

TABLE 1 TO PARAGRAPH (c)—EPA-APPROVED ALABAMA REGULATIONS—Continued

State citation	Title/subject	State effective date	EPA approval date	Explanation
Section 335–3–14–05	Air Permits Authorizing Construction in or Near Nonattainment Areas.	6/9/2017	12/14/2018, 83 FR 64285 ...	With the exception of: The portion of 335–3–14–05(1)(k) stating “excluding ethanol production facilities that produce ethanol by natural fermentation”; and 335–3–14–05(2)(c)3 (addressing fugitive emission increases and decreases). Also with the exception of the state-withdrawn elements: 335–3–14–05(1)(h) (the actual-to-potential test for projects that only involve existing emissions units); the last sentence at 335–3–14–05(3)(g), stating “Interpollutant offsets shall be determined based upon the following ratios”; and the NNSR interpollutant ratios at 335–3–14–05(3)(g)1–4.
<b>Chapter No. 335–3–15 Synthetic Minor Operating Permits</b>				
Section 335–3–15–01	Definitions .....	10/15/1996	6/6/1997, 62 FR 30991.	
Section 335–3–15–02	General Provisions .....	8/10/2000	12/8/2000, 65 FR 76938.	
Section 335–3–15–03	Applicability .....	11/23/1993	10/20/1994, 59 FR 52916.	
Section 335–3–15–04	Synthetic Minor Operating Permit Requirements.	10/15/1996	6/6/1997, 62 FR 30991.	
Section 335–3–15–05	Public Participation .....	6/9/2017	12/14/2018, 83 FR 64285.	
<b>Chapter No. 335–3–17 Conformity of Federal Actions to State Implementation Plans</b>				
Section 335–3–17–01	Transportation Conformity .....	5/28/2013	10/12/2017, 82 FR 47383.	
Section 335–3–17–02	General Conformity .....	5/23/2011	9/26/2012, 77 FR 59100.	

(d) EPA-Approved Alabama Source-Specific Requirements.

TABLE 2 TO PARAGRAPH (d)—EPA-APPROVED ALABAMA SOURCE-SPECIFIC REQUIREMENTS

Name of source	Permit No.	State effective date	EPA approval date	Explanation
Lafarge Cement Kiln .....	AB70004_1_01 .....	2/6/2008	7/30/2009, 74 FR 37945 .....	Certain provisions of the permit.
Lehigh Cement Kiln .....	4–07–0290–03 .....	2/6/2008	7/30/2009, 74 FR 37945 .....	Certain provisions of the permit.

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 [FR Doc. 2023–05239 Filed 3–17–23; 8:45 am]  
 BILLING CODE 6560–50–P

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

[EPA–R04–OAR–2021–0021; FRL–9363–01–R4]

**Air Plan Approval; Georgia; Update to Materials Incorporated by Reference**

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

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

**SUMMARY:** The Environmental Protection Agency (EPA) is updating the materials that are incorporated by reference (IBR) into the Georgia State Implementation Plan (SIP). The regulations affected by this update have been previously submitted by Georgia and approved by EPA. In this notice, EPA is also

notifying the public of corrections and clarifying changes to the Code of Federal Regulations (CFR) tables that identify material incorporated by reference into the Georgia SIP. This update affects the materials that are available for public inspection at the National Archives and Records Administration (NARA) and the EPA Regional Office.

**DATES:** This action is effective March 20, 2023.

**ADDRESSES:** The SIP materials whose incorporation by reference into 40 CFR part 52 is finalized through this action are available for inspection at the following locations: Environmental Protection Agency, Region 4, 61 Forsyth Street SW, Atlanta, GA 30303; and [www.regulations.gov](http://www.regulations.gov). To view the materials at the Region 4 Office, EPA requests that you email the contact listed in the **FOR FURTHER INFORMATION CONTACT** section to schedule your inspection. The Regional Office’s official hours of business are Monday

through Friday 8:30 a.m. to 4:30 p.m., excluding Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Sarah LaRocca, Air Regulatory Management Section, Air Planning and Implementation Branch, Air and Radiation Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street SW, Atlanta, Georgia 30303–8960. Ms. LaRocca can be reached via telephone at (404) 562–8994 or via electronic mail at [larocca.sarah@epa.gov](mailto:larocca.sarah@epa.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Background**

Each state has a SIP containing the control measures and strategies used 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.

Each state must formally adopt the control measures and strategies in the SIP after the public has had an opportunity to comment on them and then submit the proposed SIP revisions to EPA. Once these control measures and strategies are approved by EPA, and after notice and comment, they are incorporated into the federally-approved SIP and are identified in part 52—“Approval and Promulgation of Implementation Plans,” Title 40 of the Code of Federal Regulations (40 CFR part 52). The full text of the state regulation approved by EPA is not reproduced in its entirety in 40 CFR part 52 but is “incorporated by reference.” This means that EPA has approved a given state regulation or specified changes to a given regulation with a specific effective date. The public is referred to the location of the full text version should they want to know which measures are contained in a given SIP. The information provided allows EPA and the public to monitor the extent to which a state implements a SIP to attain and maintain the NAAQS and to take enforcement action for violations of the SIP.

The SIP is a living document which the state can revise as necessary to address the unique air pollution problems in the state. Therefore, EPA from time to time must take action on proposed revisions containing new or revised state regulations. A submission from a state can revise one or more rules in their entirety or portions of rules. The state indicates the changes in the submission (such as by using redline/strikethrough text), and EPA then takes action on the requested changes. EPA establishes a docket for its actions using a unique Docket Identification Number, which is listed in each action. These dockets and the complete submission are available for viewing on [www.regulations.gov](http://www.regulations.gov).

On May 22, 1997 (62 FR 27968), EPA revised the procedures for incorporating by reference, into the Code of Federal Regulations, materials approved by EPA into each SIP. These changes revised the format for the identification of the SIP in 40 CFR part 52, streamlined the mechanisms for announcing EPA approval of revisions to a SIP, and streamlined the mechanisms for EPA’s updating of the IBR information contained for each SIP in 40 CFR part 52. The revised procedures also called for EPA to maintain “SIP Compilations” that contain the federally approved regulations and source-specific permits submitted by each state agency.

EPA generally updates these SIP Compilations on an annual basis. Under the revised procedures, EPA must

periodically publish an informational document in the rules section of the **Federal Register** notifying the public that updates have been made to a SIP Compilation for a particular state. EPA began applying the 1997 revised procedures to Georgia on May 21, 1999, and is providing this notice in accordance with such procedures. See 64 FR 27699.

## II. EPA Action

In this action, EPA is providing notice of an update to the materials incorporated by reference into the Georgia SIP as of August 31, 2022, and identified in 40 CFR 52.570(c) and (d). This update includes SIP materials approved by EPA since the last IBR update. See 84 FR 45910 (September 3, 2019). In addition, EPA is providing notice of the following corrections and clarifying changes to 40 CFR 52.570(c) and (d):

### *Changes Applicable to Paragraph (c), EPA Approved Georgia Regulations*

A. Correcting Table (c)’s title, from “(c) EPA Approved Georgia Regulations” to “(c) EPA-Approved Georgia Regulations”

B. Correcting the header of paragraph (c), from “EPA Approved Georgia Regulations” to “EPA-Approved Georgia Regulations”

C. Under 391–3–1–02(a), the explanation is revised from, “Except for paragraph 391–3–1–02(a)1 (as approved on 3/16/2006).” to “Except for paragraph 391–3–1–02(2)(a)1.”

D. Under 391–3–1–.02(2)(nnn), “NO<sub>x</sub> Emissions from Large Stationary Gas Turbines,” the state effective date is revised from “2/16/2000” to “4/20/2003” and the EPA approval date is revised from “7/10/2001, 66 FR 35906” to “5/28/2019, 84 FR 24393”

E. Under 391–3–1–.02(5), “Open Burning,” the EPA approval date is revised from “2/9/2010, 75 FR 6309” to “5/28/2019, 84 FR 24393” and a note is added in the explanation column to read: “Except subparagraph 391–3–1–.02(5)(c), which was approved on July 10, 2001, with a state effective date of August 16, 2000.”

F. Under 391–3–1–.01, 391–3–1–.02(5), 391–3–1–.02(6), 391–3–1–.03(13), the phrases “State-effective” and “state-effective” are revised to remove the hyphen.

### *Changes Applicable to Paragraph (d), EPA Approved Georgia Source-Specific Requirements*

A. Correcting the header of paragraph (d), from “EPA Approved Georgia Source-Specific Requirements” to

“EPA-Approved Georgia Source-Specific Requirements”

B. The Plant Atkinson permits, specifically 4922–033–1319–0, 4911–033–1320–0, 4911–033–1321–0, 4911–033–1322–0, and 4911–033–6949, have been reordered to be in sequential order.

## III. Good Cause Exemption

EPA has determined that this action falls under the “good cause” exemption in the section 553(b)(3)(B) of the Administrative Procedure 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 an action effective immediately (thereby avoiding the 30-day delayed effective date otherwise provided for in the APA). This administrative action simply codifies provisions which are already in effect as a matter of law in Federal and approved state programs, makes typographical/ministerial revisions to the tables in the CFR, and makes ministerial changes to the prefatory heading to the tables in the CFR. Under section 553(b)(3)(B) of the APA, an agency may find good cause where procedures are “impracticable, unnecessary, or contrary to the public interest.” Public comment for this administrative action is “unnecessary” and “contrary to the public interest” since the codification (and corrections) only reflect existing law. Immediate notice of this action in the **Federal Register** benefits the public by providing the public notice of the updated Georgia SIP Compilation and notice of corrections to the Georgia “Identification of Plan” portion of the CFR. Further, pursuant to section 553(d)(3), making this action immediately effective benefits the public by immediately updating both the SIP compilation and the CFR “Identification of plan” section (which includes table entry corrections).

## IV. Incorporation by Reference

In this rule, EPA is finalizing regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, EPA is finalizing the incorporation by reference of previously EPA-approved regulations promulgated by Georgia and federally effective prior to August 31, 2022. 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 4 Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information).

## V. Statutory and Executive Order Reviews

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the Act and applicable federal regulations. See 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, EPA's role is to approve state choices, provided that they meet the criteria of the CAA. Accordingly, this final rule and notification of administrative change 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);
- 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 CAA; and
- Does not provide 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).

The SIP is not approved to apply on any Indian reservation land or in any

other area where 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), nor will it impose substantial direct costs on tribal governments or preempt tribal law.

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).

EPA also believes that the provisions of section 307(b)(1) of the CAA pertaining to petitions for judicial review are not applicable to this action. This is because prior EPA rulemaking actions for each individual component of the Georgia SIP compilations 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 believes judicial review of this action under section 307(b)(1) of the CAA is not available.

### 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 recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

Dated: March 9, 2023.

**Daniel Blackman**,  
Regional Administrator, Region 4.

Accordingly, for reasons stated in the preamble, 40 CFR part 52 is amended as follows:

## PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

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

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

### Subpart L—Georgia

- 2. In § 52.570 paragraphs (b), (c), and (d) are revised to read as follows:

#### § 52.570 Identification of plan.

\* \* \* \* \*

(b) *Incorporation by reference.* (1) Material listed in paragraphs (c) and (d) of this section with an EPA approval date prior to August 31, 2022, 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 paragraph (c) and (d) of this section with EPA approval dates after August 31, 2022, for Georgia will be incorporated by reference in the next update to the SIP compilation.

(2) EPA Region 4 certifies that the rules/regulations provided by 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 State Implementation Plan as of the dates referenced in paragraph (b)(1) of this section.

