

TABLE 52.385—EPA-APPROVED REGULATIONS—Continued

Connecticut State citation	Title/subject	Dates		Federal Register citation	Section 52.370	Comments/description
		Date adopted by State	Date approved by EPA			
22a-174-38	Municipal Waste Combustors.	10/26/00	12/6/01	66 FR 63312	c(90)	The nitrogen oxide emission limits and related regulatory provisions of 22a-174-38, Municipal Waste Combustors, included in sections 22a-174-38 (a), (b), (c), (d), (i), (j), (k), (l), and (m).
22a-174-100	Permits for construction of indirect sources Rescinded from federal SIP.	1/9/74	2/25/74	39 FR 7280	(c) 4	Requires review of air impacts of indirect sources.
		8/20/74	2/13/76	41 FR 6765	(c) 6	Added indirect source review (ISR) regulations.
		6/30/77 NA	1/26/79 12/23/79	44 FR 5427	(c) 9. (c) 11	SIP shown to attain standards as expeditiously as practicable without ISR regulation.

[62 FR 52022, Oct. 6, 1997; 62 FR 65224, Dec. 11, 1997, as amended at 63 FR 6487, Feb. 9, 1998; 63 FR 20318, Apr. 24, 1998; 64 FR 12024, Mar. 10, 1999; 64 FR 52238, Sept. 28, 1999; 64 FR 67192, Dec. 1, 1999; 65 FR 12479, Mar. 9, 2000; 65 FR 62624, Oct. 19, 2000; 65 FR 64360, Oct. 27, 2000; 65 FR 81746, Dec. 27, 2000; 66 FR 16137, Mar. 23, 2001; 66 FR 63312, Dec. 6, 2001; 68 FR 9011, Feb. 27, 2003]

Subpart I—Delaware

§ 52.420 Identification of plan.

(a) *Purpose and scope.* This section sets forth the applicable State implementation plan for Delaware under section 110 of the Clean Air Act, 42 U.S.C. 7410, and 40 CFR part 51 to meet national ambient air quality standards.

(b) *Incorporation by reference.* (1) Material listed as incorporated by reference in paragraphs (c) and (d) 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. Material is incorporated as it exists on the date of the approval, and notice of any change in the material will be published in the FEDERAL REGISTER. Entries in paragraphs (c) and (d) of this section with EPA approval dates on or after June 1, 2004

will be incorporated by reference in the next update to the SIP compilation.

(2) EPA Region III certifies that the rules/regulations 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 Delaware State implementation plan as of June 1, 2004.

(3) Copies of the materials incorporated by reference may be inspected at the EPA Region III Office at 1650 Arch Street, Philadelphia, PA 19103; the EPA, Air and Radiation Docket and Information Center, Air Docket (6102), 1301 Constitution Avenue, NW., Room B108, Washington, DC 20460; or the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call (202) 741-6030, or go to: http://www.archives.gov/federal_register/

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*code of federal regulations/
ibr_locations.html.*

(c) *EPA approved regulations.*

EPA-APPROVED REGULATIONS IN THE DELAWARE SIP

State citation	Title/subject	State effective date	EPA approval date	Additional explanation
Regulation 1—Definitions and Administrative Principles				
Section 1	General Provisions ...	5/28/74	03/23/76 41 FR 12010	
Section 2	Definitions	10/11/98	3/11/99 64 FR 12085	
Section 2	Definitions	2/8/95	9/9/99 64 FR 48961	New Definitions: (Effective date: 1/7/77) —Capacity factor. —Continuous monitoring system. —Emission standard. —Equipment shutdown. —Excess Emissions. (Effective Date: 9/26/78). —Sulfuric Acid Plant. Revised Definitions: (Effective date: 1/7/77). —Existing Installation, Equipment, Source, or Operation.
			*—New Installation, Equipment, Source, or Operation.	
Section 3	Administrative Principles.	1/7/72	05/31/72 37 FR 10842	
Section 4	Abbreviations	2/1/81	3/15/82 48 FR 11013	Abbreviation of “CAA” only.
Regulation 2—Permits				
Section 1	General Provisions ...	6/1/97	1/13/00 65 FR 2048	
Section 2	Applicability	6/1/97	1/13/00 65 FR 2048	
Section 3	Applications Prepared by Interested Parties.	6/1/97	1/13/00 65 FR 2048	
Section 4	Cancellation of Construction Permits.	6/1/97	1/13/00 65 FR 2048	
Section 5	Action on Applications.	6/1/97	1/13/00 65 FR 2048	
Section 6	Denial, Suspension or Revocation of Operating Permits.	6/1/97	1/13/00 65 FR 2048	
Section 7	Transfer of Permit/Registration Prohibited.	6/1/97	1/13/00 65 FR 2048	
Section 8	Availability of Permit/Registration.	6/1/97	1/13/00 65 FR 2048	
Section 9	Registration Submittal	6/1/97	1/13/00 65 FR 2048	
Section 10	Source Category Permit Application.	6/1/97	1/13/00 65 FR 2048	

