

§ 52.2498

40 CFR Ch. I (7–1–23 Edition)

CO₂ from the industrial combustion of biomass.

(c) In accordance with section 164 of the Clean Air Act and the provisions of 40 CFR 52.21(g), the Spokane Indian Reservation is designated as a Class I area for the purposes of preventing significant deterioration of air quality.

(d) The regulations at 40 CFR 49.10191 through 49.10220 contain the Federal Implementation Plan for the Kalispel Indian Community of the Kalispel Reservation, Washington. The regulation at 40 CFR 49.10198(b) designates the original Kalispel Reservation, as established by Executive Order No. 1904, signed by President Woodrow Wilson on March 23, 1914, as a Class I area for purposes of prevention of significant deterioration of air quality.

[43 FR 26410, June 19, 1978, as amended at 45 FR 52741, Aug. 7, 1980; 56 FR 14862, Apr. 12, 1991; 68 FR 11324, Mar. 10, 2003; 68 FR 74490, Dec. 24, 2003; 80 FR 23729, Apr. 29, 2015; 82 FR 24537, May 30, 2017; 84 FR 34313, July 18, 2019]

§ 52.2498 Visibility protection.

(a) The requirements of section 169A of the Clean Air Act are not fully met because the plan does not include approvable procedures for visibility new source review for:

(1) Sources subject to the jurisdiction of Olympic Region Clean Air Agency;

(2) Indian reservations in Washington except for non-trust land within the exterior boundaries of the Puyallup Indian Reservation (also known as the 1873 Survey Area) as provided in the Puyallup Tribe of Indians Settlement Act of 1989, 25 U.S.C. 1773, and any other area where the EPA or an Indian tribe has demonstrated that a tribe has jurisdiction.

(b) Regulations for visibility new source review. The provisions of § 52.28 are hereby incorporated and made a part of the applicable plan for Washington for the facilities, emission sources, and geographic areas listed in paragraph (a) of this section.

(c) The requirements of sections 169A and 169B of the Clean Air Act are not met because the plan does not include approvable provisions for protection of visibility in mandatory Class I Federal areas, specifically the Best Available Retrofit Technology (BART) requirement for regional haze visibility im-

pairment (§ 51.308(e)). The EPA BART requirements are found in §§ 52.2500, 52.2501, and 52.2502.

[51 FR 23228, June 26, 1986, as amended at 79 FR 33453, June 11, 2014; 80 FR 23730, Apr. 29, 2015; 82 FR 17143, Apr. 10, 2017; 82 FR 24537, May 30, 2017; 85 FR 22362, Apr. 22, 2020; 85 FR 36161, June 15, 2020; 86 FR 24726, May 10, 2021; 87 FR 41074, July 11, 2022]

§ 52.2499 [Reserved]

§ 52.2500 Best available retrofit technology requirements for the Intalco Aluminum Corporation (Intalco Works) primary aluminum plant—Better than BART Alternative.

(a) *Applicability.* This section applies to the Intalco Aluminum Corporation (Intalco) primary aluminum plant located in Ferndale, Washington and to its successors and/or assignees.

(b) *Better than BART Alternative—Sulfur dioxide (SO₂) emission limit for potlines.* Starting January 1, 2015, SO₂ emissions from all potlines in aggregate must not exceed a total of 5,240 tons for any calendar year.

(c) *Compliance demonstration.* (1) Intalco must determine on a calendar month basis, SO₂ emissions using the following formula:

SO₂ emissions in tons per calendar month = (carbon consumption ratio) × (% sulfur in baked anodes/100) × (% sulfur converted to SO₂/100) × (2 pounds of SO₂ per pound of sulfur) × (tons of aluminum production per calendar month)

(i) Carbon consumption ratio is the calendar month average of tons of baked anodes consumed per ton of aluminum produced as determined using the baked anode consumption and production records required in paragraph (e)(2) of this section.

(ii) % sulfur in baked anodes is the calendar month average sulfur content as determined in paragraph (d) of this section.

(iii) % sulfur converted to SO₂ is 95%.

(2) Calendar year SO₂ emissions shall be calculated by summing the 12 calendar month SO₂ emissions for the calendar year.

(d) *Emission monitoring.* (1) Intalco must determine the % sulfur of baked anodes using ASTM Method D6376 or an