
40 C.F.R. § 52.354

Original identification of plan.

- (a) This section identifies the original “Air Implementation Plan for the State of Colorado” and all revisions submitted by Colorado that were federally approved prior to June 1, 2015.
 - (b) The plan was officially submitted on January 26, 1972.
 - (c) The plan revisions listed below were submitted on the dates specified.
 - (1) Request for legal authority submitted February 14, 1972, by the Governor.
 - (2) Request for 110(e) extensions submitted March 20, 1972, by the Governor.
 - (3) Statements by State Air Pollution Control Commission (APCC) related to public inspection of emission data, emergency episodes, and transportation control submitted May 1, 1972, by the APCC. (Non-regulatory)
 - (4) List of sources under compliance schedules submitted May 1, 1972, by the State Department of Health.
 - (5) Transportation Control Plans submitted June 4, 1973, by the Governor.
 - (6) Statements relating to transportation control plans submitted July 16, 1973, by the Governor. (Non-regulatory)
 - (7) Plan revisions submitted November 21, 1973, by the Governor which delete Section III of Regulation No. 1 only as it relates to existing sources in Appendix P concerning SO₂.
 - (8) On June 7, 1974, the Governor submitted five Air Quality Maintenance Area designations.
 - (9) Supplemental information about the Air Quality Maintenance Areas was submitted by the Governor on January 29, 1975.
 - (10) Procedural rules for all proceedings before the Air Pollution Control Commission, submitted May 5, 1977, by the Governor.
 - (11) On January 2, 1979, the Governor submitted the nonattainment area plan for all areas designated nonattainment as of March 3, 1978. EPA is taking no action on areas for which the Governor has requested redesignations (Larimer-Weld TSP and ozone; El Paso County ozone).
 - (i) Regulation 9, “Trip Reduction,” previously approved on October 5, 1979, and now deleted without replacement.
 - (12) Extension request for attainment of CO and O₃ was submitted by the Governor on January 5, 1979.
 - (13) On July 5, 1979, the governor submitted the Air Pollution Control Commission's final comment on our May
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11, 1979, proposal. This included a clarification that the “No-Drive Day” was not part of the State Implementation Plan and transportation control measures schedules for Larimer-Weld.

(14) On July 18, 1979, the Commission committed to revising Regulation 7.

(15) On July 23, 1979, the Governor submitted House Bill 1090 and Senate Bill 1 as part of the plan.

(16) On July 27, 1979, the Governor submitted the Denver Regional Council of Governments schedules for implementing the transportation control strategies, and clarified that the Transportation Development Plan was part of the plan.

(17) On March 4, 1980, the Governor submitted a plan revision to meet the requirements of Air Quality Monitoring 40 CFR part 58, subpart C, § 58.20.

(18) On May 29, 1980, the Governor submitted written evidence of the State's legal authority to implement and enforce an automobile emissions control program as well as schedules for implementing that program and a demonstration that it will achieve a 25% reduction in exhaust emissions by 1987.

(19) On January 22 and February 6, 1980 the Governor submitted schedules for the implementation of transportation control measures for Denver and Larimer-Weld elements of the State Implementation Plan, respectively.

(20) On April 21, 1980, the Governor submitted a plan revision to meet the data reporting requirements of section 127 of the Clean Air Act.

(21) On June 22, 1980, the Governor submitted the following amended rules:

REPEAL AND REPROMULGATION OF REGULATION NO. 3 “A Regulation Requiring Air Pollutant Emission Notice, Emission Permits and Fees.”

REVISIONS TO COMMON PROVISIONS REGULATION as they relate to changes in Regulation No. 3.

(22) On June 5, 1980, the Governor submitted the following rules:

REPEAL AND REPROMULGATION OF REGULATION NO. 7 “A Regulations to Control Emissions of Volatile Organic Compounds” and revisions to the Common Provisions Regulations as they relate to changes in Regulation No. 7.

(23) On August 25, 1980, the Governor of Colorado submitted a site specific revision to the State Implementation Plan for Coors Container Corporation, Paper Packaging Division, in regard to alternative volatile organic compound emissions reduction for its printing presses.

(24) Provisions to meet the requirements of sections 110 and 172 of the Clean Air Act, as amended in 1977, regarding control of Group II VOC sources were submitted on January 6, 1981, and the supplemental information received on August 20, 1981.

