

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this action and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a “major rule” as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by September 22, 2020. Filing a

petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

#### List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides.

Dated: July 9, 2020.

**Kurt Thiede**,  
Regional Administrator, Region 5.

For the reasons states in the preamble, the EPA amends 40 CFR part 52 as follows:

#### PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

- 1. The authority citation for part 52 continues to read as follows:

**Authority:** 42 U.S.C. 7401 *et seq.*

- 2. In § 52.770, the table in paragraph (c) is amended by:

■ a. Revising the section entitled “Article 10. Nitrogen Oxides Rules”; and

■ b. Removing the heading “Rule 3. Clean Air Interstate Rule (CAIR) NO<sub>x</sub> Ozone Season Trading Program” and the entries for “24–3–1”, “24–3–2”, “24–3–4”, and “24–3–11”.

The revision reads as follows:

#### § 52.770 Identification of plan.

\* \* \* \* \*

(c) \* \* \*

#### EPA—APPROVED INDIANA REGULATIONS

Indiana citation	Subject	Indiana effective date	EPA approval date	Comments
*	*	*	*	*
<b>Article 10. Nitrogen Oxides Rules</b>				
10–1 .....	Nitrogen Oxides Control in Clark and Floyd Counties.	6/12/1996	6/3/1997, 62 FR 30253.	
10–2 .....	NO <sub>x</sub> Emissions from Large Affected Units .....	8/26/2018	7/24/2020, [Insert <b>Federal Register</b> citation].	
10–3 .....	Nitrogen Oxide Reduction Program for Specific Source Categories.	8/26/2018	7/24/2020, [Insert <b>Federal Register</b> citation].	
10–5 .....	Nitrogen Oxide Reduction Program for Internal Combustion Engines (ICE).	2/26/2006	10/1/2007, 72 FR 55664.	
10–6 .....	Nitrogen Oxides Emission Limitations for Southern Indiana Gas and Electric Company.	8/30/2008	11/10/2009, 74 FR 57904.	
*	*	*	*	*

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**BILLING CODE** 6560–50–P

#### ENVIRONMENTAL PROTECTION AGENCY

#### 40 CFR Part 52

[EPA–R10–OAR–2020–0143; FRL–10007–42–Region 10]

#### Air Plan Approval; ID; Update to Materials Incorporated by Reference

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Final rule; administrative change.

**SUMMARY:** The Environmental Protection Agency (EPA) is updating the regulatory materials incorporated by reference into the Idaho State Implementation Plan (SIP). The regulations addressed in this action were previously submitted by the Idaho Department of Environmental Quality and approved by the EPA in prior rulemakings. This action is an administrative change that updates the SIP materials available for public inspection at the EPA Regional Office and the National Archives and Records Administration.

**DATES:** This action is effective July 24, 2020.

**ADDRESSES:** SIP materials which are incorporated by reference into 40 CFR part 52 are available for inspection at

the following locations: Online at <https://www.regulations.gov> in the docket for this action, by appointment at the Environmental Protection Agency, Region 10, 1200 Sixth Avenue, Suite 155, Seattle, WA 98101, and by appointment at the National Archives and Records Administration (NARA). For information on the availability of this material at the EPA Regional Office, please contact the person in the **FOR FURTHER INFORMATION CONTACT** section of this document. For information on the availability of this material at NARA, email [fedreg.legal@nara.gov](mailto:fedreg.legal@nara.gov), or go to: <https://www.archives.gov/federal-register/cfr/ibr-locations.html>.

**FOR FURTHER INFORMATION CONTACT:** Kristin Hall at (206) 553–6357 or [hall.kristin@epa.gov](mailto:hall.kristin@epa.gov).

## SUPPLEMENTARY INFORMATION:

## I. Background

The State Implementation Plan (SIP) is a living document revised by the state to address its unique and changing air pollution problems in a manner consistent with the requirements of Section 110 of the Clean Air Act (CAA), 42 U.S.C. 7410. As such, the state submits SIP revisions to the EPA and the EPA acts on those revisions and incorporates new and revised state regulations by reference into the Code of Federal Regulations (CFR).

On May 22, 1997, the EPA and the Office of the Federal Register (OFR) streamlined the incorporation by reference (IBR) procedures for SIPs (62 FR 27968). For a detailed description of the revised IBR procedures, please see the May 22, 1997 publication (62 FR 27968).

On January 25, 2005, the EPA published a **Federal Register** document beginning the revised IBR procedures for Idaho (70 FR 3479). The EPA updated the Idaho SIP regulatory materials on December 28, 2012 (77 FR 76417), and April 1, 2015 (80 FR 17333). Since the last IBR update, the EPA approved and incorporated by reference the following regulatory materials into the Idaho SIP:<sup>1</sup>

## A. Added

- IDAPA 58.01.01 (Rules for the Control of Air Pollution in Idaho): Sections 011, 175, 176, 177, 178, 179, 180, 181, 790, 791, 793, 794, 795, 796, 797, 798, 799, and 818.
- Section 4 of Senate Bill 1024, Codified at Idaho Code Section 39–114.

## B. Revised

- IDAPA 58.01.01 (Rules for the Control of Air Pollution in Idaho): Sections 006, 107, 157, 200, 201, 202, 401, 579, 620, 621, 725, and 815.

## C. Removed

- IDAPA 58.01.01 (Rules for the Control of Air Pollution in Idaho): Sections 582, 816, 817, 821, 822, 823, 824, 825, and 826.
- Section 1 of House Bill 57, Codified at Idaho Code Section 39–114.

## II. EPA Action

In this action, the EPA is updating the regulatory materials incorporated by reference into the Idaho SIP at 40 CFR 52.670(c) and (d) as of February 1, 2020.

The EPA has determined that this rule falls under the “good cause” exemption

in section 553(b)(3)(B) of the Administrative Procedures Act (APA) which, upon finding “good cause,” authorizes agencies to dispense with public participation and section 553(d)(3) which allows an agency to make a rule effective immediately (thereby avoiding the 30-day delayed effective date otherwise provided for in the APA). This rule simply codifies provisions which are already in effect as a matter of law in federal and approved state programs. Under section 553 of the APA, an agency may find good cause where procedures are “impractical, unnecessary, or contrary to the public interest.” Public comment is “unnecessary” and “contrary to the public interest” since the codification only reflects existing law. Immediate notice in the CFR benefits the public by removing outdated citations and incorrect table entries.

## III. Incorporation by Reference

In this rule, the EPA is finalizing regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, the EPA is finalizing the incorporation by reference of previously EPA-approved regulations promulgated by Idaho and federally effective prior to February 1, 2020. The EPA has made, and will continue to make, these materials generally available through [www.regulations.gov](http://www.regulations.gov) and at the EPA Region 10 Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information).

## IV. Statutory and Executive Order Reviews

Under the Clean Air Act (CAA), the Administrator is required to approve a SIP submission that complies with the provisions of the CAA and applicable federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, the EPA’s role is to approve state choices, provided that they meet the criteria of the CAA. Accordingly, this action merely approves state law as meeting federal requirements and does not impose additional requirements beyond those imposed by state law. For that reason, this action:

- Is not a “significant regulatory action” subject to review by the Office of Management and Budget under Executive Orders 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011);
- Is not an Executive Order 13771 (82 FR 9339, February 2, 2017) regulatory action because SIP approvals are exempted under Executive Order 12866;

- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);

- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);

- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);

- Does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);

- Is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);

- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);

- Is not subject to requirements of Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the Clean Air Act; and

- Does not provide the EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, this proposed action does not apply on any Indian reservation land or in any other area where the EPA or an Indian tribe has demonstrated that a tribe has jurisdiction. In those areas of Indian country, the rule does not have tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. The EPA will submit a report containing this action and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a “major rule” as defined by 5 U.S.C. 804(2).

<sup>1</sup> See 81 FR 53290 (August 12, 2016), 82 FR 22083 (May 12, 2017), 83 FR 28382 (June 19, 2018), 83 FR 42033 (August 20, 2018), 84 FR 13803 (April 8, 2019), and 84 FR 67189 (December 9, 2019).

The EPA has also determined that the provisions of section 307(b)(1) of the CAA pertaining to petitions for judicial review are not applicable to this action. Prior EPA rulemaking actions for each individual component of the Idaho SIP compilations had previously afforded interested parties the opportunity to file a petition for judicial review in the United States Court of Appeals for the appropriate circuit within 60 days of such rulemaking action. Thus, the EPA sees no need in this action to reopen the 60-day period for filing such petitions for judicial review for this “Identification of plan” update action for Idaho.

#### List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and record keeping requirements, Sulfur oxides, Volatile organic compounds.

Dated: July 10, 2020.

**Michelle Pirzadeh,**

*Acting Regional Administrator, Region 10.*

For the reasons stated in the preamble, the EPA amends 40 CFR part 52 as follows:

#### PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

■ 1. The authority citation for part 52 continues to read as follows:

**Authority:** 42 U.S.C. 7401 *et seq.*

#### Subpart N—Idaho

■ 2. Amend § 52.670 by revising paragraphs (b), (c), and (d) to read as follows:

##### § 52.670 Identification of plan.

\* \* \* \* \*

(b) *Incorporation by reference.* (1) Material listed as incorporated by reference in paragraphs (c) and (d) was approved for incorporation by reference by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. The material incorporated is as it exists on the date of the approval, and notice of any change in the material will be published in the **Federal Register**. Entries in paragraphs (c) and (d) of this section with EPA approval dates on or after February 1, 2020, will be incorporated by reference in the next update to the SIP compilation.

(2)(i) EPA Region 10 certifies that the rules and regulations provided by EPA

at the addresses in paragraph (b)(3) of this section are an exact duplicate of the officially promulgated state rules and regulations which have been approved as part of the state implementation plan as of February 1, 2020.

(ii) EPA Region 10 certifies that the source-specific requirements provided by EPA at the addresses in paragraph (b)(3) of this section are an exact duplicate of the officially promulgated source-specific requirements which have been approved in the notebook “40 CFR 52.670(d)—Source Specific Requirements” as part of the state implementation plan as of February 1, 2020.

(3) Copies of the materials incorporated by reference may be inspected at the Environmental Protection Agency, Region 10, Air and Radiation Division, 1200 Sixth Avenue, Suite 155, Seattle, Washington 98101; or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, email [fedreg.legal@nara.gov](mailto:fedreg.legal@nara.gov), or go to: <https://www.archives.gov/federal-register/cfr/ibr-locations.html>.

(c) EPA approved regulations.

#### EPA APPROVED IDAHO REGULATIONS AND STATUTES

State citation	Title/subject	State effective date	EPA approval date	Explanations
<b>Idaho Administrative Procedures Act (IDAPA) 58.01.01—Rules for the Control of Air Pollution in Idaho</b>				
001 .....	Title and Scope .....	5/1/1994	1/16/2003, 68 FR 2217	
004 .....	Catchlines .....	5/1/1994	1/16/2003, 68 FR 2217	
005 .....	Definitions .....	5/1/1994	1/16/2003, 68 FR 2217	
006 .....	General Definitions .....	4/11/2015, 4/4/2013, 3/30/2007, 4/11/2006, 7/1/2002, 4/5/2000, 3/20/1997, 5/1/1994	8/12/2016, 81 FR 53290.	Except Section 006.49, 006.50, 006.51, 006.66, 006.67, 006.68.b, 006.116, and 006.118.
007 .....	Definitions for the Purposes of Sections 200 through 225 and 400 through 461.	3/30/2007, 4/11/2006, 4/5/2000, 6/30/1995, 5/1/1995, 5/1/1994	6/9/2011, 76 FR 33647	
011 .....	Definitions for the Purposes of Sections 790 through 799.	3/15/2002	8/12/2016, 81 FR 53290	
106 .....	Abbreviations .....	5/1/1994	1/16/2003, 68 FR 2217	
107 .....	Incorporations by Reference .....	3/28/2018, 3/25/2016, 3/20/2014, 3/30/2007, 7/1/1997, 5/1/1994	8/20/2018, 83 FR 42033.	Except Section 107.03.f through 107.03.p.
121 .....	Compliance Requirements by De- partment.	5/1/1994	1/16/2003, 68 FR 2217	
122 .....	Information Orders by the Depart- ment.	4/5/2000, 5/1/1994	1/16/2003, 68 FR 2217	
123 .....	Certification of Documents .....	5/1/1994	1/16/2003, 68 FR 2217	
124 .....	Truth, Accuracy and Complete- ness of Documents.	5/1/1994	1/16/2003, 68 FR 2217	
125 .....	False Statements .....	3/23/1998	1/16/2003, 68 FR 2217	
126 .....	Tampering .....	3/23/1998	1/16/2003, 68 FR 2217	
127 .....	Format of Responses .....	5/1/1994	1/16/2003, 68 FR 2217	
130 .....	Startup, Shutdown, Scheduled Maintenance, Safety Measures, Upset and Breakdown.	4/5/2000	1/16/2003, 68 FR 2217	
131 .....	Excess Emissions .....	4/5/2000	1/16/2003, 68 FR 2217	
132 .....	Correction of Condition .....	4/5/2000	1/16/2003, 68 FR 2217	

