

Chicago Harbor from September 18, 2010 through October 30, 2010. This action is necessary and intended to ensure safety of life on the navigable waters immediately prior to, during, and immediately after fireworks events. This rule will establish restrictions upon, and control movement of, vessels in a specified area immediately prior to, during, and immediately after fireworks events. During the enforcement period, no person or vessel may enter the safety zones without permission of the Captain of the Port, Sector Lake Michigan.

**DATES:** The regulations in 33 CFR 165.931 are enforced from 8:45 p.m. on September 18, 2010 until 9:15 p.m. on October 30, 2010.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this notice, call or e-mail BM1 Adam Kraft, Prevention Department, Coast Guard Sector Lake Michigan, Milwaukee, WI at 414-747-7154, e-mail [Adam.D.Kraft@uscg.mil](mailto:Adam.D.Kraft@uscg.mil).

**SUPPLEMENTARY INFORMATION:** The Coast Guard will enforce the safety zone; Chicago Harbor, Navy Pier Southeast, Chicago, IL, 33 CFR 165.931 for the following events:

(1) *Navy Pier Fireworks*; on September 18, 2010 from 8:45 p.m. through 9:15 p.m.; on September 25, 2010 from 8:45 p.m. through 9:15 p.m.; on October 2, 2010 from 8:45 p.m. through 9:15 p.m.; on October 9, 2010 from 8:45 p.m. through 9:15 p.m.; on October 16, 2010 from 8:45 p.m. through 9:15 p.m.; on October 23, 2010 from 8:45 p.m. through 9:15 p.m.; on October 30, 2010 from 8:45 p.m. through 9:15 p.m.

All vessels must obtain permission from the Captain of the Port, Sector Lake Michigan, or his or her on-scene representative to enter, move within or exit the safety zone. Vessels and persons granted permission to enter the safety zone shall obey all lawful orders or directions of the Captain of the Port, Sector Lake Michigan, or his or her on-scene representative. While within a safety zone, all vessels shall operate at the minimum speed necessary to maintain a safe course.

This notice is issued under authority of 33 CFR 165.931 Safety Zone, Chicago Harbor, Navy Pier Southeast, Chicago, IL and 5 U.S.C. 552(a). In addition to this notice in the **Federal Register**, the Coast Guard will provide the maritime community with advance notification of these enforcement periods via broadcast Notice to Mariners or Local Notice to Mariners. The Captain of the Port, Sector Lake Michigan, will issue a Broadcast Notice to Mariners notifying the public when enforcement of the safety zone established by this section is suspended. If the Captain of the Port,

Sector Lake Michigan, determines that the safety zone need not be enforced for the full duration stated in this notice, he or she may use a Broadcast Notice to Mariners to grant general permission to enter the safety zone. The Captain of the Port, Sector Lake Michigan, or his or her on-scene representative may be contacted via VHF Channel 16.

Dated: September 13, 2010.

**L. Barndt,**

*Captain, U.S. Coast Guard, Captain of the Port, Sector Lake Michigan.*

[FR Doc. 2010-23890 Filed 9-23-10; 8:45 am]

**BILLING CODE 9110-04-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[IN 171; FRL-9200-1]

### Approval and Promulgation of Air Quality Implementation Plans; Indiana; Revised Format for Materials Being Incorporated by Reference

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

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

**SUMMARY:** EPA is revising the format of its regulations for materials submitted by the State of Indiana that have been incorporated by reference (IBR) into its State Implementation Plan (SIP). The regulations and other materials affected by this format change have all been previously submitted by Indiana and approved by EPA as SIP revisions.

**DATES:** *Effective Date:* This final rule is effective on September 24, 2010.

**ADDRESSES:** SIP materials which are incorporated by reference into 40 CFR Part 52 are available for inspection at the following locations: Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604; the Air and Radiation Docket and Information Center, EPA Headquarters Library, Infoterra Room (Room Number 3334), EPA West Building, 1301 Constitution Ave., NW., Washington, DC 20460, and the National Archives and Records Administration. If you wish to obtain materials from a docket in the EPA Headquarters Library, please call the Office of Air and Radiation (OAR) Docket/Telephone number: (202) 566-1742. For information on the availability of this material at NARA, call (202) 741-6030, or go to: [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html).

**FOR FURTHER INFORMATION CONTACT:** Matt Rau, Environmental Engineer, Control Strategies Section, Air Programs Branch (AR-18J), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886-6524, [rau.matthew@epa.gov](mailto:rau.matthew@epa.gov).

#### SUPPLEMENTARY INFORMATION:

Throughout this document whenever “we,” “us,” or “our” is used, we mean EPA. This supplementary information section is arranged as follows:

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#### I. Background

##### A. Description of a SIP

Each State has a SIP containing the control measures and strategies to attain and maintain the National Ambient Air Quality Standards (NAAQS). The SIP is extensive, containing such elements as air pollution control regulations, emission inventories, monitoring networks, attainment demonstrations, and enforcement mechanisms.

##### B. How EPA Enforces SIPs

Before formally adopting required control measures and strategies, each State must provide the public with an opportunity to comment on them. The States then submit them to EPA as requested SIP revisions on which EPA must formally act.

