

File

RULES AND REGULATIONS

[1505-01-M]

Title 40--Protection of Environment

CHAPTER I. ENVIRONMENTAL

The MDEQ submitted a negative declaration to USEPA on April 18, 1977, certifying that there are no existing phosphate fertilizer plants in the State subject to 40 CFR Part 60, Subpart B.

page 48637 in the issue for Thursday, October 19, 1978; in the second column of page 48638, in the second line of § 52.2620(c)(10), the word "capacity" should have read "opacity".

[6560-01-M]

[FRL 1001-2]

PART 62--APPROVAL AND PROMULGATION OF STATE PLANS FOR DESIGNATED FACILITIES AND POLLUTANTS

Procedural Framework

AGENCY: Environmental Protection Agency

ACTION: Final rulemaking.

SUMMARY: This notice establishes a new part 62, "Approval and Promulgation of State Plans for Designated Facilities and Pollutants." Part 62 provides for procedural framework in which EPA will approve or disapprove plans submitted by the State, and promulgate Federal plans if necessary, under section 111(d) of the Clean Air Act. Section 111(d) of the Act requires States to submit plans to control emissions of designated pollutants from designated facilities; EPA must designate the facilities and pollutants for which States must develop plans.

This action is needed because EPA's actions in approval, disapproval, and promulgation of State plans must be made public. The intended effect of this action is to establish the framework for publicizing these actions. The first plans will be those for the control of fluoride emissions from phosphate fertilizer plants; States were required to submit those plans to EPA by December 1, 1977.

Several States have written EPA letters indicating that they have no phosphate fertilizer facilities. We call these

letters "negative declarations" and are approving them below in subparts B-DDD. The remainder of the State submissions have been or will be proposed and then approved, disapproved, or promulgated as necessary when appropriate information is received from the States.

EFFECTIVE DATE: Immediately.

ADDRESS: U.S. Environmental Protection Agency, Office of Air Quality Planning and Standards, Control Programs Development Division (MD-15), Research Triangle Park, North Carolina 27711.

FOR FURTHER INFORMATION CONTACT:

Joseph Sableski, Chief, Plans Guidelines Section, at 919-541-5437 or at the above address.

SUPPLEMENTARY INFORMATION: On July 10, 1978 (43 FR 29585), EPA proposed to establish a new part 62, "Approval and Promulgation of State Plans for Designated Facilities and Pollutants." The preamble to that FEDERAL REGISTER notice provided background on the nature of the action; interested persons may consult that notice for further information.

EPA received no significant comments on the proposal and is, therefore, promulgating the regulation as proposed without change as set forth below.

Dated: October 26, 1978.

DOUGLAS M. COSTLE, Administrator.

Part 62 is added to 40 CFR Ch. I to read as follows:

PART 62--APPROVAL AND PROMULGATION OF STATE PLANS FOR DESIGNATED FACILITIES AND POLLUTANTS

Subpart A--General Provisions

- Sec. 62.01 Definitions. 62.02 Introduction. 62.03 Extensions. 62.04 Approval status. 62.05 Legal authority. 62.06 Negative declarations. 62.07 Emissions standards, compliance schedules. 62.08 Emission inventories and source surveillance. 62.09 Revision of plans by Administrator. 62.10 Submission to Administrator. 62.11 Severability. 62.12 Availability of applicable plans.

Subparts B-G [Reserved]

Subpart P--Indiana

FLUORIDE EMISSIONS FROM PHOSPHATE FERTILIZER PLANTS

62.3600 Identification of plan--Negative declaration.

Subparts Q-W [Reserved]

Subpart X--Michigan

FLUORIDE EMISSIONS FROM PHOSPHATE FERTILIZER PLANTS

62.5600 Identification of plan--Negative declaration.

Subpart Y--Minnesota

FLUORIDE EMISSIONS FROM PHOSPHATE FERTILIZER PLANTS

62.5850 Identification of plan--Negative declaration

Subparts Z-FF [Reserved]

Subpart GG--New Mexico

FLUORIDE EMISSIONS FROM PHOSPHATE FERTILIZER PLANTS

62.7850 Identification of plan--Negative declaration.

Subparts HH-KK [Reserved]

Subpart LL--Oklahoma

FLUORIDE EMISSIONS FROM PHOSPHATE FERTILIZER PLANTS

62.9100 Identification of plan--Negative declaration.

Subparts MM-XX [Reserved]

Subpart YY--Wisconsin

FLUORIDE EMISSIONS FROM PHOSPHATE FERTILIZER PLANTS

62.12350 Identification of plan--Negative declaration.

Subparts ZZ-DDD [Reserved]

AUTHORITY: Secs. 111 and 301(a), Clean Air Act, as amended (42 U.S.C. 7413 and 7601).

Subpart A--General Provisions

§ 62.01 Definitions.

As used in this part, all terms not defined herein shall have the meaning given to them in the Clean Air Act and in Part 60 of this chapter.

§ 62.02 Introduction.

(a) This part sets forth the Administrator's approval and disapproval of State plans for control of designated pollutants and facilities, and the Administrator's promulgation of such plans or portions thereof. Approval of a plan or any portion of a plan is based on a determination by the Administrator that it meets the requirements of section 111(d) of the act and