

**§ 52.240**

**40 CFR Ch. I (7-1-04 Edition)**

(b) Alternative compliance plans (bubble plans) developed under the District rules listed below are considered the applicable requirements in the SIP which are enforceable by EPA and private citizens under section 113 and 304(a) of the Act. Alternative compliance plans must be submitted to EPA after their approval by the District. The District rules do not apply to or supersede the conditions that a source must meet under nonattainment or PSD permit programs, new source performance standards, or national emission standards for hazardous air pollutants.

(1) Bay Area AQMD.

(i) Rules 11, 13 and 19 of Regulation 8, submitted on February 7, 1980.

[47 FR 11870, Mar. 19, 1982]

**§ 52.240 Compliance schedules.**

(a) The requirements of § 51.262(a) of this chapter are not met in the following Air Pollution Control Districts since the regulations cited do not provide increments to progress toward compliance.

(1) Rules 50-A, 52-A, 53-A(a), 53-A(b), 53-A(c), 53.2, 53.3, 54.A, 58.A, 62.1, 68, 69, 70, and 71 of the San Bernardino County APCD.

(2) Rules 53, 72.1, and 72.2 of the Riverside County APCD.

(3) Rules 53, 66.c, and 68.a of the Orange County APCD.

(4) Rule 39.1 of the Santa Barbara County APCD.

(5) Rule 59 of the Ventura County APCD.

(6) Rule 66(c) of the Los Angeles County APCD.

(7) Rule 4.5 of the Siskiyou County APCD.

(8) Rule 64(c) of the Northern Sonoma County APCD.

(9) Rule 409 of the Tulare County APCD.

(b) The requirements of § 51.261 are not met since Rule 68.a of the Orange County Air Pollution Control District does not provide for compliance within 3 years after the Administrator's approval of the plan.

(c) Federal compliance schedule. (1) Except as provided in paragraph (c)(2) of this section, the owner or operator of any stationary source subject to Rule 68.a of the Orange County Air Pol-

lution Control District shall comply with such rule or regulation on or before January 31, 1974.

(i) Any owner or operator in compliance with this rule 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 such rule or regulation 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 a stationary source subject to paragraph (c)(1) of this section may, not 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 the rules and regulations specified in paragraph (c)(1) of this section as expeditiously as practicable but no later than July 31, 1975. The compliance schedule shall provide for increments of progress toward compliance. The dates for achievement of such increments of progress shall be specified. Increments of progress shall include, but not be limited to: Submittal of final control plan to the Administrator; letting of necessary contracts for construction or process changes or issuance of orders for the purchase of component parts to accomplish emission control or process modification; initiation of onsite construction or installation of emission control equipment or process modification; completion of onsite construction or installation of emission control equipment or process modification; and final compliance.

(3) Any owner or operator who submits a compliance schedule pursuant to this paragraph shall, within 5 days after the deadline for each increment of progress, certify to the Administrator whether or not the required increment of the approved compliance schedule has been met.

(d) Regulation for increments of progress. (1) The requirements of this

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paragraph are applicable to any stationary source in the following Air Pollution Control Districts subject to the indicated regulations.

- (i) Rules 50-A, 52-A, 53-A(a), 53-A(b), 53-A(c), 53.2, 53.3, 54.A, 58.A, 62.1, 68, 69, 70, and 71 of the San Bernardino County APCD.
- (ii) Rules 53, 72.1, and 72.2 of the Riverside County APCD.
- (iii) Rules 53 and 66.c of the Orange County APCD.
- (iv) Rule 39.1 of the Santa Barbara County APCD.
- (v) Rule 59 of the Ventura County APCD.
- (vi) Rules 66(c) and 68 of the Los Angeles County APCD.
- (vii) Rule 4.5 of the Siskiyou County APCD.
- (viii) Rule 64(c) of the Northern Sonoma County APCD.
- (ix) Rule 409 of the Tulare County APCD.

(2) Except as provided in paragraph (3) of this section, the owner or operator of any stationary source shall, 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 the applicable regulations as expeditiously as practicable but no later than the final compliance date specified by such applicable regulation. 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 final control plan to the Administrator; let-

ting of necessary contracts for construction or process changes or issuance of orders for the purchase of component parts to accomplish emission control or process modification; initiation of onsite construction or installation of emission control equipment or process modification; completion of onsite construction or installation of emission control equipment or process modification; and final compliance.

(3) Where any such owner or operator demonstrates to the satisfaction of the Administrator that compliance with the applicable regulations will be achieved on or before January 31, 1974, no compliance schedule shall be required.

(4) Any owner or operator who submits a compliance schedule pursuant to this paragraph shall, within 5 days after the deadline for each increment of progress, certify to the Administrator whether or not the required increment of the approved compliance schedule has been met.

(5) Any compliance schedule adopted by the State and approved by the Administrator shall satisfy the requirements of this paragraph for the affected source.

(e) [Reserved]

(f) State compliance schedules. (1) [Reserved]

(2) The compliance schedules for the sources identified below are disapproved as not meeting the requirements of Subpart N of this chapter. All regulations cited are air pollution control regulations of the county in which the source is located, unless otherwise indicated.

Source	Location (county)	Rule or regulation involved	Date of adoption	Effective date	Final compliance date
Simpson Lee Paper Co. (Order No. 72-V-7).	Shasta .....	3.2 .....	Oct. 31, 1973 ..	Immediately .....	Jan. 15, 1976.
Monolith Portland Cement Co. (Order No. 73-6 as amended Mar. 11, 1974).	Kern .....	401(b), 404.1, 406.	Dec. 31, 1973	.....do .....	July 1, 1976.

[37 FR 19814, Sept. 22, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting §52.240, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.