R307. Environmental Quality, Air Quality.

R307-405. Permits: Major Sources in Attainment or Unclassified Areas (PSD).

R307-405-1. Purpose.

This rule implements the federal Prevention of Significant Deterioration (PSD) permitting program for major sources and major modifications in attainment areas and maintenance areas as required by 40 CFR 51.166. This rule does not include the routine maintenance, repair and replacement provisions that were vacated by the DC Circuit Court of Appeals on March 17, 2006. This rule does not include the clean unit and pollution control project provisions that were vacated by the DC Circuit Source of Appeals on June 24, 2005. This rule supplements, but does not replace, the permitting requirements of R307-401.

R307-405-2. Applicability.

(1) Except as provided in (2), the provisions of 40 CFR 52.21(a)(2), effective July 1, 2006, are hereby incorporated by reference.

(2) The following provisions that apply to clean units and pollution control projects are not incorporated because these provisions were vacated by the DC Court of Appeals on June 24, 2005:

(a) 40 CFR 52.21(a)(2)(iv)(e),

(b) the last sentence in 40 CFR 52.21(a)(2)(iv)(f), and

(c) 40 CFR 52.21(a)(2)(vi).

(3) Notwithstanding the exemptions in R307-401, any source that is subject to R307-405 is subject to the requirement to obtain an approval order in R307-401-5 through 8.

R307-405-3. Definitions.

(1) Except as provided in (2)below, the definitions contained in 40 CFR 52.2 (b), effective July 1, 2006, are hereby incorporated by reference

(2) (a)(i) "Major Source Baseline Date" means:

(A) in the case of particulate matter:

(I) for Davis, Sal Lake Utah and Weber Counties, the date that EPA approves the PM10 maintenance plan that was adopted by the Board on July 6, 2005;

(II) for all other areas of the State, January 6, 1975;

(B) in the case of sulfur dioxide:

 (I) for Sal Lake County, the date that EPA approves the sulfur dioxide maintenance plan that was adopted by the Board on January 5, 2005;

(II) for all other areas of the State, January 6, 1975; and

(C) in the case of nitrogen dioxide, February 8, 1988.

 (ii) "Minor Source Baseline Date" means the earliest date after the trigger date on which a major stationary source or a major modification subject to 40 CFR 52.21 or R307-405 submits a complete application under the relevant regulations. The rigger date is:

(A) In the case of particulate matter and sulfur dioxide, August 7, 1977, and

(B) in the case of nitrogen dioxide, February 8 988.

(iii) The baseline date is established for each polutant for which increments or other equivalent measures have been established if:

(A) the area in which the proposed source or modification would construct is designated as attainment or unclassifiable under section 107(d)(i)(D) or (E) of the Act for the pollutant on the date of its complete application under 40 CFR 52.21 or R307-405; and

(B) in the case of a major stationary source, the pollutant would be emitted in significant amounts, or, in the case of a major modification, there would be a significant net emissions increase of the pollutant.

(iv) Any minor source baseline date established originally for the TSP increments shall remain in effect and shall apply for purposes of determining the amount of available PM10 increments; except that the executive secretary shall rescind a minor source baseline date where it can be shown, to the satisfaction of the executive secretary, that the emissions increase from the major modification, responsible for triggering that date did not result in a significant amount of PM10 emissions.

(b) In the definition of "baseline area" in 40 CFR 52.21(b)(15)(ii)(b) insert the words "or R307-405" after "Is subject to 40 CFR 52.21".

(c) "Reviewing Authority" means the executive secretary.

(d)(i) The term "Administrator" shall be changed to "executive secretary" throughout R307-405, except as provided in (ii).

(ii) The term "Administrator" shall be changed to "EPA Administrator" in the following incorporated sections:

(A) 40 CFR 52.21(b)(17),

(B) 40 CFR 52.21(b)(37)(i),
(C) 40 CFR 52.21(b)(43),

(D) 40 CFR 52.21(b)(48)(ii)(d),

- (E) 40 CFR 52.21(b)(50)(i),
- (F) 40 CFR 52.21(1)(2),
- (G) 40 CFR 52.21(p)(2), and

(H) 40 CFR 51.166(q)(2)(iv).

(e) The following definitions or portions of definitions that apply to clean units and pollution control projects are not incorporated because these provisions were vacated by the DC Court of Appeals on June 24, 2005:

(i) in the definition of "major modification" in 40 CFR 52.21(b)(2), subparagraph (iii)(h),

(ii) in the definition of "net emissions increase" in 40 CFR 52.**2**1(b)(3), subparagraph (iii)(b),

(iii) in the definition of "net emissions increase" in 40 CFF 52.21(b)(3), subparagraph (vi)(d),

(iv) the definition of "pollution control project" in 40 CFR 52.21(b)(32), and

(v) the definition of "clean unit" in 40 CFR 52/21(b)(42).

(f) The following definitions or portions of definitions that apply to the equipment repair and replacement provisions are not incorporated because these provisions were

R307. Environmental Quality, Air Quality.

R307-405. Permits: Major Sources in Attainment or Unclassified Areas (PSD).

R307-405-2. Applicability.

(1) All references to 40 CFR in R307-405 shall mean the version that is in effect on July 1, 2008.

(2) The provisions of 40 CFR 52.21(a)(2) are hereby incorporated by reference.

(3) Notwithstanding the exemptions in R307-401, any source that is subject to R307-405 is subject to the requirement to obtain an approval order in R307-401-5 through 8.

KEY: air pollution, PSD, Class I area

Date of Enactment or Last Substantive Amendment: 2009

Notice of Continuation: July 13, 2007

Authorizing, and Implemented or Interpreted Law: 19-2-104

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NOTICES OF RULE EFFECTIVE DATES

These are the effective dates of PROPOSED RULES OF CHANGES IN PROPOSED RULES published in earlier editions of the Utah State Bulletin. Statute permits an agency to make a rule effective "on any date specified by the agency that is no fewer than seven calendar days after the close of the public comment period ..., nor more than 120 days after the publication date." Subsection 63G-3-301(9).

Abbreviations Health AMD = Amendment Administration No. 31980 (NEW): R380-70. Standards for Electronic CPR = Change in Proposed Rule NEW = New Rule Exchange of Clinical Health Information. Published: October 15, 2008 R&R = Repeal and Reenact REP = Repeal Effective: February 4, 2009 Environmental Quality Health Systems Improvement, Child Care Licensing Air Quality No. 31820 (R&R): R430-6. Background Screening. No. 32042 (AMD): R307-405-2. Applicability. Published: September 1, 2008 Effective: February 16, 2009 Published: November 1, 2008 Effective: February 5, 2009 No. 31820 (CPR): R430-6. Background Screening. **Drinking Water** Published: January 1, 2009 Effective: February 16, 2009 No. 32168 (AMD): R309-515-7. Ground Water -Springs. Published: December 15, 2008 Effective: February 15, 2009 Natural Resources Water Rights No. 32201 (AMD): R655-14. No. 32169 (AMD): R309-540-6. Hydropneumatic Procedures for Enforcement Proceedings Before the Systems. Division of Water Rights. Published: December 15, 2008 Effective: February 15, 2009 Published: January 1, 2009 Effective: February 10, 2009 **Radiation Control** No. 32050 (AMD): R313-21. General Licenses. Wildlife Resources Published: November 1, 2008 No. 32210 (AMD): R657-61. Valuation of Real Effective: February 11, 2009 Property Interests for Purposes of Acquisition or Disposal. No. 32050 (CPR): R313-21. General Licenses. Published: January 1, 2009 Published: December 15, 2008 Effective: February 9, 2009 Effective: February 11, 2009 Transportation No. 32206 (AMD): R313-22-75. Special Requirements for a Specific License to Manufacture, Assemble, Administration Repair, or Distribute Commodities, Products, or No. 32214 (AMD): R907-1. Appeal of Departmental Devices Which Contain Radioactive Material. Actions. Published: January 1, 2009 Published: January 1, 2009 Effective: February 12, 2009 Effective: April 14, 2009

Medical Use of

Workforce Services **Employment Development** No. 32209 (AMD): R986-200-246. Transitional Cash Assistance. Published: January 1, 2009 Effective: February 12, 2009

No. 32207 (AMD): R313-32.

Published: January 1, 2009

Effective: February 12, 2009

Radioactive Material.

Administrative

R307-101-3 DAR No. 32351 AMD Effective May 7, 2009

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CERTIFIED A TRUE COPY Kenneth A. Hansen, Director Division of Administrative Pules R307. Environmental Quality, Air Quality.

R307-101. General Requirements.

R307-101-3. Version of Code of Federal Regulations Incorporated by Reference.

Except as specifically identified in an individual rule, the version of the Code of Federal Regulations (CFR) incorporated throughout R307 is dated July 1, 2008.

KEY: air pollution, definitions

Date of Enactment or Last Substantive Amendment: 2009

Notice of Continuation: February 8, 2008

Authorizing, and Implemented or Interpreted Law: 19-2-104(1)(a)

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R307. Environmental Quality, Air Quality.

R307-405. Permits: Major Sources in Attainment or Unclassified Areas (PSD).

R307-405-3. Definitions.

 Except as provided in (2) below, the definitions contained in 40 CFR 52.21(b) are hereby incorporated by reference.

(2)(a)(i) "Major Source Baseline Date" means:

(A) in the case of particulate matter:

 (I) for Davis, Salt Lake, Utah and Weber Counties, the date that EPA approves the PM10 maintenance plan that was adopted by the Board on July 6, 2005;

(II) for all other areas of the State, January 6, 1975;

(B) in the case of sulfur dioxide:

(I) for Salt Lake County, the date that EPA approves the sulfur dioxide maintenance plan that was adopted by the Board on January 5, 2005;

(II) for all other areas of the State, January 6, 1975; and

(C) in the case of nitrogen dioxide, February 8, 1988.

(ii) "Minor Source Baseline Date" means the earliest date after the trigger date on which a major stationary source or a major modification subject to 40 CFR 52.21 or R307-405 submits a complete application under the relevant regulations. The trigger date is:

(A) In the case of particulate matter and sulfur dioxide, August 7, 1977, and

(B) in the case of nitrogen dioxide, February 8, 1988.

(iii) The baseline date is established for each pollutant for which increments or other equivalent measures have been established if:

(A) the area is which the proposed source or modification would construct is designated as attainment or unclassifiable under section 107(d)(i)(D) or (E) of the Act for the pollutant on the date of its complete application under 40 CFR 52.21 or R307-405; and

(B) in the case of a major stationary source, the pollutant would be emitted in significant amounts, or, in the case of a major modification, there would be a significant net emissions increase of the pollutant.

(iv) Any minor source baseline date established originally for the TSP increments shall remain in effect and shall apply for purposes of determining the amount of available PM10 increments, except that the executive secretary shall rescind a minor source baseline date where it can be shown, to the satisfaction of the executive secretary, that the emissions increase from the major stationary source, or net emissions increase from the major modification, responsible for triggering that date did not result in a significant amount of PM10 emissions.

(b) In the definition of "baseline area" in 40 CFR 52.21(b)(15)(ii)(b) insert the words "or R307-405" after "Is subject to 40 CFR 52.21".

(c) "Reviewing Authority" means the executive secretary.

(d)(i) The term "Administrator" shall be changed to "executive secretary" throughout R307-405, except as provided in (ii).

(ii) The term "Administrator" shall be changed to "EPA Administrator" in the following incorporated sections:

(A) 40 CFR 52.21(b)(17),

(B) 40 CFR 52.21(b)(37)(i),

(C) 40 CFR 52.21(b)(43),

(D) 40 CFR 52.21(b)(48)(ii)(c),

(E) 40 CFR 52.21(b)(50)(i),

(F) 40 CFR 52.21(l)(2),

(G) 40 CFR 52.21(p)(2), and

(H) 40 CFR 51.166(q)(2)(iv).

(e) The following definitions or portions of definitions that apply to the equipment repair and replacement provisions are not incorporated because these provisions were vacated by the DC Circuit Court of Appeals on March 17, 2006:

(i) in the definition major modification in 40 CFR 52.21(b)(2), the second sentence in subparagraph (iii)(a),

(ii) the definition of "process unit" in 40 CFR 52.21(b)(55),

(iii) the definition of "functionally equivalent component" in 40 CFR 52.21(b)(56),

(iv) the definition of "fixed capital cost" in 40 CFR 52.21 (b)(57), and

(v) the definition of "total capital investment" in 40 CFR 52.21(b)(58).

(f) In the definition of "Regulated NSR pollutant" in 40 CRR 52.21(b)(50), subparagraph (iv) shall be changed to read, "Any pollutant that otherwise is subject to regulation under the Act." A new subparagraph (v) shall be added that reads, "The term regulated NSR pollutant shall not include any or all hazardous air pollutants either listed in section 112 of the federal Clean Air Act, or added to the list pursuant to section 112(b)(2) of the federal Clean Ah Act, and which have not been delisted pursuant to section 112(b)(3) of the federal Clean Air Act, unless the listed hazardous air pollutant is also regulated as a constituent or precursor of a general pollutant listed under section 108 of the federal Clean Air Act."

(3) "Air Quality Related Values," as used in analyses under 40 CFR 52.21 (p) that is incorporated by reference in R307-405-17, means those special attributes of a Class I area, assigned by a federal land manager, that are adversely affected by air quality.

(4) "Heat input" means heat input as defined in 40 CFR 52.01(g), that is hereby incorporated by reference.

(5) "Title V permit" means any permit or group of permits covering a Part 70 source that is issued, renewed, amended, or revised pursuant is R307-415.

(6) "Title V Operating Permit Program" means R307=415.

(7) The definition of "Good Engineering Practice (GEP) Stack Height" as defined in R307-410 shall apply in this rule.

(8) The definition of "Dispersion Technique" as defined in R307-410 shall apply in this rule.

(9) "Subject to regulation" means, for any air pollutant, that the pollutant is subject to either a provision in the federal Clean Air Act, or a nationally-applicable regulation codified by the Administrator in subchapter C of 40 CFR Chapter I, that requires actual control of the quantity of emissions of that pollutant, and that such a control requirement has taken effect and is operative to control, limit or restrict the quantity of emissions of that pollutant released from the regulated activity. Except that:

(a) "Greenhouse gases (GHGs)," the air pollutant defined in 40 CFR 86.1818-12(a) (Federal Register, Vol. 75, Page 25686) as the aggregate group of six greenhouse gases: carbon dioxide, nitrous oxide, methane, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride, shall not be subject to regulation except as provided in paragraphs (d) through (e) of this section.

(b) For purposes of paragraphs (c) through (e) of this section, the term "tons per year (tpy) CO2 equivalent emissions (CO2e)" shall represent an amount of GHGs emitted, and shall be computed as follows:

(i) Multiplying the mass amount of emissions (tpy), for each of the six greenhouse gases in the pollutant GHGs, by the gas's associated global warming potential published at Table A-1 to subpart A of 40 CFR Part 98 - Global Warming Potentials, that is hereby incorporated by reference (Federal Register, Vol. 74, Pages 56395-96).

(ii) Sum the resultant value from paragraph (b)(i) of this section for each gas to compute a tpy CO2e.

(c) The term "emissions increase" as used in paragraphs (d) through (e) of this section shall mean that both a significant emissions increase (as calculated using the procedures in 40 CFR 52.21 (a)(2)(iv) that is incorporated by reference in R307-405-2) and a significant net emissions increase (as defined in paragraphs 40 CFR 52.21(b)(3) and (b)(23) that is incorporated by reference in R307-405-3) occur. For the pollutant GHGs, an emissions increase shall be based on tpy CO2e, and shall be calculated assuming the pollutant GHGs is a regulated NSR pollutant, and "significant" is defined as 75,000 tpy CO2e instead of applying the value in paragraph 40 CFR 52.21(b)(23)(ii).

(d) 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,

(e) Beginning July 1, 2011, in addition to the provisions in paragraph (d) 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. KEY: air pollution, PSD, Class I area, greenhouse gases Date of Enactment or Last Substantive Amendment: January 1, 2011

Notice of Continuation: February 5, 2009

(i) in the definition major modification in 40 CFR 52.21(b)(2), the second sentence in subparagraph (iii)(a),

(ii) the definition of "process unit" in 40 CFR 52.21(b)(\$\$),

(ii) the definition of "functionally equivalent component" in 40 CFR 52.21(b)(56),

(iv) the definition of "fixed capital cost" in 40 CFR 52.21 (b)(57), and

(v) the definition of "total capital investment" in 40 CFR 52.21(b)(58).

(3) "Air Quality Related Values," as used in analyses under 40 CFR 52.21 (p) that is incorporated by reference in R307-405-17, means those special attributes of a Class I area, assigned by a federal land manager, that are adversely affected by air quality.

(4) "Heat input" means heat input as defined in 40 CFR 52.01(g), effective July 1, 2006, that is hereby incorporated by reference.

(5) "Title V permit" means any permit or group of permits covering a Part 70 source that it issued, renewed, amended, or revised pursuant to R307-415.

(6 "Title V Operating Permit Program" means R307-415

(7) The definition of "Good Engineering Practice (GEP) Stack Height" as defined in R307-410 shall apply in this rule

(8) The definition of "Dispersion Technique" as lefined in R307-410 shall apply in this rule.

R307-405-4. Area Designations.

 Pursuant to section 162(a) of the federal Clean Air Act, the following areas are designated as mandatory Class I areas:

(a) Arches National Park,

(b) Bryce Canyon National Park,

- (c) Canyonlands National Park,
- (d) Capitol Reef National Park, and
- (e) Zion National Park.

(2) Pursuant to section 162(b) of the federal Clean Air Act, all other areas in Utah are designated as Class II unless designated as nonattainment areas.

(3) No areas in Utah are designated as Class III.

R307-405-5. Area Redesignation.

Any person may petition the Board to change the classification of an area designated under R307-405-4, except for mandatory Class Lareas designated under R307-405-4(1).

(1) The petition shall contain a discussion of the reasons for the proposed redesignation, including a satisfactory description and analysis of the health, environmental, economic and social and energy effects of the proposed redesignation.

(2) The petition shall contain a demonstration that the proposed redesignation meets the criteria outlined in Section VIII of the State Implementation Plan and 40 CFR 51.166(e) and (g) effective July 1, 2006, that is hereby accorporated by reference.

R307-405-6. Ambient Air Increments.

The provisions of 40 CFR 52.21(c), effective July 1, 2006, are hereby incorporated by reference.

R307-405-7. Ambient Air Ceilings.

The provisions of 40 CFR 52.21(d), effective July 1, 2006, are hereby incorporated by reference.

R307-405-8. Exclusions from Increment Consumption.

(1) The following concentrations shall be excluded in determining compliance with a maximum allowable increase:

(a) concentrations attributable to the increase in emissions from stationary sources which have converted from the use of petroleum products, natural gas, or both by reason of an order in effect under section 2(a) and (b) of the Energy Supply and Environmental Coordination Act of 1974 (or any superseding legislation) over the emissions from such sources before the effective date of such an order;

(b) concentrations attributable to the increase in emissions from sources which have converted from using natural gas by reason of a natural gas curtailment plan in effect pursuant to the Federal Power Act over the emissions from such sources before the effective date of such plan;

 (c) concentrations of particulate matter attributable to the increase in emissions from construction or other temporary emission-related activities of new or modified sources;

(d) the increase in concentrations attributable to new sources outside the United States over the concentrations attributable to existing sources which are included in the baseline concentration; and

(e) concentrations attributable to the temporary increase in emissions of sulfur dioxide, particulate matter, or nitrogen dioxides from stationary sources which are affected by plan revisions approved by the EPA Administrator as meeting the criteria specified in 40 CFR 51.166(f)(4). The temporary increase shall not exceed 2 years in duration unless a longer time is approved by the EPA Administrator. This exclusion is not renewable.

(2) No exclusion of concentration under (1)(a) or (b)above shall apply more than five years after the effective date of the order to which paragraph (1)(a) refers or the plan to which paragraph (1)(b) refers, whichever is applicable. If both such order and plan are applicable, no such exclusion shall apply more than five years after the later of such effective dates.

(3) No exclusion under (1)(e) shall apply to an emission increase from a stationary source which would:
 (a) impact a Class I area or an area where an

(a) impact a Class I area or an area where ar pplicable increment is known to be violated; or

(i) in the definition major modification in 40 OFR

52.21(b)(2), the second sentence in subparagraph (iii)(a), (ii) the definition of "process unit" in 40 CFR 52.21(b)(55),

(iii) the definition of "functionally equivalent component" in 40 CFR 52.21(b)(56),

(iv) the definition of "fixed capital cost" in 40 CFR 52.21 (b)(57), and

(v) the definition of "total capital investment" in 40 CFR 52.21(b)(\$8).