(3) Copies of the materials incorporated by reference may be inspected at the Region 4 EPA Office at 61 Forsyth Street SW, Atlanta, GA 30303. To obtain the material, please call (404) 562-9022. You may also inspect the material with an EPA approval date prior to August 31, 2022, for Georgia, at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, please email [fedreg.legal@nara.gov](mailto:fedreg.legal@nara.gov) or go to: <http://www.archives.gov/federal-register/cfr/ibr-locations.html>.

(c) *EPA-Approved Georgia Regulations.*

TABLE 1 TO PARAGRAPH (c)—EPA-APPROVED GEORGIA REGULATIONS

State citation	Title/subject	State effective date	EPA approval date	Explanation
391–3–1–.01	Definitions	7/29/2020	4/5/2022, 87 FR 19643	Except the first paragraph, sections (a)–(nn), (pp)–(ccc), (eee)–(jjj), (nnn)–(bbbb), (dddd)–(kkkk), (mmmm), (rrrr)–(ssss), approved on 12/4/2018 with a state effective date of 7/20/2017; sections (ddd) and (cccc) approved on 2/2/1996 with a state effective date of 11/20/1994; (nnnn), approved on 1/5/2017 with a state effective date of 8/14/2016; and sections (oooo), (pppp), which are not in the SIP.
391–3–1–.02	Provisions			
391–3–1–.02(1)	General Requirements	3/20/1979	9/18/1979, 44 FR 54047.	
391–3–1–.02(2)	Emission Standards			
391–3–1–.02(2)(a)	General Provisions	8/1/2013	7/28/2017, 82 FR 35106	Except for paragraph 391–3–1–.02(2)(a)1.
391–3–1–.02(2)(b)	Visible Emissions	1/17/1979	9/18/1979, 44 FR 54047.	
391–3–1–.02(2)(c)	Incinerators	7/23/2018	11/22/2019, 84 FR 64427.	
391–3–1–.02(2)(d)	Fuel-burning Equipment	7/20/2005	2/9/2009, 75 FR 6309.	
391–3–1–.02(2)(e)	Particulate Emission from Manufacturing Processes.	8/1/2013	7/28/2017, 82 FR 35106.	
391–3–1–.02(2)(f)	Normal Superphosphate Manufacturing Facilities.	1/17/1979	9/18/1979, 44 FR 54047.	
391–3–1–.02(2)(g)	Sulfur Dioxide	7/17/2002	7/9/2003, 68 FR 40786.	
391–3–1–.02(2)(h)	Portland Cement Plants	1/17/1979	9/18/1979, 44 FR 54047.	
391–3–1–.02(2)(i)	Nitric Acid Plants	1/17/1979	9/18/1979, 44 FR 54047.	
391–3–1–.02(2)(j)	Sulfuric Acid Plants	1/17/1979	9/18/1979, 44 FR 54047.	
391–3–1–.02(2)(k)	Particulate Emission from Asphaltic Concrete Hot Mix Plants.	1/17/1979	9/18/1979, 44 FR 54047.	
391–3–1–.02(2)(n)	Fugitive Dust	1/17/1979	9/18/1979, 44 FR 54047.	
391–3–1–.02(2)(p)	Particulate Emissions from Kaolin and Fuller's Earth Processes.	8/1/2013	7/28/2017, 82 FR 35106.	
391–3–1–.02(2)(q)	Particulate Emissions from Cotton Gins	8/1/2013	7/28/2017, 82 FR 35106.	
391–3–1–.02(2)(r)	Particulate Emissions from Granular and Mixed Fertilizer Manufacturing Units.	1/27/1972	5/31/1972, 37 FR 10842.	
391–3–1–.02(2)(t)	VOC Emissions from Automobile and Light Duty Truck Manufacturing.	3/7/2012	9/28/2012, 77 FR 59554.	
391–3–1–.02(2)(u)	VOC Emissions from Can Coating	9/16/1992	9/28/2012, 77 FR 59554.	
391–3–1–.02(2)(v)	VOC Emissions from Coil Coating	9/16/1992	9/28/2012, 77 FR 59554.	
391–3–1–.02(2)(w)	VOC Emissions from Paper Coating	3/7/2012	9/28/2012, 77 FR 59554.	
391–3–1–.02(2)(x)	VOC Emissions from Fabric and Vinyl Coating.	9/16/1992	9/28/2012, 77 FR 59554.	
391–3–1–.02(2)(y)	VOC Emissions from Metal Furniture Coating	3/7/2012	9/28/2012, 77 FR 59554.	
391–3–1–.02(2)(z)	VOC Emissions from Large Appliance Surface Coating.	3/7/2012	9/28/2012, 77 FR 59554.	
391–3–1–.02(2)(aa)	VOC Emissions from Wire Coating	9/16/1992	9/28/2012, 77 FR 59554.	
391–3–1–.02(2)(bb)	Petroleum Liquid Storage	1/9/1991	10/13/1992, 57 FR 46780.	
391–3–1–.02(2)(cc)	Bulk Gasoline Terminals	1/9/1991	10/13/1992, 57 FR 46780.	
391–3–1–.02(2)(dd)	Cutback Asphalt	1/17/1979	9/18/1979, 44 FR 54047.	
391–3–1–.02(2)(ee)	Petroleum Refinery	1/9/1991	10/13/1992, 57 FR 46780.	
391–3–1–.02(2)(ff)	Solvent Metal Cleaning	5/29/1996	4/26/1999, 64 FR 20186.	
391–3–1–.02(2)(gg)	Kraft Pulp Mills	8/1/2013	7/28/2017, 82 FR 35106.	
391–3–1–.02(2)(hh)	Petroleum Refinery Equipment Leaks	6/24/1994	2/2/1996, 61 FR 3817.	
391–3–1–.02(2)(ii)	VOC Emissions from Surface Coating of Miscellaneous Metal Parts and Products.	3/7/2012	9/28/2012, 77 FR 59554.	
391–3–1–.02(2)(jj)	VOC Emissions from Surface Coating of Flat Wood Paneling.	3/7/2012	9/28/2012, 77 FR 59554.	
391–3–1–.02(2)(kk)	VOC Emissions from Synthesized Pharmaceutical Manufacturing.	12/18/1980	11/24/1981, 46 FR 57486.	
391–3–1–.02(2)(ll)	VOC Emissions from the Manufacture of Pneumatic Rubber Tires.	12/18/1980	11/24/1981, 46 FR 57486.	
391–3–1–.02(2)(mm)	VOC Emissions from Graphic Arts Systems	3/7/2012	9/28/2012, 77 FR 59554.	
391–3–1–.02(2)(nn)	VOC Emissions from External Floating Roof Tanks.	12/18/1980	11/24/1981, 46 FR 57486.	
391–3–1–.02(2)(oo)	Fiberglass Insulation Manufacturing Plants	12/18/1980	11/24/1981, 46 FR 57486.	
391–3–1–.02(2)(pp)	Bulk Gasoline Plants	6/8/2008	9/28/2012, 77 FR 59554.	
391–3–1–.02(2)(qq)	VOC Emissions from Large Petroleum Dry Cleaners.	4/3/1991	10/13/1992, 57 FR 46780.	
391–3–1–.02(2)(rr)	Gasoline Dispensing Facilities—Stage I	6/8/2008	9/28/2012, 77 FR 59554.	
391–3–1–.02(2)(ss)	Gasoline Transport Systems and Vapor Collection Systems.	8/1/2013	7/28/2017, 82 FR 35106.	
391–3–1–.02(2)(tt)	VOC Emissions from Major Sources	6/8/2008	9/28/2012, 77 FR 59554.	
391–3–1–.02(2)(uu)	Visibility Protection	10/31/1985	1/28/1986, 51 FR 3466.	
391–3–1–.02(2)(vv)	Volatile Organic Liquid Handling and Storage	4/12/2009	9/28/2012, 77 FR 59554.	
391–3–1–.02(2)(yy)	Emissions of Nitrogen Oxides from Major Sources.	4/12/2009	9/28/2012, 77 FR 59554.	
391–3–1–.02(2)(ccc)	VOC Emissions from Bulk Mixing Tanks	4/12/2009	9/28/2012, 77 FR 59554.	