## EPA APPROVED IDAHO REGULATIONS AND STATUTES—Continued

State citation	Title/subject	State effective date	EPA approval date	Explanations
133 .....	Start-up, Shutdown and Scheduled Maintenance Requirements.	4/11/2006, 4/5/2000, 3/20/1997	11/26/2010, 75 FR 72719	Except for provisions relating to hazardous air pollutants.
134 .....	Upset, Breakdown and Safety Requirements.	4/11/2006, 4/5/2000, 3/20/1997	11/26/2010, 75 FR 72719	
135 .....	Excess Emission Reports .....	4/11/2006, 4/5/2000, 3/20/1997	11/26/2010, 75 FR 72719	
136 .....	Excess Emission Records .....	4/5/2000, 3/23/1998, 3/20/1997	1/16/2003, 68 FR 2217	
155 .....	Circumvention .....	4/11/2006	11/26/2010, 75 FR 72719	
156 .....	Total Compliance .....	5/1/1994	1/16/2003, 68 FR 2217	
157 .....	Test Methods and Procedures .....	4/11/2015	8/12/2016, 81 FR 53290	
160 .....	Provisions Governing Specific Activities and Conditions.	4/5/2000	1/16/2003, 68 FR 2217	
162 .....	Modifying Physical Conditions .....	5/1/1994	1/16/2003, 68 FR 2217	
163 .....	Source Density .....	5/1/1994	1/16/2003, 68 FR 2217	
164 .....	Polychlorinated Biphenyls (PCBs)	5/1/1994	1/16/2003, 68 FR 2217	
175 .....	Procedures and Requirements for Permits Establishing a Facility Emissions Cap.	4/11/2015	8/12/2016, 81 FR 53290	
176 .....	Facility Emissions Cap .....	4/11/2015	8/12/2016, 81 FR 53290.	
177 .....	Application Procedures .....	4/11/2015	8/12/2016, 81 FR 53290	
178 .....	Standard Contents of Permits Establishing a Facility Emissions Cap.	4/11/2015	8/12/2016, 81 FR 53290	
179 .....	Procedures for Issuing Permits Establishing a Facility Emissions Cap.	4/11/2015	8/12/2016, 81 FR 53290	
180 .....	Revisions to Permits Establishing a Facility Emissions Cap.	4/11/2015	8/12/2016, 81 FR 53290	
181 .....	Notice and Recordkeeping of Estimates of Ambient Concentrations.	4/11/2015	8/12/2016, 81 FR 53290	
200 .....	Procedures and Requirements for Permits to Construct.	3/25/2016	5/12/2017, 82 FR 22083	
201 .....	Permit to Construct Required .....	4/11/2006	8/12/2016, 81 FR 53290	
202 .....	Application Procedures .....	4/11/2015	8/12/2016, 81 FR 53290	
203 .....	Permit Requirements for New and Modified Stationary Sources.	5/1/1994	1/16/2003, 68 FR 2217	Except subsection 203.03.
204 .....	Permit Requirements for New Major Facilities or Major Modifications in Nonattainment Areas.	4/2/2008, 3/30/2007, 4/6/2005, 4/5/2000, 5/1/1994	11/26/2010, 75 FR 72719	
205 .....	Permit Requirements for New Major Facilities or Major Modifications in Attainment or Unclassifiable Areas.	4/2/2008, 3/30/2007, 4/6/2005	11/26/2010, 75 FR 72719	
206 .....	Optional Offsets for Permits to Construct.	4/6/2005	11/26/2010, 75 FR 72719	
207 .....	Requirements for Emission Reduction Credit.	5/1/1994	1/16/2003, 68 FR 2217	
208 .....	Demonstration of Net Air Quality Benefit.	4/5/2000, 5/1/1994	1/16/2003, 68 FR 2217	
209 .....	Procedures for Issuing Permits .....	4/11/2006, 4/6/2005, 5/3/2003, 7/1/2002, 4/5/2000, 3/19/1999, 3/23/1998, 5/1/1994	11/26/2010, 75 FR 72719	
211 .....	Conditions for Permits to Construct.	5/1/1994	1/16/2003, 68 FR 2217	
212 .....	Obligation to Comply .....	5/1/1994	1/16/2003, 68 FR 2217	
213 .....	Pre-Permit Construction .....	4/11/2006, 5/3/2003, 4/5/2000, 3/23/1998	11/26/2010, 75 FR 72719	
220 .....	General Exemption Criteria for Permit to Construct Exemptions.	4/4/2013, 4/5/2000	3/3/2014, 79 FR 11711	
221 .....	Category I Exemption .....	4/5/2000	1/16/2003, 68 FR 2217	
222 .....	Category II Exemption .....	4/4/2013, 4/11/2006, 4/5/2000, 5/1/1994, 7/1/1997	3/3/2014, 79 FR 11711	

## EPA APPROVED IDAHO REGULATIONS AND STATUTES—Continued

State citation	Title/subject	State effective date	EPA approval date	Explanations
400 .....	Procedures and Requirements for Tier II Operating Permits.	7/1/2002	11/26/2010, 75 FR 72719	Except 401.01.a and 401.04.
401 .....	Tier II Operating Permit .....	4/11/2015	8/12/2016, 81 FR 53290.	
402 .....	Application Procedures .....	7/1/2002, 5/1/1994, 4/5/2000, 7/1/2002	11/26/2010, 75 FR 72719	1/16/2003, 68 FR 2217
403 .....	Permit Requirements for Tier II Sources.	5/1/1994	1/16/2003, 68 FR 2217	
404 .....	Procedure for Issuing Permits .....	4/11/2006, 4/5/2000, 5/1/1994, 7/1/2002	11/26/2010, 75 FR 72719	1/16/2003, 68 FR 2217
405 .....	Conditions for Tier II Operating Permits.	5/1/1994	1/16/2003, 68 FR 2217	
406 .....	Obligation to Comply .....	5/1/1994	1/16/2003, 68 FR 2217	11/26/2010, 75 FR 72719
460 .....	Requirements for Emission Reduction Credits.	4/11/2006, 4/5/2000, 5/1/1994	11/26/2010, 75 FR 72719	
461 .....	Requirements for Banking Emission Reduction Credits (ERC's).	4/5/2000, 5/1/1994	1/16/2003, 68 FR 2217	1/16/2003, 68 FR 2217
500 .....	Registration Procedures and Requirements for Portable Equipment.	5/1/1994	1/16/2003, 68 FR 2217	
510 .....	Stack Heights and Dispersion Techniques.	5/1/1994	1/16/2003, 68 FR 2217	11/26/2010, 75 FR 72719
511 .....	Applicability .....	4/11/2006	11/26/2010, 75 FR 72719	
512 .....	Definitions .....	4/11/2006, 5/1/1994, 4/5/2000	11/26/2010, 75 FR 72719	11/26/2010, 75 FR 72719
513 .....	Requirements .....	4/11/2006	11/26/2010, 75 FR 72719	
514 .....	Opportunity for Public Hearing .....	5/1/1994	1/16/2003, 68 FR 2217	1/16/2003, 68 FR 2217
515 .....	Approval of Field Studies and Fluid Models.	5/1/1994	1/16/2003, 68 FR 2217	
516 .....	No Restriction on Actual Stack Height.	5/1/1994	1/16/2003, 68 FR 2217	1/16/2003, 68 FR 2217
550 .....	Air Pollution Emergency Rule .....	5/1/1994	1/16/2003, 68 FR 2217	
551 .....	Episode Criteria .....	5/1/1994	1/16/2003, 68 FR 2217	1/16/2003, 68 FR 2217
552 .....	Stages .....	3/15/2002, 5/1/1994	1/16/2003, 68 FR 2217	
553 .....	Effect of Stages .....	3/15/2002	1/16/2003, 68 FR 2217	1/16/2003, 68 FR 2217
556 .....	Criteria for Defining Levels Within Stages.	3/15/2002, 4/5/2000	1/16/2003, 68 FR 2217	
557 .....	Public Notification .....	5/1/1994	1/16/2003, 68 FR 2217	1/16/2003, 68 FR 2217
558 .....	Information To Be Given .....	3/15/2002, 5/1/1994	1/16/2003, 68 FR 2217	
559 .....	Manner and Frequency of Notification.	5/1/1994	1/16/2003, 68 FR 2217	11/26/2010, 75 FR 72719
560 .....	Notification to Sources .....	4/11/2006	11/26/2010, 75 FR 72719	
561 .....	General Rules .....	4/11/2006, 5/1/1994, 3/15/2002	11/26/2010, 75 FR 72719	1/16/2003, 68 FR 2217
562 .....	Specific Emergency Episode Abatement Plans for Point Sources.	5/1/1994	1/16/2003, 68 FR 2217	
563 .....	Transportation Conformity .....	3/30/2001	4/12/2001, 66 FR 18873	4/12/2001, 66 FR 18873
564 .....	Incorporation by Reference .....	3/30/2001	4/12/2001, 66 FR 18873	
565 .....	Abbreviations .....	3/30/2001	4/12/2001, 66 FR 18873	4/12/2001, 66 FR 18873
566 .....	Definitions for the Purpose of Sections 563 Through 574 and 582.	3/30/2001	4/12/2001, 66 FR 18873	
567 .....	Agencies Affected by Consultation	3/30/2001	4/12/2001, 66 FR 18873	4/12/2001, 66 FR 18873
568 .....	ICC Member Roles in Consultation	3/30/2001	4/12/2001, 66 FR 18873	
569 .....	ICC Member Responsibilities in Consultation.	3/30/2001	4/12/2001, 66 FR 18873	4/12/2001, 66 FR 18873
570 .....	General Consultation Process .....	3/30/2001	4/12/2001, 66 FR 18873	
571 .....	Consultation Procedures .....	3/30/2001	4/12/2001, 66 FR 18873	4/12/2001, 66 FR 18873
572 .....	Final Conformity Determinations by USDOT.	3/30/2001	4/12/2001, 66 FR 18873	
573 .....	Resolving Conflicts .....	3/30/2001	4/12/2001, 66 FR 18873	

## EPA APPROVED IDAHO REGULATIONS AND STATUTES—Continued

State citation	Title/subject	State effective date	EPA approval date	Explanations
574 .....	Public Consultation Procedures ....	3/30/2001	4/12/2001, 66 FR 18873	
575 .....	Air Quality Standards and Area Classification.	4/11/2006	11/26/2010, 75 FR 72719	
576 .....	General Provisions for Ambient Air Quality Standards.	5/1/1994	1/16/2003, 68 FR 2217	
578 .....	Designation of Attainment, Unclassifiable, and Nonattainment Areas.	5/1/1994	1/16/2003, 68 FR 2217	
579 .....	Baselines for Prevention of Significant Deterioration.	4/11/2015	8/12/2016, 81 FR 53290	
580 .....	Classification of Prevention of Significant Deterioration Areas.	4/5/2000, 5/1/1994	1/16/2003, 68 FR 2217	
581 .....	Prevention of Significant Deterioration (PSD) Increments.	10/6/2010, 4/11/2006, 7/1/1997, 5/1/1994	7/17/2012, 77 FR 41916	
600 .....	Rules for Control of Open Burning	4/2/2008	8/1/2008, 73 FR 44915	Previous EPA Approval Date of 7/11/2005 removed in response to 9th Circuit remand.
601 .....	Fire Permits, Hazardous Materials and Liability.	4/2/2008	8/1/2008, 73 FR 44915	Previous EPA Approval Date of 7/11/2005 removed in response to 9th Circuit remand.
602 .....	Nonpreemption of Other Jurisdictions.	4/2/2008	8/1/2008, 73 FR 44915	Previous EPA Approval Date of 7/11/2005 removed in response to 9th Circuit remand.
603 .....	General Restrictions .....	4/2/2008, 3/21/2003, 5/1/1994	8/1/2008, 73 FR 44915	Previous EPA Approval Date of 7/11/2005 removed in response to 9th Circuit remand.
606 .....	Categories of Allowable Burning ...	4/2/2008	8/1/2008, 73 FR 44915	Previous EPA Approval Date of 7/11/2005 removed in response to 9th Circuit remand.
607 .....	Recreational and Warming Fires ..	3/21/2003	8/1/2008, 73 FR 44915	Previous EPA Approval Date of 7/11/2005 removed in response to 9th Circuit remand.
608 .....	Weed Control Fires .....	5/1/1994	8/1/2008, 73 FR 44915	Previous EPA Approval Date of 7/11/2005 removed in response to 9th Circuit remand.
609 .....	Training Fires .....	3/21/2003	8/1/2008, 73 FR 44915	Previous EPA Approval Date of 7/11/2005 removed in response to 9th Circuit remand.
610 .....	Industrial Flares .....	3/21/2003	8/1/2008, 73 FR 44915	Previous EPA Approval Date of 7/11/2005 removed in response to 9th Circuit remand.
611 .....	Residential Solid Waste Disposal Fires.	5/1/1994	1/16/2003, 68 FR 2217	
612 .....	Landfill Disposal Site Fires .....	3/21/2003	8/1/2008, 73 FR 44915	Previous EPA Approval Date of 7/11/2005 removed in response to 9th Circuit remand.
613 .....	Orchard Fires .....	3/21/2003, 5/1/1994	8/1/2008, 73 FR 44915	Previous EPA Approval Date of 7/11/2005 removed in response to 9th Circuit remand.
614 .....	Prescribed Burning .....	5/1/1994	1/16/2003, 68 FR 2217	
615 .....	Dangerous Material Fires .....	3/21/2003	8/1/2008, 73 FR 44915	Previous EPA Approval Date of 7/11/2005 removed in response to 9th Circuit remand.
616 .....	Infectious Waste Burning .....	3/21/2003	8/1/2008, 73 FR 44915	Previous EPA Approval Date of 7/11/2005 removed in response to 9th Circuit remand.
617 .....	Crop Residue .....	7/1/2011, 4/2/2008	3/19/2013, 78 FR 16790	
618 .....	Permit By Rule .....	7/1/2011, 4/2/2008	3/19/2013, 78 FR 16790	
619 .....	Registration for Permit By Rule ....	4/2/2008	8/1/2008, 73 FR 44915	
620 .....	Burn Fee .....	4/11/2019	12/9/2019, 84 FR 67189	
621 .....	Burn Determination .....	2/28/2018, 4/2/2008	6/19/2018, 83 FR 28382; 8/1/2008, 73 FR 44915	
622 .....	General Provisions .....	7/1/2011, 4/2/2008	3/19/2013, 78 FR 16790	
623 .....	Public Notification .....	7/1/2011, 4/2/2008	3/19/2013, 78 FR 16790	

## EPA APPROVED IDAHO REGULATIONS AND STATUTES—Continued

State citation	Title/subject	State effective date	EPA approval date	Explanations
624 .....	Spot Burn, Baled Agricultural Residue Burn, and Propane Flaming Permits.	7/1/2011	3/19/2013, 78 FR 16790	
625 .....	Visible Emissions .....	4/2/2008	8/1/2008, 73 FR 44915	
626 .....	General Restrictions on Visible Emissions from Wigwam Burners.	4/5/2000	1/16/2003, 68 FR 2217	
650 .....	Rules for Control of Fugitive Dust	5/1/1994	1/16/2003, 68 FR 2217	
651 .....	General Rules .....	3/30/2007, 5/1/1994	6/9/2011, 76 FR 33647	
665 .....	Regional Haze Rules .....	3/30/2007	6/9/2011, 76 FR 33647	
666 .....	Reasonable Progress Goals .....	3/30/2007	6/9/2011, 76 FR 33647	
667 .....	Long-Term Strategy for Regional Haze.	3/30/2007	6/9/2011, 76 FR 33647	
668 .....	BART Requirement for Regional Haze.	3/30/2007	6/9/2011, 76 FR 33647	
675 .....	Fuel Burning Equipment—Particulate Matter.	4/5/2000	1/16/2003, 68 FR 2217	
676 .....	Standards for New Sources .....	5/1/1994	1/16/2003, 68 FR 2217	
677 .....	Standards for Minor and Existing Sources.	5/1/1994	1/16/2003, 68 FR 2217	
678 .....	Combinations of Fuels .....	5/1/1994	1/16/2003, 68 FR 2217	
679 .....	Averaging Period .....	4/11/2006, 5/1/1994	11/26/2010, 75 FR 72719	
680 .....	Altitude Correction .....	5/1/1994	1/16/2003, 68 FR 2217	
681 .....	Test Methods and Procedures .....	4/5/2000	1/16/2003, 68 FR 2217	
700 .....	Particulate Matter Process Weight Limitations.	5/3/2003, 4/5/2000	11/26/2010, 75 FR 72719	
701 .....	Particulate Matter—New Equipment Process Weight Limitations.	4/5/2000	1/16/2003, 68 FR 2217	
702 .....	Particulate Matter—Existing Equipment Process Weight Limitations.	4/5/2000, 5/1/1994	1/16/2003, 68 FR 2217	
703 .....	Particulate Matter—Other Processes.	4/5/2000	1/16/2003, 68 FR 2217	
725 .....	Rules for Sulfur Content of Fuels	4/11/2015	8/12/2016, 81 FR 53290	
785 .....	Rules for Control of Incinerators ...	5/1/1994	1/16/2003, 68 FR 2217	
786 .....	Emission Limits .....	4/5/2000	1/16/2003, 68 FR 2217	
787 .....	Exceptions .....	3/23/1998	1/16/2003, 68 FR 2217	
790 .....	Rules for the Control of Non-metallic Mineral Processing Plants.	3/15/2002	8/12/2016, 81 FR 53290.	
791 .....	General Control Requirements .....	3/15/2002	8/12/2016, 81 FR 53290	
793 .....	Emissions Standards for Non-metallic Mineral Processing Plants not Subject to 40 CFR 60, Subpart OOO.	3/15/2002	8/12/2016, 81 FR 53290	
794 .....	Permit Requirements .....	4/11/2015	8/12/2016, 81 FR 53290.	Except Section 794.04.
795 .....	Permit by Rule Requirements .....	3/15/2002	8/12/2016, 81 FR 53290	
796 .....	Applicability .....	3/15/2002	8/12/2016, 81 FR 53290	
797 .....	Registration for Permit by Rule .....	3/15/2002	8/12/2016, 81 FR 53290	
798 .....	Electrical Generators .....	3/15/2002	8/12/2016, 81 FR 53290	
799 .....	Nonmetallic Mineral Processing Plan Fugitive Dust Best Management Practice.	3/15/2002	8/12/2016, 81 FR 53290	
805 .....	Rules for Control of Hot-mix Asphalt Plants.	5/1/1994	1/16/2003, 68 FR 2217	
806 .....	Emission Limits .....	5/1/1994	1/16/2003, 68 FR 2217	
807 .....	Multiple Stacks .....	5/1/1994	1/16/2003, 68 FR 2217	
808 .....	Fugitive Dust Control .....	5/1/1994	1/16/2003, 68 FR 2217	
815 .....	Rules for Control of Kraft Pulp Mills.	3/29/2012	4/8/2019, 84 FR 13803	
818 .....	Kraft Pulp Mill LVHC and HVLC Gas Venting Notification and Reporting.	3/29/2012	4/8/2019, 84 FR 13803	

## EPA APPROVED IDAHO REGULATIONS AND STATUTES—Continued

State citation	Title/subject	State effective date	EPA approval date	Explanations
845 .....	Rules for Control of Sulfur Oxide Emissions from Sulfuric Acid Plants.	5/1/1994	1/16/2003, 68 FR 2217	
846 .....	Emission Limits .....	4/5/2000	1/16/2003, 68 FR 2217	
847 .....	Monitoring and Testing .....	4/5/2000	1/16/2003, 68 FR 2217	
848 .....	Compliance Schedule .....	5/1/1994	1/16/2003, 68 FR 2217	

## City and County Ordinances

City of Sandpoint Ordinance No. 939.	Material Specifications for Street Sanding Material.	2/22/1994 (City adoption date)	6/26/2002, 67 FR 43006.	Sandpoint PM <sub>10</sub> Nonattainment Area Plan.
City of Sandpoint Chapter 8 Air Quality (4–8–1 through 4–8–14).	Solid Fuel Heating Appliances .....	9/21/2011 (City adoption date)	4/3/2013, 78 FR 20001	Codified version of City of Sandpoint Ordinance No. 965 as amended by Ordinance No. 1237 and Ordinance No. 1258. Sandpoint PM <sub>10</sub> Limited Maintenance Plan.
Ada County Ordinance.	The 1999 Motor Vehicle Emissions Control Ordinance.	6/15/1999 (County approval date)	10/28/2002, 67 FR 65713.	Northern Ada County CO Maintenance Plan.
City of Boise Ordinance.	The 1999 Motor Vehicle Emissions Control Ordinance.	7/20/1999 (City approval date)	10/28/2002, 67 FR 65713.	Northern Ada County CO Maintenance Plan.
City of Eagle Ordinance.	The 1999 Motor Vehicle Emissions Control Ordinance.	4/27/1999 (City approval date)	10/28/2002, 67 FR 65713.	Northern Ada County CO Maintenance Plan.
City of Garden City Ordinance.	The 1991 Vehicle Emission Control Ordinance.	8/13/1996 (Most recently amended)	10/28/2002, 67 FR 65713.	Northern Ada County CO Maintenance Plan.
City of Meridian Ordinance.	The 1999 Motor Vehicle Emissions Control Ordinance.	6/1/1999 (City approval date)	10/28/2002, 67 FR 65713.	Northern Ada County CO Maintenance Plan.
Boise City Ordinance 4432.	Parking Permits .....	8/13/1979 (City approval date)	6/6/1985, 50 FR 23810	Transportation Control Plan for carbon monoxide, Ada County.
City of Garden City Ordinance 514, 533, and 624.	Solid Fuel Heating Appliance Ordinance of the City of Garden City, Idaho.	5/14/1987, 1/10/1989, 9/13/1994 (City approval dates)	5/30/1996, 61 FR 27019.	Northern Ada County PM <sub>10</sub> Nonattainment Area Plan.
Meridian Ordinance 667.	Meridian Clean Air Ordinance .....	8/16/1994 (City approval date)	5/30/1996, 61 FR 27019.	Northern Ada County PM <sub>10</sub> Nonattainment Area Plan.
City of Eagle Ordinance 245.	City of Eagle Clean Air Ordinance	4/26/1994 (City approval date)	5/30/1996, 61 FR 27019.	Northern Ada County PM <sub>10</sub> Nonattainment Area Plan.
Ada County Ordinance 254.	Ada County Clean Air Ordinance ..	11/3/1992 (County adoption date)	5/30/1996, 61 FR 27019.	Northern Ada County PM <sub>10</sub> Nonattainment Area Plan.
Table: Ordinance-1	Explanation of enforcement procedures, responsibilities and sources of funding for the Northern Ada County Wood Burning Control Ordinances.	12/30/1994 (date of table)	5/30/1996, 61 FR 27019.	Northern Ada County PM <sub>10</sub> Nonattainment Area Plan.
City of Pocatello Ordinance 2450.	Residential wood combustion curtailment ordinance.	1/12/1994	7/13/2006, 71 FR 39574.	(Portneuf Valley Nonattainment Area Plan and Maintenance Plan).
City of Pocatello Ordinance 2726.	Revised air quality curtailment levels.	9/18/2003	7/13/2006, 71 FR 39574.	(Portneuf Valley Nonattainment Area Plan and Maintenance Plan).
City of Chubbuck Ordinance 403.	Residential wood combustion curtailment ordinance.	11/23/1993	7/13/2006, 71 FR 39574.	(Portneuf Valley Nonattainment Area Plan and Maintenance Plan).
City of Chubbuck Ordinance 582.	Revised air quality curtailment levels.	12/9/2003	7/13/2006, 71 FR 39574.	(Portneuf Valley Nonattainment Area Plan and Maintenance Plan).
City of Clifton Ordinance No. 120.	Ordinance No. 120 .....	8/11/2012	3/25/2014, 79 FR 16201.	Except Section 9 (Penalty).
City of Dayton Ordinance #287.	Ordinance #287 .....	8/8/2012	3/25/2014, 79 FR 16201.	Except Section 9 (Penalty).
Franklin City Ordinance No. 2012–9–12.	Solid Fuel Heating Appliances .....	9/12/2012	3/25/2014, 79 FR 16201.	Except Section 9 (Penalty).
Franklin County Ordinance No. 2012–6–25.	Solid Fuel Heating Appliances .....	6/25/2012	3/25/2014, 79 FR 16201.	Except Section 9 (Penalty).
City of Oxford Memorandum of Understanding.	Solid Fuel Heating Appliances .....	10/22/2012	3/25/2014, 79 FR 16201.	Except #2 of the MOA and Section 9 of Exhibit A.
City of Preston Ordinance No. 2012–1.	Ordinance No. 2012–1 .....	6/11/2012	3/25/2014, 79 FR 16201.	Except Section 9 (Penalty).