(3) "Air Quality Related Values," as used in analyses under 40 CFR 52.21 (p) that is incorporated by reference in R307-405-17, means those special attributes of a Class I area, assigned by a federal land manager, that are adversely affected by air quality.

(4) "Heat input" means heat input as defined in 40CFR 52.01(g), effective July 1 2006, that is hereby incorporated by reference.

(5) "Title V permit" means any permit or group of permits covering a Part 70 source that is issued, renewed, amended, or revised pursuant to R307-415.

(6) "Title V Operating Permit Program" means R307-415.

(7) The definition of Good Engineering Practice (GEP) Stack Height" as defined in R307-410 shall apply in this rule.

(8) The definition of "Dispersion Technique" as defined in R307-410 shall apply in this rule.

R307-405-4. Area Designations.

 Parsuant to section 162(a) of the federal Clean Air Act, the following areas are designated as mandatory Class I areas:

(a) Arches National Park,

(b) Bryce Canyon National Park,

- (c) Canyonlands National Park,
- (d) Capitol Reef National Park, and
- (e) Zion National Park.

(2) Pursuant to section 162(b) of the federal Clean Air Act, all other areas in Utah are designated as Class II unless designated as nonattainment areas.

(3) No areas in Utah are designated as Class III.

R307-405-5. Area Redesignation.

Any person may petition the Board to change the classification of an area designated under R307-405-4, except for mandatory Class I areas designated under R307-405-4(1).

(1) The petition shall contain a discussion of the reasons for the proposed redesignation, including a satisfactory description and analysis of the health, environmental, economic and social and energy effects of the proposed redesignation.

(2) The petition shall contain a demonstration that the proposed redesignation meets the criteria outlined in Section VIII of the State Implementation Plan and 40 CFR 51.166(e) and (g) effective July 1, 2006, that is hereby incorporated by reference.

R307-405-6. Ambient Air Increments.

The provisions of 40 CFR 52.21(c), effective July 1, 2006, are hereby incorporated by reference.

R307-405-7. Ambient Air Ceilings.

The provisions of 40 CFR 52.21(d), effective July 1, 2006, are hereby incorporated by reference.

R307-405-8. Exclusions from Increment Consumption.

(1) The following concentrations shall be excluded in determining compliance with a maximum allowable increase:

(a) concentrations attributable to the increase in emissions from stationary sources which have converted from the use of petroleum products, natural gas, or both by reason of an order in effect under section 2(a) and (b) of the Energy Supply and Environmental Coordination Act of 1974 (or any superseding legislation) over the emissions from such sources before the effective date of such an order;

(b) concentrations attributable to the increase in emissions from sources which have converted from using natural gas by reason of a natural gas curtailment plan in effect pursuant to the Federal Power Act over the emissions from such sources before the effective date of such plan;

 (c) concentrations of particulate matter attributable to the increase in emissions from construction or other temporary emission-related activities of new or modified sources;

(d) the increase in concentrations attributable to new sources outside the United States over the concentrations attributable to existing sources which are included in the baseline concentration; and

(e) concentrations attributable to the temporary increase in emissions of sulfur dioxide, particulate matter, or nitrogen dioxides from stationary sources which are affected by plan revisions approved by the EPA Administrator as meeting the criteria specified in 40 CFR 51.166(f)(4). The temporary increase shall not exceed 2 years in duration unless a longer time is approved by the EPA Administrator. This exclusion is not renewable.

(2) No exclusion of concentration under (1)(a) or (b)above shall apply more than five years after the effective date of the order to which paragraph (1)(a) refers or the plan to which paragraph (1)(b) refers, whichever is applicable. If both such order and plan are applicable, no such exclusion shall apply more than five years after the later of such effective dates.

(3) No exclusion under (1)(e) shall apply to an emission increase from a stationary source which would:
(a) impact a Class I area or an area where an applicable increment is known to be violated; or

(i) in the definition major modification in 40 CFR 52.31(b)(2), the second sentence in subparagraph (iii)(a),

(ii) the definition of "process unit" in 40 CFR 52.21(b)(55),

(iii) the definition of "functionally equivalent component" in 40 CFR 52.21(b)(56),

(iv) the definition of "fixed capital cost" in 40 CFR 52.21 (b)(\$7), and

(v) the definition of "total capital investment" in 40 CFR 52.21(b)(58).

(3) "Air Quality Related Values," as used in analyses under 40 CFR 52.21 (p) that is incorporated by reference in R307-405-17, means those special attributes of a Class I area, assigned by a federal land manager, that are adversely affected by air quality.

(4) "Heat input" means heat input as defined in 40 CFR 52.01(g), effective July 1, 2006, that is hereby incorporated by reference.

(5) "Title V permit" means any permit or group of permits covering a Pat 70 source that is issued, renewed, amended, or revised pursuant to R307-415.

(6) "Title V Operating Permit Program" means R307-415.

(7) The definition of "Good Engineering Practice (GEP) Stack Height" as defined in R307-410 shall apply in this rule.

(8) The definition of "Dispersion Technique" as defined in R307-410 shall apply in this rule.

R307-405-4. Area Designations.

 Pursuant to section 162(a) of the federal Clean Air Act, the following areas are designated as mandatory Class I areas:

(a) Arches National Park,

(b) Bryce Canyon National Park,

(c) Canyorlands National Park,

(d) Capitol Reef National Park, and

(e) Zion National Park.

(2) Pursuant to section 162(b) of the federal Clean Air Act, all other areas in Utah are designated as Class II unless designated as nonattainment areas.

(3) No areas in Utah are designated as Class III.

R307-405-5. Area Redesignation.

Any person may petition the Board to change the classification of an area designated under R307-405-4, except for mandatory Class I areas designated under R307-405-4(1).

(1) The petition shall contain a discussion of the reasons for the proposed redesignation, including a satisfactory description and analysis of the health, environmental, economic and social and energy effects of the proposed redesignation.

(2) The petition shall contain a demonstration that the proposed redesignation meets the criteria outlined in Section VIII of the State Implementation Plan and 40 CFR 51.166(e) and (g) effective July 1, 2006, that is hereby incorporated by reference.

R307-405-6. Ambient Air Increments.

The provisions of 40 CFR 52.21(c), effective July 1, 2006, are hereby incorporated by reference.

R307-405-7. Ambient Air Ceilings.

The provisions of 40 CFR 52.21(d), effective July 1, 2006, are hereby incorporated by reference.

R307-405-8. Exclusions from Increment Consumption.

 The following concentrations shall be excluded in determining compliance with a maximum allowable increase:

(a) concentrations attributable to the increase in emissions from stationary sources which have converted from the use of petroleum products, natural gas, or both by reason of an order in effect under section 2(a) and (b) of the Energy Supply and Environmental Coordination Act of 1974 (or any superseding legislation) over the emissions from such sources before the effective date of such an order;

(b) concentrations attributable to the increase in emissions from sources which have converted from using natural gas by reason of a natural gas curtailment plan in effect pursuant to the Federal Power Act over the emissions from such sources before the effective date of such plan;

 (c) concentrations of particulate matter attributable to the increase in emissions from construction or other temporary emission-related activities of new or modified sources;

(d) the increase in corcentrations attributable to new sources outside the United States over the concentrations attributable to existing sources which are included in the baseline concentration; and

(e) concentrations attributable to the temporary increase in emissions of sulfur dioxide, particulate matter, or nitrogen dioxides from stationary sources which are affected by plan revisions approved by the EPA Administrator as meeting the criteria specified in 40 CFR 51.166(f)(4). The temporary increase shall not exceed 2 years in duration unless a longer time is approved by the EPA Administrator. This exclusion is not renewable.

(2) No exclusion of concentration under (1)(a) or (b) above shall apply more than five years after the effective date of the order to which paragraph (1)(a) refers or the plan to which paragraph (1)(b) refers, whichever is applicable. If both such order and plan are applicable, no such exclusion shall apply more than five years after the later of such effective dates.

(3) No exclusion under (1)(e) shall apply to an emission increase from a stationary source which would:
 (a) impact a Class I area or an area where an

(a) impact a Class I area or an area where an opplicable increment is known to be violated; or

(i) in the definition major modification in 40 CFR 52.31(b)(2), the second sentence in subparagraph (iii)(a),

(ii) the definition of "process unit" in 40 CFR 52.21(b)(55),

(iii) the definition of "functionally equivalent component" in 40 CFR 52.21(b)(56),

(iv) the definition of "fixed capital cost" in 40 CFR 52.21 (b) (\$7), and

(v) the definition of "total capital investment" in 40 CFR 52.21(b)(58).

(3) "Air Quality Related Values," as used in analyses under 40 CFR 52.21 (p) that is incorporated by reference in R307-405-17, means those special attributes of a Class I area, assigned by a federal land manager, that are adversely affected by air quality.

(4) "Heat input" means heat input as defined in 40 CFR 52.01(g), effective July 1, 2006, that is hereby incorporated by reference.

(5) "Title V permit" means any permit or group of permits covering a Pat 70 source that is issued, renewed, amended, or revised pursuant to R307-415.

(6) "Title V Operating Permit Program" means R307-415.

(7) The definition of "Good Engineering Practice (GEP) Stack Height" as defined in R307-410 shall apply in this rule.

(8) The definition of "Dispersion Technique" as defined in R307-410 shall apply in this rule.

R307-405-4. Area Designations.

 Pursuant to section N62(a) of the federal Clean Air Act, the following areas are designated as mandatory Class I areas:

(a) Arches National Park,

(b) Bryce Canyon National Patk,

(c) Canyorlands National Park,

(d) Capitol Reef National Park, and

(e) Zion National Park.

(2) Pursuant to section 162(b) of the federal Clean Air Act, all other areas in Utah are designated as Class II unless designated as ponattainment areas.

(3) No areas in Utah are designated as Class III.

R307-405-5. Area Redesignation.

Any person may petition the Board to change the classification of an area designated under R307-405-4, except for mandatory Class I areas designated under R307-405-4(1).