(25) On December 29, 1980, the Governor submitted the following rule: Regulation No. 11, covering procedures for garage licensing (including mechanic testing and licensing), equipment requirements (including standards and specifications for exhaust gas analyzers), requirements for inspections, and emission standards as part of the Colorado motor vehicle inspection program.

(26) On March 23, 1981, the Governor submitted revised regulations limiting sulfur dioxide emissions from certain oil shale production facilities.

(27) On April 12, 1982, the Governor submitted the plan revisions to show attainment of the lead National Ambient Air Quality Standard.

(28) Regulation Number 7 is part of the plan.

(29) Provisions to meet the requirements of Part D of the Clean Air Act for carbon monoxide in Colorado Springs, Fort Collins, and Greeley and ozone in Denver were submitted on June 24, 1982, and supplemented by information submitted on May 4, 1983, by the Colorado Air Quality Control Commission.

(30) Revisions to Air Pollution Control Commission Regulation No. 1 related to fugitive particulate emissions, were submitted by the Governor on June 22, 1982; on December 6, 1982; and on March 23, 1983, with a technical clarification dated August 5, 1982. Included is approval of requirements for continuous emission monitoring (CEM) of sulfur dioxide on fossil fuel fired steam generator with greater than 250 million BTU per hour heat input. Also addressed is the reinstatement of the 40% opacity limitation for wigwam waste-wood burners into Regulation No. 1. With this is the addition of operation and maintenance (O&M) requirements to promote improved operation of the wigwam burners.

(i) *Incorporation by reference.* (A) Emission Control Regulations for Particulates, Smokes and Sulfur Oxides for the State of Colorado, Regulation No. 1.II (Smoke and Opacity); III (Particulates); IV (Continuous Emission Monitoring Requirements for Existing Sources); VII (Statements of Basis and Purpose); and Appendices A and B; which were effective on May 30, 1982.

(B) Colorado Air Quality Control Commission Common Provisions Regulation which was effective on May 30, 1982.

(C) Letter of August 5, 1982, from the State of Colorado to EPA. Clarification of the SIP Re: Continuous Emission Requirements for Oxides of Sulfur from Fossil Fueled Steam Generators.

(31) Revisions to Air Pollution Control Commission Regulation No. 11 related to the Colorado Inspection and Maintenance (I/M) program for exhaust emission inspection of motor vehicles, submitted by the Governor on December 10, 1984.

(32) Revisions to Air Pollution Control Commission Regulation No. 1, section II.A.6 and III.C.2 (a) and (b), submitted by the Governor on April 9, 1985.

(i) *Incorporation by reference.* (A) Revisions to Air Pollution Control Commission Regulation No. 1, "Emission Control Regulation for Particulates, Smokes, and Sulfur Oxides for the State of Colorado," sections II.A.6 and III.C.2 (a) and (b), effective March 2, 1985.

(33) A revision to Regulation No. 4, "Regulation on the Sale of New Woodstoves", to control emissions from new woodstoves was submitted by the Governor on October 24, 1986.

(i) *Incorporation by reference.* (A) Colorado Air Quality Control Commission Regulation No. 4, "Regulation on the Sale of New Woodstoves" (Section III.A., E., F., G. and Section VI.B. and C.) adopted June 27, 1985.

(34) [Reserved]

(35) Colorado Air Pollution Control Commission Regulation No. 4, "Regulation on the Sale of New Wood Stoves", submitted by the Governor on July 18, 1985.

(i) *Incorporation by reference.* (A) Colorado Air Quality Control Commission Regulation No. 4., "Regulation on the Sale of New Wood Stoves", adopted June 27, 1985.

(36) “Revisions to Colorado Regulation No. 3 Requiring Air Contaminant Emission Notices, Emission Permits and Fees as it Relates to the Prevention of Significant Deterioration” and “Revisions to Common Provision Regulation as Related to Regulation 3.” Changes submitted April 18, 1983, by the Governor.

(37) Supplemental information submitted on December 16, 1985, by the Colorado Department of Health concerning compliance with EPA's stack height regulations in issuing PSD permits.

(i) *Incorporation by reference.* (A) Revisions to Regulation 3 and Common Provisions Regulation adopted March 10, 1983, by the Colorado Air Quality Control Commission.

