

40 C.F.R. § 52.1670

Identification of plan.

- (a) *Purpose and scope.* This section sets forth the applicable State Implementation Plan (SIP) for New York under section 110 of the Clean Air Act, as amended, 42 U.S.C. 7401 *et seq.*, and 40 CFR part 51 to meet National Ambient Air Quality Standards.
- (b) *Incorporation by reference.* (1) Material listed in paragraphs (c) and (d) of this section with an EPA approval date prior to August 1, 2015, 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 notification of any change in the material will be published in the Federal Register. Entries in paragraphs (c) and (d) of this section with an EPA approval date after August 1, 2015, will be incorporated by reference in the next update to the SIP compilation.
- (2) EPA Region 2 certifies that the rules/regulations provided by the 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 SIP as of August 1, 2015.
- (3) Copies of the materials incorporated by reference may be inspected at the Environmental Protection Agency, Region 2, Air Programs Branch, 290 Broadway, New York, New York 10007; and the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call (202) 741-6030, or go to: www.archives.gov/federal-register/cfr/ibr-locations.html.
- (c) *EPA approved regulations.*

EPA-Approved New York State Regulations and Laws

State citation	Title/subject	State effective date	EPA approval date	Comments
Title 6, Part 200, Subpart 200.1	General Provisions, Definitions	2/25/2021	10/1/2021	<ul style="list-style-type: none"> • EPA is approving definitions that are not already federally enforceable. • EPA approval finalized at 86 FR 54375.
Title 6, Part 200, Subpart 200.6	General Provisions, Acceptable ambient air quality	2/25/2000	4/22/2008	<ul style="list-style-type: none"> • EPA approval finalized at 73 FR 21548.
Title 6, Part 200, Subpart 200.7	General Provisions, Maintenance of equipment	2/25/2000	4/22/2008	<ul style="list-style-type: none"> • EPA approval finalized at 73 FR 21548.

Title 6, Part 200, Subpart 200.9	General Provisions, Referenced material	3/18/2022	8/25/2022	<ul style="list-style-type: none"> • EPA is approving referenced materials that previously were not Federally enforceable. • EPA approval finalized at 87 FR 52337.
Title 6, Part 201	Permits and Registrations	4/4/1993	10/3/2005	<ul style="list-style-type: none"> • This action removes subpart 201.5(e) from the State's Federally approved SIP. • EPA approval finalized at 70 FR 57511.
Title 6, Part 201, Subpart 201-2.1(b)(21)	Permits and Registrations, Definitions	10/15/2011	12/27/2016	<p>EPA is including the definition of “Major stationary source or major source or major facility” with the understanding that the definition applies only to provisions of Part 231.</p> <p>Revisions are approved except for changes to the definitions in 201-2.1(b)(21)(i) and 201-2.1(b)(21)(v) withdrawn by NYSDEC as per July 28, 2016 letter to EPA Region 2.</p> <p>EPA approval finalized at 81 FR 95049</p>
Title 6, Part 201, Subpart 201-7.1	Permits and Registrations, Federally Enforceable Emission Caps	7/7/1996	10/3/2005	<ul style="list-style-type: none"> • EPA approval finalized at 70 FR 57511.
Title 6, Part 201, Subpart 201-7.2	Permits and Registrations, Emission Capping Using Synthetic Minor Permits	7/7/1996	10/3/2005	<ul style="list-style-type: none"> • EPA approval finalized at 70 FR 57511.
Title 6, Part 202	Emissions Testing, Sampling and Analytical Determinations	3/24/1979	11/12/1981	<ul style="list-style-type: none"> • EPA approval finalized at 46 FR 55690.
Title 6, Part 202, Subpart 202-2	Emission Statements	12/18/2020	12/28/2023	<ul style="list-style-type: none"> • EPA approval finalized at 88 FR 89593.
Title 6, Part 203	Oil and Natural Gas Sector	3/18/2022	8/25/2022	<ul style="list-style-type: none"> • EPA approval finalized at 87 FR 52337.
Title 6, Part 204	NOX Budget Trading Program	2/25/2000	5/22/2001	<ul style="list-style-type: none"> • Incorporates NOX SIP Call and NOX Budget Trading Program for 2003 and thereafter. • EPA approval finalized at 66 FR 28063.
Title 6, Part 205	Architectural and Industrial Maintenance Coatings	1/11/2022	10/3/2022	<ul style="list-style-type: none"> • EPA approval finalized at 87 FR 59695.
Title 6, Part 207	Control Measures for an Air Pollution Episode	2/22/1979	11/12/1981	<ul style="list-style-type: none"> • EPA approval finalized at 46 FR 55690.
Title 6, Part 211	General Prohibitions	1/1/2011	3/8/2012	<ul style="list-style-type: none"> • Section 211.1 (previously numbered 211.2) is not part of the approved plan. (see 11/27/1998, 63 FR 65559). • EPA approval finalized at 77 FR 13974.
Title 6, Part 212	Process Operations	2/25/2021	10/1/2021	<ul style="list-style-type: none"> • EPA approval finalized at 86 FR 54375.

