

21.3(455B) Emission reduction program.

21.3(1) Content. An air contaminant emission reduction program submitted to the department pursuant to these rules shall include a schedule for the installation of pollution control devices or the replacement or alteration of specified facilities in such a way that emissions of air contaminants are reduced to comply with the emission standard specified in chapter 23 of these rules. The schedule must include, as a minimum, the following five increments of progress:

a. The date of submittal of the final control plan to the department.

b. The date by which contracts will be awarded for emission control systems or process modification or the date by which orders will be issued for the purchase of component parts to accomplish emission control or process modifications.

c. The date of initiation of on-site construction or installation of emission control equipment or process change.

d. The date by which on-site construction or installation of emission control equipment or process modification is to be completed.

e. The date by which final compliance is to be achieved.

21.3(2) Review. The department shall review all programs submitted, and shall make recommendations to the commission with respect to whether these programs are adequate and reasonable.

a. Commission action. Upon receiving the recommendation of the department, the commission may approve or disapprove such programs.

1. Upon approval of a program, a variance is granted for one year or until the final compliance date, whichever period is shorter. Emission reduction programs shall be reviewed annually by the commission and a variance extension granted for ongoing approved emission reduction programs which show satisfactory progress toward the elimination or prevention of air pollution. The commission may specify under what conditions and to what extent the variance or variance extension is granted.

2. If the department recommends disapproval of a program, the disapproval shall be without prejudice to the right of the applicant to request a review hearing before the commission and the applicant shall have a period of thirty days from date of notification by the commission in which to request a review hearing.

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3. Failure to meet any increment of progress in the compliance schedule contained in an approved emission reduction program may result in the disapproval of the program and termination of the associated variance.

21.3(3) Reports. Each person responsible for an approved program shall make periodic written progress reports to the department, as specified by the department. The department shall make periodic reports to the commission on emission reduction programs submitted, and on the recommendations related to such programs.

EPA Rulemakings

CFR: 40 C.F.R. 52.820(b)
 FRM: 37 FR 10842 (5/31/72)
 PRM: none
 State Submission: 1/27/72
 State Proposal: unknown
 State Final: Effective 4/1/72
 APDB File: IA-00
 Description: This rule was approved as part of the original SIP.

CFR: 40 C.F.R. 52.820(c)(11)
 FRM: 40 FR 15879 (4/8/75)
 PRM: 39 FR 25502 (7/11/74)
 State Submission: 4/24/74
 State Proposal: unknown
 State Final: Effective 12/11/73
 APDB File: IA-00
 Description: This rule revision created the Department of Environmental Quality. This revision also clarifies the increments of progress necessary for an approvable emission reduction program. The five increments now required are the same as those specified at 40 C.F.R. 51.1(q).

CFR: 40 C.F.R. 52.820(c)(43)
 FRM: 50 FR 37176 (9/12/85)
 PRM: 49 FR 45761 (11/20/84)
 State Submission: 7/18/84
 State Proposal: none
 State Final: 7/1/83
 APDB File: IA-19
 Description: Recodification of the regulations from Chapter 3 of the Iowa Department of Environmental Quality into Department 900, Title II, Chapters 20-39 of the Iowa Department of Water, Air and Waste Management (IDWAWM).

CFR: 40 C.F.R. 52.820(c)(52)(i)(B)
 FRM: 55 FR 26690 (6/29/90)
 PRM: none
 State Submission: 5/7/90
 State Proposal: IAB 11/15/89 (ARC 412A)
 State Final: IAB 2/7/90 (ARC 658A) (Effective 3/14/90)
 APDB File: IA-32
 Description: This rulemaking recodified Chapters 20-29. It was Water, Air and Waste Management (900) and is now Environmental Protection Commission (567).

Difference Between the State and EPA-Approved Regulation:

The current state version of 21.3(2) reads "Action," the EPA-approved rules read "Review." Also, the state version has "a. b. c." and the EPA's version is "1. 2. 3." The current state version empowers the "director" rather than the "commission" globally in this section.