## EPA APPROVED IDAHO REGULATIONS AND STATUTES—Continued

State citation	Title/subject	State effective date	EPA approval date	Explanations
City of Weston Ordinance No. 2012–01.	Ordinance No. 2012–01 .....	8/1/2012	3/25/2014, 79 FR 16201.	Except Section 9 (Penalty).
<b>State Statutes</b>				
Section 4 of Senate Bill 1024, codified at Idaho Code section 39–114.	Open Burning of Crop Residue .....	2/28/2018	12/9/2019, 84 FR 67189	

(d) EPA approved State Source-specific requirements.

EPA APPROVED IDAHO SOURCE-SPECIFIC REQUIREMENTS <sup>1</sup>

Name of source	Permit No.	State effective date	EPA approval date	Explanation
LP Wood Polymers, Inc., Meridian, Idaho.	001–00115 .....	7/12/2002	10/27/2003, 68 FR 61106.	The following conditions: 1.1, 1.3, 3.1, and the Appendix. (Boise/Ada County Maintenance Plan).
Consolidated Concrete Company, Boise, Idaho.	001–00046 .....	12/3/2001	10/27/2003, 68 FR 61106.	The following conditions: 1.1, 1.3, 2.3, 3.1, 3.2, and the Appendix. (Boise/Ada County Maintenance Plan).
Crookham Company, Caldwell, Idaho.	027–00020 .....	1/18/2002	10/27/2003, 68 FR 61106.	The following conditions: 1.1, 1.3, 2.1, 2.3, 3.1, 3.1.1, 3.1.2, 3.2, and the Appendix. (Boise/Ada County Maintenance Plan).
Double D Service Center, Meridian, Idaho.	001–00168 .....	2/4/2002	10/27/2003, 68 FR 61106.	The following conditions: 1.1, 1.3, 3.1, 3.2.1, 3.2.2, 3.2.3, and the Appendix. (Boise/Ada County Maintenance Plan).
Plum Creek Northwest Lumber, Inc., Meridian, Idaho.	001–00091 .....	7/12/2002	10/27/2003, 68 FR 61106.	The following conditions: 1.1, 1.3, 2.1.2, 3.1, and the Appendix. (Boise/Ada County Maintenance Plan).
C. Wright Construction, Inc., Meridian, Idaho.	T2–000033 .....	7/8/2003	10/27/2003, 68 FR 61106.	The following conditions: 2 (heading only), 2.5, (2.12, Table 2.2 as it applies to PM <sub>10</sub> ), 2.14, 3 (heading only), 3.3, Table 3.2, 3.4, 3.5, 3.6, 3.7, 3.8, 3.10, 4 (heading only), 4.2, 4.3, 4.4, 4.7, 5, and Table 5.1. (Boise/Ada County Maintenance Plan).
Nelson Construction Co., Boise, Idaho.	T2–020029 .....	7/21/2003	10/27/2003, 68 FR 61106.	The following conditions: 2 (heading only), 2.12, 2.14, 3 (heading only), 3.3, 3.4, 3.6, 3.7, 3.9, 3.10, 3.11, 3.12, 4 (heading only), 4.3, 4.4, 4.5, 4.6, 5, and Table 5.1. (Boise/Ada County Maintenance Plan).
Mike's Sand and Gravel, Nampa, Idaho.	001–00184 .....	7/12/2002	10/27/2003, 68 FR 61106.	The following conditions: 1.1, 1.3, 2.2.1, 3.1, and the Appendix. (Boise/Ada County Maintenance Plan).
Idaho Concrete Co., Eagle, Idaho.	T2–020031 .....	7/8/2003	10/27/2003, 68 FR 61106.	The following conditions: 2 (heading only), 2.5, 2.13, 3 (heading only), 3.3, 3.4, 3.6, 3.7, 3.8, 4 (heading only), and Table 4.1. (Boise/Ada County Maintenance Plan).
Idaho Concrete Co., Eagle, Idaho.	T2–020032 .....	7/8/2003	10/27/2003, 68 FR 61106.	The following conditions: 2 (heading only), 2.5, 2.13, 3 (heading only), 3.3, 3.4, 3.6, 3.7, 3.8, 4 (heading only), and Table 4.1. (Boise/Ada County Maintenance Plan).