(1) The petition shall contain a discussion of the reasons for the proposed redesignation, including a satisfactory description and analysis of the health, environmental, economic and social and energy effects of the proposed redesignation.

(2) The petition shall contain a demonstration that the proposed redesignation meets the criteria outlined in Section VIII of the State Implementation Plan and 40 CFR 51.166(e) and (g) effective July 1, 2006, that is hereby incorporated by reference.

R307-405-6. Ambient Air Increments. The provisions of 40 CFR 52.21(c), effective July 1, 2006, are hereby incorporated by reference.

R307-405-7. Ambient Air Ceilings.

The provisions of 40 CFR 52.21(d), effective July 1, 2006, are hereby incorporated by reference.

307-405-8. Exclusions from Increment Consumption.

(1) The following concentrations shall be excluded in determining compliance with a maximum allowable increase:

(a) concentrations attributable to the increase in emissions from stationary sources which have converted from the use of petroleum products, natural gas, or both by reason of an order in effect under section 2(a) and (b) of the Energy Supply and Environmental Coordination Act of 1974 (or any superseding legislation) over the emissions from such sources before the effective date of such an order;

(b) concentrations attributable to the increase in emissions from sources which have converted from using natural gas by reason of a natural gas curtailment plan in effect pursuant to the Federal Power Act over the emissions from such sources before the effective date of such plan;

 (c) concentrations of particulate matter attributable to the increase in emissions from construction or other temporary emission-related activities of new or modified sources;

(d) the increase in concentrations attributable to new sources outside the United States over the concentrations attributable to existing sources which are included in the baseline concentration; and

(e) concentrations attributable to the temporary increase in emissions of sulfur dioxide, particulate matter, or nitrogen dioxides from stationary sources which are affected by plan revisions approved by the EPA Administrator as meeting the criteria specified in 40 CFR 51.166(f)(4). The temporary increase shall not exceed 2 years in duration unless a longer time is approved by the EPA Administrator. This exclusion is not renewable.

(2) No exclusion of concentration under (N(a) or (b) above shall apply more than five years after the effective date of the order to which paragraph (1)(a) refers or the plan to which paragraph (1)(b) refers, whichever is applicable. If both such order and plan are applicable, no such exclusion shall apply more than five years after the later of such effective dates.

(3) No exclusion under (1)(e) shall apply to an emission increase from a stationary source which would:

(a) impact a Class I area or an area where an applicable increment is known to be violated; or

(i) in the definition major modification in 40 CFR

52.21(b)(2), the second sentence in subparagraph (iii)(a), (ii) the definition of "process unit" in 40 CFR 52.31(b)(55),

(iii) the definition of "functionally equivalent component" in 40 CFR 52.21(b)(56),

(iv) the definition of "fixed capital cost" in 40 CFR 52.21 (b)(57), and

(v) the definition of "total capital investment" in 40 CFR 52.2 (b)(58).

(1) "Air Quality Related Values," as used in analyses under 40 CAR 52.21 (p) that is incorporated by reference in R307-405-17, means those special attributes of a Class I area, assigned by a rederal land manager, that are adversely affected by air quality.

(4) "Heat input" means heat input as defined in 40 CFR 52.01(g), affective July 1, 2006, that is hereby incorporated by reference.

(5) "Title V permit" means any permit or group of permits covering a Part 70 source that is issued, renewed, amended, or revised pursuant to R307/415.

(6) "Title V Operating Permit Program" means R307-415.

(7) The definition of Good Engineering Practice (GEP) Stack Height" as defined in R307-410 shall apply in this rule.

(8) The definition of "Dispersion Technique" as defined in R307-410 shall apply in this rule.

R307-405-4. Area Designations.

 Pursuant to section 162(a) of the federal Clean Air Act, the following areas are designated as mandatory Class I areas:

(a) Arches National Park,

(b) Bryce Canyon National Park,

(c) Canyonlands National Park

(d) Capitol Reef National Park, and

(e) Zion National Park.

(2) Pursuant to section 162(b) of the federal Clean Air Act, all other areas in Utah are designated as Class II unless designated as nonattainment areas.

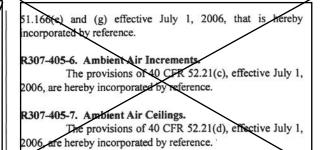
(3) No areas in Utah are designated as Class III.

R307-405-5. Area Redesignation.

Any person may petition the Board to change the classification of an area designated under R307-405-4, except for mandatory Class I areas designated under R307-405-4(1).

(1) The petition shall contain a discussion of the reasons for the proposed redesignation, including a satisfactory description and analysis of the health, environmental, economic and social and energy effects of the proposed redesignation.

(2) The petition shall contain a demonstration that the proposed redesignation meets the criteria outlined in Section VIII of the State Implementation Plan and 40 CFR



R307-405-8. Exclusions from Increment Consumption.

(1) The following concentrations shall be excluded in determining compliance with a maximum allowable increase:

(a) concentrations attributable to the increase in emissions from stationary sources which have converted from the use of petroleum products, natural gas, or both by reason of an order in effect under section 2(a) and (b) of the Energy Supply and Environmental Coordination Act of 1974 (or any superseding legislation) over the emissions from such sources before the effective date of such an order;

(b) concentrations attributable to the increase in emissions from sources which have converted from using natural gas by reason of a natural gas curtailment plan in effect pursuant to the Federal Power Act over the emissions from such sources before the effective date of such plan;

 (c) concentrations of particulate matter attributable to the increase in emissions from construction or other temporary emission-related activities of new or modified sources;

(d) the increase in concentrations attributable to new sources outside the United States over the concentrations attributable to existing sources which are included in the baseline concentration; and

(e) concentrations attributable to the temporary increase in emissions of sulfur dioxide, particulate matter, or nitrogen dioxides from stationary sources which are affected by plan revisions approved by the EPA Administrator as meeting the criteria specified in 40 CFR 51.166(f)(4). The temporary increase shall not exceed 2 years in duration unless a longer time is approved by the EPA Administrator. This exclusion is not renewable.

(2) No exclusion of concentration under (1)(a) or (b) above shall apply more than five years after the effective date of the order to which paragraph (1)(a) refers or the plan to which paragraph (1)(b) refers, whichever is applicable. If both such order and plan are applicable, no such exclusion shall apply more than five years after the later of such effective dates.

(3) No exclusion under (1)(e) shall apply to an emission increase from a stationary source which would:

(a) impact a Class I area or an area where an applicable increment is known to be violated; or

(b) cause or contribute to a violation of the national ambient air quality standards.

R307-405-9. Stack Heights.

The provisions of 40 CFR 52.21(h), effective July 1 2006, are hereby incorporated by reference.

R307-405-10. Exemptions.

(1) The provisions of 40 CFR 52.21(i)(1)(vi) through (viii), effective July 1, 2006, are hereby incorporated by reference.

(2) The provisions of 40 CFR 52.21(i)(2) through(5), effective July 1, 2006, are hereby incorporated by reference.

R307-405-11 Control Technology Review.

The provisions of 40 CFR 52.21(j), effective July 1, 2006, are hereby incorporated by reference.

R307-405-12. Source Impact Analysis. The provisions of 40 CFR 52.21(k), effective July 1, 2006, are hereby incorporated by reference

R307-405-13. Air Quality Models. The provisions of 40 CFR 52.21(1), effective July 1, 2006, are hereby incorporated by reference.

R307-405-14. Air Quality Analysis.

(1) The provisions of 40 CFR 52.21(m)(1)(i) through (iv), (vi), and (viii), effective July 1, 2006, are hereby incorporated by reference.

(2) The provisions of 40 CFR 52.21(m)(2) and (3), effective July 1, 2006, are hereby incorporated by reference.

R307-405-15. Source Information.

The provisions of 40 CFR 52.21(n), effective July 1, 2006, are hereby incorporated by reference.

R307-405-16. Additional Impact Analysis.

The provisions of 40 CFR 52.21(o), effective July 1, 2006, are hereby incorporated by reference

R307-405-17. Sources Impacting Federal Class I Areas: Additional Requirements.

 The provisions of 40 CFR 52/21(p), effective July 1, 2006, are hereby incorporated by reference.

(2) The executive secretary will transmit to the EPA Administrator a copy of each permit application relating to a major stationary source or major modification and provide notice to the EPA Administrator of every action related to the consideration of such permit.

R307-405-18. Public Participation.

(1) Except as provided in (2), the provisions of 40 CFR 51.166(q)(1) and (2), effective July 1, 2006, are hereby incorporated by reference.

(2) The phrase "within a specified time period" in 40 CFR 51.166(q)(1) shall be replaced with the phrase "within 30 ays of receipt of the PSD permit application".

R307-405-19. Source Obligation.

 Except as provided in (2) below, the provisions of 40 CFR 52.21(r), effective July 1, 2006, are hereby incorporated by reference.

(2) The parenthetical phrase in the first sentence in 40 CFR 52.21(r)(6) shall be changed to read "(other than projects at a source with a PAL)."

R307-405-20 Innovative Control Technology.

(1) Except as provided in (2), the provisions of 40 CFR 52.21(v), affective July 1, 2006, are hereby incorporated by reference.

(2)(a) The reference to "40 CFR 124.10" in 40 CFR 52.21(v)(1) shall be changed to "R307-405-18".

(b) 40 CFR 52.21(v)(2) shall be changed to read "The executive secretary shall, with the consent of the governors of other affected states, determine that the source or modification may employ a system of innovative control technology, if.".

R307-405-21. Actuals PALs.

(1) Except as provided in (2), the provisions of 40 CFR 52.21(aa), effective July 1, 2006, are hereby incorporated by reference.

(2)(a) The reference to "51.165(a)(3)(ii) of this chapter" in 40 CFR 52.21(aa)(4)(ii) shall be changed to "R307-403".

(b) The reference to "51.165(a)(3)(ii) of this chapter" in 40 CFR 52.21(aa)(8)(i)(2) shall be changed to "R307-403".

(c) The references to "70.6(a)(3)(iii)(B) of this chapter" in 40 CFB 52.21(aa)(14)(ii) shall be changed to "R307-415-6a(3)(c)(ii)".

(d) The date of "March 3, 2003" in 40 CFR 52.21(aa)(15)(i) and (ii) shall be changed to "June 16, 2006".

R307-405-22 Banking of Emission Offset Credit in PSD Areas.

Banking of emission offset credits in PSD areas will be permitted. To preserve banked emission reductions the executive secretary must identify them in either the Utah SIP or an order. The executive secretary will provide a registry to identify the person, private entity, or government authority that has the right to use or allocate the banked emission reduction and to record any transfer of or lien on these rights.

KEY: air pollution, PSD, Class I area Date of Enactment or Last Substantive Amendment: September 7, 2007

Notice of Continuation: July 13, 2007

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R307-405-9. Stack Heights.	of 40 CFR 52.2
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R307-405-10. Exemptions.	projects at a source
(1) The provisions of 40 CFR 52.21(i)(1)(vi)	
through (viii), effective July 1, 2006, are hereby incorporated	R307-405-20. Inn
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R307-405-11 Control Technology Review.	(b) 40
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The provisions of 40 CFR 52.21(j), effective July 1,	governors of other
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	modification may
R307-405-12. Source Impact Analysis.	technology, if:".
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R307-405-13. Air Quality Models.	
The provisions of 40 CFR 52.2 (1), effective July 1,	by reference.
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(1) The provisions of 40 CFR 52.21(m)(1)(i)	
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effective July 1, 2006, are hereby incorporated by reference.	"R307-415-6a(3)(c)
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R307-405-15. Source Information.	52.21(aa)(15)(i) and
The provisions of 40 CFR 52.21(n), effective July 1,	D205 105 00 D
2006, are hereby incorporated by reference.	R307-405-22 Ba
	Areas.
R307-405-16. Additional Impact Analysis.	Banking
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R307-405-17. Sources Impacting Federal Class I Areas:	identify the person,
Additional Requirements.	
(1) The provisions of 40 CFR 52.21(p), effective	has the right to use
July 1, 2006, are hereby incorporated by reference.	and to record any tr
(2) The executive secretary will transmit to the EPA	V
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Administrator a copy of each permit application relating to a	Date of Enactme
major stationary source or major modification and provide	
notice to the EPA Administrator of every action related to the	September 7, 2007
consideration of such permit.	Notice of Continua
	Authorizing, and
R307-405-18. Public Participation.	104
(1) Except as provided in (2), the provisions of 40	
CFR 51.166(q)(1) and (2), effective July 1, 2006, are hereby	
incorporated by reference.	
(2) The phrase "within a specified time period" in 40	
CFR 51.166(q)(1) shall be replaced with the phrase "within 30	
days of receipt of the PSD permit application".	
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cept as provided in (2) below, the provisions, 21(r), effective July 1, 2006, are hereby ference.

e parenthetical phrase in the first sentence in (6) shall be changed to read "(other than e with a PAL)."

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cept as provided in (2), the provisions of 40 fective July 1, 2006, are hereby incorporated

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CFR 52.21(v)(2) shall be changed to read secretary shall, with the consent of the affected states, determine that the source or employ a system of innovative control

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The reference to "51.165(a)(3)(ii) of this R 52.21(aa)(4)(ii) shall be changed to "R307-

reference to "51.165(a)(3)(ii) of this chapter" a)(8)((i)(2) shall be changed to "R307-403.".

ne references to "70.6(a)(3)(iii)(B) of this CFR 52.21(aa)(14)(ii) shall be changed to c)(ii)".

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(b) cause or contribute to a violation of the national	Ν
ambient air quality standards.	R307-405-19. Sour
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R307-405-9. Stack Heights.	of 40 CFR 52.21
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2006, are hereby incorporated by reference.	(2) The
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R307-405-10. Exemptions.	projects at a source
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through (viii), effective July 1, 2006, are hereby incorporated	R307-405-20. Inno
by reference.	(1) Exce
(2) The provisions of 40 CFR 52.21(i)(2) through	CFR 52.21(v), effect
(5), effective July 1, 2006, are hereby incorporated by	by reference.
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R307-405-11 Control Technology Review.	"The executive se
The provisions of 40 CFR 52.21(j), effective July 1,	governors of other a
2006, are hereby incorporated by reference.	modification may
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R307-405-12. Source Impact Analysis.	юспистову, п
The provisions of 40 CFR 52.21(k), effective only 1, 2006, are hereby incorporated by reference.	R307-405-21. Actu
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R307-405-13. Air Quality Models.	CFR 52.21(aa), effe
The provisions of 40 CFR 52.21(1), effective July 1,	by reference.
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incorporated by reference.	(c) The
(2) The provisions of 40 CFR 52.21(m)(2) and (3),	chapter" in 40 CF
effective July 1, 2006, are hereby incorporated by reference.	"R307-415-6a(3)(c)
	(d) The
R307-405-15. Source Information.	52.21(aa)(15)(i) and
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2006, are hereby incorporated by reference.	R307-405-22 Bar
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R307-405-16. Additional Impact Analysis.	Banking o
The provisions of 40 CFR 52.21(0), effective July 1,	be permitted. To
2006, are hereby incorporated by reference.	executive secretary r
	an order. The exec
R307-405-17. Sources Impacting Federal Class I Areas: Additional Requirements.	identify the person,
(1) The provisions of 40 CFR 52.21(p), effective	has the right to use
July 1, 2006, are hereby incorporated by reference.	and to record any tra
(2) The executive secretary will transmit to the EPA	/
Administrator a copy of each permit application relating to a	KEY: air pollution
major stationary source or major modification and provide	Date of Enactme
notice to the EPA Administrator of every action related to the	September 7, 2007
consideration of such permit.	Notice of Continuat
	Authorizing, and I
R307-405-18. Public Participation.	104
(1) Except as provided in (2), the provisions of 40	
CFR 61.166(q)(1) and (2), effective July 1, 2006, are hereby	
incorporated by reference.	
(2) The phrase "within a specified time period" in 40	
OFR 51.166(q)(1) shall be replaced with the phrase "within 30	
days of receipt of the PSD permit application".	
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e references to "70.6(a)(3)(iii)(B) of this FR 52.21(aa)(14)(ii) shall be changed to (ii)".

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(b) cause or contribute to a violation of the national ambient air quality standards.

R307-405-9. Stack Heights.

The provisions of 40 CFR 52.21(h), effective July 1, 2006, are hereby incorporated by reference.

R307-405-10. Exemptions

 The provisions of 40 CFR 52.21(i)(1)(vi) through (viii), effective July 1, 2006, are hereby incorporated by reference.

(2) The provisions of 40 CFR 52.21(i)(2) through(5), effective July 1, 2006, are hereby incorporated by reference.

R307-405-11 Control Technology Review.

The provisions of 40 CFR 52.21(j), effective July 1, 2006, are hereby incorporated by reference.

R307-405-12. Source Impact Analysis.

The provisions of 40 CFR 52.21(k), effective July 7 2006, are hereby incorporated by reference.

R307 405-13. Air Quality Models. The provisions of 40 CFR 52.21(1), effective July 1, 2006, are hereby incorporated by reference.

R307-405-14. Air Quality Analysis.

(1) The provisions of 40 CFR 52.21(m)(1)(i) through (iv), (vi), and (viii), effective July 1, 2006, are hereby incorporated by reference.

(2) The provisions of 40 CFR 52.21(m)(2) and (3), effective July 1, 2006 are hereby incorporated by reference.

R307-405-15. Source Information.

The provisions of 40 CFR 62.21(n), effective July 1, 2006, are hereby incorporated by reference.

R307-405-16. Additional Impact Analysis.

The provisions of 40 CFR 52.21(o), effective July 1, 2006, are hereby incorporated by reference.

R307-405-17. Sources impacting Federal Class I Areas: Additional Requirements.

(1) The provisions of 40 CKR 52.21(p), effective July 1, 2006, are hereby incorporated by reference.

(2) The executive secretary will transmit to the EPA Administrator a copy of each permit application relating to a major stationary source or major modification and provide notice to the EPA Administrator of every action related to the consideration of such permit.

R307-405-18. Public Participation.

(1) Except as provided in (2), the provisions of 40 CFR 51.166(q)(1) and (2), effective July 1, 2006, are hereby incorporated by reference.

(2) The phrase "within a specified time period" in 40 GFR 51.166(q)(1) shall be replaced with the phrase "within 30 days of receipt of the PSD permit application".

R307-405-19. Source Obligation.

 Except as provided in (2) below, the provisions of 40 CFR 52.21(r), effective July 1, 2006, are hereby incorporated by reference.

(2) The parenthetical phrase in the first sentence in 40 CFR 52.21(r)(6) shall be changed to read "(other than projects at a source with a PAL)."

R307-405-20. Innovative Control Technology.

(1) Except as provided in (2), the provisions of 40 CFR 52.21(v), effective July 1, 2006, are hereby incorporated by reference.

(2)(a) The reference to "40 CFR 124.10" in 40 CFR 52.21(v)(1) shall be changed to "R307-405-18".

(b) 40 CRR 52.21(v)(2) shall be changed to read "The executive secretary shall, with the consent of the governors of other affected states, determine that the source or modification may employ a system of innovative control technology, if:".

R307-405-21. Actuals PALs.

(1) Except as provided in (2), the provisions of 40 CFR 52.21(aa), effective July 1, 2006, are hereby incorporated by reference.

(2)(a) The reference to "51.165(a)(3)(ii) of this chapter" in 40 CFR 52.21(aa)(4)(ii) shall be changed to "R307-403".

(b) The reference to "51.165(a)(3)(ii) of this chapter" in 40 CFR 52.21(aa)(8)(i)(2) shall be changed to "R307-403".

(c) The references to "70.6(a)(3)(iii)(B) of this chapter" in 40 CFB 52.21(aa)(14)(ii) shall be changed to "R307-415-6a(3)(c)(ii)".

(d) The date of "March 3, 2003" in 40 CFR 52.21(aa)(15)(i) and (ii) shall be changed to "June 16, 2006".

R307-405-22 Banking of Emission Offset Credit in PSD Areas.

Banking of emission offset credits in PSD areas will be permitted. To preserve banked emission reductions the executive secretary must identify them in either the Utah SIP or an order. The executive secretary will provide a registry to identify the person, private entity, or government authority that has the right to use or allocate the banked emission reduction and to record any transfer of or lien on these rights.

