

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 Department.	5/1/1994	1/16/2003, 68 FR 2217	
122	Information Orders by the Department.	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 Completeness 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	
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.	Except for provisions relating to hazardous air pollutants.
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	
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	
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	
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	
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	
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	
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	
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	
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	
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	
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	
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	
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	
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	
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	
564 .....	Incorporation by Reference .....	3/30/2001	4/12/2001, 66 FR 18873	
565 .....	Abbreviations .....	3/30/2001	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	
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	
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	
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).

\* \* \* \* \*  
 [FR Doc. 2020-15395 Filed 7-23-20; 8:45 am]  
 BILLING CODE 6560-50-P

**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: