

§ 52.770

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

IAC 6-1-10.1 and 326 IAC 6-1-10.2 amend the PM₁₀ emission limits at U.S. Steel-Gary Works and U.S. Steel-Gary Coke Operations, located in Lake County, Indiana, and should result in decreased PM₁₀ emissions of approximately 350 tons per year.

(i) Incorporation by reference. The following sections of the Indiana Administrative Code are incorporated by reference.

(A) Amendments to Indiana Administrative Code Title 326: Air Pollution Control Board, Article 6: Particulate Rules, Rule 1: Non-attainment Area Limitations, Section 10.1: Lake County PM₁₀ emission requirements. Filed with the Secretary of State on August 6, 2003 and effective on September 5, 2003. Published at Indiana Register,

Volume 27, Number 1, October 1, 2003 (27 IR 61).

(B) Amendments to Indiana Administrative Code Title 326: Air Pollution Control Board, Article 6: Particulate Rules, Rule 1: Non-attainment Area Limitations, Section 10.2: Lake County PM₁₀ coke battery emission requirements. Filed with the Secretary of State on August 6, 2003 and effective on September 5, 2003. Published at Indiana Register, Volume 27, Number 1, October 1, 2003 (27 IR 85).

[37 FR 10863, May 31, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.770, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

EFFECTIVE DATE NOTE: At 69 FR 29073, May 20, 2004, § 52.770 was amended by adding paragraph (c)(165), effective July 19, 2004. For the convenience of the user, the added text follows:

§ 52.770 Identification of plan.

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(c) * * *

(165) On January 16, 2004 Indiana submitted revised Prevention of Significant Deterioration rules as a revision to the Indiana State Implementation Plan.

(i) Incorporation by reference.

(A) Amendments to the Indiana Administrative Code, Title 326: Air Pollution Control Board; Article 2: Permit Review Rules; Rule 2: Prevention of Significant Deterioration (PSD) Requirements; Section 2-2-1 Definitions; Section 2-2-6 Increment consumption; requirements; and Section 2-2-12 Permit rescission. Filed with the Secretary of State on March 9, 2004, effective April 8, 2004. Published at 27 Indiana Register 2216; April 1, 2004.

§ 52.771 Classification of regions.

(a) The Indiana 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)
East Central Indiana Intrastate	II	II	III	III	III
Evansville (Indiana)-Owensboro-Henderson (Kentucky) Interstate	I	II	III	III	III
Louisville Interstate	I	I	III	III	I
Metropolitan Chicago Interstate (Indiana-Illinois)	I	I	I	I	I
Metropolitan Cincinnati Interstate	I	II	III	III	I
Metropolitan Indianapolis Intrastate	I	I	I	I	I
Northeast Indiana Intrastate	II	III	III	III	III
South Bend-Elkhart (Indiana)-Benton Harbor (Michigan) Interstate	I	IA	III	III	III
Southern Indiana Intrastate	IA	IA	III	III	III
Wabash Valley Intrastate	I	I	III	III	III

(b) The requirements of § 51.150 of this chapter are not met by the classification of counties in APC-22 for the pur-

poses of attainment and maintenance of the total suspended particulate ambient air quality standards.

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(c) The requirements of § 51.150 of this chapter are not met by the classification of counties in APC-22 for the purposes of attainment and maintenance of the photochemical oxidant (hydrocarbon) ambient air quality standards.

(d) The requirements of § 51.150 of this chapter are not met by the classification of Jefferson, LaPorte, Porter, Vigo and Warrick Counties in Indiana in Regulation APC-22 for the purposes of attainment and maintenance of the sulfur dioxide ambient air quality standards.

[37 FR 10863, May 31, 1972, as amended at 39 FR 16346, May 8, 1974; 40 FR 50033, Oct. 28, 1975; 41 FR 35677, Aug. 24, 1976; 42 FR 34519, July 6, 1977; 51 FR 40675, Nov. 7, 1986]

§ 52.772 [Reserved]

§ 52.773 Approval status.

(a) With the exceptions set forth in this subpart, the Administrator approves Indiana's plan for attainment and maintenance of the National Ambient Air Quality Standards under section 110 of the Clean Air Act.

(b) [Reserved]

(c) The Administrator finds that Indiana's new source review strategy satisfies all requirements of Part D, Title I of the Clean Air Act as amended in 1977.

(d)-(e) [Reserved]

(f) The Administrator finds ozone strategies for Clark, Elkhart, Floyd, Lake, Marion, Porter, and St. Joseph Counties satisfy all requirements of Part D, Title I of the Clean Air Act that are required to be submitted by January 1, 1981, except as noted below.

(g) The administrator finds that the total suspended particulate strategies for Clark, Dearborn, Dubois, St. Joseph, Vanderburgh, and Vigo Counties satisfy all the requirements of Part D, Title I of the Clean Air Act except as noted below.

(h) The Administrator finds that the SO₂ strategies for Lake, LaPorte, Marion, Vigo, and Wayne Counties satisfy all requirements of Part D, Title I of the Clean Air Act, as amended in 1977. See § 52.770 (c)(67) and (c)(72).

(i) The Administrator finds that Indiana's ozone plan for Lake and Porter Counties, which was required to be submitted by July 1, 1992, does not satisfy

all the requirements of part D, title 1 of the Clean Air Act and, thus, is disapproved. See §§ 52.770(c)(69) and 52.770(d). The disapproval does not affect USEPA's approval (or conditional approval) of individual parts of Indiana's ozone plan and they remain approved.

(j) The Administrator finds that the following portions of Indiana's ozone and CO plans satisfy the related requirements of part D, title 1 of the Clean Air Act, as amended in 1977:

(1) The transportation control plans for Lake, Porter, Clark and Floyd Counties, submitted on May 14, 1986, June 10, 1986, and April 6, 1987.

(2) The vehicle inspection and maintenance plan for Clark, Floyd, Lake, and Porter Counties, submitted October 27, 1989, and January 19, 1990.

(3) The demonstration of attainment, submitted December 2, 1983, and the carbon monoxide plan as a whole for the designated nonattainment area in Lake County.

[37 FR 10864, May 31, 1972, as amended at 46 FR 38, Jan. 2, 1981; 47 FR 6275, Feb. 11, 1982; 47 FR 6623, Feb. 16, 1982; 47 FR 10825, Mar. 12, 1982; 47 FR 20586, May 13, 1982; 47 FR 30980, July 16, 1982; 51 FR 4915, Feb. 10, 1986; 53 FR 33811, Sept. 1, 1988; 53 FR 46613, Nov. 18, 1988; 54 FR 2118, Jan. 19, 1989; 55 FR 31052, July 31, 1990; 59 FR 51114, Oct. 7, 1994]

§ 52.774 [Reserved]

§ 52.775 Legal authority.

(a) The requirements of § 51.232(b) of this chapter are not met since the following deficiencies exist in the local agency legal authority:

(1) East Chicago: (i) Authority to require recordkeeping is inadequate (§ 51.230(e) of this chapter).

(ii) Authority to require installation of monitoring devices is inadequate (§ 51.230(f) of this chapter).

(2) Evansville: (i) Authority to prevent construction, modification, or operation of any stationary source at any location where emissions from such source will prevent the attainment or maintenance of a national standard is inadequate (§ 51.230(d) of this chapter).

(ii) Authority to require recordkeeping is inadequate (§ 51.230(e) of this chapter).