
40 C.F.R. § 52.223

Approval status.

- (a) With the exceptions set forth in this subpart, the Administrator approves California's plan for the attainment and maintenance of the national standards under section 110 of the Clean Air Act.
- (b) With the exceptions set forth in this subpart, the Administrator approves the plan with respect to Part D, Title I of the Clean Air Act, as amended in 1977, for the nonattainment areas listed in this paragraph. In addition, continued satisfaction of the requirements of Part D for the ozone portion of the State Implementation Plan (SIP) depends on the adoption and submittal of reasonably available control technology (RACT) requirements by July 1, 1980, for sources covered by Control Technique Guidelines (CTGs) issued between January 1978 and January 1979 and adoption and submittal by each subsequent January of additional RACT requirements for sources covered by CTGs issued by the previous January.
- (1) Imperial County for O₃.
- (2) North Central Coast Air Basin for O₃.
- (3) South Coast Air Basin for O₃, CO, NO₂, and PM.
- (4) San Diego Air Basin for O₃, CO, and TSP.
- (5) San Joaquin Valley Air Basin.
- (i) Kern County nonattainment area for ozone, CO, SO₂, and PM.
- (ii) Kings County for O₃ and TSP.
- (iii) Madera County for O₃ and TSP.
- (iv) Merced County for O₃ and TSP.
- (v) San Joaquin County for CO, O₃ and TSP.
- (vi) Stanislaus County for CO, O₃ and TSP.
- (vii) Tulare County for O₃ and TSP.
- (viii) Fresno County for O₃, CO, and TSP.
- (6) South Central Coast Air Basin.
- (i) Santa Barbara County nonattainment area for O₃, CO and TSP.
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(ii) Ventura County for O₃, CO and TSP.

(7) Sacramento Valley Air Basin.

(i) Butte County for O₃ and CO.

(ii) Sutter County for O₃.

(iii) Yuba County for O₃.

(iv) Sacramento AQMA for O₃.

(v) Sacramento County Metropolitan Area for CO.

(8) Southeast Desert Air Basin.

(i) Los Angeles County for Ozone.

(ii) San Bernardino County for Ozone.

(iii) Riverside County for Ozone.

(9) San Francisco Bay Area Air Basin for O₃, CO and TSP.

(10) Mountain Counties Air Basin.

(i) El Dorado County (Mountain Counties Air Basin portion) for O₃.

(ii) Placer County (Mid-County portion) for O₃.

(c) [Reserved]

(d) With the exceptions set forth in this subpart, the Administrator approves the plan with respect to Part D, Title I of the Clean Air Act, as amended in 1977, for the nonattainment areas listed in this paragraph.

(1) Lake Tahoe Basin for CO.

(2) EPA approves the CO plan for the Lake Tahoe Basin as meeting the requirements of Part D. This approval includes the resolution of the Lake Tahoe Regional Planning Agency banning new source construction pending the adoption of a new regional plan and ordinances. However, EPA disapproves the plan for any future time during which the Tahoe Regional Planning Agency may remove its construction ban prior to EPA approval of the new regional plan and ordinances.

(e) The Administrator approves the following portions of the 1999 Ozone Attainment Plan for the San Francisco Bay Area submitted by the California Air Resources Board on August 13, 1999: the 1995 baseline emissions inventory, the reasonable further progress demonstration, and the deletion of transportation control measures #6 and #16.

(f)

(1) Insofar as the Prevention of Significant Deterioration (PSD) provisions found in North Coast Unified Air Quality Management District's approved plan apply to stationary sources of greenhouse gas (GHGs) emissions,

the Administrator approves that application only to the extent that GHGs are “subject to regulation”, as provided in this paragraph (b), and the Administrator takes no action on that application to the extent that GHGs are not “subject to regulation.”

(2) Beginning January 2, 2011, the pollutant GHGs is subject to regulation if:

(i) The stationary source is a new major stationary source for a regulated NSR pollutant that is not GHGs, and also will emit or will have the potential to emit 75,000 tpy CO₂e or more; or

(ii) The stationary source is an existing major stationary source for a regulated NSR pollutant that is not GHGs, and also will have an emissions increase of a regulated NSR pollutant, and an emissions increase of 75,000 tpy CO₂e or more; and

(3) Beginning July 1, 2011, in addition to the provisions in paragraph (b)(2) of this section, the pollutant GHGs shall also be subject to regulation:

(i) At a new stationary source that will emit or have the potential to emit 100,000 tpy CO₂e; or

(ii) At an existing stationary source that emits or has the potential to emit 100,000 tpy CO₂e, when such stationary source undertakes a physical change or change in the method of operation that will result in an emissions increase of 75,000 tpy CO₂e or more.

(4) For purposes of this paragraph (b)—

(i) The term greenhouse gas shall mean the air pollutant defined in 40 CFR 86.1818-12(a) as the aggregate group of six greenhouse gases: Carbon dioxide, nitrous oxide, methane, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride.

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