If and when these control measures and strategies are approved by EPA, after notice and comment rulemaking, they are incorporated into the Federally approved SIP and identified in title 40 of the Code of Federal Regulations, part 52 (Approval and Promulgation of Implementation Plans) (40 CFR part 52). The actual State regulations approved by EPA are not reproduced in their entirety in 40 CFR part 52, but are “incorporated by reference,” which means that EPA has approved a given State regulation with a specific effective date. This format allows both EPA and the public to know which measures are contained in a given SIP and to help determine whether the State is enforcing the regulations.

### C. How the State and EPA Update the SIP

The SIP is periodically revised as necessary to address the unique air pollution problems in the State. Therefore, EPA from time to time takes action on State SIP submissions containing new and/or revised regulations and other materials; if approved, they become part of the SIP. On May 22, 1997 (62 FR 27968), EPA revised the procedures for incorporating by reference Federally approved SIPs, as a result of consultations between EPA and the Office of the Federal Register (OFR).

As a result, EPA began the process of developing the following: (1) A revised SIP document for each State that would be incorporated by reference under the provisions of title 1 CFR part 51; (2) a revised mechanism for announcing EPA approval of revisions to an applicable SIP and updating both the IBR document and the CFR; and (3) a revised format of the "Identification of plan" sections for each applicable subpart to reflect these revised IBR procedures. The description of the revised SIP document, IBR procedures, and "Identification of plan" format are discussed in further detail in the May 22, 1997, **Federal Register** document.

### D. How EPA Compiles the SIP

The Federally approved regulations, source-specific requirements, and nonregulatory provisions (entirely or portions of) submitted by each State agency and approved by EPA have been organized into a "SIP compilation." The compilation is contained in three-ring binders and will be updated, primarily on an annual basis. The Indiana SIP compilation is available at the Environmental Protection Agency, Region 5 office: 77 West Jackson Boulevard, Chicago, Illinois 60604; (312) 886-2395.

### E. How EPA Organizes the SIP Compilation

Each SIP compilation contains three parts approved by EPA: Part one contains regulations, part two contains source-specific requirements, and part three contains nonregulatory provisions. Each State's SIP compilation contains a table of identifying information for each of these three parts. In this action, EPA is publishing the tables summarizing the applicable SIP requirements for Indiana. The effective dates in the tables indicate the date of the most recent revision of each regulation. The EPA Region 5 Office has the primary responsibility for updating the compilation and ensuring its accuracy.

### F. Where You Can Find a Copy of the SIP Compilation

EPA's Region 5 Office developed and will maintain the compilation for Indiana. A copy of the full text of Indiana's regulatory and source-specific compilations will also be maintained at NARA and EPA's Air Docket and Information Center.

### G. The Format of the New Identification of Plan Section

In order to better serve the public, EPA revised the organization of the "Identification of plan" section and included additional information to clarify which provisions are the enforceable elements of the SIP.

The revised Identification of plan section contains five subsections: (a) Purpose and scope, (b) Incorporation by reference, (c) EPA-approved regulations, (d) EPA-approved source-specific requirements, and (e) EPA-approved nonregulatory provisions such as transportation control measures, statutes, control strategies, and monitoring networks.

### H. When a State Submission Becomes Part of the SIP and Federally Enforceable

All revisions to the applicable SIP become Federally enforceable as of the effective date of the revisions to paragraphs (c), (d), or (e) of the applicable Identification of plan section found in each subpart of 40 CFR part 52.

### I. The Historical Record of SIP Revision Approvals

To facilitate enforcement of previously approved SIP provisions and provide a smooth transition to the new SIP compilation, EPA has retained the original Identification of plan section, previously appearing in the CFR as the first or second section of part 52 for each State subpart. After an initial two-year period, EPA will review its experience with the new table format and will decide whether or not to retain the Identification of plan appendices for some further period.

## II. What is EPA doing in this action?

Today's rule constitutes a record keeping exercise to ensure that all revisions to the State programs and accompanying SIP that have already occurred are accurately reflected in 40 CFR part 52. State SIP revisions are controlled by EPA regulations at 40 CFR part 51. When EPA receives a formal SIP revision request, the Agency must publish proposed rulemaking in the **Federal Register** and provide for public comment before approval.

EPA has determined that today's 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. Today's rule simply codifies provisions which are already in effect as a matter of law in Federal and approved State programs. Accordingly, we find that public comment is "unnecessary" and "contrary to the public interest" under section 553 of the APA, since the codification of the revised format for denoting IBR of the State materials into the SIP only reflects existing law and since immediate notice in the CFR benefits the public by removing outdated citations from the CFR.

## III. Statutory and Executive Order Reviews

### A. General Requirements

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not a significant regulatory action and is therefore not subject to review by the Office of Management and Budget. This rule is not subject to Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use (66 FR 28355, May 22, 2001) because it is not a significant regulatory action under Executive Order 12866. Because the agency has made a good cause finding that this action is not subject to notice-and-comment requirements under the Administrative Procedure Act or any other statute as indicated in the **SUPPLEMENTARY INFORMATION** section above, it is not subject to the regulatory flexibility provisions of the Regulatory Flexibility Act (5 U.S.C 601 *et seq.*), or to sections 202 and 205 of the Unfunded Mandates Reform Act of 1995 (UMRA) (Pub. L. 104-4). In addition, this action does not significantly or uniquely affect small governments or impose a significant intergovernmental mandate, as described in sections 203 and 204 of UMRA. This rule also does not have a substantial direct effect on one or more Indian Tribes, on the relationship between the Federal government and Indian Tribes, or on the distribution of power and responsibilities between the Federal government and Indian Tribes, as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), nor will it have substantial direct effects on the States, on the relationship between the national government and the States,

or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999). This rule also is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997), because it is not economically significant. This rule does not involve technical standards; thus the requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) do not apply. The rule also does not involve special consideration of environmental justice related issues as required by Executive Order 12898 (59 FR 7629, February 16, 1994). In issuing this rule, EPA has taken the necessary steps to eliminate drafting errors and ambiguity, minimize potential litigation, and provide a clear legal standard for affected conduct, as required by section 3 of Executive Order 12988 (61 FR 4729, February 7, 1996). EPA has complied with Executive Order 12630 (53 FR 8859, March 15, 1998) by examining the takings implications of the rule in accordance with the Attorney General's Supplemental Guidelines for the Evaluation of Risk and Avoidance of Unanticipated Takings issued under the executive order. This rule does not impose an information collection burden under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). EPA's compliance with these statutes and Executive Orders for the underlying rules are discussed in previous actions taken on the State's rules.

#### B. Submission to Congress and the Comptroller General

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. Section 808 allows the issuing agency to make a rule effective sooner than otherwise provided by the CRA if the agency makes a good cause finding that notice and public procedure is impracticable, unnecessary or contrary to the public interest. Today's action simply codifies provisions which are already in effect as a matter of law in Federal and approved State programs. 5 U.S.C. 808(2). As stated previously, EPA has made such a good cause finding, including the

reasons therefore, and established an effective date of September 24, 2010. EPA will submit a report containing this rule 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**. This rule is not a major rule as defined by 5 U.S.C. 804(2).

#### C. Petitions for Judicial Review

EPA has also determined that the provisions of section 307(b)(1) of the Clean Air Act pertaining to petitions for judicial review are not applicable to this action. Prior EPA rulemaking actions for each individual component of the Indiana SIP compilation 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, EPA sees no need in this action to reopen the 60-day period for filing such petitions for judicial review for these "Identification of plan" reorganization actions for Indiana.

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

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

Dated: August 12, 2010.

**Susan Hedman,**

*Regional Administrator, Region 5.*

■ Part 52 of chapter I, title 40, Code of Federal Regulations, is amended as follows:

#### PART 52—[AMENDED]

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

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

#### Subpart P—Indiana

##### § 52.770 [Redesignated as § 52.800]

■ 2. Section 52.770 is redesignated as § 52.800 and the section heading and paragraph (a) are revised to read as follows:

##### § 52.800 Original identification of plan section.

(a) This section identifies the original "Air Implementation Plan for the State of Indiana" and all revisions submitted

by Indiana that were Federally approved prior to December 31, 2009.

\* \* \* \* \*

■ 3. A new § 52.770 is added to read as follows:

##### § 52.770 Identification of plan.

(a) *Purpose and scope.* This section sets forth the applicable State Implementation Plan (SIP) for Indiana under section 110 of the Clean Air Act, 42 U.S.C. 7401, and 40 CFR Part 51 to meet National Ambient Air Quality Standards.

(b) *Incorporation by reference.* (1) Material listed in paragraphs (c), (d), and (e) of this section with an EPA approval date prior to December 31, 2009, 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. Material is incorporated 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), (d), and (e) of this section with an EPA approval date after December 31, 2009, will be incorporated by reference in the next update to the SIP compilation.

(2) EPA Region 5 certifies that the rules/regulations provided by the EPA in the SIP compilation at the addresses in paragraph (b)(3) of this section are an exact duplicate of the officially promulgated State rules/regulations which have been approved as part of the SIP as of December 31, 2009.

(3) Copies of the materials incorporated by reference may be inspected at the Environmental Protection Agency, Region 5, Air Programs Branch, 77 West Jackson Boulevard, Chicago, IL 60604; the EPA, Air and Radiation Docket and Information Center, EPA Headquarters Library, Infoterra Room (Room Number 3334), EPA West Building, 1301 Constitution Ave., NW., Washington, DC 20460, and the National Archives and Records Administration. If you wish to obtain materials from a docket in the EPA Headquarters Library, please call the Office of Air and Radiation (OAR) Docket/Telephone number: (202) 566-1742. For information on the availability of this material at NARA, call 202-741-6030, or go to: [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html).

(c) EPA approved regulations.

## EPA-APPROVED INDIANA REGULATIONS

Indiana citation	Subject	Indiana effective date	EPA approval date	Notes
<b>Article 1. General Provisions</b>				
1-1 .....	Provisions Applicable Throughout Title 326 .....	6/24/1994 3/16/2005 7/31/2009	2/18/1982, 47 FR 6622 ..... 7/21/1997, 62 FR 38919 ..... 10/19/2005, 70 FR 60735 ..... 11/20/2009, 74 FR 60197 .....	Sec. 4 and 5. Sec. 2. Sec. 6. Sec. 3.
1-2 .....	Definitions .....	9/26/1980  5/18/1990  6/5/1991 6/11/1993  1/21/1995 6/24/1994 1/19/2005 5/26/2007	11/5/1981, 46 FR 54943 .....  3/6/1992, 57 FR 8082 .....  3/6/1992, 57 FR 8082 ..... 6/15/1995, 60 FR 31412 .....  7/5/1995, 60 FR 34856 ..... 7/21/1997, 62 FR 38919 ..... 10/19/2005, 70 FR 60735 ..... 3/18/2008, 73 FR 14389 .....	Sec. 1, 3, 5, 6, 7, 8, 9, 10, 11, 13, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 49, 50, 51, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 91. Sec. 18.5, 21.5, 29.5, 29.6, 49.5. Sec. 14. Sec. 32.1, 34.1, 62.1, 63.1, 63.2. Sec. 22.5, 28.5, 64.1. Sec. 2, 4, 12, 33.1, 33.2. Sec. 52, 52.2, 52.4, 82.5. Sec. 48 and 90.
1-3 .....	Ambient Air Quality Standards .....	4/5/2006	11/27/1981, 46 FR 57895 ..... 10/31/2006, 71 FR 63699 .....	Sec. 1, 2, and 3. Sec. 4.
1-5 .....	Episode Alert Levels .....		5/31/1972, 37 FR 10842.	
1-6 .....	Malfunctions .....	3/15/1984	5/3/1990, 55 FR 18604 .....	Sec. 2 to 6.
1-7 .....	Stack Height Provisions .....	6/24/1994 8/27/1980	7/21/1997, 62 FR 38919 ..... 3/12/1982, 47 FR 10824.	Sec. 1.
<b>Article 2. Permit Review Rules</b>				
2-1.1 .....	General Provisions .....	6/26/1999 9/10/2004 12/16/2007	6/27/2003, 68 FR 38197 ..... 6/18/2007, 72 FR 33395 ..... 10/6/2009, 74 FR 51240 .....	Sec. 6, 8. Sec. 7. Sec. 9.5.
2-2 .....	Prevention of Significant Deterioration (PSD) Requirements.	4/22/2001  4/8/2004 9/10/2004	6/27/2003, 68 FR 38197 .....  5/20/2004, 69 FR 29071 ..... 6/18/2007, 72 FR 33395 .....	Sec. 10, 11, 13, 15, 16.  Sec. 1(m), 1(ll) and Sec. 12. Sec. 1(a)-(l), (n)-(kk), (mm)-(tt), (uu)(1)-(4), (vv)-(aaa); 2(a)-(d)(4), (d)(6)-(e), (g)-(i); 3; 4; 5(a), (c)-(e); 6; 8;.
2-2.4 .....	Actual Plantwide Applicability Limitations in Attainment Areas.	9/10/2004	6/18/2007, 72 FR 33395.	
2-3 .....	Emission Offset .....	12/13/1993 9/10/2004	10/7/1994, 59 FR 51108 ..... 6/18/2007, 72 FR 33395 .....	Sec. 4 and 5. Sec. 1(a)-(i), (k)-(ff), (hh)-(uu); 2(a)-(c)(4), (c)(6)-(k), (m); 3(a)-(b)(11), (b)(14).
2-3.4 .....	Actual Plantwide Applicability Limitations in Nonattainment Areas.	9/10/2004	6/18/2007, 72 FR 33395.	
2-5.1. ....	Construction of New Sources .....	9/10/2004	6/18/2007, 72 FR 33395 .....	Sec. 4.
2-6 .....	Emission Reporting .....	3/27/2004 8/13/2006	10/29/2004, 69 FR 63069 ..... 3/29/2007, 72 FR 14678 .....	Sec. 2, 5. Sec. 1, 3, 4.
2-8 .....	Federally Enforceable State Operating Permit Program.	6/24/1994	8/18/1995, 60 FR 43008 .....	Sec. 1 to 17 except 4.
2-9 .....	Source Specific Operating Agreement Program	12/16/2007 6/24/1994	10/6/2009, 74 FR 51240 ..... 4/2/1996, 61 FR 14487 .....	Sec. 4. Sec. 1, 2(a), 2(b), and 2(e).
<b>Article 3. Monitoring Requirements</b>				
3-1 .....	Continuous Monitoring of Emissions .....		9/4/1981, 46 FR 44448 .....	Sec. 1.
3-2.1 .....	Source Sampling Procedures .....	7/15/1995	4/9/1996, 61 FR 15704 .....	Sec. 5.
3-5 .....	Continuous Monitoring of Emissions .....	3/1/1998	12/28/2009, 74 FR 68541 .....	Sec. 1.
<b>Article 4. Burning Regulations</b>				
4-1 .....	Open Burning .....		6/22/1978, 43 FR 26722 .....	Sec. 4 and 5.

## EPA-APPROVED INDIANA REGULATIONS—Continued

Indiana citation	Subject	Indiana effective date	EPA approval date	Notes
4-2 .....	Incinerators .....	8/25/1982 6/23/1995 12/15/2002	5/18/1983, 48 FR 22294 ..... 2/1/1996, 61 FR 3581 ..... 11/30/2004, 69 FR 69531.	Sec. 0.5 and 2. Sec. 3.
<b>Article 5. Opacity Regulations</b>				
5-1 .....	Opacity Limitations .....	6/11/1993 11/8/1998	6/15/1995, 60 FR 31412 ..... 7/16/2002, 67 FR 46589 .....	Sec. 4(a), 5(a), 5(c), 7. Sec. 1, 2, 3, 4(b), 5(b).
<b>Article 6. Particulate Rules</b>				
6-2 .....	Particulate Emission Limitations for Sources of Indirect Heating.	10/21/1983	5/17/1985, 50 FR 20569.	
6-3 .....	Particulate Emission Limitations for Manufacturing Processes.	6/12/2002	7/25/2005, 70 FR 42495.	
6-4 .....	Fugitive Dust Emissions .....	11/16/1973	10/28/1975, 40 FR 50032.	
6-7 .....	Particulate Matter Emissions Limitations for Southern Indiana Gas and Electric Company.	8/30/2008	11/10/2009, 74 FR 57904 .....	Sec. 1.
<b>Article 6.5. Particulate Matter Limitations Except Lake County</b>				
6.5-1 .....	General Provisions .....	9/9/2005	3/22/2006, 71 FR 14383.	
6.5-2 .....	Clark County .....	2/22/2008	4/30/2008, 73 FR 23356.	
6.5-3 .....	Dearborn County .....	2/22/2008	4/30/2008, 73 FR 23356.	
6.5-4 .....	Dubois County .....	2/22/2008	4/30/2008, 73 FR 23356.	
6.5-5 .....	Howard County .....	2/22/2008	4/30/2008, 73 FR 23356.	
6.5-6 .....	Marion County .....	2/22/2008	4/30/2008, 73 FR 23356.	
6.5-7 .....	St. Joseph County .....	2/22/2008	4/30/2008, 73 FR 23356.	
6.5-8 .....	Vanderburgh County .....	2/22/2008	4/30/2008, 73 FR 23356.	
6.5-9 .....	Vigo County .....	2/22/2008	4/30/2008, 73 FR 23356.	
6.5-10 .....	Wayne County .....	2/22/2008	4/30/2008, 73 FR 23356.	
<b>Article 6.8. Particulate Matter Limitations for Lake County</b>				
6.8-1 .....	General Provisions .....	9/9/2005 2/22/2008	3/22/2006, 71 FR 14383 ..... 4/30/2008, 73 FR 23356 .....	Sec. 1.5, 2, 3, 4, 6. Sec. 1, 5, 7.
6.8-2 .....	Lake County: PM <sub>10</sub> Emission Requirements .....	2/22/2008	4/30/2008, 73 FR 23356.	
6.8-3 .....	Lake County: Opacity Limits; Exceptions to 326 IAC 5-1-2.	2/22/2008	4/30/2008, 73 FR 23356.	
6.8-4 .....	Lake County: Opacity Limits; Test Methods .....	2/22/2008	4/30/2008, 73 FR 23356.	
6.8-5 .....	Lake County: Opacity Continuous Emissions Monitors.	2/22/2008	4/30/2008, 73 FR 23356 .....	Repealed.
6.8-6 .....	Lake County: Combustion Sources; Natural Gas.	2/22/2008	4/30/2008, 73 FR 23356.	
6.8-7 .....	Lake County: Site-Specific Control Requirements.	2/22/2008	4/30/2008, 73 FR 23356.	
6.8-8 .....	Lake County: Continuous Compliance Plan .....	9/9/2005 2/22/2008	3/22/2006, 71 FR 14383 ..... 4/30/2008, 73 FR 23356 .....	Sec. 2 to 8. Sec. 1.
6.8-9 .....	Lake County: PM <sub>10</sub> Coke Battery Emission Requirements.	9/9/2005	3/22/2006, 71 FR 14383 .....	Sec. 1 and 2.
6.8-10 .....	Lake County: Fugitive Particulate Matter .....	2/22/2008 9/9/2005	4/30/2008, 73 FR 23356 ..... 3/22/2006, 71 FR 14383 .....	Sec. 3. Sec. 2, 3, 4.
6.8-11 .....	Lake County: Particulate Matter Contingency Measures.	2/22/2008 9/9/2005	4/30/2008, 73 FR 23356 ..... 3/22/2006, 71 FR 14383.	Sec. 1.
<b>Article 7. Sulfur Dioxide Rules</b>				
7-1.1 .....	Sulfur Dioxide Emission Limitations .....	6/24/2005	9/26/2005, 70 FR 56129.	
7-2 .....	Compliance .....	6/24/2005	9/26/2005, 70 FR 56129.	
7-3 .....	Ambient Monitoring .....	.....	5/13/1982, 47 FR 20583 .....	Sec. 2.
7-4 .....	Emission Limitations and Requirements by County.	4/10/1988	9/1/1988, 53 FR 33808 .....	Sec. 4 to 7, 9.
		5/13/1988	12/16/1988, 53 FR 50521 .....	Sec. 11.
		4/10/1988	1/19/1989, 54 FR 2112 .....	Sec. 8.
		10/23/1988	1/19/1989, 54 FR 2112 .....	Sec. 14.
		12/5/1990	9/19/1994, 59 FR 47804 .....	Sec. 12.1.
		3/11/1999	8/2/2000, 65 FR 47336 .....	Sec. 2.
		6/12/1999	8/29/2000, 65 FR 52315 .....	Sec. 1.1.
		9/30/2004	2/28/2005, 70 FR 9533 .....	Sec. 3.
		3/16/2005	2/28/2006, 71 FR 9936 .....	Sec. 13.

EPA-APPROVED INDIANA REGULATIONS—Continued

Indiana citation	Subject	Indiana effective date	EPA approval date	Notes
7-4.1 .....	Lake County Sulfur Dioxide Emission Limitations.	8/30/2008 6/24/2005	11/10/2009, 74 FR 57904 .....	Sec. 10.

**Article 8. Volatile Organic Compound Rules**

8-1 .....	General Provisions .....	1/14/1986 11/10/1988 6/5/1991 5/22/1997 10/18/1995 7/15/2001 12/15/2002 6/24/2006	10/27/1982, 47 FR 20586 .....	Sec. 7. Sec. 3. Sec. 5. Sec. 1. Sec. 9, 10, 11, 12. Sec. 0.5. Sec. 4. Sec. 2. Sec. 6.
8-2 .....	Surface Coating Emission Limitations .....	10/27/1982, 47 FR 20586 .....	10/27/1982, 47 FR 20586 .....	Sec. 4, 6, 7, 8. Sec. 10. Sec. 2 and 3. Sec. 12. Sec. 5. Sec. 1. Sec. 11. Sec. 9.
8-3 .....	Organic Solvent Degreasing Operations .....	6/5/1991 5/27/1999	10/27/1982, 47 FR 47554 .....	Sec. 2, 3, 4. Sec. 5, 6, 7. Sec. 1, 8.
8-4 .....	Petroleum Sources .....	6/5/1991 10/18/1995 5/23/1999 11/5/1999	1/18/1983, 48 FR 2127 .....	Sec. 2, 4, 5. Sec. 3. Sec. 8. Sec. 6. Sec. 1(c). Sec. 7, 9.
8-5 .....	Miscellaneous Operations .....	5/18/1990 5/22/1997 3/22/2007	1/18/1983, 48 FR 2124 .....	Sec. 4. Sec. 2. Sec. 3. Sec. 5. Sec. 1 and 6.
8-6 .....	Organic Solvent Emission Limitations .....	1/21/1995	1/18/1983, 48 FR 2124.	
8-7 .....	Specific VOC Reduction Requirements for Lake, Porter, Clark, and Floyd Counties.	1/21/1995	7/5/1995, 60 FR 34856.	
8-8 .....	Municipal Solid Waste Landfills Located in Clark, Floyd, Lake, and Porter Counties.	1/18/1996	1/17/1997, 62 FR 2591.	
8-9 .....	Volatile Organic Liquid Storage Vessels .....	1/18/1996	1/17/1997, 62 FR 2593.	
8-10 .....	Automobile Refinishing .....	11/2/1995 5/23/1999 8/13/1998	6/13/1996, 61 FR 29965 .....	Sec. 2, 4, 7, 8. Sec. 3. Sec. 1, 5, 6, 9.
8-11 .....	Wood Furniture Coating .....	1/4/1996	10/30/1996, 61 FR 55889.	
8-12 .....	Shipbuilding or Ship Repair Operations in Clark, Floyd, Lake, and Porter Counties.	5/1/1996	1/22/1997, 62 FR 3216 .....	Sec. 1, 3.
8-13 .....	Sinter Plants .....	7/15/2001 7/24/1998	4/1/2003, 68 FR 15664 .....	Sec. 2, 4, 5, 6, 7.

**Article 9. Carbon Monoxide Emission Rules**

9-1 .....	Carbon Monoxide Emission Limits .....	12/15/2002	11/30/2004, 69 FR 69531.	
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**Article 10. Nitrogen Oxides Rules**

10-1 .....	Nitrogen Oxides Control in Clark and Floyd Counties.	6/12/1996	6/3/1997, 62 FR 30253.	
10-3 .....	Nitrogen Oxide Reduction Program for Specific Source Categories.	9/16/2001	11/8/2001, 66 FR 56465 .....	Sec. 2, 4, 5, 6.
10-4 .....	Nitrogen Oxides Budget Trading Program .....	8/6/2003 2/26/2006 9/16/2001	12/11/2003, 68 FR 69025 .....	Sec. 1. Sec. 3. Sec. 4, 5, 6, 7, 8, 11, 12.
10-5 .....	Nitrogen Oxide Reduction Program for Internal Combustion Engines (ICE).	8/6/2003 2/26/2006 2/26/2006	12/11/2003, 68 FR 69025 .....	Sec. 10. Sec. 1, 2, 3, 9, 13, 14, 15.

## EPA-APPROVED INDIANA REGULATIONS—Continued

Indiana citation	Subject	Indiana effective date	EPA approval date	Notes
10-6 .....	Nitrogen Oxides Emissions Limitations for Southern Indiana Gas and Electric Company.	8/30/2008	11/10/2009, 74 FR 57904 .....	Sec. 1.
<b>Article 11. Emission Limitations for Specific Types of Operations</b>				
11-1 .....	Existing Foundries .....	7/25/1968	5/31/1972, 37 FR 10863.	
11-3 .....	Coke Oven Batteries .....	9/26/1980	12/1/1983, 48 FR 54615 .....	Sec. 1, 3, 5.
		6/11/1993	6/15/1995, 60 FR 31412 .....	Sec. 2(a)-(f), 2(i), 4.
11-4 .....	Fiberglass Insulation Manufacturing .....	9/26/1980	4/3/1984, 49 FR 13144 .....	Sec. 1, 2, 3, 4.
		9/27/2002	12/9/2002, 67 FR 72844 .....	Sec. 5.
11-5 .....	Fluoride Emission Limitations for Existing Primary Aluminum Plants.	2/6/1981	11/27/1981, 46 FR 57892.	
<b>Article 13. Motor Vehicle Emission and Fuel Standards</b>				
13-1.1 ....	Motor Vehicle Inspection and Maintenance Requirements.	1/22/1999	9/27/2001, 66 FR 49297.	
13-3 .....	Control of Gasoline Reid Vapor Pressure .....	12/15/2002	7/21/2003, 68 FR 42978 .....	Sec. 1.
		8/5/1995	2/9/1996, 61 FR 4895 .....	Sec. 2 to 7.
<b>Article 14. Emission Standards for Hazardous Air Pollutants</b>				
14-1 .....	General Provisions .....	5/13/1988	9/17/1992, 57 FR 42889.	
14-8 .....	Emission Standard for Equipment Leaks (Fugitive Emission Sources).	5/13/1988	9/17/1992, 57 FR 42889.	
14-9 .....	Emission Limitations for Benzene from Furnace Coke Oven By-Product Recovery Plants.	5/13/1988	9/17/1992, 57 FR 42889.	
<b>Article 15. Lead Rules</b>				
15-1 .....	Lead Emission Limitations .....	7/14/1989	8/17/1989, 54 FR 33894 .....	Sec. 1 and 4.
		4/27/1994	5/3/1995, 60 FR 21717 .....	Sec. 2(a)(1)-(a)(6), (a)(8)-(b).
		2/5/1999	12/28/1999, 64 FR 72561 .....	Sec. 2(a)(7)(A)-(G).
		12/31/2000	1/15/2008, 73 FR 2428 .....	Sec. 2(c) and 3.
<b>Article 16. State Environmental Policy</b>				
16-3 .....	General Conformity .....	7/6/1996	1/14/1998, 63 FR 2146 .....	Sec. 1.
<b>Article 19. Mobile Source Rules</b>				
19-3 .....	Clean Fuel Fleet Vehicles .....	1/18/1996	3/21/1996, 61 FR 11552.	
<b>Article 20. Hazardous Air Pollutants</b>				
20-10 .....	Bulk Gasoline Distribution Facilities .....	11/4/1999	5/31/2002, 67 FR 38006.	
20-13 .....	Secondary Lead Smelters .....	12/31/2000	1/15/2008, 73 FR 2428 .....	Sec. 1(c), 2(a), and 6.
<b>Article 24. Trading Programs: Nitrogen Oxides (NO<sub>x</sub>) and Sulfur Dioxide (SO<sub>2</sub>)</b>				
24-1 .....	Clean Air Interstate Rule Nitrogen Oxides Annual Trading Program.	2/25/2007	10/22/2007, 72 FR 59480 .....	Sec. 2(36), 2(38), 2(60), 8, 12.
24-2 .....	Clean Air Interstate Rule (CAIR) Sulfur Dioxide Trading Program.	2/25/2007	10/22/2007, 72 FR 59480 .....	Sec. 11.
24-3 .....	Clean Air Interstate Rule (CAIR) NO <sub>x</sub> Ozone Season Trading Program.	2/25/2007	10/22/2007, 72 FR 59480 .....	Sec. 1, 2(38), 2(49), 2(61), 8, 12.

(d) EPA approved State source-specific requirements.

## EPA-APPROVED INDIANA SOURCE-SPECIFIC PROVISIONS

CO date	Title	SIP rule	EPA approval	Explanation
10/1/1999 .....	ALCOA-Warrick .....	5-1-2 .....	7/5/2000, 65 FR 41352 ( <i>also see</i> 64 FR 40287).	Alt. opacity limits (permit).
12/15/1999 .....	ALCOA-Warrick .....	5-1-2 .....	7/5/2000, 65 FR 41352 ( <i>also see</i> 64 FR 40287).	Alt. opacity limits (permit).

EPA-APPROVED INDIANA SOURCE-SPECIFIC PROVISIONS—Continued

CO date	Title	SIP rule	EPA approval	Explanation
10/12/1999 .....	Crane Naval .....	8-2-9 .....	12/31/2002, 67 FR 79859 .....	Exemption.
2/11/2004 .....	Eli Lilly .....	8-5-3 .....	11/8/2004, 69 FR 64661 .....	Exemption.
12/22/2004 .....	Transwheel .....	8-3-5(a)(5)(C) .....	4/12/2005, 70 FR 19000 .....	Equivalent control.

(e) EPA approved nonregulatory and quasi-regulatory provisions.

