d) The TNRCC submitted to the EPA on August 17, 1994, with supplemental information submitted on August 31, 1994, and September 9, 1994, a petition requesting that the Houston and Beaumont ozone nonattainment areas be temporarily exempted from the NO_x control requirements of section 182(f) of the CAA. The Houston nonattainment area consists of Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller counties. The Beaumont nonattainment area consists of Hardin, Jefferson, and Orange counties. The exemp-

tion request was based on photochemical grid modeling which shows that reductions in NO_x would not contribute to attaining the ozone NAAQS. On April 12, 1995, the EPA approved the State's request for a temporary exemption. Approval of the temporary exemption waives the federal requirements for NO_x Reasonably Available Control Technology (RACT), New Source Review (NSR), conformity, and vehicle inspection and maintenance (I/M) for the period of the temporary exemption. The temporary exemption automatically expires on December 31, 1996, without further notice from the EPA. Based on the rationale provided in the notice of proposed rulemaking on this action, upon the expiration of the temporary exemption, the requirements pertaining to NO_x RACT, NSR, conformity, and I/M will again become applicable, except that the NO_x RACT implementation date applicable to the Houston and Beaumont nonattainment areas under section 182(f) shall be as expeditious as practicable but no later than May 31, 1997, unless the State has received a permanent NO_x exemption from the EPA prior to that time.

(e) The TNRCC submitted to EPA on March 6, 1996, a petition requesting that the Houston/Galveston and Beaumont/Port Arthur ozone nonattainment areas be granted an extension to a previously-granted temporary exemption from the NO_x control requirements of sections 182(f) and 182(b) of the Clean Air Act. The temporary exemption was granted on April 19, 1995. The current petition is based on the need for more time to complete UAM to confirm the need for, and the extent of, NO_x controls required. On May 23, 1997, EPA approved the State's request for an extension to the temporary exemption. The temporary extension automatically expires on December 31, 1997, without further notice from EPA. Upon expiration of the extension, the requirements pertaining to NO_x RACT, NSR, I/M, general and transportation conformity will become applicable, except that the NO_x RACT compliance date shall be implemented as expeditiously as practicable, but no later than May 31, 1999, unless the State has received a contingent NO_x exemption from the EPA prior to that time.

(f) The extension of the temporary exemption from NO_x control requirements of sections 182(f) and 182(b) of the Clean Air Act for the Houston/Galveston and Beaumont/Port Arthur ozone nonattainment areas granted on May 23, 1997, expired December 31, 1997. Upon expiration of the extension, the requirements pertaining to NO_x RACT, NSR, I/M, general and transportation conformity will become applicable and the State is expected to implement the requirements as expeditiously as possible.

(g) The Texas Natural Resource Conservation Commission submitted a letter to EPA requesting rescission of the previously-granted conditional exemption from the NO_x control requirements of section 182(f) of the Act for the Dallas/Fort Worth ozone nonattainment area. The letter was sent on November 13, 1998. The conditional exemption was granted on November 21, 1994, conditioned upon EPA approving the modeling portion of the DFW attainment demonstration SIP. The conditional exemption was also approved on a contingent basis. The modeling-based exemption would last only as long as the area's modeling continued to demonstrate attainment without the additional NO_x reductions required by section 182(f). The State's request is based on new photochemical modeling which shows the need for NO_x controls to help the area attain the ozone National Ambient Air Quality Standards. Furthermore, EPA would not and could not approve the earlier attainment demonstration SIP modeling upon which the condition was based.

(1) On June 21, 1999, the conditional NO_x exemption for the DFW area granted on November 21, 1994 is rescinded. Upon rescission, the Federal requirements pertaining to NO_x Reasonably Available Control Technology (RACT), New Source Review, vehicle Inspection/Maintenance, general and transportation conformity now apply.

(2) The NO_x RACT final compliance date must be implemented as expeditiously as practicable, but no later than March 31, 2001.

[59 FR 60714, Nov. 28, 1994, as amended at 60 FR 5867, Jan. 31, 1995; 60 FR 19522, Apr. 19, 1995; 62 FR 28349, May 23, 1997; 63 FR 7072, Feb. 12, 1998; 64 FR 19286, Apr. 20, 1999]

§ 52.2309 Emissions inventories.

(a) The Governor of the State of Texas submitted the 1990 base year emission inventories for the Houston/Galveston (HGA), Beaumont/Port Arthur (BPA), El Paso (ELP), and Dallas/Fort Worth (DFW) ozone nonattainment areas on November 17, 1992 as a revision to the State Implementation Plan (SIP). The 1990 base year emission inventory requirement of section 182(a)(1) of the Clean Air Act, as amended in 1990, has been satisfied for each of these areas.

(b) The inventories are for the ozone precursors which are volatile organic compounds, nitrogen oxides, and carbon monoxide. The inventories cover point, area, non-road mobile, on-road mobile, and biogenic sources.