(B) Supplemental information submitted on December 16, 1985, by the Colorado Department of Health concerning compliance with EPA's stack height regulation in issuing PSD permits.

(38) Revisions to Regulation 1 to control emissions from alfalfa dehydrators were submitted by the Governor on July 29, 1987.

(i) *Incorporation by reference.* (A) Section II.A.6 and introductory text of Section III.C.2.a of Regulation 1 adopted by the Colorado Air Quality Control Commission on January 15, 1987, effective on March 2, 1987.

(39) Regulation 12, to control emissions from diesel fleets with nine or more vehicles over 7,500 pounds empty weight, registered in the AIR Program area (the Colorado I/M program), was submitted by the Governor on December 21, 1987.

(i) *Incorporation by reference.* (A) Colorado Air Quality Control Commission, Regulation No. 12, adopted December 18, 1986, and effective January 30, 1987.

(40) A revision to the Colorado SIP was submitted by the Governor on May 8, 1986, for Visibility New Source Review.

(i) *Incorporation by reference.* (A) Revision to the Colorado State Implementation Plan regarding Revision to Regulation No. 3, Section XIV was submitted by the Governor on April 18, 1983, and was adopted on March 10, 1983.

(B) Revision to the Colorado State Implementation Plan regarding Revision to Regulation No. 3, Section IV was submitted by the Governor on May 8, 1986, and was adopted on March 20, 1986.

(41) A revision to the SIP was submitted by the Governor on December 21, 1987, for visibility general plan requirements, monitoring, and long-term strategies.

(i) *Incorporation by reference.* (A) Letter dated December 21, 1987, from Governor Roy Romer submitting the Colorado Visibility SIP revision.

(B) The visibility SIP revision, Regulation No. 3, “Regulation requiring an air contaminant emission notice, Emission Permit Fees”, section XV, adopted by the Colorado Air Quality Control Commission on November 19, 1987.

(42) Revisions to Air Pollution Control Regulation No. 1, requiring reasonably available control technology RACT for carbon monoxide control on petroleum refinery catalytic cracking units were submitted by the Governor on May 8, 1986.

(i) *Incorporation by reference.* (A) Revisions to Section IV., paragraphs IV.A., IV.D.2. and IV.E., and Section VII., Regulation No. 1, emission control regulations for particulates, smokes, carbon monoxide, and sulfur oxides for

the State of Colorado requiring CEM and RACT on petroleum refinery catalytic cracking units in the metro Denver area effective on April 30, 1986.

(43) On June 15, 1988, the Governor submitted revisions to the CO SIP for Colorado Springs. The revisions contain a new measure, the Clean Air Campaign. EPA considers all other aspects of the submittal to be surplus.

(i) *Incorporation by reference.* (A) Clean Air Campaign portion of the Carbon Monoxide State Implementation Plan for the Colorado Springs urbanized area, revised August 12, 1987.

(44) A revision to Regulation No. 4 of the Colorado SIP which exempts certain woodburning devices from the certification requirements of Regulation No. 4 was submitted by the Governor of Colorado on September 10, 1988.

(i) *Incorporation by reference.* (A) In a letter dated September 10, 1988, Roy Romer, Governor of Colorado, submitted a revision to Regulation No. 4 of the Colorado SIP.

(B) Paragraph (I)(A)(10)-(13) and (II)(C), revisions to Regulation No. 4, "Regulation on the Sale of New Woodstoves," of the Colorado SIP became effective on June 30, 1988.

(45) In a letter dated May 8, 1986, the Governor submitted revisions to the Colorado Regulation No. 3 (Regulation Requiring an Air Contaminant Emission Notice, Emission Permit Fees) of the Colorado SIP modifying stack evaluations. The changes consisted of (1) new definitions of dispersion techniques, good engineering practice, nearby, and excessive concentrations (Section XII.D.) and (2) rules clarifying technical modeling and monitoring requirements (Section XII.C.).

(i) *Incorporation by reference.* (A) Revisions to the Colorado Regulation No. 3 (Regulation Requiring and Air Contaminant Emission Notice, Emission Permit Fees), Section XII, adopted March 20, 1986, by the Colorado Air Quality Control Commission.

(46) On July 29, 1987, the Governor submitted:

(1) Amendments to Colorado Regulation No. 11 (Inspection/Maintenance (I/M) program) and

(2) Regulation No. 13 (oxygenated fuels program).

(i) *Incorporation by reference.* (A) Regulation No. 11, revised January 15, 1987, effective March 2, 1987.

(B) Regulation No. 13, adopted June 29, 1987, effective July 30, 1987.

(47) In a letter dated October 23, 1985, the Director of the Air Pollution Control Division submitted the stack height demonstration analysis. Supplemental information was submitted on June 20, 1986, December 4, 1986, February 3, 1987, March 3, 1988, March 15, 1988, July 6, 1988 and August 16, 1988.

(i) *Incorporation by reference.* Stack height demonstration analyses submitted by the State on October 23, 1985, June 20, 1986, December 4, 1986, February 3, 1987, March 3, 1988, March 15, 1988, July 6, 1988 and August 16, 1988.

(48) [Reserved]

(49) A revision to Regulation No. 4 of the Colorado SIP submitted on June 29, 1990, prohibits persons from operating a wood-burning stove or fireplace during a high pollution day in specified areas.

(i) *Incorporation by reference.* (A) Revisions to Regulation No. 4, "Regulation on the Sale of New Woodstoves,"

effective on June 30, 1990.

(50) [Reserved]

(51) On June 29, 1990, the Governor of Colorado submitted revisions to the plan. The revisions include amendments to the Common Provisions Regulation and Regulation No. 3 for emission permit fees and prevention of significant deterioration of air quality (PSD) regulations to incorporate the nitrogen dioxide (NO₂) increments.

(i) *Incorporation by reference.* (A) Revisions to the Colorado Air Quality Control Regulations, Common Provisions Regulation and Regulation No. 3, which were effective on June 30, 1990.

(ii) *Additional material.* (A) October 22, 1990 letter from Douglas Skie, EPA, to Bradley Beckham, Director, Air Pollution Control Division.

(B) November 5, 1990 letter from Bradley Beckham, Director, Air Pollution Control Division, to Douglas Skie, EPA.

(52) [Reserved]

(53) Revisions to the Colorado State Implementation Plan were submitted by the Governor of Colorado on July 13, 1990. The revision adds a voluntary educational Better Air Campaign to the Ft. Collins Carbon Monoxide element of the Colorado SIP.

(i) *Incorporation by reference.* (A) The Fort Collins Better Air Campaign as defined in Exhibit "A" and adopted on September 5, 1989, through Resolution 89-161.

(54) On November 17, 1988 the Governor submitted revisions to Regulation No. 3 and the Common Provisions Regulation which included:

Provisions for the review of new sources to protect the PM-10 national ambient air quality standards (NAAQS) and for consistency with EPA requirements;

Amendments to address deficiencies and previous EPA disapprovals as identified in the May 26, 1988 SIP Call;

Provisions for the certification and trading of emission offset credits; and

Amendments to increase permit processing and annual fees.

(i) *Incorporation by reference.* (A) Regulation No. 3: Sections I.B.2.c.(i)-(vi), I.B.3.a., II.B.1.d & e, II.B.3.c., II.C.1.h., II.C.3., III.A.1., IV.C.4.e., IV.C.4.f.(i) & (iv)-(v), IV.C.6-10, IV.D.1.e., IV.D.2.a.(iv), IV.D.2.b., IV.D.2.c.(i) & (ii), IV.D.3.a.(vi), IV.D.3.b.(i)(D), IV.D.3.b.(iii)(A)(3), (5), (7), & (11), IV.D.3.d.(ii), IV.D.3.e., IV.G.3., IV.H.7., V.C-I, VI.A.2., VI.C.1., VI.D., VII.A., VIII.D., IX.K., XIII.B., XIV.B.1, XIV.B.4.c.; and the Common Provisions Regulation: Section I.G., definitions of "Best Available Control Technology," "Complete," "Construction," "Enforceable," "Fixed Capital Cost," "Lowest Achievable Emission Rate (LAER)," "Modification," "Net Emissions Increase," "Particulate Matter," "Particulate Matter Emissions," "PM10," "PM10 Emissions," "Reconstruction," "Significant," "Total Suspended Particulate;" revised August 18, 1988, effective September 30, 1988.

(ii) *Additional material.* (A) Letter dated April 29, 1991 from the Colorado Air Pollution Control Division to EPA.

(55) [Reserved]

(56) Revisions to the Colorado State Implementation Plan were submitted by the Governor in letters dated October 25, 1989, and October 30, 1991. The revisions consist of amendments to Regulation No. 12, “Reduction of Diesel Vehicle Emissions.”

(i) *Incorporation by reference.* (A) Regulation No. 12 revisions adopted on July 20, 1989, and effective on August 30, 1989, as follows: Part A (Diesel Fleet Self-Certification Program): I.B.2.; I.C.1.; I.D.; II.A.2.b., c.; all of IV. except those sections noted below; and add new Parts B (Diesel Opacity Inspection Program) and C (Standards for Visible Pollutants from Diesel Engine Powered Vehicles—Operating on Roads, Streets and Highways), except those sections noted below. Regulation No. 12 revisions adopted on September 19, 1991, and effective on October 30, 1991, as follows: Part A: I.A.; I.B.3-18.; I.C.2.; II.A.1.; II.A.2.d., f., g., III.A.; IV.A.2.; IV.C.1.c., g.; IV.C.2.c., h.; IV.C.3.f., i.; IV.C.4.k.; IV.C.5.a.iv.; IV.C.5.b.; V.; VI.; VII.; VIII.; Part B: I.B.2., 7., 19., 30.-37., 40., 50., 51.; I.C.2.; I.D.; I.E.3.; II.C.1.b.iv.; II.E.2.c., e.; II.E.8.; III.A.; III.B.4.; III.C.4.b.viii.-ix.; III.D.3.b.vi., xi.; III.D.3.c.viii., xiii.; V.; VI.; and Part C: A.-F.

(57) Revision to the State Implementation Plan for Carbon Monoxide: Greeley Element.

(i) *Incorporation by reference.* (A) Letter and submittal dated November 25, 1987, from the Governor of Colorado to the EPA Region VIII Administrator, to revise the SIP to include the Greeley Element. The revision was adopted by the State on September 17, 1987.

(58) On November 17, 1988, the Governor submitted an amendment to Colorado Regulation No. 1, Section II.A.9., to exempt the destruction of Pershing missiles under the Intermediate-Range Nuclear Forces (INF) Treaty from meeting the opacity limits.

(i) *Incorporation by reference.* (A) Regulation No. 1, Section II.A.9., adopted September 15, 1988, effective October 30, 1988.

(59) Revisions to the State's new source review and prevention of significant deterioration permitting rules in the Common Provisions Regulation and Regulation No. 3, which were submitted by the Governor on April 9, 1992.

(i) *Incorporation by reference.* (A) Regulation No. 3: Sections I.A., I.B.2.c. through e., I.B.3.e. and f., II.B.1., II.B.2., II.C., III.A.1., III.B., III.D., IV.B.2., IV.C.4., IV.C.7., IV.C.9, IV.D.1., IV.D.2.a.(ii) and (iv), IV.D.2.b.(i), IV.D.3.a.(iii) and (vi), IV.D.3.b.(iv), IV.H., IV.I., V.A., V.C.1., V.C.3., V.D.1., V.D.2., V.D.4., V.D.5., V.D.11., V.E.1., V.E.5., V.F.10., V.F.11., V.F.13., V.G.7., V.G.8., V.H.3., V.H.7. and 8., V.I.3., VI.A.1., VI.C.2., IX.D., XII.D., XIII.B.4., XIII.B.6., and XV.D.2.; and the Common Provisions Regulation: Sections I.D.2., I.F., II.C.1., II.C.4., IV., and Section I.G. - definitions of “best available control technology,” “commenced construction,” “complete,” “federally enforceable,” “modification,” “potential to emit,” “reasonable further progress,” and “stationary source;” revised October 17, 1991, effective November 30, 1991.

(ii) Common Provisions Regulation, 5 CCR 1001-2, Section III., Smoking Gasoline Powered Motor Vehicle Control Region, is deleted without replacement, effective September 30, 2002, as described in (c)(118) below.

(60) Revisions to the Long-Term Strategy of the Colorado State Implementation Plan for Class I Visibility Protection were submitted by the Governor in a letter dated November 18, 1992. The submittal completely replaces the previous version of the Long-Term Strategy and includes amendments to Air Quality Control Commission Regulation No. 3, “Air Contaminant Emissions Notices.”

(i) *Incorporation by reference.* (A) Revisions to the Visibility Chapter of Regulation No. 3 as follows: XV.F.1.c. as adopted on August 20, 1992, and effective on September 30, 1992.

(61) The Governor of Colorado submitted a portion of the requirements for the moderate nonattainment area PM₁₀ State Implementation Plan (SIP) for Denver, Colorado with a letter dated June 7, 1993, and subsequent submittals dated September 3, 1993, and October 20, 1993, fulfilling most of the commitments made in the June 7, 1993, letter. The submittals were made to satisfy those moderate PM₁₀ nonattainment area SIP requirements due for the Denver PM₁₀ nonattainment area on November 15, 1991. EPA is approving, for the limited purpose of strengthening the SIP, the control measures contained in the SIP revisions identified above. (EPA is not approving, at this time, the control measures limiting the emissions from Purina Mills and Electron Corporation.)

(i) *Incorporation by reference.* (A) Revisions to Regulation No. 4, “Regulation on the Sale of New Woodstoves and the Use of Certain Woodburning Appliances During High Pollution Days,” as adopted by the Air Quality Control Commission on June 24, 1993, effective August 30, 1993, as follows: insert new Section VIII and recodification of References Section. This revision pertains to local jurisdiction implementation and enforcement of ordinances and resolutions restricting wood burning on high pollution days.

(B) Regulation No. 16, “Concerning Material Specifications for, Use of, and Clean-up of Street Sanding Material,” as adopted by the Air Quality Control Commission on June 24, 1993, effective August 30, 1993, as follows: recodification of Regulation and addition of Sections II and III, which regulate emissions from street sanding and sweeping in the Denver PM₁₀ nonattainment area.

(C) Revisions to Regulation No. 1, “Emission Control Regulations for Particulates, Smokes, Carbon Monoxide, and Sulfur Oxides for the State of Colorado,” as adopted by the Air Quality Control Commission on August 19, 1993, effective October 30, 1993, as follows: insert new Sections VII and VIII and recodification of the two following Sections, “Emission Regulations Concerning Areas Which are Nonattainment for Carbon Monoxide—Refinery Fluid Bed Catalytic Cracking Units”, and “Statements of Basis and Purpose” Sections. The revisions pertain to restrictions on the use of oil as a back-up fuel for certain sources and set new emission limits at the following Public Service Company Power Plants: Cherokee, Arapahoe, and Valmont.

(D) Coors Glass Plant allowable emission limitations on three furnaces.

1. Permit 92JE129-1, effective date January 19, 1993, regulating emissions at the KTG glass melting furnace #1.
2. Permit 92JE129-2, effective date January 19, 1993, regulating emissions at the KTG glass melting furnace #2.
3. Permit 92JE129-3, effective date January 19, 1993, regulating emissions at the KTG glass melting furnace #3.

(E) Conoco Refinery allowable emission limitations from the refinery.

1. Permit 90AD524, effective date March 20, 1991, regulating a Tulsa natural gas fired 20MMbtu/hour heater equipped with low-Nox burners.
2. Permit 90AD053, effective date March 20, 1991, regulating process heaters H-10, H-11 and H-27 and process boilers B4, B6, and B8 all burning fuel gas only.
3. Permit 91AD180-3, effective December 28, 1992, regulating the three stage Claus sulfur recovery unit with tail gas recovery unit.

(ii) *Additional material.* (A) Regional Air Quality Council, “Guidelines for Reducing Air Pollution from Street Sanding” sets voluntary guidelines for public works departments to follow to reduce the amount of street sand applied, and includes recommendations for increasing the effectiveness of street cleaning operations.

(B) Adolph Coors Company Brewery permit emission limitations on five boilers. Permits: C-12386-1&2, C-12386-3, C-10660, C-11199, and C-11305.

(62) On February 24, 1993, and December 9, 1993, the Governor of Colorado submitted revisions to the Colorado State implementation plan (SIP) to satisfy those moderate PM-10 nonattainment area SIP requirements for Pagosa Springs, Colorado due to be submitted by November 15, 1991. Included in the December 9, 1993 submittal were PM-10 contingency measures for Pagosa Springs to satisfy the requirements of section 172(c)(9) of the Act due to be submitted by November 15, 1993.

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