

(b) *Determination of Attainment:* Effective October 4, 2013, EPA has determined that, based on 2010 to 2012 ambient air quality data, the West Central Pinal PM<sub>2.5</sub> nonattainment area has attained the 2006 24-hour PM<sub>2.5</sub> NAAQS. This determination suspends the requirements for this area to submit an attainment demonstration, associated reasonably available control measures, a reasonable further progress plan, contingency measures, and other planning SIPs related to attainment for as long as this area continues to attain the 2006 24-hour PM<sub>2.5</sub> NAAQS. If EPA determines, after notice-and-comment rulemaking, that this area no longer meets the 2006 PM<sub>2.5</sub> NAAQS, the corresponding determination of attainment for that area shall be withdrawn.

(c) *Determination of attainment.* Effective June 9, 2017, the EPA has determined that, based on 2013 to 2015 ambient air quality data, the Nogales, AZ PM<sub>2.5</sub> nonattainment area has attained the 2006 24-hour PM<sub>2.5</sub> NAAQS by the applicable attainment date of December 31, 2015. Therefore, the EPA has met the requirement pursuant to CAA section 188(b)(2) to determine whether the area attained the standard. The EPA also has determined that the Nogales, AZ nonattainment area will not be reclassified for failure to attain by its applicable attainment date under section 188(b)(2).

(d) *Determination of attainment.* Effective November 4, 2019, the EPA has determined that, based on 2015 to 2017 ambient air quality data, the West Central Pinal County, AZ PM<sub>2.5</sub> nonattainment area has attained the 2006 24-hour PM<sub>2.5</sub> NAAQS by the applicable attainment date of December 31, 2017. Therefore, the EPA has met the requirement pursuant to CAA section 188(b)(2) to determine whether the area attained the standard. The EPA also has determined that the West Central Pinal County, AZ nonattainment area will not be reclassified for failure to attain by its applicable attainment date under section 188(b)(2).

[78 FR 889, Jan. 7, 2013, as amended at 78 FR 54396, Sept. 4, 2013; 82 FR 21715, May 10, 2017; 84 FR 52771, Oct. 3, 2019]

#### § 52.132 [Reserved]

#### § 52.133 Rules and regulations.

(a) Regulation 7-1-1.4(A) (Exceptions) of the Arizona Rules and Regulations for Air Pollution Control, regulations 12-3-2 (Emission Standards) of the Coconino County Rules and Regulations for Air Pollution Control, section 3, regulation 5 (Exceptions) of the Mohave County Air Pollution Control Regulations, regulation 8-1-1.6 (Exceptions) of the Yuma County Air Pollution Control Regulations, and regulation 7-1-2.8 (Exceptions) of the Rules and Regulations for Pinal-Gila Counties Air Quality Control District all provide for an exemption from enforcement action if the violation is attributable to certain events. These events are too broad in scope and the source can obtain the exemption merely by reporting the occurrence. Therefore, the above regulations are disapproved since these regulations make all approved emission limiting regulations potentially unenforceable.

(b) Paragraph E of regulation 7-1-1.3 (R9-3-103) (Air Pollution Prohibited) prohibits any person from causing ground level concentrations to exceed ambient standards outside the boundaries of this operation. This regulation could allow violations of ambient air quality standards to occur in areas to which the public has access, contrary to the requirements of section 110(a)(1) of the Clean Air Act. Therefore, paragraph E of regulation 7-1-1.3 (R9-3-103) of the Arizona Rules and Regulations for Air Pollution Control is disapproved.

(c) The requirements of subpart G and § 51.281 of this chapter are not met since the plan does not provide any enforceable regulations and a demonstration that such regulations will cause the attainment and maintenance of national ambient air quality standards in Graham and Greenlee Counties.

