

REGION VIII—DELEGATION STATUS OF NATIONAL EMISSIONS STANDARDS FOR HAZARDOUS AIR POLLUTANTS 1— Continued

Table with 7 columns: Subpart, CO, MT, ND, SD, UT 2, WY. Rows include Inorganic Arsenic Emissions from Primary Copper Smelters, Inorganic Arsenic Emissions from Arsenic Trioxide and Metallic Arsenic Production Facilities, Radon Emissions from Department of Energy Facilities, etc.

\*Indicates approval of delegation of subpart to state.

1 Specific authorities which may not be delegated include, but are not limited to §§ 61.04(b) and (c), 61.05(c), 61.11, 61.12(d), 61.13(h)(1)(ii), 61.14(d), 61.14(g)(1)(ii), 61.16, 61.112(c), 61.164(a)(2) and (3), 61.172(b)(2)(ii)(B) and (C), 61.174(a)(2) and (3), 61.242-1(c)(2), 61.244, and all authorities listed as not delegable in each individual subpart delegated to the state.

2 Indicates approval of National Emissions Standards for Hazardous Air Pollutants as part of the State Implementation Plan (SIP) with the exception of the radionuclide NESHAP subparts B, Q, R, T and W which were approved through section 112(l) of the Clean Air Act.

3 Delegation only for asbestos demolition, renovation, spraying, manufacturing, and fabricating operations, insulating materials, waste disposal for demolition, renovation, spraying, manufacturing and fabricating operations, inactive waste disposal sites for manufacturing and fabricating operations, and operations that convert asbestos-containing waste material into nonasbestos (asbestos-free) material.

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PART 63—NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS FOR SOURCE CATEGORIES

5. The authority citation for part 63 continues to read as follows:

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

Subpart E—Approval of State Programs and Delegation of Federal Authorities

6. Section 63.99 is amended by revising paragraph (a)(35) to read as follows:

§ 63.99 Delegated Federal authorities.

\* \* \* \* \*

(a) \* \* \*

(35) North Dakota. (i) The North Dakota Department of Agriculture is delegated the authority to implement and enforce the provisions of 40 CFR part 68 at facilities with an anhydrous ammonia storage capacity of ten thousand pounds or more that is intended to be used as fertilizer or in the manufacturing of a fertilizer within North Dakota and that are subject to the requirements of 40 CFR part 68, in accordance with the final rule, dated December 30, 2013.

(ii) The most current delegation status table for National Emission Standards for Hazardous Air Pollutants for Source Categories in Region VIII can be found online at http://www.epa.gov/region8/air-program.

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PART 70—STATE OPERATING PERMIT PROGRAMS

7. The authority citation for part 70 continues to read as follows:

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

8. In appendix A to part 70, the entry for North Dakota is amended by adding paragraph (d) to read as follows:

Appendix A to Part 70—Approval Status of State and Local Operating Permits Programs

\* \* \* \* \*

North Dakota

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(d) The State of North Dakota submitted on August 6, 2018, operating permit program revisions in a submittal package titled, "Title V Permit to Operate MACT, NESHAPs and NSPS Programs for Department of Environmental Quality Division of Air Quality." This submittal package included a request from the North Dakota governor to transfer authority to implement and enforce the operating permit program from the North Dakota Department of Health to the North Dakota Department of Environmental Quality. The recodified North Dakota title V operating permits program is codified in N.D. Admin. Code sections 33.1-15-14-06, 33.1-15-23-04, and 33.1-15-21. North Dakota subsequently submitted on August 16, 2018 the, "Attorney General's Opinion Operating Permits Program," supplemented on December 12, 2018, with an "Addendum to August 16, 2018 Attorney General's Opinion Operating Permits Program," stating that the laws of the State provide adequate legal authority to carry out all aspects of the program; interim approval effective on March 15, 2019; interim approval expires on March 19, 2020.

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DEPARTMENT OF DEFENSE

Department of the Navy

48 CFR Part 5215

[Docket ID: USN-2018-DARS-0021]

RIN 0703-AB13

Contracting by Negotiation

AGENCY: Department of the Navy, DoD.

ACTION: Final rule.

SUMMARY: This final rule removes the Department of the Navy (DON) regulation regarding contract by negotiation. This rule contains DON supplemental guidance to the Federal Acquisition Regulation (FAR) and Defense Federal Acquisition Regulation Supplement (DFARS) which has been superseded by existing FAR and DFARS guidance. The rule is no longer used or valid and should be removed.

DATES: This rule is effective on February 11, 2019.

FOR FURTHER INFORMATION CONTACT: Denise Randolph, 703-614-9767, Denise.Randolph@navy.mil.

SUPPLEMENTARY INFORMATION: It has been determined that publication of this CFR part removal for public comment is impracticable, unnecessary, and contrary to public interest since it is removing obsolete information. The content is duplicative of FAR Part 15 and DFARS Part 215. The clause referred to in 5215.407 has been subsumed into the instructions at FAR 15.403-5. This rule removes the superseded regulations which are obsolete.

