

procedures were not followed and the corrective actions taken.

(5) The reports required under paragraph (b) of this section shall contain an identification of the periods when the pressure drop and water flow rate of wet scrubbers used to control process fugitive sources dropped below the levels established in § 63.548(g) and an explanation of the corrective actions taken.

(6) The reports required under paragraph (b) of this section shall contain a summary of the fugitive dust control measures performed during the required reporting period, including an explanation of the periods when the procedures outlined in the standard operating procedures manual pursuant to § 63.545(a) were not followed and the corrective actions taken. The reports shall not contain copies of the daily records required to demonstrate compliance with the requirements of the standard operating procedures manuals required under §§ 63.545(a) and 63.548(a).

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40 CFR Part 52

[IA-15-1-6829a; FRL-5210-5]

Approval and Promulgation of Implementation Plans; State of Iowa

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: This final action approves the State Implementation Plan (SIP) revision submitted by the state of Iowa. The revision includes special requirements for nonattainment areas, compliance and enforcement information, and adoption of EPA definitions. These revisions strengthen the SIP with respect to attainment and maintenance of established air quality standards.

DATES: This action will be effective August 22, 1995 unless by July 24, 1995 adverse or critical comments are received.

ADDRESSES: Comments may be mailed to Christopher D. Hess, Environmental Protection Agency, Air Branch, 726 Minnesota Avenue, Kansas City, Kansas 66101. Copies of the documents relevant to this action are available for public inspection during normal business hours at the: Environmental Protection Agency, Air Branch, 726 Minnesota Avenue, Kansas City, Kansas 66101; and EPA Air & Radiation Docket and

Information Center, 401 M Street, SW, Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT: Christopher D. Hess at (913) 551-7213.

SUPPLEMENTARY INFORMATION: The state of Iowa operates a Federally approved SIP that implements various requirements of the Clean Air Act (Act) and the Code of Federal Regulations (CFR). Since the initial approval of its SIP in 1972, numerous revisions and updates have been made in response to Federal requirements.

In accordance with 40 CFR 51.103, the state of Iowa has requested approval of two SIP revisions under the authority and signature of the Governor's designee, Larry J. Wilson, Director, Iowa Department of Natural Resources (IDNR). Requests were received by the EPA on October 18, 1994, and January 26, 1995. Both of these submittals were deemed complete in accordance with the criteria specified in 40 CFR part 51, appendix V. The state has provided evidence of the lawful adoption of regulations, public notice, and public hearing requirements for each submittal.

Rule Revisions

A. Special Requirements for Nonattainment Areas

The state of Iowa currently has one nonattainment area, in Muscatine for SO₂. In response to the requirements of the Act, as amended in 1990, the state has adopted the following rules.

1. In IAC 567-22.5 (1), the state amends its definition of "major stationary source" to conform to the requirements of Part D of the Act. The Act provides, in general, that a source which emits, or has the potential to emit, 100 tons per year or more of a regulated pollutant is a major source. Part D provides lower cutoff levels for some nonattainment areas, depending on the classification of the area.

Specifically, in response to the following cited sections of the Act, the state has added the major source emissions thresholds for the following pollutants: Ozone precursors (section 182), ozone precursors in ozone transport regions (section 184), carbon monoxide (section 186), and PM₁₀ (section 188).

2. In subrule 22.5(1)"f"(2), the state also amends the definition of "net emissions increase" as it relates to major sources for nonattainment areas. Previously, a net emissions increase was considered contemporaneous with the particular change if it occurred between January 1, 1978, and the date that the increase from the particular change occurred. The state now uses a date five years before construction of the

particular change rather than the fixed date of January 1, 1978.

This revision, although not required as a result of the 1990 Amendments to the Act, is consistent with the EPA's requirements at 40 CFR 51.165(a)(1)(vi) relating to calculation of net emissions increases for permitting applicability purposes.

3. In subrule 22.5(1)"m," the state has expanded its definition of "enforceable permit condition" to include requirements of Title V operating permits. This recognizes that limitations in those operating permits will qualify as federally enforceable restrictions which can be utilized in determining source applicability in the state's permitting programs.

4. In subrule 22.5(2), the state updates its emission offset applicability provisions to conform with the requirements of the 1990 Amendments. In particular:

a. The reference to 40 CFR 81.316 is updated to include amendments through March 10, 1994, pertaining to particulate matter nonattainment areas.

b. In this same subrule, the state deletes the provision that previously allowed the director to relieve an applicant from the obligation of continuing to implement offset requirements of a nonattainment construction permit if an area is subsequently redesignated attainment or unclassified. This measure is necessary to help ensure maintenance of the air quality standards after an area is redesignated to attainment.

c. The state deletes the reference to secondary standard particulate matter nonattainment areas. This reflects the fact that the current particulate matter standards are the same for the primary and secondary standards.

d. The state adds a requirement for offsets in sulfur dioxide (SO₂) nonattainment areas in subrule 22.5(2)b. As discussed in more detail below, EPA has determined that this addition strengthens the SIP and is therefore approvable.

e. The state also deletes subrule 22.5(2)c which previously provided a "loophole" for sources in secondary particulate matter nonattainment areas to claim that offsets were not reasonably available. This action strengthens the SIP by requiring sources to achieve offsets that conform with the Act.

f. Due to the new 22.5(2)b and deletion of 22.5(2)c, the former 22.5(2) d, e, and f become 22.5(2) c, d, and e.

5. Rule 22.5(3) previously allowed a source in a secondary particulate matter nonattainment area to submit proposals for emission offsets or a demonstration that offsets were not reasonably