EPA-APPROVED INDIANA NONREGULATORY AND QUASI-REGULATORY PROVISIONS

Title	Indiana date	EPA approval	Explanation
Carbon Monoxide Control Strategy—Lake and Porter Co .....	.....	1/19/2000, 65 FR 2883 .....	Paragraph (b).
Carbon Monoxide Control Strategy—Lake and Marion Cos .....	1 1/12/2009	10/15/2009, 74 FR 52891 .....	Paragraph (c).
Chicago Hydrocarbon Control Strategy .....	.....	8/26/2004, 69 FR 52427 .....	Paragraph (aa).
Chicago-Gary Hydrocarbon Control Strategy .....	.....	12/30/2008, 73 FR 79652 .....	Paragraph (kk).
Control Strategy: Particulate Matter .....	.....	11/27/2009, 74 FR 62243 .....	Paragraph (s).
Evansville Hydrocarbon Control Strategy .....	.....	12/29/2005, 70 FR 77026 .....	Paragraph (ee).
Fluoride Emission Limitations for Existing Primary Aluminum Plants.	.....	3/11/2003, 68 FR 11472 .....	Removed from SIP, replaced by NESHAP.
Fort Wayne Hydrocarbon Control Strategy .....	.....	1/11/2007, 72 FR 1292 .....	Paragraph (ff).
Greene and Jackson Counties Hydrocarbon Control Strategy .....	.....	11/14/2005, 70 FR 69085 .....	Paragraph (bb).
Indianapolis Hydrocarbon Control Strategy .....	.....	10/19/2007, 72 FR 59210 .....	Paragraph (jj).
LaPorte Hydrocarbon Control Strategy .....	.....	7/19/2007, 72 FR 39574 .....	Paragraph (gg).
Lead Control Strategy—Marion County .....	.....	5/10/2000, 65 FR 29959 .....	Paragraph (d).
Lead Control Strategy—Marion County .....	1 4/1/2009	9/24/2009, 74 FR 48659 .....	Paragraph (e).
Louisville Hydrocarbon Control Strategy .....	.....	9/20/2004, 69 FR 56171 .....	Paragraph (z).
Louisville Hydrocarbon Control Strategy .....	.....	7/19/2007, 72 FR 39571 .....	Paragraph (ii).
Muncie Hydrocarbon Control Strategy .....	.....	11/16/2005, 70 FR 69443 .....	Paragraph (cc).
Ozone Monitoring Season .....	2/19/1991	12/10/1991, 56 FR 64482.	.....
PM <sub>10</sub> Maintenance Plan for Lake County .....	9/25/2002	1/10/2003, 68 FR 1370 .....	Paragraph (r), also redesignation.
Particulate Control Strategy—Vermillion County .....	.....	8/26/1997, 62 FR 45168 .....	Paragraph (q).
Small Business Compliance Assistance Program .....	.....	9/2/1993, 58 FR 46541.	.....
South Bend-Elkhart Hydrocarbon Control Strategy .....	.....	7/19/2007, 72 FR 39577 .....	Paragraph (hh).
Sulfur Dioxide Control Strategy—LaPorte, Marion, Vigo, and Wayne Counties.	.....	11/15/1996, 61 FR 58482 .....	Paragraph (f) and (g).
Terre Haute Hydrocarbon Control Strategy .....	.....	1/5/2006, 71 FR 541 .....	Paragraph (dd).

[FR Doc. 2010-23802 Filed 9-23-10; 8:45 am]

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**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Parts 52 and 81**

[EPA-R05-OAR-2010-0477; FRL-9204-5]

**Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Michigan; Redesignation of the Allegan County Areas to Attainment for Ozone**

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

**ACTION:** Final rule.

**SUMMARY:** EPA is approving Michigan's request to redesignate the Allegan County, Michigan nonattainment area to attainment for the 1997 8-hour ozone standard because the request meets the statutory requirements for redesignation under the Clean Air Act (CAA). The

Michigan Department of Natural Resources and Environment (MDNRE) submitted this request on May 12, 2010, and supplemented it on June 16, 2010.

This approval involves several related actions. EPA is making a determination under the CAA that the Allegan County area has attained the 1997 8-hour ozone National Ambient Air Quality Standard (NAAQS). This determination is based on three years of complete, quality-assured and certified ambient air quality monitoring data for the 2007-2009 ozone seasons that demonstrate that the 8-hour ozone NAAQS has been attained in the area. Preliminary data available for 2010 is consistent with continued attainment. EPA is also approving, as a revision to the Michigan State Implementation Plan (SIP), the State's plan for maintaining the 8-hour ozone NAAQS through 2021 in the area. EPA is approving the 2005 emissions inventory submitted with the redesignation request as meeting the comprehensive emissions inventory requirement of the CAA for the Allegan

County area. Finally, EPA found adequate and is approving the State's 2021 Motor Vehicle Emission Budgets (MVEBs) for the Allegan County area.

**DATES:** This final rule is effective September 24, 2010.

**ADDRESSES:** EPA has established a docket for this action: Docket ID No. EPA-R05-OAR-2010-0477. All documents in the docket are listed on the <http://www.regulations.gov> Web site. Although listed in the index, some information is not publicly available, *i.e.*, Confidential Business Information (CBI) 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 either electronically in <http://www.regulations.gov> or in hard copy at the Environmental Protection Agency, Region 5, Air and Radiation Division, 77 West Jackson Boulevard, Chicago, Illinois 60604. This facility is open from