Title 6, Part 213	Contaminant Emissions from Ferrous Jobbing Foundries	5/1/1972	9/22/1972	• EPA approval finalized at 37 FR 19814.
Title 6, Part 214	By-Product Coke Oven Batteries	9/22/1994	7/20/2006	• EPA approval finalized at 71 FR 41163.
Title 6, Part 215	Open Fires	6/16/1972	9/22/1972	• EPA approval finalized at 37 FR 19814.
Title 6, Part 216	Iron and/or Steel Processes	9/22/1994	7/20/2006	• EPA approval finalized at 71 FR 41163.
Title 6, Part 217, Subpart 217-1	Motor Vehicle Emissions, Motor Vehicle Enhanced Inspection and Maintenance Program Requirements Until December 31, 2010	12/5/2010	2/28/2012	• EPA approval finalized at 77 FR 11742.
Title 6, Part 217, Subpart 217-4	Motor Vehicle Emissions, Inspection and Maintenance Program Audits Until December 31, 2010	12/5/2010	2/28/2012	• EPA approval finalized at 77 FR 11742.
Title 6, Part 217, Subpart 217-6	Motor Vehicle Emissions, Motor Vehicle Enhanced Inspection and Maintenance Program Requirements Beginning January 1, 2011	12/5/2010	2/28/2012	• EPA approval finalized at 77 FR 11742.
Title 6, Part 218, Subpart 218-1	Emission Standards for Motor Vehicles and Motor Vehicle Engines, Applicability and Definitions	12/28/2000	1/31/2005	• EPA's approval of part 218 only applies to light-duty vehicles. • EPA approval finalized at 70 FR 4773.
Title 6, Part 218, Subpart 218-2	Emission Standards for Motor Vehicles and Motor Vehicle Engines, Certification and Prohibitions	12/28/2000	1/31/2005	• EPA's approval of part 218 only applies to light-duty vehicles. • EPA approval finalized at 70 FR 4773.
Title 6, Part 218, Subpart 218-3	Emission Standards for Motor Vehicles and Motor Vehicle Engines, Fleet Average	12/28/2000	1/31/2005	• EPA's approval of part 218 only applies to light-duty vehicles. • EPA approval finalized at 70 FR 4773.
Title 6, Part 218, Subpart 218-4	Emission Standards for Motor Vehicles and Motor Vehicle Engines, Zero Emissions Vehicle Sales Mandate	5/28/1992	1/6/1995	• EPA's approval of part 218 only applies to light-duty vehicles. • EPA approval finalized at 60 FR 2025.
Title 6, Part 218, Subpart 218-5	Emission Standards for Motor Vehicles and Motor Vehicle Engines, Testing	12/28/2000	1/31/2005	• EPA's approval of part 218 only applies to light-duty vehicles. • EPA approval finalized at 70 FR 4773.
Title 6, Part 218, Subpart 218-6	Emission Standards for Motor Vehicles and Motor Surveillance	12/28/2000	1/31/2005	• EPA's approval of part 218 only applies to light-duty vehicles. • EPA approval finalized at 70 FR 4773.
Title 6, Part 218, Subpart 218-7	Emission Standards for Motor Vehicles and Motor Vehicle Engines, Aftermarket Parts	12/28/2000	1/31/2005	• EPA's approval of part 218 only applies to light-duty vehicles. • EPA approval finalized at 70 FR 4773.

Title 6, Part 218, Subpart 218-8	Emission Standards for Motor Vehicles and Motor Vehicle Engines, Severability	12/28/2000	1/31/2005	<ul style="list-style-type: none"> • EPA's approval of part 218 only applies to light-duty vehicles. • EPA approval finalized at 70 FR 4773.
Title 6, Part 219	Incinerators	3/14/2020	6/2/2022	<ul style="list-style-type: none"> • EPA approval finalized at 87 FR 33438.
Title 6, Part 220	Portland Cement Plants and Glass Plants	7/11/2010	7/12/2013	<ul style="list-style-type: none"> • SIP revisions submitted in accordance with § 220-1.6(b)(4) and 220-2.3(a)(4) are effective only if approved by EPA. • EPA approval finalized at 78 FR 41846.
Title 6, Part 222	Distributed Generation Sources	3/25/2020	6/2/2022	<ul style="list-style-type: none"> • EPA approval finalized at 87 FR 33438.
Title 6, Part 223	Petroleum Refineries	8/9/1984	7/19/1985	<ul style="list-style-type: none"> • EPA approval finalized at 50 FR 29382.
Title 6, Part 224	Sulfuric and Nitric Acid Plants	5/10/1984	7/19/1985	<ul style="list-style-type: none"> • Variances adopted by the State pursuant to Part 224.6(b) become applicable only if approved by EPA as SIP revisions. • EPA approval finalized at 50 FR 29382.
Title 6, Part 225, Subpart 225-1	Fuel Composition and Use-Sulfur Limitations	4/5/2013	8/23/2018	<ul style="list-style-type: none"> • Exceptions or Variances adopted by the State pursuant to §§ 225.1.3 and 1.4(b) become applicable only if approved by EPA as SIP revisions (40 CFR 52.1675(e)). • EPA approval finalized at 83 FR 42589.
Title 6, Part 225, Subpart 225-2	Fuel Composition and Use-Waste Fuel	7/28/1983	8/2/1984	<ul style="list-style-type: none"> • EPA approval finalized at 49 FR 30936.
Title 6, Part 225, Subpart 225-3	Fuel Composition and Use-Gasoline	11/4/2001	9/8/2005	<ul style="list-style-type: none"> • The Variance adopted by the State pursuant to section 225-3.5 becomes applicable only if approved by EPA as a SIP revision. • EPA approval finalized at 70 FR 53304.
Title 6, Part 226	Solvent Cleaning Processes and Industrial Cleaning Solvents	11/1/2019	5/13/2020	
Title 6, Part 227, Subpart 227.2(b)(1)	Stationary Combustion Installations	5/1/1972	9/22/1972	<ul style="list-style-type: none"> • 1972 version. • EPA approval finalized at 37 FR 19814.
Title 6, Part 227, Subpart 227-1	Stationary Combustion Installations	2/25/2021	6/5/2023	<ul style="list-style-type: none"> • EPA approved finalized at 6/5/2023, 88 FR 36481
Title 6, Part 227, Subpart 227-2	Stationary Combustion Installations, Reasonably Available Control Technology (RACT) For Major Facilities of Oxides of Nitrogen (NOX)	7/8/2010	7/12/2013	<ul style="list-style-type: none"> • SIP revisions submitted in accordance with § 227-2.3(c) are effective only if approved by EPA. • EPA approval finalized at 78 FR 41846.

Title 6, Part 227, Subpart 227-3	Ozone Season Oxides of Nitrogen (NOx) Emission Limits for Simple Cycle and Regenerative Combustion Turbines	1/16/2020	8/11/2021, 86 FR 43956 EPA approval finalized at 86 FR 43956	
Title 6, Part 228	Surface Coating Processes, Commercial and Industrial Adhesives, Sealants and Primers	6/5/2013	3/4/2014	• EPA approval finalized at 79 FR 12082.
Title 6, Part 229	Petroleum and Volatile Organic Liquid Storage and Transfer	4/4/1993	12/23/1997	• SIP revisions submitted in accordance with Section 229.3(g)(1) are effective only if approved by EPA. • EPA approval finalized at 62 FR 67006.
Title 6, Part 230	Gasoline Dispensing Sites and Transport Vehicles	2/12/2021	2/9/2023	EPA approval finalized at 88 FR 8371.
Title 6, Part 231	New Source Review for New and Modified Facilities	10/15/2011	12/27/2016	Full approval except for certain revisions to 231-5.5(b)(3), 231-6.6(b)(3), 231-10.1(d), 231-12.4(a)(1), 231-12.7, and 231-13.5 Table 5 withdrawn by NYSDEC as per July 28, 2016 NYSDEC letter to EPA Region 2. The PM _{2.5} Significant Monitoring Concentration (SMC) is approved as 0 µg/m ³ in 231-12.4(a)(1). EPA approval finalized at 81 FR 95049
Title 6, Part 232	Dry Cleaning	8/11/1983	6/17/1985	• EPA has not determined that § 232.3(a) provides for reasonably available control technology. • EPA approval finalized at 50 FR 25079.
Title 6, Part 233	Pharmaceutical and Cosmetic Manufacturing Processes	4/4/1993	12/23/1997	• SIP revisions submitted in accordance with Section 223.3(h)(1) are effective only if approved by EPA. • EPA approval finalized at 62 FR 67006.
Title 6, Part 234	Graphic Arts	7/8/2010	3/8/2012	• SIP revisions submitted in accordance with § 234.3(f) are effective only if approved by EPA. • EPA approval finalized at 77 FR 13974.
Title 6, Part 235	Consumer Products	2/11/2021	9/16/2022	• EPA approval finalized at 87 FR 56893.
Title 6, Part 236	Synthetic Organic Chemical Manufacturing Facility Component Leaks	1/12/1992	7/27/1993	• Variances adopted by the State pursuant to Part 236.6(e)(3) become applicable only if approved by EPA as a SIP revision. • EPA approval finalized at 58 FR 40059.

Title 6, Part 239	Portable Fuel Container Spillage Control	7/30/2009	5/28/2010	<ul style="list-style-type: none"> The specific application of provisions associated with alternate test methods, variances and innovative products, must be submitted to EPA as SIP revisions. EPA approval finalized at 75 FR 29897.
Title 6, Part 240, Subpart 240-1	Transportation Conformity, Transportation Conformity General Provisions	9/13/2013	7/29/2014	<ul style="list-style-type: none"> EPA approval finalized at 79 FR 43945.
Title 6, Part 240, Subpart 240-2	Transportation Conformity, Consultation	9/13/2013	7/29/2014	<ul style="list-style-type: none"> EPA approval finalized at 79 FR 43945.
Title 6, Part 240, Subpart 240-3	Transportation Conformity, Regional Transportation-Related Emissions and Enforceability	9/13/2013	7/29/2014	<ul style="list-style-type: none"> EPA approval finalized at 79 FR 43945.
Title 6, Part 241	Asphalt Pavement and Asphalt Based Surface Coating	1/1/2011	3/8/2012	<ul style="list-style-type: none"> EPA approval finalized at 77 FR 13974.
Title 6, Part 243	CSAPR NOX Ozone Season Group 2 Trading Program	1/2/2019	8/8/2019	<ul style="list-style-type: none"> EPA approval finalized at 84 FR 38878.
Title 6, Part 244	CSAPR NOX Annual Trading Program	1/2/2019	8/8/2019	<ul style="list-style-type: none"> EPA approval finalized at 84 FR 38878.
Title 6, Part 245	CSAPR SO2 Group 1 Trading Program	1/2/2019	8/8/2019	<ul style="list-style-type: none"> EPA approval finalized at 84 FR 38878.
Title 6, Part 249	Best Available Retrofit Technology (BART)	5/6/2010	8/28/2012	<ul style="list-style-type: none"> EPA approval finalized at 77 FR 51915.
Title 15, Part 79, Subparts 79.1-79.15, 79.17, 79.20, 79.21, 79.24, 79.25	Motor Vehicle Inspection Regulations	12/29/2010	2/28/2012	<ul style="list-style-type: none"> EPA approval finalized at 77 FR 11742.
Title 19, Part 937	Access To Publicly Available Records	8/27/2012	6/20/2013	<ul style="list-style-type: none"> Only subpart 937.1(a) is approved into the SIP and is for the limited purpose of satisfying Clean Air Act Section 128(a)(2). EPA approval finalized at 78 FR 37124.
Section 19-0325	Environmental Conservation Law, Sulfur reduction requirements	7/15/2010	8/28/2012	<ul style="list-style-type: none"> EPA approval finalized at 77 FR 51915.
Section 73-a	Public Officers Law, Financial disclosure	8/15/2011	6/20/2013	<ul style="list-style-type: none"> Only subsections 73-a(2)(a)(i) and (ii) are approved into the SIP and are for the limited purpose of satisfying Clean Air Act Section 128(a)(2). EPA approval finalized at 78 FR 37124.

This document is only available to subscribers. Please log in or purchase access.

Purchase Login