

31.1(455B) Permit requirements relating to nonattainment areas.

This chapter implements the nonattainment major New Source Review (NSR) program contained in Part D of Title I of the federal Clean Air Act and as promulgated under 40 CFR 51.165 as amended through March 30, 2011, and 40 CFR 51, Appendix S, as amended through July 1, 2011.

The nonattainment major NSR program is a preconstruction review and permitting program applicable to new or modified major stationary sources of air pollutants regulated under Part D of Title I of the federal Clean Air Act as amended on November 15, 1990. The nonattainment major NSR program applies only in areas that do not meet the national ambient air quality standards (NAAQS).

Section 107(d) of the federal Clean Air Act, 42 U.S.C. §7457(d), requires each state to submit to the Administrator of the federal Environmental Protection Agency a list of areas that exceed the NAAQS, that are lower than those standards, or that cannot be classified on the basis of current data.

Requirements for nonattainment areas designated on or after May 18, 1998, are in rules 567-31.3(455B) through 567-31.10(455B). Requirements for nonattainment areas designated before May 18, 1998, are in rule 567-31.20(455B). A list of Iowa's nonattainment area designations is found at 40 CFR 81.316 as amended through August 5, 2013. An owner or operator required to apply for a construction permit under this chapter or requesting a plantwide applicability limit shall submit fees as required in 567-Chapter 30.

567-31.1

EPA Rulemakings

CFR: 40 C.F.R. 52.820(c)(64)(i)(E)
FRM: 62 FR 55172 (10/23/97)
PRM: 61 FR 39375 (7/29/96)
State Submission: 1/26/95
State Proposal: IAB 10/12/94 (ARC 5169A)
State Final: IAB 1/18/95 (ARC 5367A) (Effective 2/22/95)
APDB File: IA-51
Description: The EPA approved a new rule which contains specific requirements for nonattainment areas.

CFR: 40 C.F.R. 52.820(c)
FRM: 79 FR 27763 (5/15/14)
PRM: 79 FR 27834 (5/15/14)
State Submission: 12/21/2014
State Final: ARC 1227C, IAB 12/11/13, effective 1/15/14
APDB File: IA-166; EPA-R07-OAR-2014-0165 (effective 7/14/14)
Description: This revision relocates nonattainment permitting rules to Chapter 31 from 22.5 and 22.6 (455B).

CFR: 40 C.F.R. 52.820 (c)
FRM: 81 FR 62387 (9/9/16); correction 82 FR 15301 (3/28/17)
PRM: 81 FR 62426 (9/9/16)
State Submission: 3/31/15
State Final: ARC 2352C, IAB 1/6/16, effective 12/16/15
APDB File: IA-174 eff. 11/8/16; IA-174a; EPA-R07-OAR-2014-0165 effective 3/28/17
Description: This revision revises the third unnumbered paragraph for rule 567-31.1(455B) Permit Requirements Relating to Nonattainment Areas, to add the following sentence: An owner or operator required to apply for a construction permit under this chapter or requesting a plantwide applicability limit shall submit fees as required in 567-Chapter 30.

Difference Between the State and EPA-Approved Regulation

None.