EPA-APPROVED REGULATIONS IN THE DELAWARE SIP—Continued

State citation	Title/subject	State effective date	EPA approval date	Additional explanation
Section 11	Permit Application	6/1/97	1/13/00 65 FR 2048	
Section 12	Public Participation ...	6/1/97	1/13/00 65 FR 2048	Limited approval.
Section 13	Department Records	6/1/97	1/13/00 65 FR 2048	
Regulation 3—Ambient Air Quality Standards				
Section 1	General Provisions ...	03/29/88	4/6/94 48 FR 46986	
Section 2	General Restrictions	3/11/80	10/30/81 46 FR 53663	
Section 3	Suspended Particulates.	3/11/80	10/30/81 46 FR 53663	
Section 4	Sulfur Dioxide	3/11/80	10/30/81 46 FR 53663	
Section 5	Carbon Monoxide	3/11/80	10/30/81 46 FR 53663	
Section 6	Ozone	3/11/80	10/30/81 46 FR 53663	
Section 8	Nitrogen Dioxide	3/11/80	10/30/81 46 FR 53663	
Section 10	Lead	3/11/80	3/11/82 48 FR 10535	
Section 11	PM ₁₀ Particulates	12/7/88	4/6/94 48 FR 46986	
Regulation 4—Particulate Emissions From Fuel Burning Equipment				
Section 1	General Provisions ...	5/28/74	3/23/76 41 FR 12010	
Section 2	Emission Limits	5/28/74	3/23/76 41 FR 12010	
Regulation 5—Particulate Emissions From Industrial Process Operations				
Section 1	General Provisions ...	5/28/74	3/23/76 41 FR 12010	
Section 2	General Restrictions	5/28/74	3/23/76 41 FR 12010	
Section 3	Restrictions on Hot Mix Asphalt Batching Operations.	5/28/74	3/23/76 41 FR 12010	
Section 4	Restrictions on Secondary Metal Operations.	12/2/77	07/30/79 44 FR 44497	
Section 5	Restrictions on Petroleum Refining Operations.	9/26/78	9/9/99 64 FR 48961	
Section 6	Restrictions on Prill Tower Operations.	9/26/78	08/01/80 45 FR 51198	

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EPA-APPROVED REGULATIONS IN THE DELAWARE SIP—Continued

State citation	Title/subject	State effective date	EPA approval date	Additional explanation
Section 7	Control of Potentially Hazardous Particulate Matter.	1/7/72	5/31/72 37 FR 10842	
Regulation 6—Particulate Emissions From Construction and Materials Handling				
Section 1	General Provisions ...	1/7/72	05/31/72 37 FR 10842	
Section 2	Demolition	5/28/74	03/23/76 41 FR 12010	
Section 3	Grading, Land Clearing, Excavation and Use of Non-Paved Roads.	5/28/74	03/23/76 41 FR 12010	
Section 4	Material Movement ...	5/28/74	03/23/76 41 FR 12010	
Section 5	Sandblasting	5/28/74	03/23/76 41 FR 12010	
Section 6	Material Storage	5/28/74	03/23/76 41 FR 12010	
Regulation 7—Particulate Emissions From Incineration				
Section 1	General Provisions ...	05/28/74	03/23/76 41 FR 12010	
Section 2	Restrictions	12/8/83	10/3/84 49 FR 39061	Provisions were revised 10/13/89 by State, but not submitted to EPA as SIP revisions.
Regulation 8—Sulfur Dioxide Emissions From Fuel Burning Equipment				
Section 1	General Provisions ...	12/8/83	10/3/84 49 FR 39061	
Section 2	Limit on Sulfur Content of Fuel.	5/9/85	12/08/86 51 FR 44068	
Section 3	Emissions Control in Lieu of Sulfur Content Limits of Section 2.	5/9/85	12/08/86 51 FR 44068	
Regulation 9—Emissions of Sulfur Compounds From Industrial Operations				
Section 1	General Provisions ...	5/9/85	12/08/86 51 FR 44068	
Section 2	Restrictions on Sulfuric Acid Manufacturing Operations.	9/26/78	9/9/99 64 FR 48961	1. On 3/11/1982 (47 FR 10535), EPA approved revisions to Section 2 with a State effective date of 12/29/1980. 2. Section 2.2 (State effective date: 9/26/1980) is federally enforceable as a Section 111(d) plan and codified at 40 CFR 62.1875.
Section 3	Restriction on Sulfur Recovery Operations.	5/28/74	03/23/76 41 FR 12010	
Section 4	Stack Height Requirements.	4/18/83	09/21/83 48 FR 42979	