(d) Section 3, regulation 4 (Ground Level Concentrations) of the Mohave County Air Pollution Control Regulations, paragraph E of regulation 8-1-1.3 (Air Pollution Prohibited) of the Yuma County Air Pollution Control Regulations, and paragraph C of regulation 7-1-1.3 (Air Pollution Prohibited) of the Rules and Regulations for Pinal-Gila

Counties Air Quality Control District prohibits any person from causing ground level concentrations to exceed ambient standards outside the boundaries of his operation. These regulations could allow violations of ambient air quality standards to occur in areas to which the general public has access, contrary to the requirements of section 110(a)(1) of the Clean Air Act. Therefore, these regulations are disapproved.

(e) Rule R18–2–702 of the Arizona Department of Environmental Quality Rules and Regulations sets an opacity standard for emissions from stationary sources of PM–10. The standard does not fulfill the RACM/RACT requirements of section 189(a) of the CAA. The rule also does not comply with enforceability requirements of section 110(a) and SIP relaxation requirements of sections 110(l) and 193. Therefore, Rule R18–2–702 submitted on July 15, 1998 is disapproved.

(f) Rules 1–3–130 and 3–1–020 submitted on November 27, 1995 of the Pinal County Air Quality Control District regulations have limited enforceability because they reference rules not contained in the Arizona State Implementation Plan. Therefore, these rules are removed from the Arizona State Implementation Plan.

(g) Rules 1–2–110, 1–3–130, 3–1–020, and 4–1–010 submitted on October 7, 1998 of the Pinal County Air Quality Control District regulations have limited enforceability because they reference rules not contained in the Arizona State Implementation Plan. Therefore, these rules are disapproved.

(h) [Reserved]

[37 FR 15082, July 27, 1972, as amended at 43 FR 33247, July 31, 1978; 43 FR 53035, Nov. 15, 1978; 51 FR 40676, 40677, Nov. 7, 1986; 67 FR 59460, Sept. 23, 2002; 67 FR 68767, Nov. 13, 2002; 85 FR 43695, July 20, 2020; 87 FR 80468, Dec. 30, 2022]

#### § 52.134 Compliance schedules.

(a) *Federal compliance schedule.* (1) Except as provided in paragraph (a)(2) of this section, the owner or operator of any stationary source subject to § 52.126(b) shall comply with such regulation on or before January 31, 1974. The owner or operator of the source subject to § 52.125(c) shall comply with such regulation at initial start-up of

such source unless a compliance schedule has been submitted pursuant to paragraph (a)(2) of this section.

(i) Any owner or operator in compliance with § 52.126(b) on the effective date of this regulation shall certify such compliance to the Administrator no later than 120 days following the effective date of this paragraph.

(ii) Any owner or operator who achieves compliance with § 52.125(c) or § 52.126(b) after the effective date of this regulation shall certify such compliance to the Administrator within 5 days of the date compliance is achieved.

(2) Any owner or operator of the stationary source subject to § 52.125(c) and paragraph (a)(1) of this section may, no later than July 23, 1973, submit to the Administrator for approval a proposed compliance schedule that demonstrates compliance with § 52.125(c) as expeditiously as practicable but not later than July 31, 1977. Any owner or operator of a stationary source subject to § 52.126(b) and paragraph (a)(1) of this section may, no later than 120 days following the effective date of this paragraph, submit to the Administrator for approval a proposed compliance schedule that demonstrates compliance with § 52.126(b) as expeditiously as practicable but not later than July 31, 1975.

(i) The compliance schedule shall provide for periodic increments of progress toward compliance. The dates for achievement of such increments shall be specified. Increments of progress shall include, but not be limited to: Submittal of the final control plan to the Administrator; letting of necessary contracts for construction or process change, or issuance of orders for the purchase of component parts to accomplish emission control equipment or process modification; completion of onsite construction or installation of emission control equipment or process modification; and final compliance.

(ii) Any compliance schedule for the stationary source subject to § 52.125(c) which extends beyond July 31, 1975, shall apply any reasonable interim measures of control designed to reduce the impact of such source on public health.