KEY: air pollution, PSD, Class I area

Date of Enactment or Last Substantive Amendment: September 7, 2007

Notice of Continuation: July 13, 2007

(b) cause or contribute to a violation of the national ambient air quality standards. of R307-405-9. Stack Heights. The provisions of 40 CFR 52.21(h), effective July 1, 2006, are hereby incorporated by reference R307-405-10. Exemptions (1) The provisions of 40 CFR 52.21(i)(1)(vi) through (viii), effective July 1, 2006, are hereby incorporated by reference. (2) The provisions of 40 CFR 52.21(i)(2) through (5), effective July 1, 2006, are hereby incorporated by reference. R307-405-11 Control Technology Review. The provisions of 40 CFR 52.21(j), effective July 1, 006, are hereby incorporated by reference. R307-405-12. Source Impact Analysis. The provisions of 40 CFR 52.21(k), effective July 1, 2006, are hereby incorporated by reference. R307-405-13. Air Quality Models. The provisions of 40 CFR 52.21(1), effective July 2006, are hereby incorporated by reference. 403". R307-405-14. Air Quality Analysis. The provisions of 40 CFR 52.21(m)(1)(i) (1)through (iv), (vi), and (viii), effective July 1, 2006, are hereby incorporated by reference. (2) The provisions of 40 CFR 52.21(m)(2) and (3), effective July 1, 2006, are hereby incorporated by reference. R307-405-15. Source Information. The provisions of 40 CFR 52.22(n), effective July 1, 2006, are hereby incorporated by reference. Areas. R307-405-16. Additional Impact Analysis. The provisions of 40 CFR 52.21(o), effective July 1, 2006, are hereby incorporated by reference. R307-405-17. Sources Impacting Federal Class I Areas: Additional Requirements. (1) The provisions of 40 CFR 52.21(p), effective July 1, 2006, are hereby incorporated by reference. (2) The executive secretary will transmit to the EPA Administrator a copy of each permit application relating to a major stationary source or major modification and provide notice to the EPA Administrator of every action related to the consideration of such permit. 104 R307-405-18. Public Participation. (1) Except as provided in (2), the provisions of 40 CFR 51.166(q)(1) and (2), effective July 1, 2006, are hereby incorporated by reference. (2) The phrase "within a specified time period" in CTR 51.166(q)(1) shall be replaced with the phrase "within 3 days of receipt of the PSD permit application".

R307-405-19. Source Obligation.

 Except as provided in (2) below, the provisions of 40 CFR 52.21(r), effective July 1, 2006, are hereby incorporated by reference.

(2) The parenthetical phrase in the first sentence in 40 CFR 52.21(r)(6) shall be changed to read "(other than projects at a source with a PAL)."

R307-405-20. Innovative Control Technology.

(1) Except as provided in (2), the provisions of 40 CFR 52.21(v), effective July 1, 2006, are hereby incorporated by reference.

(2)(a) The reference to "40 CFR 124/10" in 40 CFR 52.21(v)(1) shall be changed to "R307-405-18".

(b) 40 CFR 52.21(v)(2) shall be changed to read "The executive secretary shall, with the consent of the governors of other affected states, determine that the source or modification may employ a system of innovative control technology, if:".

R307-405-21. Actuals PALs.

(1) Except as provided in (2), the provisions of 40 CFR 52.21(aa), effective July 1, 2006, are hereby incorporated by reference.

(2)(a) The reference to "51.165(a)(3)(ii) of this chapter" in 40 CFR 52.21(aa)(4)(ii) shall be changed to "R307-403".

(b) The reference to "51.165(a)(3)(ii) of this chapter" in 40 CFR 52.21(aa)(8)(i)(2) shall be changed to "R307-403".

(c) The references to "70.6(a)(3)(iii)(B) of this chapter" in 40 CFE 52.21(aa)(14)(ii) shall be changed to "R307-415-6a(3)(c)(ii)".

(d) The date of "March 3, 2003" in 40 CFR 52.21(aa)(15)(i) and (ii) shall be changed to "June 16, 2006".

R307-405-22/ Banking of Emission Offset Credit in PSD Areas.

Banking of emission offset credits in PSD areas will be permitted. To preserve banked emission reductions the executive secretary must identify them in either the Utah SIP or an order. The executive secretary will provide a registry to identify the person, private entity, or government authority that has the right to use or allocate the banked emission reduction and to record any transfer of or lien on these rights.

KEY: air pollution, PSD, Class I area

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2006, are hereby incorporated by reference. R307-405-16. Additional Impact Analysis.

The provisions of 40 CFR 52.21(0), effective July 1, 2006, are hereby incorporated by reference.

R307-405-17. Sources Impacting Federal Class I Areas: Additional Requirements.

(1) The provisions of 40 CFR 52.21(p), effective July 1, 2006, are hereby incorporated by reference.

(2) The executive secretary will transmit to the EPA Administrator a copy of each permit application relating to a major stationary source or major modification and provide notice to the EPA Administrator of every action related to the consideration of such permit.

R307-405-18. Public Participation.

(1) Except as provided in (2), the provisions of 40 CFR 51 166(q)(1) and (2), effective July 1, 2006, are hereby incorporated by reference.

(2) The phrase "within a specified time period" in 40 CPR 51.166(q)(1) shall be replaced with the phrase "within 30 rays of receipt of the PSD permit application".

R307-405-19. Source Obligation.

 Except as provided in (2) below, the provisions of 40 CFR 52.21(r), effective July 1, 2006, are hereby incorporated by reference.

(2) The parenthetical phrase in the first sentence in 40 CFR 52.21(r)(6) shall be changed to read "(other than projects at a source with a PAL)."

R307-405-20. Innovative Control Technology.

(1) Except as provided in (2), the provisions of 40 CFR 52.21(v), effective July 1, 2006, are hereby incorporated by reference.

(2)(a) The reference to "40 CFR 124.10" in 40 CFR 52.21(v)(1) shall be changed to "R307-405-18".

(b) 40 CIR 52.21(v)(2) shall be changed to read "The executive secretary shall, with the consent of the governors of other affected states, determine that the source or modification may employ a system of innovative control technology, if:".

R307-405-21. Actuals PALs.

(1) Except as provided in (2), the provisions of 40 CFR 52.21(aa), effective July 1, 2006, are hereby incorporated by reference.

(2)(a) The reference to "51.165(a)(3)(ii) of this chapter" in 40 CFR 52.21(aa)(4)(ii) shall be changed to "R307-403".

(b) The reference to "51.165(a)(3)(ii) of this chapter" in 40 CFR 52.21(aa)(8)(i)(2) shall be changed to "R307-403".

(c) The references to "70.6(a)(3)(iii)(B) of this chapter" in 40 CFB 52.21(aa)(14)(ii) shall be changed to "R307-415-6a(3)(c)(ii)".

(d) The date of "March 3, 2003" in 40 CFR 52.21(aa)(15)(i) and (ii) shall be changed to "June 16, 2006".

R307-405-22 Banking of Emission Offset Credit in PSD Areas.

Banking of emission offset credits in PSD areas will be permitted. To preserve banked emission reductions the executive secretary must identify them in either the Utah SIP or an order. The executive secretary will provide a registry to identify the person, private entity, or government authority that has the right to use or allocate the banked emission reduction and to record any transfer of or lien on these rights.

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R307-405-18. Public Participation.

Except as provided in (2), the provisions of 40
 CFR 51.166(q)(1) and (2), effective July 1, 2006, are hereby incorporated by reference.

(2) The phrase "within a specified time period" in 40 CFR 51.166(q)(1) shall be replaced with the phrase "within 30 pays of receipt of the PSD permit application". R307-405-19. Source Obligation.

 Except as provided in (2) below, the provisions of 40 CFR 52.21(r), effective July 1, 2006, are hereby incorporated by reference.

(2) The parenthetical phrase in the first sentence in 40 CFR 52.21(r)(6) shall be changed to read "(other than projects at a source with a PAL)."

R307-405-20. Innovative Control Technology.

(1) Except as provided in (2), the provisions of 40 CFR 52.21(v), effective July 1, 2006, are hereby incorporated by reference.

(2)(a) The reference to "40 CFR 124.10" in 40 CFR 52.21(v)(1) shall be changed to "R307-405-18".

(b) 40 CIR 52.21(v)(2) shall be changed to read "The executive secretary shall, with the consent of the governors of other affected states, determine that the source or modification may employ a system of innovative control technology, if:".

R307-405-21. Actuals PALs.

(1) Except as provided in (2), the provisions of 40 CFR 52.21(aa), effective July 1, 2006, are hereby incorporated by reference.

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(b) The reference to "51.165(a)(3)(ii) of this chapter" in 40 CFR 52.21(aa)(8)(i)(2) shall be changed to "R307-403".

(c) The references to "70.6(a)(3)(iii)(B) of this chapter" in 40 CFB 52.21(aa)(14)(ii) shall be changed to "R307-415-6a(3)(c)(ii)".

(d) The date of "March 3, 2003" in 40 CFR 52.21(aa)(15)(i) and (ii) shall be changed to "June 16, 2006".

R307-405-22 Banking of Emission Offset Credit in PSD Areas.

Banking of emission offset credits in PSD areas will be permitted. To preserve banked emission reductions the executive secretary must identify them in either the Utah SIP or an order. The executive secretary will provide a registry to identify the person, private entity, or government authority that has the right to use or allocate the banked emission reduction and to record any transfer of or lien on these rights.

KEY: air pollution, PSD, Class I area

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R307-405-18. Public Participation.

(1) Except as provided in (2), the provisions of 40 CFR 51.166(q)(1) and (2), effective July 1, 2008, are hereby incorporated by reference.

(2) The phrase "within a specified time period" in 40 CFP 51.166(q)(1) shall be replaced with the phrase "within 30 days of receipt of the PSD permit application".

R307-405-19. Source Obligation.

 Except as provided in (2) below, the provisions of 40 CFR 52.21(r), effective July 1, 2006, are hereby incorporated by reference.

(2) The parenthetical phrase in the first sentence in 40 CFR 52.21(r)(6) shall be changed to read "(other than projects at a source with a PAL)."

R307-405-20. Innovative Control Technology.

(1) Except as provided in (2), the provisions of 40 CFR 52.21(v), effective July 1, 2006, are hereby incorporated by reference.

(2)(a) The reference to "40 CFR 124.10" in 40 CFR 52.21(v)(1) shall be changed to "R307-405-18".

