

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.223, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

§ 52.224 General requirements.

(a) The requirements of § 51.116(c) of this chapter are not met except in certain Air Pollution Control Districts (APCD) as indicated in this paragraph since the plan does not provide procedures by which emission data, as correlated with applicable emission limitations, will be made available to the public.

(1) The following APCD's meet the requirements of § 51.116(c) of this chapter:

- (i) Siskiyou County APCD.
- (ii) San Diego County APCD.
- (iii) Great Basin Unified APCD.
- (iv) Del Norte County APCD.
- (v) Humboldt County APCD.
- (vi) Mendocino County APCD.
- (vii) Northern Sonoma County APCD.
- (viii) Trinity County APCD.
- (ix) Amador County APCD.

(2) The following APCD's do not provide for the correlation of emission data with applicable emission limitations as required by § 51.116(c) of this chapter. In these APCD's, only the requirements of § 52.224(b)(4) are in effect:

- (i) Merced County APCD.
- (ii) Stanislaus County APCD.
- (iii) Fresno County APCD.
- (iv) Calaveras County APCD.
- (v) Tuolumne County APCD.
- (vi) San Joaquin County APCD.
- (vii) Mariposa County APCD.
- (viii) Tulare County APCD.
- (ix) Kern County APCD.
- (x) Madera County APCD.
- (xi) Yolo-Solano APCD.
- (xii) Sutter County APCD.
- (xiii) Glenn County APCD.
- (xiv) Tehama County APCD.
- (xv) Sierra County APCD.
- (xvi) Shasta County APCD.
- (xvii) Sacramento County APCD.
- (xviii)–(xix) [Reserved]
- (xx) Lake County APCD.
- (xxi) Imperial County APCD.
- (xxii) [Reserved]
- (xxiii) Ventura County APCD.
- (xxiv) Monterey Bay Unified APCD.
- (xxv) [Reserved]
- (xxvi) San Luis Obispo County APCD.
- (xxvii) Kings County APCD.

(xxviii) Plumas County APCD.

(xxix) Nevada County APCD.

(b) *Regulation for public availability of emission data.* (1) Any person who cannot obtain emission data from the Agency responsible for making emission data available to the public, as specified in the applicable plan, except for those APCD's specified in paragraph (a) of this section, concerning emissions from any source subject to emission limitations which are part of the approved plan may request that the appropriate Regional Administrator obtain and make public such data. Within 30 days after receipt of any such written request, the Regional Administrator shall require the owner or operator of any such source to submit information within 30 days on the nature and amounts of emissions from such source and any other information as may be deemed necessary by the Regional Administrator to determine whether such source is in compliance with applicable emission limitations or other control measures that are part of the applicable plan.

(2) Commencing after the initial notification by the Regional Administrator pursuant to paragraph (b)(1) of this section, the owner or operator of the source shall maintain records of the nature and amounts of emissions from such source and any other information as may be deemed necessary by the Regional Administrator to determine whether such source is in compliance with applicable emission limitations or other control measures that are part of the plan. The information recorded shall be summarized and reported to the Regional Administrator, on forms furnished by the Regional Administrator, and shall be submitted within 45 days after the end of the reporting period. Reporting periods are January 1 to June 30 and July 1 to December 31.

(3) Information recorded by the owner or operator and copies of this summarizing report submitted to the Regional Administrator shall be retained by the owner or operator for 2 years after the date on which the pertinent report is submitted.

(4) Emission data obtained from owners or operators of stationary sources

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will be correlated with applicable emission limitations and other control measures that are part of the applicable plan and will be available at the appropriate regional office and at other locations in the state designated by the Regional Administrator.

(c) The deletion of the following rules or portions of rules is disapproved, since these regulations are necessary to fulfill the requirements of 40 CFR 51.116(c).

(1) Northcoast intrastate region:

(i) Lake County APCD.

(A) Section 49a, *Public Records*, and Section 49b, *Record*, of Part III, *Definitions*; and Part II, *Authorization and Disclosure*, submitted on October 23, 1974 and previously approved under 40 CFR 52.223, are retained.

[40 FR 55328, Nov. 28, 1975]

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§ 52.225 Legal authority.

(a) The requirements of § 51.230(c) of this chapter are not met since the State Emergency Services Act does not apply to air pollution emergencies in a manner comparable to section 303 of the Clean Air Act, as amended.

(b) The requirements of § 51.230(f) of this chapter are not met since authority to make emission data available to the public inadequate. Such release is precluded under certain circumstances.

[37 FR 10852, May 31, 1972, as amended at 51 FR 40676, Nov. 7, 1986]

§ 52.226 Control strategy and regulations: Particulate matter, San Joaquin Valley and Mountain Counties Intrastate Regions.

(a) [Reserved]

(b) The following regulatory changes represent a relaxation of previously submitted regulations and an adequate control strategy has not been submitted showing that the relaxation will not interfere with attainment and maintenance of the National Ambient Air Quality Standards for particulate matter:

(1) Kings County APCD.

(i) Rule 405, Process Weight, submitted on July 25, 1973 is disapproved;

and Rule 405, submitted on June 30, 1972, and previously approved in 40 CFR 52.223 is retained.

(ii) Rule 407.1, *Disposal of Solid and Liquid Wastes*, submitted on November 4, 1977, is disapproved; and Rule 407.1, *Disposal of Solid and Liquid Wastes*, submitted on June 30, 1972, and previously approved under 40 CFR 52.223 is retained.

(2) Calaveras County APCD.

(i) The revocation of Rule 407(b), Combustion Contaminants, is disapproved; and Rule 407(b), submitted on June 30, 1972, and previously approved in 40 CFR 52.223 is retained.

(ii) The revocation of Rule 408, Fuel Burning Equipment, is disapproved; and Rule 408, submitted on June 30, 1972, and previously approved in 40 CFR 52.223 is retained.

(iii) The addition of Rule 209, Fossil Fuel-Steam Generator Facility, is disapproved; and Rule 408, submitted on June 30, 1972 and previously approved in 40 CFR 52.223 is retained.

(3) Tuolumne County APCD.

(i) Rule 207, Particulate Matter, submitted on July 22, 1975, is disapproved; and Rules 404 and 407(b), submitted on June 30, 1972 and previously approved in 40 CFR 52.223 are retained.

(ii) Rule 209, Fossil Fuel-Steam Generator Facility, submitted on July 22, 1975, is disapproved; and Rule 408, submitted on June 30, 1972, and previously approved in 40 CFR 52.223 is retained.

(iii) Rule 207, Particulate Matter, submitted on February 10, 1977, is disapproved and the previously approved Rules 404 and 407(b), submitted on June 30, 1972, remain in effect.

(iv) Rule 209, Fossil Fuel-Steam Generator Facility, submitted on February 10, 1977, is disapproved and the previously approved Rule 408, submitted on June 30, 1972, remains in effect.

(4) Fresno County APCD.

(i) Rule 407, Disposal of Solid or Liquid Wastes, submitted on February 10, 1976, is disapproved; and Rule 407.1, submitted on June 30, 1972, and previously approved in 40 CFR 52.223 is retained.

(ii) Rule 407, Disposal of Solid or Liquid Wastes, submitted on November 10, 1976, is disapproved; and Rule 407.1, submitted on June 30, 1972 and previously approved in 40 CFR 52.223 is retained.

(5) San Joaquin County APCD.