EPA APPROVED IDAHO SOURCE-SPECIFIC REQUIREMENTS <sup>1</sup>—Continued

Name of source	Permit No.	State effective date	EPA approval date	Explanation
Idaho Concrete Co. Eagle, Idaho.	T2-020033 .....	7/8/2003	10/27/2003, 68 FR 61106.	The following conditions: 2 (heading only), 2.5, 2.13, 3 (heading only), 3.3, 3.4, 3.6, 3.7, 3.8, 4 (heading only), and Table 4.1. (Boise/Ada County Maintenance Plan).
The Amalgamated Sugar Company LLC, Nampa, Idaho.	027-00010 .....	9/30/2002	10/27/2003, 68 FR 61106 and 11/1/2004, 69 FR 63324.	The following conditions: 2 (heading only), (2.7, Table 2.2 as it applies to PM <sub>10</sub> ), 2.10, 2.10.1, 2.10.2, 2.11, 2.11.1, 2.11.2, 2.11.3, 2.11.4, 2.11.5, 2.12, 2.12.1, 2.12.2, 2.12.3, 2.13, 2.13.1, 2.13.2, 2.13.3, 2.14, 2.14.1, 2.14.2, 2.16, 3 (heading only), (3.3, Table 3.2 as it applies to PM <sub>10</sub> ), 3.5, 3.7, 3.8, 3.8.1, 3.8.2, 3.8.3, 3.8.4, 3.8.5, 3.8.6, 3.8.7, 3.8.8, 3.9, 4 (heading only), (4.3, Table 4.1 as it applies to PM <sub>10</sub> ), 4.5, 4.6, 4.7, 5 (heading only), (5.3, Table 5.3 as it applies to PM <sub>10</sub> ), 5.5, 5.9, 5.9.1, 5.9.2, 5.9.3, 5.9.4, 5.9.5, 5.9.6, 5.9.7, 5.9.8, 5.9.9, 5.10, 5.11, 6 (heading only), 6.3, Table 6.1, 6.5, 6.6, 6.7, 6.7.1, 6.7.2, 6.8, 7 (heading only), 7.3, Table 7.1 as it applies to PM <sub>10</sub> , 7.5, 7.7, 7.7.1, 7.7.2, 7.8, 8 (heading only), 8.3, Table 8.1, 8.5, 8.7, 8.7.1, 8.7.2, 8.8, 9 (heading only), 9.3, Table 9.1, 9.5, 9.7, 9.7.1, 9.7.2, 9.8, 10 (heading only), 10.3, Table 10.1, 10.6, 10.8, 10.8.1, 10.8.2, 10.9, 11 (heading only), 11.3, Table 11.2, 11.6, 11.8, 11.8.1, 11.8.2, 11.9, 12 (heading only), 12.3, Table 12.1, 12.5, 12.7, 12.7.1, 12.7.2, 12.8, 13 (heading only), 13.1 (except as it applies to condition 13.3, 13.3.1, 13.3.2, 13.5, 13.5.1, 13.5.2, 13.5.3, 13.6, 13.6.1, 13.6.2 and 13.9), Table 13.1 (except conditions 13.3, 13.5 and 13.6), (13.2, Table 13.2 as it applies to PM <sub>10</sub> ), 13.2.1, 13.4, 13.4.1, 13.4.2, 13.4.3, 13.7, 13.7.1, 13.7.2, 13.8, 13.8.1, 13.8.2, 13.8.3, 13.10, and 13.11. (Boise/Ada County PM <sub>10</sub> Maintenance Plan).
Lake Pre-Mix, Sandpoint, Idaho.	777-00182 .....	5/17/1996	6/26/2002, 67 FR 43006.	The following conditions for the cement silo vent: 1.1, 2.1.1, 2.1.2, 3.1.1, and 3.1.2. (Sandpoint nonattainment area plan).
Interstate Concrete and Asphalt, Sandpoint, Idaho.	017-00048 .....	8/2/1999	6/26/2002, 67 FR 43006.	The following conditions: for the asphalt plant, 2.2, 3.1.1, 4.1, 4.1.1, 4.1.2, 4.2.1 (as it applies to the hourly PM <sub>10</sub> emission limit in Appendix A), 4.2.2, 4.2.2.1, 4.2.2.2, and 4.2.2.3; for the concrete batch plant, 2.1, 3.1.1, 4.1, 4.1.1, and 4.1.2; Appendix A (as it applies to PM <sub>10</sub> emission rates after 7/1/96) and Appendix B (as it applies after 7/1/96). (Sandpoint nonattainment area plan).

EPA APPROVED IDAHO SOURCE-SPECIFIC REQUIREMENTS <sup>1</sup>—Continued

Name of source	Permit No.	State effective date	EPA approval date	Explanation
Whiteman Lumber Company, Cataldo, ID.	13-1420-062 .....	7/16/1979 (date issued)	7/28/1982, 47 FR 32530.	Silver Valley TSP Nonattainment Area Plan.
Potlatch Corporation, Pulp and Paper Unit, Lewiston, ID.	13-1140-0001-00 .....	7/5/1979 (date issued)	7/28/1982, 47 FR 32530.	Lewiston TSP Nonattainment Area Plan.
Potlatch Corporation, Clearwater Unit, Lewiston, ID.	13-1140-0003 .....	7/5/1979 (date issued)	7/28/1982, 47 FR 32530.	Lewiston TSP Nonattainment Area Plan.
Coast Trading Company, Inc., Lewiston, ID.	13-1140-0011 .....	6/29/1979 (date issued)	7/28/1982, 47 FR 32530.	Lewiston TSP Nonattainment Area Plan.
Lewis-Clark Terminal Association, Lewiston, ID.	13-1140-0010 .....	6/29/1979 (date issued)	7/28/1982, 47 FR 32530.	Lewiston TSP Nonattainment Area Plan.
Poe Asphalt, Lewiston, ID.	0880-0008 .....	3/1/1976 (effective date)	7/28/1982, 47 FR 32530.	Lewiston TSP Nonattainment Area Plan.
FMC Corporation, Pocatello, ID. <sup>2</sup> .	13-1260-0005 .....	2/26/1980 (date issued)	7/28/1982, 47 FR 32530.	Pocatello TSP Nonattainment Area Plan.
J.R. Simplot, Pocatello, ID.	13-1260-0006-00 .....	3/4/1980 (date issued)	7/28/1982, 47 FR 32530.	Pocatello TSP Nonattainment Area Plan.
Idaho Portland Cement Company, Inkom, ID.	13-0080-0004-00 .....	7/18/1979 (date issued)	7/28/1982, 47 FR 32530.	Pocatello TSP Nonattainment Area Plan.
J.R. Simplot Company, Conda, ID.	13-0420-0021-00 .....	7/18/1979 (date issued)	7/28/1982, 47 FR 32530.	Soda Springs TSP Nonattainment Area Plan.
Beker Industries, Conda, ID.	13-0420-0003-00 .....	7/18/1979 (date issued)	7/28/1982, 47 FR 32530.	Soda Springs TSP Nonattainment Area Plan.
Monsanto, Soda Springs, ID.	13-0420-0001-00 .....	7/18/1979 (date issued)	7/28/1982, 47 FR 32530.	Soda Springs TSP Nonattainment Area Plan.
Kerr McGee, Soda Springs, ID.	13-0420-0002-00 .....	7/18/1979 (date issued)	7/28/1982, 47 FR 32530.	Soda Springs TSP Nonattainment Area Plan.
J.R. Simplot, Pocatello, Idaho.	Air Pollution Operating Permit No. T1-9507-114-1; Facility Number No. 077-00006.	4/5/2004	7/13/2006, 71 FR 39574.	The following conditions: Cover page, facility identification information only, #300 Sulfuric Acid Plant, Permit Conditions 16.1, 16.10, 16.11, #400 Sulfuric Acid Plant, Permit Condition 17.1, 17.7, 17.10, 17.11, Phosphoric acid plant, Permit Condition 12.3, 12.13, Granulation No. 3 Process, Permit Condition 9.2.1, Granulation No. 3 stack, 9.17 (except 9.17.1 through 9.17.6), Reclaim Cooling Towers, Permit Condition 14.2, 14.6.1, Babcock & Wilcox Boiler, Permit Condition 6.4, 6.12, HPB&W Boiler, Permit Condition 5.3, 5.13 through 5.18, 5.21.
J.R. Simplot, Pocatello, Idaho.	Compliance Agreement & Voluntary Order Idaho Code 39-116A.	4/16/2004	7/13/2006, 71 FR 39574.	The following conditions: No. 300 Sulfuric Acid Plant; Condition 8 and 9. No. 400 Sulfuric Acid Plant; Condition 10, 11, and 12. Granulation No.1 Plant; Condition 14. Granulation No.2 Plant; Condition 15. Compliance and Performance Testing; Condition 16.
The Amalgamated Sugar Company LLC—Nampa Factory, Nampa, Idaho.	T2-2009.0105 .....	12/23/2011 (date issued)	4/28/2014, 79 FR 23273.	The following conditions: 1.2, including the table of Regulated Emission Point Sources Table, 3.2, 3.3 (first paragraph only), 3.4, 3.5, 3.6, 3.7, 3.8, 3.9, 3.11, 3.13, 3.14, 3.15, 3.16, and 4.1.