(b) 40 CIR 52.21(v)(2) shall be changed to read "The executive secretary shall, with the consent of the governors of other affected states, determine that the source or modification may employ a system of innovative control technology, if:".

R307-405-21. Actuals PALs.

(1) Except as provided in (2), the provisions of 40 CFR 52.21(aa), effective July 1, 2006, are hereby incorporated by reference.

(2)(a) The reference to "51.165(a)(3)(ii) of this chapter" in 40 CFR 52.21(aa)(4)(ii) shall be changed to "R307-403".

(b) The reference to "51.165(a)(3)(ii) of this chapter" in 40 CFR 52.21(aa)(8)(i)(2) shall be changed to "R307-403".

(c) The references to "70.6(a)(3)(iii)(B) of this chapter" in 40 CFP 52.21(aa)(14)(ii) shall be changed to "R307-415-6a(3)(c)(ii)".

(d) The date of "March 3, 2003" in 40 CFR 52.21(aa)(15)(i) and (ii) shall be changed to "June 16, 2006".

R307-405-22 Banking of Emission Offset Credit in PSD Areas.

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(1) Except as provided in (2), the provisions of 40 CFR 51.166(q)(1) and (2), effective July 1, 2006, are hereby incorporated by reference.

(2) The phrase "within a specified time period" in 40 CFR 51.166(q)(1) shall be replaced with the phrase "within 30 days of receipt of the PSD permit application".

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(b) 40 CIR 52.21(v)(2) shall be changed to read "The executive secretary shall, with the consent of the governors of other affected states, determine that the source or modification may employ a system of innovative control technology, if:".

R307-405-21. Actuals PALs.

(1) Except as provided in (2), the provisions of 40 CFR 52.21(aa), effective July 1, 2006, are hereby incorporated by reference.

(2)(a) The reference to "51.165(a)(3)(ii) of this chapter" in 40 CFR 52.21(aa)(4)(ii) shall be changed to "R307-403".

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(b) 40 CIR 52.21(v)(2) shall be changed to read "The executive secretary shall, with the consent of the governors of other affected states, determine that the source or modification may employ a system of innovative control technology, if:".

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(1) Except as provided in (2), the provisions of 40 CFR 52.21(aa), effective July 1, 2006, are hereby incorporated by reference.

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R307-405-21. Actuals PALs.

(1) Except as provided in (2), the provisions of 40 CFR 52.21(aa), effective July 1, 2006, are hereby incorporated by reference.

(2)(a) The reference to "51.165(a)(3)(ii) of this chapter" in 40 CFR 52.21(aa)(4)(ii) shall be changed to "R307-403".

(b) The reference to "51.165(a)(3)(ii) of this chapter" in 40 CFR 52.21(aa)(8)(i)(2) shall be changed to "R307-403".

(c) The references to "70.6(a)(3)(iii)(B) of this chapter" in 40 CFP 52.21(aa)(14)(ii) shall be changed to "R307-415-6a(3)(c)(ii)".

(d) The date of "March 3, 2003" in 40 CFR 52.21(aa)(15)(i) and (ii) shall be changed to "June 16, 2006".

R307-405-22 Banking of Emission Offset Credit in PSD Areas.

Banking of emission offset credits in PSD areas will be permitted. To preserve banked emission reductions the executive secretary must identify them in either the Utah SIP or an order. The executive secretary will provide a registry to identify the person, private entity, or government authority that has the right to use or allocate the banked emission reduction and to record any transfer of or lien on these rights.

KEY: air pollution, PSD, Class I area

Date of Enactment or Last Substantive Amendment: September 7, 2007

Notice of Continuation: July 13, 2007

R307-405-9. Stack Heights. The provisions of 40 CFR 52.21(h), effective July 1, 2006, are hereby incorporated by reference. R307-405-10. Exemptions. (1) The provisions of 40 CFR 52.21(i)(1)(vi) through (viii), effective July 1, 2006, are hereby incorporated by reference. CFR (2) The provisions of 40 CFR 52.21(i)(2) through (5), effective July 1, 2006, are hereby incorporated by reference. R307-405-11 Control Technology Review. The provisions of 40 CFR 52.21(j), effective July 1, 2006, are hereby incorporated by reference. R307-405-12. Source Impact Analysis. The provisions of 40 CFR 52.21(k), effective July 1, 2006, are hereby incorporated by reference. R307-405-13. Air Quality Models. The provisions of 40 CFR/52.21(1), effective July 1, 2006, are hereby incorporated by reference. 403". R307-405-14. Air Quality Analysis. (1) The provisions of 40 CFR 52.21(m)(1)(i) through (iv), (vi), and (viii), effective July 1, 2006, are hereby incorporated by reference. (2) The provisions of 40 CFR 52.21(m)(2) and (3), effective July 1, 2006, are hereby incorporated by reference. R307-405-15. Source Information. The provisions of 40 CFR 32.21(n), effective July 1, 2006, are hereby incorporated by reference. Areas. R307-405-16. Additional Impact Analysis. The provisions of 40 CFR 52.21(o), effective July 1, 2006, are hereby incorporated by reference. R307-405-17. Sources Impacting Federal Class I Areas: Additional Requirements. (1) The provisions of 40 CFR 52.21(p), effective July 1, 2006, are hereby incorporated by reference (2) The executive secretary will transmit to the EPA Administrator a copy of each permit application relating to a major stationary source or major modification and provide notice to the EPA Administrator of every action related to the consideration of such permit. 104 R307-405-18. Public Participation. (1) Except as provided in (2), the provisions of 40 CFR 51.166(q)(1) and (2), effective July 1, 2006, are hereby incorporated by reference. (2) The phrase "within a specified time period" in 4 CFR 51.166(q)(1) shall be replaced with the phrase "within 30 days of receipt of the PSD permit application".

(b) cause or contribute to a violation of the national

ambient air quality standards.

R307-405-19. Source Obligation.

(1) Except as provided in (2) below, the provisions of 40 CFR 52.21(r), effective July 1, 2006, are hereby incorporated by reference.

(2) The parenthetical phrase in the first sentence in 40 CFR 52.21(r)(6) shall be changed to read "(other than projects at a source with a PAL)."

R307-405-20. Innovative Control Technology.

 Except as provided in (2), the provisions of 40 CFR 52.21(v), effective July 1, 2006, are hereby incorporated by reference.

(2)(a) The reference to "40 CFR 124.10" in 40 CFR 52.21(v)(1) shall be changed to "R307-405-18".

(b) 40 CFR 52.21(v)(2) shall be changed to read "The executive secretary shall, with the consert of the governors of other affected states, determine that the source or modification may employ a system of innovative control technology, if:".

R307-405-21. Actuals PALs.

 Except a provided in (2), the provisions of 40 CFR 52.21(aa), effective July 1, 2006, are hereby incorporated by reference.

(2)(a) The reference to "51.165(a)(3)(ii) of this chapter" in 40 CFR 52.21(aa)(4)(ii) shall be changed to "R307-403".

(b) The reference to "511.65(a)(3)(ii) of this chapter" in 40 CFR 52.21(aa)(8)(ii)(2) shall be changed to "R307-403".

(c) The references to "N0.6(a)(3)(iii)(B) of this chapter" in 40 CFR 52/21(aa)(14)(ii) shall be changed to "R307-415-6a(3)(c)(ii)"

(d) The date of "March 3, 2003" in 40 CFR 52.21(aa)(15)(i) and (ii) shall be changed to "June 16, 2006".

R307-405-22. Banking of Emission Offset Credit in PSD Areas.

Barking of emission offset credits in PSD areas will be permitted. To preserve banked emission reductions the executive secretary must identify them in either the Utah SIP or an order. The executive secretary will provide a registry to identify the person, private entity, or government authority that has the right to use or allocate the banked emission reduction and to record any transfer of or lien on these rights.

KEY: air pollution, PSD, Class I area

Date of Enactment or Last Substantive Amendment: September 7, 2007

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 (b) cause or contribute to a violation of the national ambient air quality standards.

R307-405-9. Stack Heights.

The provisions of 40 CFR 52.21(h), effective July 1, 2006, are hereby incorporated by reference.

R307-405-10. Exemptions.

(1) The provisions of 40 CFR 52.21(i)(1)(vi) through (viii), effective July 1, 2006, are hereby incorporated by reference.

(2) The provisions of 40 CFR 52.21(i)(2) through
 (5), effective July 1, 2006, are hereby incorporated by reference.

R307-405-11 Control Technology Review.

The provisions of 40 CFR 52.21(j), effective July 1, 2006, are hereby incorporated by reference.

R307-405-12. Source Impact Analysis.

The provisions of 40 CFR 52.21(k), effective July 1, 2006, are hereby incorporated by reference.

R307-405-13. Air Quality Models. The provisions of 40 CFR/52.21(1), effective July 1,

2006, are hereby incorporated by reference.

R307-405-14. Air Quality Analysis.

(1) The provisions of 40 CFR 52.21(m)(1)(i) through (iv), (vi), and (viii), effective July 1, 2006, are hereby incorporated by reference.

(2) The provisions of 40 CFR 52.21(m)(2) and (3), effective July 1, 2006, are hereby incorporated by reference.

R307-405-15. Source Information.

The provisions of 40 CFR 32.21(n), effective July 1, 2006, are hereby incorporated by reference.

R307-405-16. Additional Impact Analysis.

The provisions of 40 CFR 52.21(o), effective July 1, 2006, are hereby incorporated by reference.

R307-405-17. Sources Impacting Federal Class I Areas: Additional Requirements.

(1) The provisions of 40 CFR 52.21(p), effective July 1, 2006, are hereby incorporated by reference

(2) The executive secretary will transmit to the EPA Administrator a copy of each permit application relating to a major stationary source or major modification and provide notice to the EPA Administrator of every action related to the consideration of such permit.

R307-405-18. Public Participation.

(1) Except as provided in (2), the provisions of 40 CFR 51.166(q)(1) and (2), effective July 1, 2006, are hereby incorporated by reference.

(2) The phrase "within a specified time period" in 40 CFR 51.166(q)(1) shall be replaced with the phrase "within 30 days of receipt of the PSD permit application".

R307-405-19. Source Obligation.

(1) Except as provided in (2) below, the provisions of 40 CFR 52.21(r), effective July 1, 2006, are hereby incorporated by reference.

(2) The parenthetical phrase is the first sentence in 40 CFR 52.21(f)(6) shall be changed to read "(other than projects at a source with a PAL)."