EPA-APPROVED REGULATIONS IN THE DELAWARE SIP—Continued

State citation	Title/subject	State effective date	EPA approval date	Additional explanation
Regulation 10—Control of Sulfur Dioxide Emissions—Kent and Sussex Counties				
Section 1	Requirements for Existing Sources of Sulfur Dioxide.	1/7/72	05/31/72 37 FR 10842	
Section 2	Requirements for New Sources of Sulfur Dioxide.	5/28/74	03/23/76 41 FR 12010	
Regulation 11—Carbon Monoxide Emissions from Industrial Process Operations—New Castle County				
Section 1	General Provisions ...	5/28/74	03/23/76 41 FR 12010	
Section 2	Restrictions on Petroleum Refining Operations.	1/7/72	05/31/72 37 FR 10842	Citation revised 3/23/76, 41 FR 12010.
Regulation 12—Control of Nitrogen Oxide Emissions				
Section 1	Applicability	11/24/93	6/14/01 66 FR 32234	
Section 2	Definitions	11/24/93	6/14/01 66 FR 32234	
Section 3	Standards	11/24/93	6/14/01 66 FR 32234	
Section 4	Exemptions	11/24/93	6/14/01 66 FR 32234	
Section 5	Alternative and Equivalent RACT Determinations.	11/24/93	6/14/01 66 FR 32234	
Section 6	RACT Proposals	11/24/93	6/14/01 66 FR 32234	
Section 7	Compliance, Certification, Record-keeping, and Reporting Requirements.	11/24/93	6/14/01 66 FR 32234	
Regulation 13—Open Burning				
Section 1	Prohibitions-All Counties.	2/8/95	03/12/97 62 FR 11329	EPA effective date is 5/1/98.
Section 2	Prohibitions-Specific Counties.	2/8/95	03/12/97 62 FR 11329	EPA effective date is 5/1/98.
Section 3	General Restrictions-All Counties.	2/8/95	03/12/97 62 FR 11329	EPA effective date is 5/1/98.
Section 4	Exemptions-All Counties.	2/8/95	03/12/97 62 FR 11329	EPA effective date is 5/1/98.
Regulation 14—Visible Emissions				
Section 1	General Provisions ...	7/17/84	07/02/85 50 FR 27244	
Section 2	Requirements	7/17/84	07/02/85 50 FR 27244	
Section 3	Alternate Opacity Requirements.	7/17/84	07/02/85 50 FR 27244	

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EPA-APPROVED REGULATIONS IN THE DELAWARE SIP—Continued

State citation	Title/subject	State effective date	EPA approval date	Additional explanation
Section 4	Compliance with Opacity Standards.	7/17/84	07/02/85 50 FR 27244	
Regulation 15—Air Pollution Alert and Emergency Plan				
Section 1	General Provisions ...	1/7/72	05/31/72 37 FR 10842	
Section 2	Stages and Criteria ...	3/29/88	04/06/94 59 FR 16140	
Section 3	Required Actions	1/7/72	5/31/72 37 FR 10842	Delaware removed the word “standby” from Table III, section 3B effective 5/28/74, but did not submit as a SIP revision.
Section 4	Standby Plans	1/7/72	05/31/72 37 FR 10842	
Regulation 16—Sources Having an Interstate Air Pollution Potential				
Section 1	General Provisions ...	1/7/72	05/31/72 37 FR 10842	Delaware revised provision effective 5/28/74, but did not submit as a SIP revision.
Section 2	Limitations	1/7/72	05/31/72 37 FR 10842	
Section 3	Requirements	1/7/72	05/31/72 37 FR 10842	
Regulation 17—Source Monitoring, Record-keeping and Reporting				
Section 1	Definitions and Administrative Principles.	1/11/93	02/28/96 61 FR 7453	
Section 2	Sampling and Monitoring.	7/17/84	07/02/85 50 FR 27244	Former SIP Sections 1 through 5 respectively; citation revised 2/28/96, 62 FR 7453.
Section 3	Minimum Emission Monitoring Requirements for Existing Sources.	1/10/77	8/25/81 46 FR 43150	
Section 4	Performance Specifications.	1/11/93	9/9/99 64 FR 48961	
Section 5	Minimum Data Requirements.	1/10/77	8/25/81 46 FR 43150	
Section 6	Data Reduction	1/11/93	9/9/99 64 FR 48961	
Section 7	Emission Statement ..	1/11/93	02/28/96 61 FR 7453	
Regulation 23—Standards of Performance for Steel Plants: Electric Arc Furnaces				
Section 1	Applicability	12/2/77	07/30/79 44 FR 44497	Correction published 8/20/80, 45 FR 55422.
Section 2	Definitions	04/18/83	09/21/83 49 FR 39061	
Section 3	Standard for Particulate Matter.	04/18/83	09/21/83 49 FR 39061	
Section 4	Monitoring of Operations.	12/2/77	07/30/79 44 FR 44497	Correction published 8/20/80, 45 FR 55422.

EPA-APPROVED REGULATIONS IN THE DELAWARE SIP—Continued

State citation	Title/subject	State effective date	EPA approval date	Additional explanation
Section 5	Test Methods and Procedures.	12/2/77	07/30/79 44 FR 44497	Correction published 8/20/80, 45 FR 55422.
Regulation 24—Control of Volatile Organic Compound Emissions				
Section 1	General Provisions ...	1/11/93	5/3/95 60 FR 21707	
Section 2	Definitions	1/11/02	11/14/03 68 FR 64540	
Section 3	Applicability	1/11/93	5/3/95 60 FR 21707	
Section 4	Compliance Certification, Record-keeping, and Reporting Requirements for Coating Sources.	11/29/94	01/26/96 61 FR 2419	
Section 5	Compliance Certification, Record-keeping, and Reporting Requirements for Non-Coating Sources.	1/11/93	5/3/95 60 FR 21707	
Section 6	General Record-keeping.	1/11/93	5/3/95 60 FR 21707	
Section 7	Circumvention	1/11/93	5/3/95 60 FR 21707	
Section 8	Handling, Storage, and Disposal of Volatile Organic Compounds (VOCs).	11/29/94	01/26/96 61 FR 2419	
Section 9	Compliance, Permits, Enforceability.	1/11/93	5/3/95 60 FR 21707	
Section 10	Aerospace Coatings	2/11/03	3/24/04 69 FR 13737	SIP effective date is 5/24/04.
Section 11	Mobile Equipment Repair and Refinishing.	11/11/01	11/22/02 67 FR 70315	
Section 12	Surface Coating of Plastic Parts.	11/29/94	01/26/96 61 FR 2419	
Section 13	Automobile and Light-Duty Truck Coating Operations.	1/11/93	5/3/95 60 FR 21707	
Section 14	Can Coating	1/11/93	5/3/95 60 21707	
Section 15	Coil Coating	1/11/93	5/3/95 60 21707	
Section 16	Paper Coating	1/11/93	5/3/95 60 21707	
Section 17	Fabric Coating	1/11/93	5/3/95 60 FR 21707	