(c) The HGA nonattainment area is classified as Severe-17 and includes Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller Counties; the BPA nonattainment area is classified as Serious and includes Hardin, Jefferson, and Orange Counties; the ELP nonattainment area is classified as Serious and includes El Paso County; and the DFW nonattainment area is classified as Moderate and includes Collin, Dallas, Denton, and Tarrant Counties.

(d) The Texas Natural Resource Conservation Commission submitted State Implementation Plan revisions to the 1990 base year emission inventory for the Beaumont/Port Arthur area with a cover letter from the Governor of Texas dated August 9, 1996.

(e) The Texas Natural Resource Conservation Commission submitted a revision to the State Implementation Plan (SIP) on August 9, 1996. This revision was submitted for the purpose of satisfying the 15% Rate-of-Progress requirements of the Clean Air Act, which will aid in ensuring the attainment of the National Ambient Air Quality Standards for ozone. This submittal also contained revisions to the 1990 base year emissions inventories for the Dallas/Fort Worth, El Paso and Houston/Galveston areas.

(f) The Texas Natural Resource Conservation Commission submitted a revision to the State Implementation Plan (SIP) on May 19, 2000. This revision was submitted for the purpose of

§ 52.2311

satisfying the 9 percent Rate-of-Progress requirements of the Clean Air Act, which will aid in ensuring the attainment of the National Ambient Air Quality Standards for ozone. This submission also contained revisions to the 1990 base year emissions inventory for the Houston/Galveston areas.

[59 FR 55589, Nov. 8, 1994, as amended at 63 FR 6663, Feb. 10, 1998; 63 FR 62947, Nov. 10, 1998; 66 FR 20751, Apr. 25, 2001]

§ 52.2311 Motor vehicle antitampering.

The State of Texas submitted revisions to the State Implementation Plan for 30 TAC Chapter 114, sections 114.1 “Maintenance and Operation of Air Pollution Control Systems or Devices Used to Control Emissions from Motor Vehicles” and 114.5 “Exclusions and Exceptions” on February 24, 1989, and September 6, 1990, and July 13, 1993. The EPA disapproved these revisions that relate to Statewide antitampering provisions and exemptions to antitampering provisions for motor vehicles or motor vehicle engine emission control systems because the State’s antitampering rules are not consistent with the Act, section 203(a)(3) and EPA’s tampering prohibitions as outlined in EPA’s antitampering enforcement policy, Mobile Source Enforcement Memorandum No. 1A.

[63 FR 6653, Feb. 10, 1998]

§ 52.2312 Requirements for the control of SO₂ emissions to address in full or in part requirements related to BART, reasonable progress, and interstate visibility transport.

(a) The Texas SO₂ Trading Program provisions set forth in subpart FFFFF of part 97 of this chapter constitute the Federal Implementation Plan provisions fully addressing Texas’ obligations with respect to best available retrofit technology under section 169A of the Act and the deficiencies associated with EPA’s disapprovals in § 52.2304(d) and partially addressing Texas’ obligations with respect to reasonable progress under section 169A of the Act, as those obligations relate to emissions of sulfur dioxide (SO₂) from electric generating units (EGUs).

40 CFR Ch. I (7–1–18 Edition)

(b) The provisions of subpart FFFFF of part 97 of this chapter apply to sources in Texas but not sources in Indian country located within the borders of Texas, with regard to emissions in 2019 and each subsequent year.

[82 FR 48363, Oct. 17, 2017]

Subpart TT—Utah

§ 52.2320 Identification of plan.

(a) *Purpose and scope.* This section sets forth the applicable State Implementation Plan for Utah under section 110 of the Clean Air Act, 42 U.S.C. 7410 and 40 CFR part 51 to meet national ambient air quality standards or other requirements under the Clean Air Act.

(b) *Incorporation by reference.* (1) Material listed in paragraphs (c) and (d) of this section with an EPA approval date prior to March 1, 2016, was approved for incorporation by reference by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Material is incorporated as submitted by the state to EPA, and notice of any change in the material will be published in the FEDERAL REGISTER. Entries for paragraphs (c) and (d) of this section with EPA approval dates after March 1, 2016, will be incorporated by reference in the next update to the SIP compilation.

(2) EPA Region 8 certifies that the rules/regulations provided by EPA in the SIP compilation at the addresses in paragraph (b)(3) of this section are an exact duplicate of the officially promulgated state rules/regulations which have been approved as part of the State Implementation Plan as of March 1, 2016.

(3) Copies of the materials incorporated by reference may be inspected at the Environmental Protection Agency, Region 8, 1595 Wynkoop Street, Denver, Colorado 80202-1129; and the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call (202) 741-6030, or go to <http://www.archives.gov/federal-register/cfr/ibr-locations.html>.

(c) *EPA-approved regulations.*