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(42) On May 14, 2009, the Alaska Department of Environmental Conservation submitted a PM₁₀ limited maintenance plan and requested the redesignation of the Mendenhall Valley to attainment for PM₁₀. The state's limited maintenance plan and redesignation request meet the requirements of the Clean Air Act.

(i) Incorporation by reference.

(A) Alaska Administrative Code, Title 18, Chapter 50 Air Quality Control, Section 075 "Wood-fired heating devise visible emission standards," effective May 6, 2009.

(B) Alaska Department of Environmental Conservation State Air Quality Control Plan, Volume III, Appendix III.D.3.5, Ordinance of the City and Borough of Juneau, Alaska, Serial No. 2008-28, adopted February 20, 2009

[37 FR 10848, May 31, 1972. Redesignated at 79 FR 19822, Apr. 10, 2014]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.74, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.govinfo.gov.

§ 52.75 [Reserved]

§ 52.76 1990 Base Year Emission Inventory.

(a) EPA approves as a revision to the Alaska State Implementation Plan the 1990 Base Year Carbon Monoxide Emission Inventory for the Anchorage and Fairbanks areas designated as non-attainment for CO, submitted by the Alaska Department of Environmental Conservation on December 29, 1993. This submittal consists of the 1990 base year stationary, area, non-road mobile, and on-road mobile sources for the pollutant carbon monoxide.

(b) EPA approves a revision to the Alaska State Implementation Plan, submitted on December 5, 1994, of the on-road mobile source portion of the 1990 Base Year Emission Inventory for Carbon Monoxide in Anchorage and Fairbanks.

[62 FR 6132, Feb. 11, 1997, as amended at 63 FR 50764, Sept. 23, 1998]

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§§ 52.77-52.81 [Reserved]

§ 52.82 Extensions.

The Administrator, by authority delegated under section 186(a)(4) of the Clean Air Act, as amended in 1990, hereby extends for one year (until December 31, 1996) the attainment date for the MOA, Alaska CO nonattainment area.

[61 FR 33678, June 28, 1996]

§§ 52.83-52.95 [Reserved]

§ 52.96 Significant deterioration of air quality.

(a) The State of Alaska Department of Environmental Conservation Air Quality Control Regulations are approved as meeting the requirements of 40 CFR 51.166 and part C for preventing significant deterioration of air quality. The specific provisions approved are: 18 AAC 50.010 except (7) and (8); 18 AAC 50.015; 18 AAC 50.020; 18 AAC 50.035(a)(4), (a)(5), and (b)(1); 18 AAC 50.040(h); and 18 AAC 50.215 except (a)(4) as in effect on April 17, 2015; 18 AAC 50.990 as in effect on November 9, 2014; 18 AAC 50.306 as in effect on January 4, 2013; 18 AAC 50.345 except (b), (c)(3), and (l) as in effect on September 14, 2012; and 18 AAC 50.250 as in effect on October 1, 2004.

(b) The requirements of sections 160 through 165 of the Clean Air Act are not met for Indian reservations since the plan does not include approvable provisions for preventing the significant deterioration of air quality on Indian reservations and, therefore, the provisions of § 52.21 except paragraph (a)(1) are hereby incorporated and made part of the applicable plan for Indian reservations in the State of Alaska.

[72 FR 45380, Aug. 14, 2007, as amended at 76 FR 7117, Feb. 9, 2011; 77 FR 64427, Oct. 22, 2012; 79 FR 56274, Sept. 19, 2014; 81 FR 31513, May 19, 2016]

§§ 52.97-52.98 [Reserved]

Subpart D—Arizona

§ 52.119 Identification of plan—conditional approvals.

This section identifies plan revisions that are conditionally approved based

upon commitments received from the State.

(a)–(b) [Reserved]

(c) A plan revision for the Maricopa County Air Quality Department (MCAQD) submitted June 22, 2017, by the Arizona Department of Environmental Quality (ADEQ), the Governor's designee, providing MCAQD's Reasonably Available Control Technology (RACT) demonstration for the 2008 8-hour ozone National Ambient Air Quality Standards, and rule submissions in satisfaction thereof.

(1) The conditional approval is based upon the February 25, 2019 commitment from the State to submit a SIP revision consisting of rule revisions that will cure the identified deficiencies. MCAQD commits to submit these rules to the ADEQ within eleven (11) months after the EPA's conditional approval, and ADEQ commits to make the final submission to the EPA not later than twelve (12) months after the EPA's approval. If the State fails to meet its commitment, the conditional approval will be treated as a disapproval with respect to the rules and CTG categories for which the corrections are not made. The following MCAQD rules and additional materials are conditionally approved:

(i) Rule 350, *Storage and Transfer of Organic Liquids (Non-Gasoline) at an Organic Liquid Distribution Facility*;

(ii) Rule 351, *Storage and Loading of Gasoline at Bulk Gasoline Plants and Bulk Gasoline Terminals*;

(iii) Rule 352, *Gasoline Cargo Tank Testing and Use*;

(iv) Rule 353, *Storage and Loading of Gasoline at Gasoline Dispensing Facilities*; and

(v) The RACT demonstration titled "Analysis of Reasonably Available Control Technology for the 2008 8-Hour Ozone National Ambient Air Quality Standard (NAAQS) State Implementation Plan (RACT SIP)," Only those portions of the document beginning with "Gasoline Bulk Plants, Fixed Roof Petroleum Tanks, External Floating Roof Petroleum Tanks, And Gasoline Loading Terminals" on page 33 through the first full paragraph on page 35, and Appendix C: CTG RACT Spreadsheet, the rows beginning with "Gasoline Bulk Plants" on page 60,

through "Service Stations—Stage I" on pages 67–69. This demonstration represents the RACT requirement for the following source categories: Control of Volatile Organic Emissions from Storage of Petroleum Liquids in Fixed-Roof Tanks (EPA-450/2-77-036), Control of Volatile Organic Emissions from Petroleum Liquid Storage in External Floating Roof Tanks (EPA-450/2-78-047); Control of Hydrocarbons from Tank Truck Gasoline Loading Terminals (EPA-450/2-77-026); Control of Volatile Organic Emissions from Bulk Gasoline Plants (EPA-450/2-77-035); Control of Volatile Organic Compound Leaks from Gasoline Tank Trucks and Vapor Collection Systems (EPA-450/2-78-051); and Design Criteria for Stage I Vapor Control Systems—Gasoline Service Stations (EPA-450/R-75-102).

(2) [Reserved]

(3) The EPA is conditionally approving portions of the Arizona SIP revisions submitted on June 22, 2017. The conditional approval is based upon the February 25, 2019 commitment from the State to submit a SIP revision consisting of rule revisions that will cure the identified deficiencies within twelve (12) months after the EPA's conditional approval. If the State fails to meet its commitment, the conditional approval will be treated as a disapproval with respect to the rules and CTG categories for which the corrections are not met. The following MCAQD rules and additional materials are conditionally approved:

(i) Rule 336, *Surface Coating Operations*;

(ii) The RACT demonstration titled "Analysis of Reasonably Available Control Technology for the 2008 8-Hour Ozone National Ambient Air Quality Standards (NAAQS) State Implementation Plan (RACT SIP)," only those portions of the document claiming RACT was met for the following CTG source categories, "Control of Volatile Organic Emissions from Existing Stationary Sources—Volume VI: Surface Coating of Miscellaneous Metal Parts and Products," EPA-450/2-78-15, June 1978, "Control Techniques Guidelines for Miscellaneous Metal and Plastic Parts Coatings," EPA-453/R-08-003, September 2008, and "Control of Volatile Organic Emissions from Existing

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Stationary Sources—Volume II: Surface Coating of Cans, Coils, Paper, Fabrics, Automobiles, and Light-Duty Trucks” EPA-450/2-77-008, May 1977 (cans and fabrics categories, only).

[83 FR 19635, May 4, 2018, as amended at 84 FR 13548, Apr. 5, 2019; 85 FR 10988, Feb. 26, 2020; 85 FR 43694, July 20, 2020; 86 FR 975, Jan. 7, 2021; 86 FR 31938, June 16, 2021; 87 FR 8424, Feb. 15, 2022; 88 FR 7880, Feb. 7, 2023]

§ 52.120 Identification of plan.

(a) *Purpose and scope.* This section sets forth the applicable State implementation plan for the State of Arizona under section 110 of the Clean Air Act, 42 U.S.C. 7401–7671q and 40 CFR part 51 to meet national ambient air quality standards.

(b) *Incorporation by reference.* (1) Material listed in in paragraphs (c) and (d) of this section with an EPA approval date prior to June 30, 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. Entries in paragraphs (c) and (d) of this section with the EPA approval dates after June 30, 2016 have been approved by EPA for inclusion in the State implementation plan and for

incorporation by reference into the plan as it is contained in this section, and will be considered by the Director of the Federal Register for approval in the next update to the SIP compilation.

(2) EPA Region IX certifies that the materials provided by EPA 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 the dates referenced in paragraph (b)(1).

(3) Copies of the materials incorporated by reference into the state implementation plan may be inspected at the Region IX EPA Office at 75 Hawthorne Street, San Francisco, CA 94105; or the National Archives and Records Administration (NARA). To obtain the material, please call the Regional Office. You may also inspect the material with an EPA approval date prior to June 30, 2016 at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, go to: <http://www.archives.gov/federal-register/cfr/ibr-locations.html>.

(c) *EPA-approved regulations.*

TABLE 1—EPA-APPROVED ARIZONA STATUTES

State citation	Title/subject	State effective date	EPA approval date	Additional explanation
ARIZONA REVISED STATUTES ¹ Title 9 (Cities and Towns) Chapter 4 (General Powers) Article 8 (Miscellaneous)				
9–500.03	Air quality control ...	May 22, 1987	August 10, 1988, 53 FR 30224; vacated; restored on January 29, 1991, 56 FR 3219.	Approval only included subsection A, paragraphs 1 and 2, subsection B. Submitted on March 23, 1988. Senate Bill 1360, section 2.†