

40 C.F.R. § 52.1520

Identification of plan.

(a) *Purpose and scope.* This section sets forth the applicable State Implementation Plan for New Hampshire 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 or other requirements under the Clean Air Act.

(b) *Incorporation by reference.* (1) Material listed in paragraphs (c) and (d) of this section with an EPA approval date prior to August 18, 2009, 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 submitted by the state to EPA, and notice of any change in the material will be published in the Federal Register. Entries for paragraphs (c) and (d) of this section with EPA approval dates after August 18, 2009, will be incorporated by reference in the next update to the SIP compilation.

(2) EPA Region 1 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 August 18, 2009.

(3) Copies of the materials incorporated by reference may be inspected at the Environmental Protection Agency, New England Regional Office, 5 Post Office Square—Suite 100, Boston, MA 02109–3912; Air and Radiation Docket and Information Center, EPA West Building, 1301 Constitution Ave., NW., Washington, DC 20460; and the National Archives and Records Administration (NARA). If you wish to obtain materials from the EPA Regional Office, please call (617) 918–1668; for materials from a docket in the EPA Headquarters Library, please call the Office of Air and Radiation (OAR) Docket at (202) 566–1742. 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 regulations.*

EPA-Approved New Hampshire Regulations

State citation	Title/subject	State effective date	EPA approval date 1	Explanations
Env-A 100	Organizational Rules: Definitions	5/3/2003	9/25/2015, 80 FR 57724	Adding definition of “Minor permit amendment” and “State permit to operate.”
Env-A 100	Definition of “Incinerator”	4/29/2003	2/16/2018, 83 FR 6972	Remove Part Env–A 101.59, definition of “Incinerator” and replace with “[reserved].”

Env-A 100	Definition of “Wood Waste Burner”	4/29/2003	2/16/2018, 83 FR 6972	Remove Part Env-A 101.95, definition of “Wood Waste Burner” and replace with “[reserved].”
Env-A 100	Definitions	3/24/1997	9/7/2018, 83 FR 45356	Revisions made affecting eleven definitions.
Env-A 100	Definition of “Incinerator”	4/23/2013	2/16/2018, 83 FR 6972	Approve Part Env-A 101.104, definition of “Incinerator.”
Env-A 100	Definition of “Wood Waste Burner”	1/14/2005	2/16/2018, 83 FR 6972	Approve Part Env-A 101.219, definition of “Wood Waste Burner.”
Env-A 100	Definition of “Emergency generator”	8/15/2018	9/6/2023, 88 FR 60893	Revision to the term “Emergency generator” as used within the state's air pollution control regulations.
Env-A 200	Permit Notice and Hearing Procedures		5/25/2017, 82 FR 24057	Removal of Env-A 205 from SIP
Env-A 300	Ambient Air Quality Standards.	9/1/2012	6/24/2014, 79 FR 35699	
Env-A 600	Statewide Permit System	4/20/2021	5/6/2022, 87 FR 26999	Revisions to Env-A 619.13 to incorporate updated reference date to the ambient air quality modeling guidelines at 40 CFR part 51, Appendix W.
Env-A 800	Testing and Monitoring Procedures	4/30/2019	5/6/2022, 87 FR 26999	Minor revisions to the previously approved Env-A 800 rule be incorporated into the State's SIP, except for Env-A 801.02(b) and (d) that relate to trading, and Env-A 810.
Env-A 807	Testing and Monitoring Procedures	10/31/2002	11/7/2016, 81 FR 78054	Approve Part Env-A 807 “Testing for Opacity of Emissions.”
Env-A 900	Owner or Operator Obligations	7/18/2015	3/30/2018, 83 FR 13668	Approved sections Env-A 901 through 911, except for the following sections withdrawn by the State and which are not part of the approved SIP: Env-A 907.01(d) and (e); 907.02(a)(1), (d)(1) a. and c., (d)(2), and (e); 907.03; 911.04(b) and (c); 911.05.
Env-A 1000	Control of Open Burning	8/1/2019	8/11/2022	Approve the amended Part Env-A 1000 “Prevention, Abatement and Control of Open Source Air Pollution” to supersede the previously SIP-approved version.