R307-405-20. Innovative Control Technology.

 Except as provided in (2), the provisions of 40 CFR 52.21(v), effective July 1, 2006, are hereby incorporated by reference.

(2)(a) The reference to "40 CFR 124.10" in 40 CFR 52.21(v)(1) shall be changed to "R307-405-18".

(b) 40 CFR 52.21(v)(2) shall be changed to read "The executive secretary shall, with the consent of the governors of other affected states, determine that the source or modification may employ a system of innovative control technology, if:".

R307-405-21. Actuals PALs.

(1) Except as provided in (2), the provisions of 49 CFR 5221(aa), effective July 1, 2006, are hereby incorporated by reference.

(2)(a) The reference to "51.165(a)(3)(ii) of this chapter" in 40 CFR 52.21(aa)(4)(ii) shall be changed to "R307-403".

(b) The reference to "51.165(a)(3)(ii) of this chapter" in 40 CFR 52.21(aa)(8)(ii)(2) shall be changed to "R307-403".

(c) The references to "70.6(a)(3)(iii)(B) of this chapter" in 40 CFR 52.21(aa)(14)(ii) shall be changed to "R307-415-6a(3)(c)(ii)".

(d) The date of "March 3, 2003" in 40 CFR 52.21(aa)(15)(i) and (ii) shall be changed to "June 16, 2006".

R307-405-22. Banking of Emission Offset Credit in PSD Areas.

Banking of emission offset credits in PSD areas will be permitted. To preserve banked emission reductions the executive secretary must identify them in either the Utah SIP or an order. The executive secretary will provide a registry to identify the person, private entity, or government authority that has the right to use or allocate the banked emission reduction and to record any transfer of or lien on these rights.

KEY: air pollution, PSD, Class I area

Date of Enactment or Last Substantive Amendment: September 7, 2007

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 (b) cause or contribute to a violation of the national ambient air quality standards.

R307-405-9. Stack Heights.

The provisions of 40 CFR 52.21(h), effective July 1, 2006, are hereby incorporated by reference.

R307-405-10. Exemptions.

(1) The provisions of 40 CFR 52.21(i)(1)(vi) through (viii), effective July 1, 2006, are hereby incorporated by reference.

(2) The provisions of 40 CFR 52.21(i)(2) through
 (5), effective July 1, 2006, are hereby incorporated by reference.

R307-405-11 Control Technology Review.

The provisions of 40 CFR 52.21(j), effective July 1, 2006, are hereby incorporated by reference.

R307-405-12. Source Impact Analysis.

The provisions of 40 CFR 52.21(k), effective July 1, 2006, are hereby incorporated by reference.

R307-405-13. Air Quality Models.

The provisions of 40 CFR/52.21(l), effective July 1, 2006, are hereby incorporated by reference.

R307-405-14. Air Quality Analysis.

(1) The provisions of 40 CFR 52.21(m)(1)(i) through (iv), (vi), and (viii), effective July 1, 2006, are hereby incorporated by reference.

(2) The provisions of 40 CFR 52.21(m)(2) and (3), effective July 1, 2006, are hereby incorporated by reference.

R307-405-15. Source Information.

The provisions of 40 CFR 32.21(n), effective July 1, 2006, are hereby incorporated by reference.

R307-405-16. Additional Impact Analysis.

The provisions of 40 CFR 52.21(o), effective July 1, 2006, are hereby incorporated by reference.

R307-405-17. Sources Impacting Federal Class I Areas: Additional Requirements.

(1) The provisions of 40 CFR 52.21(p), effective July 1, 2006, are hereby incorporated by reference

(2) The executive secretary will transmit to the EPA Administrator a copy of each permit application relating to a major stationary source or major modification and provide notice to the EPA Administrator of every action related to the consideration of such permit.

R307-405-18. Public Participation.

(1) Except as provided in (2), the provisions of 40 CFR 51.166(q)(1) and (2), effective July 1, 2006, are hereby incorporated by reference.

(2) The phrase "within a specified time period" in 40 CFR 51.166(q)(1) shall be replaced with the phrase "within 30 days of receipt of the PSD permit application".

R307-405-19. Source Obligation.

(1) Except as provided in (2) below, the provisions of 40 CPR 52.21(r), effective July 1, 2006, are hereby incorporated by reference.

(2) The parenthetical phrase in the first sentence in 40 CFR 52.21(r)(6) shall be changed to read "(other than projects at a source with a PAL)."

R307-405-20. Innovative Control Technology.

Except as provided in (2), the provisions of 40
 CFR 52.21(v), effective July 1, 2006, are hereby incorporated by reference.

(2)(a) The reference to "40 CFR 124.10" in 40 CFR 52.21(v)(1) shall be changed to "R307-405-18"

(b) 40 CFR 52.21(v)(2) shall be changed to read "The executive secretary shall, with the consent of the governors of other affected states, determine that the source or modification may employ a system of innovative control technology, if:".

R307-405-21. Actuals PALs.

 Except as provided in (2), the provisions of 40 CFR 52.21(aa), effective July 1, 2006, are hereby incorporated by reference.

(2)(a) The reference to "51.165(a)(3)(ii) of this chapter" in 40 CFR 52.21(aa)(4)(ii) shall be changed to "R307-403".

(b) The reference to "51.165(a)(3)(ii) of this chapter" in 40 CFR 52.21(aa)(8)(ii)(2) shall be changed to "R307-403".

(c) The references to "70.6(a)(3)(iii)(B) of this chapter" in 40 CFR 52.21(aa)(14)(ii) shall be changed to "R307-415-6a(3)(c)(ii)".

(d) The date of "March 3, 2003" in 40 CFR 52.21(aa)(15)(i) and (ii) shall be changed to "June 16, 2006".

R307-405-22. Banking of Emission Offset Credit in PSB Areas.

Banking of emission offset credits in FSD areas will be permitted. To preserve banked emission reductions the executive secretary must identify them in either the Utah SIP or an order. The executive secretary will provide a registry to identify the person, private entity, or government authority that has the right to use or allocate the banked emission reduction and to record any transfer of or lien on these rights.

KEY: air pollution, PSD, Class I area

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(b) cause or contribute to a violation of the national ambient air quality standards. R307-405-9. Stack Heights. The provisions of 40 CFR 52.21(h), effective July 1, 2006, are hereby incorporated by reference. R307-405-10. Exemptions. (1) The provisions of 40 CFR 52.21(i)(1)(vi) through (viii), effective July 1, 2006, are hereby incorporated by reference The provisions of 40 CFR 52.21(i)(2) through (5), effective July 1, 2006, are hereby incorporated by reference. R307-405-11 Control Technology Review. The provisions of 40 CFR 52.21(j)/ effective July 1, 2006, are hereby incorporated by reference. R307-405-12. Source Impact Analysis. The provisions of 40 CFR 52.21(k), effective July 1, 2006, are hereby incorporated by reference. R307-405-13. Air Quality Models. The provisions of 40 CFR/52.21(1), effective July 1, 2006, are hereby incorporated by reference. R307-405-14. Air Quality Analysis. The provisions of 40 CFR 52.21(m)(1)(i) (1)through (iv), (vi), and (viii), effective July 1, 2006, are hereby incorporated by reference. (2) The provisions of 40 CFR 52.21(m)(2) and (3), effective July 1, 2006, are hereby incorporated by reference. R307-405-15. Source Information. The provisions of 40 CFR 32.21(n), effective July 1, 2006, are hereby incorporated by reference. R307-405-16. Additional Impact Analysis. The provisions of 40 CFR 52.21(o), effective July 1, 2006, are hereby incorporated by reference. R307-405-17. Sources Impacting Federal Class I Areas: Additional Requirements. (1) The provisions of 40 CFR 52.21(p), effective July 1, 2006, are hereby incorporated by reference (2) The executive secretary will transmit to the EPA Administrator a copy of each permit application relating to a major stationary source or major modification and provide notice to the EPA Administrator of every action related to the consideration of such permit. R307-405-18. Public Participation. (1) Except as provided in (2), the provisions of 40 CFR 51.166(q)(1) and (2), effective July 1, 2006, are hereby incorporated by reference. (2) The phrase "within a specified time period" in 4 CFR 51.166(q)(1) shall be replaced with the phrase "within 30 days of receipt of the PSD permit application".

R307-405-19. Source Obligation.

(1) Except as provided in (2) below, the provisions of 40 CFR 52.21(r), effective July 1, 2006, are hereby incorporated by reference.

(2) The parenthetical phrase in the first sectence in 40 CFR 52.21(r)(6) shall be changed to read "(other than projects at a source with a PAL)."

R307-405-20. Innovative Control Technology.

(1) Except as provided in (2), the provisions of 40 CFR 52.21(v), effective July 1, 2006, are hereby incorporated by reference.

(2)(a) The reference to "40 CFR 124.10" in 40 CFR 52.21(v)(1) shall be changed to "R307-405-18".

(b) 40 CFR 52.21(v)(2) shall be changed to read "The executive secretary shall with the consent of the governors of other affected states, determine that the source or modification may employ a system of innovative control technology, if.".

R307-405-21. Actuals PALs.

 Except as provided in (2), the provisions of 40 CFR 52.21(aa), effective July 1, 2006, are hereby incorporated by reference.

(2)(a) The reference to "51.165(a)(3)(ii) of this chapter" in 40 CFR 52.21(aa)(4)(ii) shall be changed to "R307-403".

(b) The reference to "51.165(a)(3)(ii) of this chapter" in 40 CFR 52.21(aa)(8)(ii)(2) shall be changed to "R30) 403".

(c) The references to "70.6(a)(3)(iii)(B) of this chapter" in 40 CFR 52.21(aa)(14)(ii) shall be changed to "R307-415-6a(3)(c)(ii)".

(d) The date of "March 3, 2003" in 40 CFR 52.21(aa)(15)(i) and (ii) shall be changed to "June 16, 2006".

R307-405-22. Banking of Emission Offset Credit in PSD Areas.

Banking of emission offset credits in PSD areas will be permitted. To preserve banked emission reductions the executive secretary must identify them in either the Utah SIP or an order. The executive secretary will provide a registry to identify the person, private entity, or government authority that has the right to use or allocate the banked emission reduction and to record any transfer of or lien on these rights.

KEY: air pollution, PSD, Class I area

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