EPA APPROVED IDAHO SOURCE-SPECIFIC REQUIREMENTS <sup>1</sup>—Continued

Name of source	Permit No.	State effective date	EPA approval date	Explanation
P4 Production, L.L.C., Soda Springs, Idaho.	T2-2009.0109 .....	11/17/2009 (date issued)	6/22/2011, 76 FR 36329.	The following conditions: 1.2 (including Table 1.1), 2.3, 2.4, 2.5, 2.6, 2.7, and 2.8. (Regional Haze SIP Revision).

<sup>1</sup> EPA does not have the authority to remove these source-specific requirements in the absence of a demonstration that their removal would not interfere with attainment or maintenance of the NAAQS, violate any prevention of significant deterioration increment or result in visibility impairment. Idaho Department of Environmental Quality may request removal by submitting such a demonstration to EPA as a SIP revision.

<sup>2</sup> Only a small portion of this facility is located on State lands. The vast majority of the facility is located in Indian Country. It is EPA's position that unless EPA has explicitly approved a program as applying in Indian country, State or local regulations or permits are not effective within the boundaries of that Indian country land for purposes of complying with the CAA. 68 FR 2217, 2220 (January 16, 2003).

\* \* \* \* \*

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 63

[EPA-HQ-OAR-2019-0392; FRL-10008-48-OAR]

RIN 2060-AT07

### National Emission Standards for Hazardous Air Pollutants: Rubber Tire Manufacturing Residual Risk and Technology Review

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Final rule.

**SUMMARY:** This action finalizes the residual risk and technology review (RTR) conducted for the Rubber Tire Manufacturing source category regulated under national emission standards for hazardous air pollutants (NESHAP). In addition, we are taking final action to add electronic reporting of performance test results and reports, compliance reports, and Notification of Compliance Status (NOCS) reports and to remove the provision that exempts emissions from compliance with the standards during periods of startup, shutdown, and malfunction (SSM). These amendments are made under the authority of the Clean Air Act (CAA) and will improve effectiveness of the rule. The amendments are environmentally neutral.

**DATES:** This final rule is effective on July 24, 2020.

**ADDRESSES:** The U.S. Environmental Protection Agency (EPA) has established a docket for this action under Docket ID No. EPA-HQ-OAR-2019-0392. All documents in the docket are listed on the <https://www.regulations.gov/> website. Although listed, some information is not publicly available, e.g., Confidential Business Information or other information whose disclosure is

restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only in hard copy form. Publicly available docket materials are available electronically through <https://www.regulations.gov/>. Out of an abundance of caution for members of the public and our staff, the EPA Docket Center and Reading Room was closed to public visitors on March 31, 2020, to reduce the risk of transmitting COVID-19. Our Docket Center staff will continue to provide remote customer service via email, phone, and webform. There is a temporary suspension of mail delivery to the EPA, and no hand deliveries are currently accepted. For further information and updates on EPA Docket Center services and the current status, please visit us online at <https://www.epa.gov/dockets>.

**FOR FURTHER INFORMATION CONTACT:** For questions about this final action, contact Mr. Korbin Smith, Sector Policies and Programs Division (D243-04), Office of Air Quality Planning and Standards, U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711; telephone number: (919) 541-2416; fax number: (919) 541-4991; and email address: [smith.korbin@epa.gov](mailto:smith.korbin@epa.gov). For specific information regarding the risk modeling methodology, contact Mr. James Hirtz, Health and Environmental Impacts Division (C539-02), Office of Air Quality Planning and Standards, U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711; telephone number: (919) 541-0881; and email address: [hirtz.james@epa.gov](mailto:hirtz.james@epa.gov). For information about the applicability of the NESHAP to a particular entity, contact Mr. John Cox, Office of Enforcement and Compliance Assurance, U.S. Environmental Protection Agency, WJC South Building (Mail Code 2227A), 1200 Pennsylvania Avenue NW, Washington, DC 20460; telephone number: (202) 564-1395; and email address: [cox.john@epa.gov](mailto:cox.john@epa.gov).

**SUPPLEMENTARY INFORMATION:** *Preamble acronyms and abbreviations.* We use multiple acronyms and terms in this preamble. While this list may not be exhaustive, to ease the reading of this preamble and for reference purposes, the EPA defines the following terms and acronyms here:

CAA Clean Air Act  
 CDX Central Data Exchange  
 CEDRI Compliance and Emissions Data Reporting Interface  
 CFR Code of Federal Regulations  
 EPA Environmental Protection Agency  
 HAP hazardous air pollutant(s)  
 ICR information collection request  
 MACT maximum achievable control technology  
 NESHAP national emission standards for hazardous air pollutants  
 NOCS Notification of Compliance Status  
 NTTAA National Technology Transfer and Advancement Act  
 PRA Paper Reduction Act  
 RFA Regulatory Flexibility Act  
 RIN Regulatory Information Number  
 RTO regenerative thermal oxidizer  
 RTR Risk and Technology Review  
 SSM startup, shutdown, and malfunction  
 tpy tons per year  
 UMRA Unfunded Mandates Reform Act  
 VOC volatile organic compound(s)

*Background information.* On October 30, 2019 the EPA proposed revisions to the Rubber Tire Manufacturing NESHAP based on the RTR. In this action, we are finalizing decisions and revisions for the rule. We summarize some of the more significant comments we timely received regarding the proposed rule and provide our responses in this preamble. A summary of all other public comments on the proposal and the EPA's responses to those comments is available in the *Summary of Public Comments and Responses for Rubber Tire Manufacturing Residual Risk and Technology Review*, Docket ID No. EPA-HQ-OAR-2019-0392. A "track changes" version of the regulatory language that incorporates the changes in this action is available in the docket.

*Organization of this document.* The information in this preamble is organized as follows: