

Environmental Protection Agency

§ 52.50

(l) *Temporary stay of rules.* Notwithstanding any other provisions of this subpart, the effectiveness of this section is stayed from July 26, 1999 until February 17, 2000.

[64 FR 28318, May 25, 1999, as amended at 64 FR 33961, June 24, 1999; 65 FR 2042, Jan. 13, 2000; 65 FR 2726, Jan. 18, 2000]

EFFECTIVE DATE NOTE: At 69 FR 31505, June 3, 2004, § 52.34 was amended by revising paragraphs (c)(2)(vi) and (g)(2)(vi), effective July 6, 2004. For the convenience of the user, the revised text follows:

§ 52.34 Action on petitions submitted under section 126 relating to emissions of nitrogen oxides.

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(c) * * *

(2) * * *

(vi) Portion of Michigan located south of 44 degrees latitude in OTAG Subregion 2, as shown in appendix F, Figure F-2, of this part.

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(g) * * *

(2) * * *

(vi) Portion of Michigan located south of 44 degrees latitude in OTAG Subregion 2, as shown in appendix F, Figure F-6, of this part.

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Subpart B—Alabama

§ 52.50 Identification of plan.

(a) *Purpose and scope.* This section sets forth the applicable State implementation plan for Alabama under section 110 of the Clean Air Act, 42 U.S.C. 7401, and 40 CFR part 51 to meet national ambient air quality standards.

(b) *Incorporation by reference.* (1) Material listed in paragraph (c) and (d) of this section with an EPA approval date prior to January 1, 2003, 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 after January 1, 2003, will be incorporated by reference in the next update to the SIP compilation.

(2) EPA Region 4 certifies that the rules/regulations provided by EPA in the SIP compilation 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 State implementation plan as of January 1, 2003.

(3) Copies of the materials incorporated by reference may be inspected at the Region 4 EPA Office at 61 Forsyth Street, SW., Atlanta, GA 30303; the EPA, Office of Air and Radiation Docket and Information Center, Room B-108, 1301 Constitution Avenue, (Mail Code 6102T) NW., Washington, DC 20460; or at 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/code_of_federal_regulations/ibr_locations.html.

(c) EPA approved Alabama regulations.

EPA APPROVED ALABAMA REGULATIONS

State citation	Title/subject	State effective date	EPA approval date	Explanation
Chapter No. 335-3-1 General Provision				
Section 335-3-1-.01.	Purpose	06/22/89	03/19/90 55 FR 10062	
Section 335-3-1-.02.	Definitions	08/10/00	12/08/00 65 FR 76940	
Section 335-3-1-.03.	Ambient Air Quality Standards.	10/13/98	03/01/99 64 FR 9918	

EPA APPROVED ALABAMA REGULATIONS—Continued

State citation	Title/subject	State effective date	EPA approval date	Explanation
Section 335-3-1-.04.	Monitoring, Records, and Reporting.	10/15/96	06/06/97 62 FR 30991	
Section 335-3-1-.05.	Sampling and Test Methods	06/22/89	03/19/90 55 FR 10062	
Section 335-3-1-.06.	Compliance Schedule	10/15/96	06/06/97 62 FR 30991	
Section 335-3-1-.07.	Maintenance and Malfunctioning of Equipment; Reporting.	10/15/89	03/19/90 55 FR 10062	
Section 335-3-1-.08.	Prohibition of Air Pollution	08/10/00	12/08/00 65 FR 76940	
Section 335-3-1-.09.	Variations	10/15/96	06/06/97 62 FR 30991	
Section 335-3-1-.10.	Circumvention	06/22/89	03/19/90 55 FR 10062	
Section 335-3-1-.11.	Severability	10/15/96	06/06/97 62 FR 30991	
Section 335-3-1-.12.	Bubble Provision	06/22/89	03/19/90 55 FR 10062	
Section 335-3-1-.13.	Credible Evidence	04/13/99	11/03/99 64 FR 59633	
Section 335-3-1-.14.	Emissions Reporting Requirements Relating to Budgets for NO _x Emissions.	04/06/01	07/16/01 66 FR 36921	
Section 335-3-1-.15.	Emissions Inventory Reporting Requirements.	04/03/03	04/24/03 68 FR 20077	
Chapter No. 335-3-2 Air Pollution Emergency				
Section 335-3-2-.01.	Air Pollution Emergency	06/22/89	03/19/90 55 FR 10062	
Section 335-3-2-.02.	Episode Criteria	08/10/00	12/08/00 65 FR 76940	
Section 335-3-2-.03.	Special Episode Criteria	06/22/89	03/19/90 55 FR 10062	
Section 335-3-2-.04.	Emission Reduction Plans	06/22/89	03/19/90 55 FR 10062	
Section 335-3-2-.05.	Two Contaminant Episode ...	06/22/89	03/19/90 55 FR 10062	
Section 335-3-2-.06.	General Episodes	06/22/89	03/19/90 55 FR 10062	
Section 335-3-2-.07.	Local Episodes	06/22/89	03/19/90 55 FR 10062	
Section 335-3-2-.08.	Other Sources	10/15/96	06/06/97 62 FR 30991	
Section 335-3-2-.09.	Other Authority Not Affected	06/22/89	03/19/90 55 FR 10062	

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EPA APPROVED ALABAMA REGULATIONS—Continued

State citation	Title/subject	State effective date	EPA approval date	Explanation
Chapter No. 335-3-3 Control of Open Burning and Incineration				
Section 335-3-3-.01.	Open Burning	04/03/03	04/24/03 68 FR 20077	
Section 335-3-3-.02.	Incinerators	06/22/89	03/19/90 55 FR 10062	
Section 335-3-3-.03.	Incineration of Wood, Peanut, and Cotton Ginning Waste.	08/10/00	12/08/00 65 FR 76940	
Chapter No. 335-3-4 Control of Particulate Emissions				
Section 335-3-4-.01.	Visible Emissions	10/15/96	06/06/97 62 FR 30991	
Section 335-3-4-.02.	Fugitive Dust and Fugitive Emissions.	10/15/96	06/06/97 62 FR 30991	
Section 335-3-4-.03.	Fuel Burning Equipment	10/15/96	06/06/97 62 FR 30991	
Section 335-3-4-.04.	Process Industries—General	10/15/96	06/06/97 62 FR 30991	
Section 335-3-4-.05.	Small Foundry Cupola	06/22/89	03/19/90 55 FR 10062	
Section 335-3-4-.06.	Cotton Gins	06/22/89	03/19/90 55 FR 10062	
Section 335-3-4-.07.	Kraft Pulp Mills	10/15/96	06/06/97 62 FR 30991	
Section 335-3-4-.08.	Wood Waste Boilers	08/10/00	12/08/00 65 FR 76940	
Section 335-3-4-.09.	Coke Ovens	08/10/00	12/08/00 65 FR 76940	
Section 335-3-4-.10.	Primary Aluminum Plants	06/22/89	03/19/90 55 FR 10062	
Section 335-3-4-.11.	Cement Plants	10/15/96	06/06/97 62 FR 30991	
Section 335-3-4-.12.	Xylene Oxidation Process	06/22/89	03/19/90 55 FR 10062	
Section 335-3-4-.13.	Sintering Plants	06/22/89	03/19/90 55 FR 10062	
Section 335-3-4-.14.	Grain Elevators	10/15/96	06/06/97 62 FR 30991	
Section 335-3-4-.15.	Secondary Lead Smelters	10/15/96	06/06/97 62 FR 30991	
Section 335-3-4-.17.	Steel Mills Located in Etowah County.	10/15/96	06/06/97 62 FR 30991	
Chapter No. 335-3-5 Control of Sulfur Compound Emissions				
Section 335-3-5-.01.	Fuel Combustions	10/15/96	06/06/97 62 FR 30991	
Section 335-3-5-.02.	Sulfuric Acid Plants	10/15/96	06/06/97 62 FR 30991	

EPA APPROVED ALABAMA REGULATIONS—Continued

State citation	Title/subject	State effective date	EPA approval date	Explanation
Section 335-3-5-.03.	Petroleum Production	08/10/00	12/08/00 65 FR 76940	
Section 335-3-5-.04.	Kraft Pulp Mills	08/10/00	12/08/00 65 FR 76940	
Section 335-3-5-.05.	Process Industries—General	06/22/89	03/19/90 55 FR 10062	
Chapter No. 335-3-6 Control of Organic Emissions				
Section 335-3-6-.01.	Applicability	10/15/96	06/06/97 62 FR 30991	
Section 335-3-6-.02.	VOC Water Separation	06/22/89	03/19/90 55 FR 10062	
Section 335-3-6-.03.	Loading and Storage of VOC	06/22/89	03/19/90 55 FR 10062	
Section 335-3-6-.04.	Fixed-Roof Petroleum Liquid Storage Vessels.	10/15/96	06/06/97 62 FR 30991	
Section 335-3-6-.05.	Bulk Gasoline Plants	10/15/96	06/06/97 62 FR 30991	
Section 335-3-6-.06.	Bulk Gasoline Terminals	08/10/00	12/08/00 65 FR 76940	
Section 335-3-6-.07.	Gasoline Dispensing Facilities—Stage I.	10/15/96	06/06/97 62 FR 30991	
Section 335-3-6-.08.	Petroleum Refinery Sources	06/22/89	03/19/90 55 FR 10062	
Section 335-3-6-.09.	Pumps and Compressors	06/22/89	03/19/90 55 FR 10062	
Section 335-3-6-.10.	Ethylene Producing Plants ...	06/22/89	03/19/90 55 FR 10062	
Section 335-3-6-.11.	Surface Coating	10/15/96	06/06/97 62 FR 30991	
Section 335-3-6-.12.	Solvent Metal Cleaning	10/15/96	06/06/97 62 FR 30991	
Section 335-3-6-.13.	Cutback Asphalt	10/15/96	06/06/97 62 FR 30991	
Section 335-3-6-.14.	Petition for Alternative Controls.	06/22/89	03/19/90 55 FR 10062	
Section 335-3-6-.15.	Compliance Schedules	10/15/96	06/06/97 62 FR 30991	
Section 335-3-6-.16.	Test Methods and Procedures.	08/10/00	12/08/00 65 FR 76940	
Section 335-3-6-.17.	Manufacture of Pneumatic Tires.	10/15/95	06/06/97 62 FR 30991	
Section 335-3-6-.18.	Manufacture of Synthesized Pharmaceutical Products.	10/15/96	06/06/97 62 FR 30991	
Section 335-3-6-.19.	Reserved	

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EPA APPROVED ALABAMA REGULATIONS—Continued

State citation	Title/subject	State effective date	EPA approval date	Explanation
Section 335-3-6-.20.	Leaks from Gasoline Tank Trucks and Vapor Collection Systems.	10/15/96	06/06/97 62 FR 30991	
Section 335-3-6-.21.	Leaks from Petroleum Refinery Equipment.	10/15/96	06/06/97 62 FR 30991	
Section 335-3-6-.22.	Graphic Arts	10/15/96	06/06/97 62 FR 30991	
Section 335-3-6-.23.	Petroleum Liquid Storage in External Floating Roof Tanks.	10/15/96	06/06/97 62 FR 30991	
Section 335-3-6-.24.	Applicability	10/15/96	06/06/97 62 FR 30991	
Section 335-3-6-.25.	VOC Water Separation	06/22/89	03/19/90 55 FR 10062	
Section 335-3-6-.26.	Loading and Storage of VOC	06/22/89	03/19/90 55 FR 10062	
Section 335-3-6-.27.	Fixed-Roof Petroleum Liquid Storage Vessels.	10/15/96	06/06/97 62 FR 30991	
Section 335-3-6-.28.	Bulk Gasoline Plants	10/15/96	06/06/97 62 FR 30991	
Section 335-3-6-.29.	Gasoline Terminals	10/15/96	06/06/97 62 FR 30991	
Section 335-3-6-.30.	Gasoline Dispensing Facilities Stage I.	10/15/96	06/06/97 62 FR 30991	
Section 335-3-6-.31.	Petroleum Refinery Sources	06/22/89	03/19/90 55 FR 10062	
Section 335-3-6-.32.	Surface Coating	10/15/96	06/06/97 62 FR 30991	
Section 335-3-6-.33.	Solvent Metal Cleaning	06/22/89	03/19/90 55 FR 10062	
Section 335-3-6-.34.	Cutback Asphalt	10/15/96	06/06/97 62 FR 30991	
Section 335-3-6-.35.	Petition for Alternative Controls.	06/22/89	03/19/90 55 FR 10062	
Section 335-3-6-.36.	Compliance Schedules	10/15/96	06/06/97 62 FR 30991	
Section 335-3-6-.37.	Test Methods and Procedures.	10/15/96	06/06/97 62 FR 30991	
Section 335-3-6-.38.	Manufacture of Pneumatic Tires.	06/22/89	03/19/90 55 FR 10062	
Section 335-3-6-.39.	Manufacture of Synthesized Pharmaceutical Products.	10/15/96	06/06/97 62 FR 30991	
Section 335-3-6-.40.	Reserved	
Section 335-3-6-.41.	Leaks from Gasoline Tank Trucks and Vapor Collection Systems.	10/15/96	06/06/97 62 FR 30991	
Section 335-3-6-.42.	Leaks from Petroleum Refinery Equipment.	10/15/96	06/06/97 62 FR 30991	

EPA APPROVED ALABAMA REGULATIONS—Continued

State citation	Title/subject	State effective date	EPA approval date	Explanation
Section 335-3-6-.43.	Graphic Arts	06/22/89	03/19/90 55 FR 10062	
Section 335-3-6-.44.	Petroleum Liquid Storage in External Floating Roof Tanks.	10/15/96	06/06/97 62 FR 30991	
Section 335-3-6-.45.	Large Petroleum Dry Cleaners.	10/15/96	06/06/97 62 FR 30991	
Section 335-3-6-.46.	Aerospace Assembly and Component and Component Coatings Operation.	06/22/89	03/19/09 55 FR 10062	
Section 335-3-6-.47.	Leaks from Coke by-Product Recovery Plant Equipment.	10/15/96	06/06/97 62 FR 30991	
Section 335-3-6-.48.	Emissions from Coke by-Product Recovery Plant Coke Oven Gas Bleeder.	10/15/96	06/06/97 62 FR 30991	
Section 335-3-6-.49.	Manufacture of Laminated Countertops.	06/22/89	03/19/90 55 FR 10062	
Section 335-3-6-.50.	Paint Manufacture	10/15/96	06/06/97 62 FR 30991	
Section 335-3-6-.53.	List of EPA Approved and Equivalent Test Methods and Procedures for the Purpose of Determining VOC Emissions.	06/26/91	09/27/91 58 FR 50262	
Chapter No. 335-3-7 Carbon Monoxide Emissions				
Section 335-3-7-.01.	Metals Productions	06/22/89	03/19/90 55 FR 10062	
Section 335-3-7-.02.	Petroleum Processes	06/22/89	03/19/90 55 FR 10062	
Chapter No. 335-3-8 Nitrogen Oxides Emissions				
Section 335-3-8-.01.	Standards for Portland Cement Kilns.	04/06/01	07/17/01 66 FR 36921	
Section 335-3-8-.02.	Nitric Acid Manufacturing	10/15/96	06/06/97 62 FR 30991	
Section 335-3-8-.03.	NO _x Emissions from Electric Utility Generating Units.	10/24/00	11/07/01 66 FR 56223	
Section 335-3-8-.04.	Standards for Stationary Reciprocating Internal Combustion Engines (Reserved).	04/06/01	07/17/01 66 FR 36921	
Section 335-3-8-.05.	NO _x Budget Trading Program.	04/06/01	07/17/01 66 FR 36921	
Section 335-3-8-.06.	Authorized Account Representative for NO _x Budget Sources.	04/06/01	07/17/01 66 FR 36921	
Section 335-3-8-.07.	Permits	04/06/01	07/17/01 66 FR 36921	
Section 335-3-8-.08.	Compliance Certification	04/06/01	07/17/01 66 FR 36921	
Section 335-3-8-.09.	NO _x Allowance Allocations ..	04/06/01	07/17/01 66 FR 36921	

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EPA APPROVED ALABAMA REGULATIONS—Continued

State citation	Title/subject	State effective date	EPA approval date	Explanation
Section 335-3-8-.10.	NO _x Allowance Tracking System.	04/03/03	04/24/03 68 FR 20077	
Section 335-3-8-.11.	NO _x Allowance Transfers	04/06/01	07/17/01 66 FR 36921	
Section 335-3-8-.12.	Monitoring and Reporting	04/06/01	07/17/01 66 FR 36921	
Section 335-3-8-.13.	Individual Unit Opt-ins	05/07/02	07/17/01 66 FR 36921	
Section 335-3-8-.14.	New Combustion Sources	04/06/01	07/17/01 66 FR 36921	

Chapter No. 335-3-9 Control Emissions From Motor Vehicles

Section 335-3-9-.01.	Visible Emission Restriction for Motor Vehicles.	10/15/96	06/06/97 62 FR 30991	
Section 335-3-9-.02.	Ignition System and Engine Speed.	08/10/00	12/08/00 65 FR 76940	
Section 335-3-9-.03.	Crankcase Ventilation Systems.	08/10/00	12/08/00 65 FR 76940	
Section 335-3-9-.04.	Exhaust Emission Control Systems.	06/22/89	03/19/90 55 FR 10062	
Section 335-3-9-.05.	Evaporative Loss Control Systems.	06/22/89	03/19/90 55 FR 10062	
Section 335-3-9-.06.	Other Prohibited Acts	08/10/00	12/08/00 65 FR 76940	
Section 335-3-9-.07.	Effective Date	10/15/96	06/06/97 62 FR 30991	

Chapter No. 335-3-12 Continuous Monitoring Requirements for Existing Sources

Section 335-3-12-.01.	General	06/22/89	03/19/90 55 FR 10062	
Section 335-3-12-.02.	Emission Monitoring and Reporting Requirements.	02/17/98	09/14/98 63 FR 49005	
Section 335-3-12-.03.	Monitoring System Malfunction.	06/22/89	03/19/90 55 FR 10062	
Section 335-3-12-.04.	Alternate Monitoring and Reporting Requirements.	06/22/89	03/19/90 55 FR 10062	
Section 335-3-12-.05.	Exemptions and Extensions	06/22/89	03/19/90 55 FR 10062	

Chapter No. 335-3-13 Control of Fluoride Emissions

Section 335-3-13-.01.	General	10/15/96	06/06/97 62 FR 30991	
Section 335-3-13-.02.	Superphosphoric Acid Plants	10/15/96	06/06/97 62 FR 30991	
Section 335-3-13-.03.	Diammonium Phosphate Plants.	10/15/96	06/06/97 62 FR 30991	

EPA APPROVED ALABAMA REGULATIONS—Continued

State citation	Title/subject	State effective date	EPA approval date	Explanation
Section 335-3-13-.04.	Triple Superphosphoric Plants.	10/15/96	06/06/97 62 FR 30991	
Section 335-3-13-.05.	Granular Triple Superphosphoric Storage Facilities.	10/15/96	06/06/97 62 FR 30991	
Section 335-3-13-.06.	Wet Process Phosphoric Acid Plants.	10/15/96	06/06/97 62 FR 30991	
Chapter No. 335-3-14 Air Permits				
Section 335-3-14-.01.	General Provisions	02/17/98	09/14/98 63 FR 49008	
Section 335-3-14-.02.	Permit Procedures	10/15/96	06/06/97 62 FR 30991	
Section 335-3-14-.03.	Standards for Granting Permits.	08/10/96	12/02/00 65 FR 76940	
Section 335-3-14-.04.	Air Permits Authorizing Construction in Clean Air Areas (prevention of Significant Deterioration (PSD)).	02/05/02	04/20/02 67 FR 17288	
Section 335-3-14-.05.	Air Permits Authorizing Construction in or Near Non-attainment Areas.	08/10/00	12/02/00 65 FR 76940	
Chapter No. 335-3-15 Synthetic Minor Operating Permits				
Section 335-3-15-.01.	Definitions	10/15/96	06/06/97 62 FR 30991	
Section 335-3-15-.02.	General Provisions	08/10/00	12/02/00 65 FR 76940	
Section 335-3-15-.03.	Applicability	11/23/93	10/20/94 59 FR 52916	
Section 335-3-15-.04.	Synthetic Minor Operating Permit Requirements.	10/15/96	06/06/97 62 FR 30991	
Section 335-3-15-.05.	Public Participation	10/15/96	06/06/97 62 FR 30991	
Chapter No. 335-3-17 Conformity of Federal Actions to State Implementation Plans				
Section 335-3-17-.01.	Transportation Conformity	04/03/03	04/24/03 68 FR 20077	
Section 335-3-17-.02.	General Conformity	03/27/98	05/11/00 65 FR 30361	
Chapter No. 335-3-20 Control of Fuels				
Section 335-3-20-.01.	Definitions	10/24/00	11/07/01 66 FR 56219	
Section 335-3-20-.02.	Control of Fuels	10/24/00	11/07/01 66 FR 56219	
Section 335-3-20-.03.	Recordkeeping, Reporting, and Testing.	10/24/00	11/07/01 66 FR 56219	

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(d) EPA approved Alabama source specific requirements.

EPA APPROVED ALABAMA SOURCE-SPECIFIC REQUIREMENTS

Name of source	Permit No.	State effective date	EPA approval date	Explanation
None.				

(e) EPA approved Alabama non-regulatory provisions.

EPA APPROVED ALABAMA NON-REGULATORY PROVISIONS

Name of nonregulatory SIP provision	Applicable geographic or non-attainment area	State submittal date/ effective date	EPA approval date	Explanation
Birmingham 1990 Baseline Emissions Inventory.	Birmingham Ozone Non-attainment Area.	11/13/92	06/04/99 64 FR 29961	
Alabama Interagency Transportation Conformity Memorandum of Agreement.		01/20/00	05/11/00 65 FR 30362.	
Alabama Fuel Waiver Request-Appendix II of Attainment Demonstration of the 1-hour NAAQS for Ozone for the Birmingham Nonattainment Area.	Birmingham Ozone Non-attainment Area.	12/01/00	11/07/01 66 FR 56220.	
Attainment Demonstration of the 1-hour NAAQS for Ozone for the Birmingham Nonattainment Area.	Birmingham Ozone Non-attainment Area.	12/01/00	11/07/01 66 FR 56224.	
Maintenance plan for the Birmingham area ..	Jefferson County and Shelby County.	01/30/04	03/12/04 69 FR 11800.	

[63 FR 70672, Dec. 22, 1998, as amended at 64 FR 9918, Mar. 1, 1999; 64 FR 29961, June 4, 1999; 64 FR 59635, Nov. 3, 1999; 65 FR 30361, 30362, May 11, 2000; 65 FR 76939, Dec. 8, 2000; 66 FR 36920, July 16, 2001; 66 FR 56219, 56224, Nov. 7, 2001; 67 FR 4669, Jan. 31, 2002; 67 FR 17288, Apr. 10, 2002; 67 FR 76317, Dec. 12, 2002; 68 FR 5222, Feb. 3, 2003; 68 FR 7174, Feb. 12, 2003; 68 FR 20077, Apr. 24, 2003; 69 FR 11800, Mar. 12, 2004]

§ 52.51 Classification of regions.

The Alabama 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)
Alabama & Tombigbee Rivers Intrastate	II	III	III	III	III
Columbus (Georgia)-Phenix City (Alabama) Interstate	I	III	III	III	III
East Alabama Intrastate	I	III	III	III	III
Metropolitan Birmingham Intrastate	I	II	III	I	I
Mobile (Alabama)-Pensacola-Panama City (Florida)-Southern Mississippi Interstate	I	I	III	III	I
Southeast Alabama Intrastate	II	III	III	III	III
Tennessee River Valley (Alabama)-Cumberland Mountains (Tennessee) Interstate	I	I	III	III	III

[37 FR 10847, May 31, 1972]

§ 52.53 Approval status.

With the exceptions set forth in this subpart, the Administrator approves

Alabama's plans for the attainment and maintenance of the national standards under section 110 of the Clean Air Act. Furthermore, the Administrator