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EPA-APPROVED REGULATIONS IN THE DELAWARE SIP—Continued

State citation	Title/subject	State effective date	EPA approval date	Additional explanation
Section 18	Vinyl Coating	1/11/93	5/3/95 60 FR 21707	
Section 19	Coating of Metal Furniture.	1/11/93	5/3/95 60 FR 21707	
Section 20	Coating of Large Appliances.	1/11/93	5/3/95 60 FR 21707	
Section 21	Coating of Magnet Wire.	11/29/94	01/26/96 60 FR 2419	
Section 22	Coating of Miscellaneous Metal Parts.	1/11/93	5/3/95 60 FR 21707	
Section 23	Coating of Flat Wood Panelling.	1/11/93	5/3/95 60 FR 21707	
Section 24	Bulk Gasoline Plants	1/11/93	5/3/95 60 FR 21707	
Section 25	Bulk Gasoline Terminals.	11/29/94	01/26/96 61 FR 2419	
Section 26	Gasoline Dispensing Facility-Stage I Vapor Recovery.	1/11/02	11/14/03 68 FR 64540	
Section 27	Gasoline Tank Trucks	1/11/93	5/3/95 60 FR 21707	
Section 28	Petroleum Refinery Sources.	1/11/93	5/3/95 60 FR 21707	
Section 29	Leaks from Petroleum Refinery Equipment.	11/29/94	01/26/96 61 FR 2419	
Section 30	Petroleum Liquid Storage in External Floating Roof Tanks.	11/29/94	01/26/96 61 FR 2419	
Section 31	Petroleum Liquid Storage Fixed Roof Tanks.	11/29/94	01/26/96 61 FR 2419	
Section 32	Leaks from Natural Gas/Gasoline Processing Equipment.	11/29/94	01/26/96 61 FR 2419	
Section 33	Solvent Metal Cleaning and Drying.	11/11/01	11/22/02 67 FR 70315	
Section 34	Cutback and Emulsified Asphalt.	1/11/93	5/3/95 60 FR 21707	
Section 35	Manufacture of Synthesized Pharmaceutical Products.	11/29/94	01/26/96 61 FR 2419	
Section 36	Stage II Vapor Recovery.	1/11/93	6/10/94 59 FR 29956	
Section 37	Graphic Arts Systems	11/29/94	01/26/96 61 FR 2419	
Section 38	Petroleum Solvent Dry Cleaners.	1/11/93	5/3/95 60 FR 21707	

EPA-APPROVED REGULATIONS IN THE DELAWARE SIP—Continued

State citation	Title/subject	State effective date	EPA approval date	Additional explanation
Section 39	Perchloroethylene Dry Cleaning.	1/11/93	5/3/95 60 FR 21707	
Section 40	Leaks from Synthetic Organic Chemical, Polymer, and Resin Manufacturing Equipment.	1/11/93	5/3/95 60 FR 21707	
Section 41	Manufacture of High-Density Polyethylene, Polypropylene and Polystyrene Resins.	1/11/93	5/3/95 60 FR 21707	
Section 42	Air Oxidation Processes in the Synthetic Organic Chemical Manufacturing Industry.	1/11/93	5/3/95 60 FR 21707	
Section 43	Bulk Gasoline Marine Tank Vessel Loading Facilities.	11/29/94	01/26/96 61 FR 2419	
Section 44	Batch Processing Operations.	11/29/94	01/26/96 61 FR 2419	
Section 45	Industrial Cleaning Solvents.	11/29/94	01/26/96 61 FR 2419	
Section 47	Offset Lithographic Printing.	11/29/94	05/14/97 62 FR 26399	
Section 48	Reactor Processes and Distillation Operations in the Synthetic Organic Chemical Manufacturing Industry.	11/29/94	01/26/96 61 FR 2419	
Section 49	Control of Volatile Organic Compound Emissions from Volatile Organic Liquid Storage Vessels.	11/29/94	01/26/96 61 FR 2419	
Section 50	Other Facilities that Emit Volatile Organic Compounds (VOCs).	11/29/94	03/12/97 62 FR 11329	EPA effective date for Sections 50(a)(5) and 50(b)(3) is 5/1/98
Appendix "A"	Test Methods and Compliance Procedures: General Provisions.	11/29/94	01/26/96 61 FR 2419	
Appendix "B"	Test Methods and Compliance Procedures: Determining the Volatile Organic Compound (VOC) Content of Coatings and Inks.	1/11/93	5/3/95 60 FR 21707	

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EPA-APPROVED REGULATIONS IN THE DELAWARE SIP—Continued

State citation	Title/subject	State effective date	EPA approval date	Additional explanation
Appendix "C"	Test Methods and Compliance Procedures: Alternative Compliance Methods for Surface Coating.	1/11/93	5/3/95 60 FR 21707	
Appendix "D"	Test Methods and Compliance Procedures: Emission Capture and Destruction or Removal Efficiency and Monitoring Requirements.	11/29/94	01/26/96 61 FR 2419	
Appendix "E"	Test Methods and Compliance Procedures: Determining the Destruction or Removal Efficiency of a Control Device.	1/11/93	5/3/95 60 FR 21707	
Appendix "F"	Test Methods and Compliance Procedures: Leak Detection Methods for Volatile Organic Compounds (VOCs).	1/11/93	5/3/95 60 FR 21707	
Appendix "G"	Performance Specifications for Continuous Emissions Monitoring of Total Hydrocarbons.	1/11/93	5/3/95 60 FR 21707	
Appendix "H"	Quality Control Procedures for Continuous Emission Monitoring Systems (CEMS).	1/11/93	5/3/95 60 FR 21707	
Appendix "I"	Method to Determine Length of Rolling Period for Liquid-Liquid Material Balance Method.	11/29/94	01/26/96 61 FR 2419	
Appendix "J"	Procedures for Implementation of Regulations Covering Stage II Vapor Recovery Systems for Gasoline Dispensing Facilities.	1/11/93	6/10/94 59 FR 29956	
Appendix "J1"	Certified Stage II Vapor Recovery Systems.	1/11/93	6/10/94 59 FR 29956	
Appendix "J2"	Pressure Decay/Leak Test Procedure for Verification of Proper Functioning of Stage I & Stage II Vapor Recovery Equipment.	1/11/93	6/10/94 59 FR 29956	

EPA-APPROVED REGULATIONS IN THE DELAWARE SIP—Continued

State citation	Title/subject	State effective date	EPA approval date	Additional explanation
Appendix “J3”	Dynamic Backpressure (Dry) Test and Liquid Blockage (Wet) Test Procedure for Verification of Proper Functioning of Stage II Vapor Balance Recovery Systems.	1/11/93	6/10/94 59 FR 29956	
Appendix “K”	Emission Estimation Methodologies.	11/29/94	01/26/96 61 FR 2419	
Appendix “L”	Method to Determine Total Organic Carbon for Offset Lithographic Solutions.	11/29/94	01/26/96 61 FR 2419	
Appendix “M”	Test Method for Determining the Performance of Alternative Cleaning Fluids.	11/29/94	01/26/96 61 FR 2419	
Regulation 25—Requirements for Preconstruction Review				
Section 1	General Provisions ...	1/1/93 (As Revised 5/1/99)	2/7/01 66 FR 9211	Excluding §§ 1.2, 1.6, 1.9(L), 1.9(M), 1.9(N), 1.9(O), which relate to Prevention of Significant Deterioration.
Section 2	Emission Offset Provisions (EOP).	1/1/93 (As Revised 5/1/99)	2/7/01 66 FR 9211	
Section 3	Prevention of Significant Deterioration of Air Quality.	5/15/90	01/27/93 58 FR 26689	
Regulation 26—Motor Vehicle Emissions Inspection Program				
Section 1	Applicability and Definitions.	2/12/01	11/27/03 68 FR 66343	Regulation 26 provisions apply to Sussex County only, effective November 1, 1999.
Section 2	General Provisions ...	2/12/01	11/27/03 68 FR 66343	
Section 3	Registration Requirement.	5/9/85	12/08/86 51 FR 44068	
Section 4	Exemptions	2/12/01	11/27/03 68 FR 66343	
Section 5	Enforcement	7/6/82	10/17/83 48 FR 46986	
Section 6	Compliance, Waivers, Extensions of Time.	2/12/01	11/27/03 68 FR 66343	
Section 7	Inspection Facility Requirements.	7/6/82	10/17/83 48 FR 46986	
Section 8	Certification of Motor Vehicle Officers.	7/6/82	10/17/83 48 FR 46986	
Section 9	Calibration and Test Procedures and Approved Equipment.	2/12/01	11/27/03 68 FR 66343	

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EPA-APPROVED REGULATIONS IN THE DELAWARE SIP—Continued

State citation	Title/subject	State effective date	EPA approval date	Additional explanation
Technical Memorandum 1.	Delaware Division of Motor Vehicles Vehicle Exhaust Emissions Test.	2/12/01	11/27/03 68 FR 66343	
Regulation 27—Stack Heights				
Section 1	General Provisions ...	4/18/83	09/21/83 48 FR 42979	
Section 2	Definitions Specific to this Regulation.	12/7/88	06/29/90 55 FR 26689	
Section 3	Requirements for Existing and New Sources.	2/18/87	06/29/90 55 FR 26689	
Section 4	Public Notification	2/18/87	06/29/90 55 FR 26689	
Regulation 31—Low Enhanced Inspection and Maintenance Program				
Section 1	Applicability	10/11/01	11/27/03 68 FR 66343	
Section 2	Low Enhancement I/ M performance standard.	10/11/01	1/27/03 68 FR 66343	
Section 3	Network Type and program evaluation.	10/11/01	11/27/03 68 FR 66343	
Section 4	Test Frequency and Convenience.	6/11/99	9/30/99 64 FR 52657	
Section 5	Vehicle Coverage	10/11/01	11/27/03 68 FR 66343	
Section 6	Test Procedures and Standards.	10/11/01	11/27/03 68 FR 66343	
Section 7	Waivers and Compliance via Diagnostic Inspection.	10/11/01	11/27/03 68 FR 66343	
Section 8	Motorist Compliance Enforcement.	10/11/01	11/27/03 68 FR 66343	
Section 9	Enforcement Against Operators and Motor Vehicle Techniques.	10/11/01	11/27/03 68 FR 66343	
Section 10	Improving Repair Effectiveness.	8/13/98	9/30/99 64 FR 52657	
Section 11	Compliance with Recall Notices.	8/13/98	9/30/99 64 FR 52657	
Section 12	On-Road Testing	8/13/98	9/30/99 64 FR 52657	
Section 13	Implementation Deadlines.	10/11/01	11/27/03 68 FR 66343	

EPA-APPROVED REGULATIONS IN THE DELAWARE SIP—Continued

State citation	Title/subject	State effective date	EPA approval date	Additional explanation
Appendix 1(d)	Commitment to Extend the I/M Program to the Attainment Date From Secretary Tulou to EPA Administrator W. Michael McCabe.	8/13/98	9/30/99 64 FR 52657	
Appendix 3(a)(7)	Exhaust Emission Limits According to Model Year.	8/13/98	9/30/99 64 FR 52657	
Appendix 3(c)(2)	VMASTM Test Procedure.	6/11/99	9/30/99 64 FR 52657	
Appendix 4(a)	Sections from Delaware Criminal and Traffic Law Manual.	8/13/98	9/30/99 64 FR 52657	
Appendix 5(a)	Division of Motor Vehicles Policy on Out of State Renewals.	8/13/98	9/30/99 64 FR 52657	
Appendix 5(f)	New Model Year Clean Screen.	10/11/01	11/27/03 68 FR 66343	
Appendix 6(a)	Idle Test Procedure ..	10/11/01	11/27/03 68 FR 66343	
Appendix 6(a)(5)	Vehicle Emission Repair Report Form.	8/13/98	9/30/99 64 FR 52657	
Appendix 6(a)(8)	Evaporative System Integrity (Pressure) Test.	10/11/01	11/27/03 68 FR 66343	
Appendix 6(a)(9)	Onboard Diagnostic Test Procedure OBD II Test Procedure.	10/11/01	11/27/03 68 FR 66343	
Appendix 7(a)	Emission Repair Technician Certification Process.	8/13/98	9/30/99 64 FR 52657	
Appendix 8(a)	Registration Denial System Requirements Definition.	8/13/98	9/30/99 64 FR 52657	
Appendix 9(a)	Enforcement Against Operators and Inspectors.	10/11/01	11/27/03 68 FR 66343	
Regulation 35—Conformity of General Federal Actions to the State Implementation Plans				
Section 1	Purpose	8/14/96	7/15/97 62 FR 37722	
Section 2	Definitions	8/14/96	07/15/97 62 FR 37722	
Section 3	Applicability	8/14/96	07/15/97 62 FR 37722	
Section 4	Conformity Analysis ..	8/14/96	07/15/97 62 FR 37722	

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EPA-APPROVED REGULATIONS IN THE DELAWARE SIP—Continued

State citation	Title/subject	State effective date	EPA approval date	Additional explanation
Section 5	Reporting Requirements.	8/14/96	07/15/97 62 FR 37722	
Section 6	Public Participation and Consultation.	8/14/96	07/15/97 62 FR 37722	
Section 7	Frequency of Conformity Determinations.	8/14/96	07/15/97 62 FR 37722	
Section 8	Criteria for Determining Conformity of General Federal Actions.	8/14/96	07/15/97 62 FR 37722	
Section 9	Procedures for Conformity Determinations of General Federal Actions.	8/14/96	07/15/97 62 FR 37722	
Section 10	Mitigation of Air Quality Impacts.	8/14/96	07/15/97 62 FR 37722	
Section 11	Savings Provision	8/14/96	07/15/97 62 FR 37722	
Regulation 37—NO_x Budget Program				
Section 1	General Provisions ...	12/11/99	3/9/00 65 FR 12481	
Section 2	Applicability	12/11/99	3/9/00 65 FR 12481	
Section 3	Definitions	12/11/99	3/9/00 65 FR 12481	
Section 4	Allowance Allocation	12/11/99	3/9/00 65 FR 12481	
Section 5	Permits	12/11/99	3/9/00 65 FR 12481	
Section 6	Establishment of Compliance Accounts.	12/11/99	3/9/00 65 FR 12481	
Section 7	Establishment of General Accounts.	12/11/99	3/9/00 65 FR 12481	
Section 8	Opt In Provisions	12/11/99	3/9/00 65 FR 12481	
Section 9	New Budget Source Provisions.	12/11/99	3/9/00 65 FR 12481	
Section 10	NO _x Allowance Tracking System (NATS).	12/11/99	3/9/00 65 FR 12481	
Section 11	Allowance Transfer ...	12/11/99	3/9/00 65 FR 12481	
Section 12	Allowance Banking ...	12/11/99	3/9/00 65 FR 12481	
Section 13	Emission Monitoring	12/11/99	3/9/00 65 FR 12481	

EPA-APPROVED REGULATIONS IN THE DELAWARE SIP—Continued

State citation	Title/subject	State effective date	EPA approval date	Additional explanation
Section 14	Recordkeeping	12/11/99	3/9/00 65 FR 12481	
Section 15	Emissions Reporting	12/11/99	3/9/00 65 FR 12481	
Section 16	End-of-Season Reconciliation.	12/11/99	3/9/00 65 FR 12481	
Section 17	Compliance Certification.	12/11/99	3/9/00 65 FR 12481	
Section 18	Failure to Meet Compliance Requirements.	12/11/99	3/9/00 65 FR 12481	
Section 19	Program Audit	12/11/99	3/9/00 65 FR 12481	
Section 20	Program Fees	12/11/99	3/9/00 65 FR 12481	
Appendix "A"	NO _x Budget Program	12/11/99	3/9/00 65 FR 12481	
Regulation 39—Nitrogen Oxides (NO_x) Budget Trading Program				
Section 1	Purpose	12/11/00	5/17/01 66 FR 27459	
Section 2	Emission Limitation ...	12/11/00	5/17/01 66 FR 27459	
Section 3	Applicability	12/11/00	5/17/01 66 FR 27459	
Section 4	Definitions	12/11/00	5/17/01 66 FR 27459	
Section 5	General Provisions ...	12/11/00	5/17/01 66 FR 27459	
Section 6	NO _x Authorized Account Representative for NO _x Budget Sources.	12/11/00	5/17/01 66 FR 27459	
Section 7	Permits	12/11/00	5/17/01 66 FR 27459	
Section 8	Monitoring and Reporting.	12/11/00	5/17/01 66 FR 27459	
Section 9	NATS	12/11/00	5/17/01 66 FR 27459	
Section 10	NO _x Allowance Transfers.	12/11/00	5/17/01 66 FR 27459	
Section 11	Compliance Certification.	12/11/00	5/17/01 66 FR 27459	
Section 12	End-of-Season Reconciliation.	12/11/00	5/17/01 66 FR 27459	
Section 13	Failure to Meet Compliance Requirements.	12/11/00	5/17/01 66 FR 27459	

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EPA-APPROVED REGULATIONS IN THE DELAWARE SIP—Continued

State citation	Title/subject	State effective date	EPA approval date	Additional explanation
Section 14	Individual Unit Opt-Ins.	12/11/00	5/17/01 66 FR 27459	
Section 15	General Accounts	12/11/00	5/17/01 66 FR 27459	
Appendix A	Allowance Allocations to NO _x Budget Units Under Section 3(a)(1)(i) and 3(a)(1)(ii) of sRegulation No. 39.	12/11/00	5/17/01 66 FR 27459	
Appendix B	Regulation No. 37—Regulation No. 39 Program Transition.	12/11/00	5/17/01 66 FR 27459	
Regulation 40—Delaware's National Low Emission Vehicle (NLEV) Regulation				
Section 1	Applicability	10/11/99	12/28/99 64 FR 72564	Issued on September 1, 1999 by Secretary's Order No. 99-A-0046.
Section 2	Definitions	10/11/99	12/28/99 64 FR 72564	
Section 3	Program Participation	10/11/99	12/28/99 64 FR 72564	
Regulation 41—Limiting Emissions of Volatile Organic Compounds From Consumer and Commercial Products				
Section 1	Architectural and Industrial Maintenance Coatings.	03/11/02	11/22/02 67 FR 70315	
Section 2	Commercial Products	01/11/02	11/22/02 67 FR 70315	
Section 3	Portable Fuel Containers.	11/11/01	11/22/02 67 FR 70315	
Regulation 42—Specific Emission Control Requirements				
Section 1	Control of (NO _x) Emissions from Nitrogen Industrial Boilers.	12/11/01	11/22/02 67 FR 70315	

(d) *EPA approved State source specific requirements.*

EPA-APPROVED REGULATIONS IN THE DELAWARE SIP

State citation	Title/subject	State effective date	EPA approval date	Additional explanation
Getty Oil Co	75-A-4	8/5/75	3/7/79 44 FR 12423	52.420(c)(11).
Phoenix Steel Co.—Electric Arc Furnaces Charging & Tapping #2.	77-Ac-8	12/2/77	7/30/79 44 FR 25223	52.420(c)(12).

EPA-APPROVED REGULATIONS IN THE DELAWARE SIP—Continued

State citation	Title/subject	State effective date	EPA approval date	Additional explanation
Delmarva Power & Light—Indian River.	89-A-7/ APC 89/197	2/15/89	1/22/90 55 FR 2067	52.420(c)(38).
SPI Polyols, Inc.	Secretary's Order No. 2000-A-0033.	07/11/00	6/14/01 66 FR 32231	Polyhydrate Alcohol's Catalyst Regenerative Process—Approved NO _x RACT Determination.
Citisteel	Secretary's Order No. 2000-A-0033.	07/11/00	6/14/01 66 FR 32231	Electric Arc Furnace—Approved NO _x RACT Determination.
General Chemical Corp.	Secretary's Order No. 2000-A-0033.	07/11/00	6/14/01 66 FR 32231	(1) Sulfuric Acid Process & Interstage Absorption System. (2) Metallic Nitrite Process—Approved NO _x RACT Determinations.

(e) EPA-approved non-regulatory and quasi-regulatory material.

Name of non-regulatory SIP revision	Applicable geographic area	State submittal date	EPA approval date	Additional explanation
Commitment to adopt a clean fuel fleet program.	Philadelphia-Wilmington-Trenton Ozone Nonattainment Area.	2/26/93	9/29/93 58 FR 50846	52.422 (b).
1990 Base Year Emissions Inventory.	Philadelphia-Wilmington-Trenton Ozone Nonattainment Area.	5/27/94	1/24/96 61 FR 1838	52.423 VOC, CO, NO _x .
15% Rate of Progress Plan	Philadelphia-Wilmington-Trenton Ozone Nonattainment Area.	2/17/95	10/12/99 64 FR 55139	52.426(a).
Post-1996 Rate of Progress Plan & contingency measures.	Philadelphia-Wilmington-Trenton Ozone Nonattainment Area.	12/29/97 6/17/99 2/3/00 12/20/00	10/29/01 66 FR 54598	52.426(b).
Ozone Attainment Plan Demonstration & enforceable commitments.	Philadelphia-Wilmington-Trenton Ozone Nonattainment Area.	5/22/98 10/8/98 1/24/00 12/20/00 10/9/01 9/2/03	10/29/01 66 FR 54598 12/5/03 68 FR 6794	52.426(c).
Mobile budgets	Kent & New Castle Counties	*1/5/98 *5/28/98 2/3/00 12/20/00 9/2/03	10/29/01 66 FR 54598 12/5/03 68 FR 67948	52.426(d), (e).
Photochemical Assessment Monitoring Stations (PAMS) Program.	Philadelphia-Wilmington-Trenton Ozone Nonattainment Area.	3/24/94	9/11/95 60 FR 47081	52.430.
Small Business stationary source technical and environmental compliance assistance program.	Statewide	5/16/95	5/17/94 59 FR 25771	52.460.
Commitment to establish an ambient air quality monitoring network.	Statewide	3/19/80	5/15/81 46 FR 26767	52.465(c)(15).

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Name of non-regulatory SIP revision	Applicable geographic area	State submittal date	EPA approval date	Additional explanation
Commitment to use available grants and funds to provide for basic transportation needs...	New Castle County	8/15/79	9/30/81 46 FR 47777	52.465(c)(19).
Executive order pertaining to financial disclosures by State officials [CAA Section 128].	Statewide	8/7/78	9/29/81 46 FR 47544	52.465(c)(22).
Lead (Pb) SIP	Statewide	12/23/80	9/10/81 46 FR 45160	52.465(c)(24).
Procedures to notify EPA of PSD sources locating within 100 km of a Class I PSD area.	Statewide	2/27/81	3/15/82 47 FR 11014	52.465(c)(29).

* (rec'd).

[63 FR 67410, Dec. 7, 1998, as amended at 64 FR 12087, Mar. 11, 1999; 64 FR 32189, June 16, 1999; 64 FR 48963, Sept. 9, 1999; 64 FR 52659, Sept. 30, 1999; 65 FR 2051, Jan. 13, 2000; 65 FR 12483, Mar. 9, 2000; 66 FR 9211, Feb. 7, 2001; 66 FR 27462, May 17, 2001; 66 FR 32234, June 14, 2001; 67 FR 70316, Nov. 22, 2002; 69 FR 34287, June 21, 2004]

§ 52.421 Classification of regions.

The Delaware plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
Metropolitan Philadelphia Interstate	I	I	III	I	I
Southern Delaware Intrastate	III	III	III	III	III

[37 FR 10856, May 31, 1972, as amended at 39 FR 16345, May 8, 1974]

§ 52.422 Approval status.

(a) With the exceptions set forth in this subpart, the Administrator approves Delaware's plan for the attainment and maintenance of the national standards under section 110 of the Clean Air Act. Furthermore, the Administrator finds that the plan satisfies all requirements of part D, title 1, of the Clean Air Act as amended in 1977, except as noted below. In addition, continued satisfaction of the requirements of part D for the ozone portion of the SIP depends on the adoption and submittal of RACT requirements by July 1, 1980, for the sources covered by CTGs issued between January 1978 and January 1979 and adoption and submittal by each subsequent January of additional RACT requirements for

sources covered by CTGs issued by the previous January.

(b) Letter of February 26, 1993, from the Delaware Department of Natural Resources and Environmental Control transmitting a commitment to adopt either the Federal clean fuel fleet program or an alternative substitute program by May 15, 1994.

[45 FR 14558, Mar. 6, 1980, as amended at 58 FR 50848, Sept. 29, 1993]

§ 52.423 1990 Base Year Emission Inventory.

EPA approves as a revision to the Delaware State Implementation Plan the 1990 base year emission inventories for the Delaware ozone nonattainment