

Environmental Protection Agency

§ 51.105

(e) The State must prepare and retain, for inspection by the Administrator upon request, a record of each hearing. The record must contain, as a minimum, a list of witnesses together with the text of each presentation.

(f) The State must submit with the plan, revision, or schedule, a certification that the requirements in paragraph (a) and (d) of this section were met. Such certification will include the date and place of any public hearing(s) held or that no public hearing was requested during the 30 day notification period.

(g) Upon written application by a State agency (through the appropriate Regional Office), the Administrator may approve State procedures for public hearings. The following criteria apply:

(1) Procedures approved under this section shall be deemed to satisfy the requirement of this part regarding public hearings.

(2) Procedures different from this part may be approved if they—

(i) Ensure public participation in matters for which hearings are required; and

(ii) Provide adequate public notification of the opportunity to participate.

(3) The Administrator may impose any conditions on approval he or she deems necessary.

[36 FR 22938, Nov. 25, 1971, as amended at 65 FR 8657, Feb. 22, 2000; 72 FR 38792, July 16, 2007]

§ 51.103 Submission of plans, preliminary review of plans.

(a) The State makes an official plan submission to EPA only when the submission conforms to the requirements of appendix V to this part and the State delivers the submission to EPA through one of the three following methods: An electronic submission through EPA's eSIP submission system; one paper submission to the appropriate Regional Office with an exact duplicate electronic version, preferably in a word searchable format; or three paper submissions. Any State submission under this part, whether through the eSIP submission system or in paper copy form, will serve as the official submission.

(b) Upon request by a State, the Administrator will work with the State to provide preliminary review of a plan or portion thereof submitted in advance of the date such plan is due. Such requests must be made to the appropriate Regional Office, and must indicate changes (such as redline/strikethrough) to the existing approved plan where applicable, and be submitted using a format agreed upon by the State and Regional Office. Requests for preliminary review do not relieve a State of the responsibility of adopting and submitting plans in accordance with prescribed due dates.

(c) In addition to conforming to the requirements of appendix V to this part for complete SIP submissions, the EPA requests that the state consult with the appropriate Regional Office regarding any additional guidance for submitting a plan to EPA.

[80 FR 7340, Feb. 10, 2015]

§ 51.104 Revisions.

(a) States may revise the plan from time to time consistent with the requirements applicable to implementation plans under this part.

(b) The States must submit any revision of any regulation or any compliance schedule under paragraph (c) of this section to the Administrator no later than 60 days after its adoption.

(c) EPA will approve revisions only after applicable hearing requirements of § 51.102 have been satisfied.

(d) In order for a variance to be considered for approval as a revision to the State implementation plan, the State must submit it in accordance with the requirements of this section.

[51 FR 40661, Nov. 7, 1986, as amended at 61 FR 16060, Apr. 11, 1996]

§ 51.105 Approval of plans.

Revisions of a plan, or any portion thereof, will not be considered part of an applicable plan until such revisions have been approved by the Administrator in accordance with this part.

[51 FR 40661, Nov. 7, 1986, as amended at 60 FR 33922, June 29, 1995]