This rule is not significant under Executive Order (E.O.) 12866,

“Regulatory Planning and Review,” therefore, the requirements of E.O. 13771, “Reducing Regulation and Controlling Regulatory Costs” do not apply.

#### List of Subjects in 48 CFR Part 5215

Government procurement.

■ For reasons set out in the preamble, and under the authority at 5 U.S.C. 301, 48 CFR part 5215 is removed and reserved.

#### PART 5215—[REMOVED AND RESERVED]

Dated: February 5, 2019.

**M.S. Werner,**

*Commander, Judge Advocate General's Corps, U.S. Navy, Federal Register Liaison Officer.*

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## DEPARTMENT OF DEFENSE

### Department of the Navy

#### 48 CFR Part 5242

[Docket ID: USN-2018-DARS-0022]

RIN 0703-AB14

#### Contract Administration

**AGENCY:** Department of the Navy, DoD.

**ACTION:** Final rule.

**SUMMARY:** This final rule removes the Department of the Navy (DON) regulation regarding contract administration. This rule contains DON supplemental guidance to the Federal Acquisition Regulation (FAR) and Defense Federal Acquisition Regulation Supplement (DFARS) which has been superseded by existing FAR and DFARS guidance. The rule is no longer used or valid and should be removed.

**DATES:** This rule is effective on February 11, 2019.

**FOR FURTHER INFORMATION CONTACT:** Denise Randolph, 703-614-9767, [Denise.Randolph@navy.mil](mailto:Denise.Randolph@navy.mil).

**SUPPLEMENTARY INFORMATION:** It has been determined that publication of this CFR part removal for public comment is impracticable, unnecessary, and

contrary to public interest since it is removing obsolete information. The content of this part is duplicative of DFARS 242.7100 and DFARS Procedures, Guidance and Instruction (PGI) 242.7100 which contains guidance on Department of Defense policy on voluntary refunds for spares and other items. Additional guidance related to the acquisition of spare parts is contained in DFARS 217.7500 and DFARS PGI 217.7503. This rule removes the superseded regulations which are obsolete.

This rule is not significant under Executive Order (E.O.) 12866, “Regulatory Planning and Review,” therefore, the requirements of E.O. 13771, “Reducing Regulation and Controlling Regulatory Costs” do not apply.

#### List of Subjects in 48 CFR Part 5242

Government procurement.

■ For reasons set out in the preamble, and under the authority at 5 U.S.C. 301, 48 CFR part 5242 is removed and reserved.

#### PART 5242—[REMOVED AND RESERVED]

Dated: February 5, 2019.

**M.S. Werner,**

*Lieutenant Commander, Judge Advocate General's Corps, U.S. Navy, Federal Register Liaison Officer.*

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## DEPARTMENT OF DEFENSE

### Department of the Navy

#### 48 CFR Part 5252

[Docket ID: USN-2018-DARS-0023]

RIN 0703-AB15

#### Solicitation Provisions and Contract Clauses

**AGENCY:** Department of the Navy, DoD.

**ACTION:** Final rule.

**SUMMARY:** This final rule removes the Department of the Navy (DON)

regulation containing solicitation provisions and contract clauses. This rule contains DON supplemental guidance to the Federal Acquisition Regulation (FAR) and Defense Federal Acquisition Regulation Supplement (DFARS) which has been superseded by existing FAR and DFARS guidance. The rule is no longer used or valid and should be removed.

**DATES:** This rule is effective on February 11, 2019.

#### FOR FURTHER INFORMATION CONTACT:

Denise Randolph, 703-614-9767, [Denise.Randolph@navy.mil](mailto:Denise.Randolph@navy.mil).

**SUPPLEMENTARY INFORMATION:** It has been determined that publication of this CFR part removal for public comment is impracticable, unnecessary, and contrary to public interest since it is removing obsolete information. The provision at 5252.215.-9000 is duplicative of instructions at FAR 15.403-5. The Navy clause at 5252.242-9000 duplicates Department-wide policy on “voluntary refunds” for spares and for other items at DFARS 242.7100 and DFARS Procedures, Guidance and Information (PGI) 242.7100. This rule removes the superseded regulations which are obsolete.

This rule is not significant under Executive Order (E.O.) 12866, “Regulatory Planning and Review,” therefore, the requirements of E.O. 13771, “Reducing Regulation and Controlling Regulatory Costs” do not apply.

#### List of Subjects in 48 CFR Part 5252

Government procurement.

■ For reasons set out in the preamble, and under the authority at 5 U.S.C. 301, 48 CFR part 5252 is removed and reserved.

#### PART 5252—[REMOVED AND RESERVED]

Dated: February 5, 2019.

**M.S. Werner,**

*Lieutenant Commander, Judge Advocate General's Corps, U.S. Navy, Federal Register Liaison Officer.*

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