Env-A 1200	Volatile Organic Compounds (VOCs) Reasonably Available Control Technology (RACT)	10/17/2019	5/6/2022, 87 FR 26999	
Env-A 1300	NOX RACT	8/15/2018 and 3/20/2023		Regulation, effective 8/15/2018, containing emissions limits and other requirements for stationary sources of nitrogen oxides approved except for sections pertaining to coal-fired cyclone boilers at Env-A 1303.06(b) and (c). Revisions made to Env-A 1303.02 and 1303.04. effective 3/20/2023.
Env-A 1500	Conformity	1/18/2020	3/10/2022, 87 FR 13634	Env-A 1500 revision approved entirely.
Env-A 1600	Fuel Specifications	12/21/2018	4/26/2021, 86 FR 21942	Env-1600 replaces the previously approved Env-400 Sulfur Content Limits in Fuels.
Env-A 1900	Emission Standards and Operating Practices for Incinerators	4/23/2013	2/16/2018, 83 FR 6972	Approve Part Env-A 1900 "Incinerators and Wood Waste Burners."
Env-A 2100	Particulate Matter and Visible Emissions Standards	4/23/2013	11/7/2016, 81 FR 78054	Approve Chapter Env-A 2100, except Part Env-A 2103.03 "Affirmative Defense to Penalty Action," which NH DES did not submit for approval.
Env-A 2300	Mitigation of Regional Haze	11/22/2014	10/6/2016, 81 FR 70361	Revises Env-A 2302.02
Env-A 2400	Ferrous and Non-Ferrous Foundries, Smelters, and Investment Casting Operations	4/23/2013	11/7/2016, 81 FR 78054	Approve Chapter Env-A 2400, except PART Env-A 2405 "Affirmative Defenses for Violations of Visible Emission Standards," which NH DES did not submit for approval.
Env-A 2700	Hot Mix Asphalt Plants	2/16/2013	11/7/2016, 81 FR 78054	
Env-A 2703.02(a)	Hot Mix Asphalt Plants	11/4/2004	8/22/2012, 77 FR 50608	Adopted Regulation established Hot Mix Asphalt Plant Requirements.

Env-A 2800	Sand and Gravel Sources; Non-Metallic Mineral Processing Plants; Cement and Concrete Sources	10/1/2010	11/7/2016, 81 FR 78054	
Env-A 3200	NOx Budget Trading Program	7/27/1998	11/14/2000, 65 FR 68078	Approved Parts Env-A 3201 through 3218.
Env-A 3600	National Low Emission Vehicle (National LEV) Program	7/21/1999	3/9/2000, 65 FR 12476	Approved Parts Env-A 3601 through 3603
Env-Or 500	Recovery of Gasoline Vapors	11/17/2012	5/29/2014, 79 FR 30735	Includes decommissioning of Stage II vapor recovery systems.
Saf-C 3200	Official Motor Vehicle Inspection Requirements	1/6/2016	9/25/2018, 83 FR 48385	Amends Saf-C sections 3202, 3203, 3204, 3205, 3206.04, 3207.01, 3209, 3210, 3218, 3220, 3222, and 3248; and approves Saf-C 3219.
Saf-C 5800	Roadside Diesel Opacity Inspection	1/1/1999	1/25/2013, 78 FR 5292	Approving submitted regulation with the exception of subsection Saf-C 5805.
Title 1 of the New Hampshire Statutes: The State and Its Government, Chapter 21-O	Department of Environmental Services	7/1/1986	12/16/2015, 80 FR 78139	Section 21-O:11, Air Resources Council.
Title X of the New Hampshire Statutes: Public Health, Chapter 125-C	Air Pollution Control	7/1/1979	12/16/2015, 80 FR 78139	Section 125-C:1—Declaration of Policy and Purpose; Section 125-C:2—Definitions; Section 125-C:4—Rulemaking Authority; Subpoena Power; Section 125-C:6—Powers and Duties of the Commissioner; Section 125-C:8—Administration of Chapter; Delegation of Duties; Section 125-C:9—Authority of the Commissioner in Cases of Emergency; Section 125-C:10—Devices Contributing to Air Pollution; Section 125-C:10a—Municipal Waste Combustion Units; Section 125-C:11—Permit Required; Section 125-C:12—Administrative Requirements; Section 125-C:13—Criteria for Denial; Suspension or Revocation; Modification; Section 125-C:14—Rehearings and Appeals; Section 125-C:18—Existing Remedies Unimpaired; Section 125-C:19—Protection of Powers; and Section 125-C:21—Severability.

Title X of the New Hampshire Statutes: Public Health, Chapter 125-O	Multiple Pollutant Reduction Program	7/1/2002	12/16/2015, 80 FR 78139	Section 125-O:1—Findings and Purpose; Section 125-O:3—Integrated Power Plant Strategy.
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