

**§§ 49.140–49.200**

**40 CFR Ch. I (7–1–07 Edition)**

the notice. If requested, the Regional Administrator may hold a public hearing and/or extend the public comment period for up to an additional 30 days.

(6) After the close of the public comment period, the Regional Administrator will review all comments received and prepare a final permit to operate and final technical support document, unless the Regional Administrator determines that additional requirements are not necessary to ensure compliance with the implementation plan or to ensure the attainment and maintenance of any national ambient air quality standard or prevention of significant deterioration increment. The final technical support document will include a response to all comments received during the public comment period.

(7) The final permit to operate and final technical support document will be sent to the owner or operator of the air pollution source and will be made available at all of the locations where the draft permit was made available. In addition, the final permit to operate and final technical support document will be sent to all persons who provided comments on the draft permit to operate.

(8) The final permit to operate will be a final agency action for purposes of administrative appeal and judicial review.

(f) *Definitions of terms used in this section.* The following terms that are used in this section are defined in §49.123 General provisions: Act, actual emissions, air pollutant, air pollution source, allowable emissions, ambient air, emission, emission factor, Federally enforceable, implementation plan, owner or operator, potential to emit, and Regional Administrator.

§§ 49.140–49.200 [Reserved]

**Subpart D—Implementation Plans for Tribes—Region I**

§§ 49.201–49.470 [Reserved]

**Subpart E—Implementation Plans for Tribes—Region II**

§§ 49.471–49.680 [Reserved]

**Subpart F—Implementation Plans for Tribes—Region III**

§§ 49.681–49.710 [Reserved]

**Subpart G—Implementation Plans for Tribes—Region IV**

§§ 49.711–49.920 [Reserved]

**Subpart H—Implementation Plans for Tribes—Region V**

§§ 49.921–49.1970 [Reserved]

**Subpart I—Implementation Plans for Tribes—Region VI**

§§ 49.1971–49.3920 [Reserved]

**Subpart J—Implementation Plans for Tribes—Region VII**

§§ 49.3921–49.4160 [Reserved]

**Subpart K—Implementation Plans for Tribes—Region VIII**

§§ 49.4161–49.5510 [Reserved]

**Subpart L—Implementation Plans for Tribes—Region IX**

§§ 49.5511–49.9860 [Reserved]

**Subpart M—Implementation Plans for Tribes—Region X**

SOURCE: 65 FR 51433, Aug. 23, 2000, unless otherwise noted.

**Environmental Protection Agency**

**§ 49.9870**

**IMPLEMENTATION PLAN FOR THE BURNS PAIUTE TRIBE OF THE BURNS PAIUTE INDIAN COLONY OF OREGON**

SOURCE: 70 FR 18110, Apr. 8, 2005, unless otherwise noted.

**§ 49.9861 Identification of plan.**

This section and §§ 49.9862 through 49.9890 contain the implementation plan for the Burns Paiute Tribe of the Burns Paiute Indian Colony. This plan consists of a combination of Tribal rules and measures and Federal regulations and measures which apply within the Reservation of the Burns Paiute Indian Colony.

**§ 49.9862 Approval status.**

There are currently no EPA-approved Tribal rules or measures in the implementation plan for the Reservation of the Burns Paiute Indian Colony.

**§ 49.9863 Legal authority. [Reserved]**

**§ 49.9864 Source surveillance. [Reserved]**

**§ 49.9865 Classification of regions for episode plans.**

The air quality control region which encompasses the Reservation of the Burns Paiute Indian Colony is classified as follows for purposes of episode plans:

Pollutant	Classification
Carbon monoxide .....	III
Nitrogen dioxide .....	III
Ozone .....	III
Particulate matter (PM10) .....	II
Sulfur oxides .....	III

**§ 49.9866 Contents of implementation plan.**

The implementation plan for the Reservation of the Burns Paiute Indian Colony consists of the following rules, regulations, and measures:

- (a) Section 49.123 General provisions.
- (b) Section 49.124 Rule for limiting visible emissions.
- (c) Section 49.125 Rule for limiting the emissions of particulate matter.
- (d) Section 49.126 Rule for limiting fugitive particulate matter emissions.
- (e) Section 49.129 Rule for limiting emissions of sulfur dioxide.

(f) Section 49.130 Rule for limiting sulfur in fuels.

(g) Section 49.131 General rule for open burning.

(h) Section 49.135 Rule for emissions detrimental to public health or welfare.

(i) Section 49.137 Rule for air pollution episodes.

(j) Section 49.138 Rule for the registration of air pollution sources and the reporting of emissions.

(k) Section 49.139 Rule for non-Title V operating permits.

**§ 49.9867 EPA-approved Tribal rules and plans. [Reserved]**

**§ 49.9868 Permits to construct.**

Permits to construct are required for new major stationary sources and major modifications to existing major stationary sources pursuant to 40 CFR 52.21.

**§ 49.9869 Permits to operate.**

Permits to operate are required for sources not subject to 40 CFR Part 71 in accordance with the requirements of § 49.139.

**§ 49.9870 Federally-promulgated regulations and Federal implementation plans.**

The following regulations are incorporated and made part of the implementation plan for the Reservation of the Burns Paiute Indian Colony:

- (a) Section 49.123 General provisions.
- (b) Section 49.124 Rule for limiting visible emissions.
- (c) Section 49.125 Rule for limiting the emissions of particulate matter.
- (d) Section 49.126 Rule for limiting fugitive particulate matter emissions.
- (e) Section 49.129 Rule for limiting emissions of sulfur dioxide.
- (f) Section 49.130 Rule for limiting sulfur in fuels.
- (g) Section 49.131 General rule for open burning.
- (h) Section 49.135 Rule for emissions detrimental to public health or welfare.
- (i) Section 49.137 Rule for air pollution episodes.
- (j) Section 49.138 Rule for the registration of air pollution sources and the reporting of emissions.