TABLE 1 TO PARAGRAPH (c)—EPA-APPROVED GEORGIA REGULATIONS—Continued

State citation	Title/subject	State effective date	EPA approval date	Explanation
391-3-1-.02(2)(ddd) ...	VOC Emissions from Offset Lithography and Letterpress.	3/7/2012	9/28/2012, 77 FR 59554.	
391-3-1-.02(2)(eee) ...	VOC Emissions from Expanded Polystyrene Products Manufacturing.	4/12/2009	9/28/2012, 77 FR 59554.	
391-3-1-.02(2)(fff) .....	Particulate Matter Emissions from Yarn Spinning Operations.	6/15/1998	12/2/1999, 64 FR 67491.	
391-3-1-.02(2)(hhh) ...	Wood Furniture Finishing and Cleaning Operations.	4/12/2009	9/28/2012, 77 FR 59554.	
391-3-1-.02(2)(jjj) .....	NO <sub>x</sub> Emissions from Electric Utility Steam Generating Units.	3/12/2007	11/27/2009, 74 FR 62249.	
391-3-1-.02(2)(kkk) ...	VOC Emissions from Aerospace Manufacturing and Rework Facilities.	2/17/2019	3/11/2020, 85 FR 14145.	
391-3-1-.02(2)(lll) .....	NO <sub>x</sub> Emissions from Fuel-burning Equipment	4/12/2009	9/28/2012, 77 FR 59554.	
391-3-1-.02(2)(mmm)	NO <sub>x</sub> Emissions from Stationary Gas Turbines and Stationary Engines used to Generate Electricity.	5/4/2014	9/1/2015, 80 FR 52627.	
391-3-1-.02(2)(nnn) ...	NO <sub>x</sub> Emissions from Large Stationary Gas Turbines.	4/20/2003	5/28/2019, 84 FR 24393.	
391-3-1-.02(2)(rrr) .....	NO <sub>x</sub> Emissions from Small Fuel-Burning Equipment.	4/12/2009	9/28/2012, 77 FR 59554.	
391-3-1-.02(2)(vvv) ...	VOC Emissions from Coating Miscellaneous Plastic Parts and Products.	3/7/2012	9/28/2012, 77 FR 59554.	
391-3-1-.02(2)(yyy) ...	VOC Emissions from the Use of Miscellaneous Industrial Adhesives.	3/7/2012	9/28/2012, 77 FR 59554.	
391-3-1-.02(2)(zzz) ...	VOC Emissions from Fiberglass Boat Manufacturing.	3/7/2012	9/28/2012, 77 FR 59554.	
391-3-1-.02(2)(aaaa)	Industrial Cleaning Solvents .....	3/7/2012	9/28/2012, 77 FR 59554.	
391-3-1-.02(3) .....	Sampling .....	6/15/1998	12/2/1999, 64 FR 67491.	
391-3-1-.02(4) .....	Ambient Air Standards .....	7/23/2018	10/29/2019, 84 FR 57824 ...	Except paragraphs (a), (c), (d), (e), (f), (g), and (h), approved on 12/4/2018 with a state effective date of 7/20/2017.
391-3-1-.02(5) .....	Open Burning .....	7/13/2006	5/28/2019, 84 FR 24393 .....	Except subparagraph 391-3-1-.02(5)(c), which was approved on July 10, 2001, with a state effective date of August 16, 2000.
391-3-1-.02(6) .....	Source Monitoring .....	8/1/2013	7/28/2017, 82 FR 35108 .....	Except paragraph (a)4., approved on 3/9/2022, with a state effective date of 10/25/2021.
391-3-1-.02(7) .....	Prevention of Significant Deterioration of Air Quality (PSD).	7/20/2017	9/16/2020, 85 FR 57707 .....	Except for the automatic rescission clause at 391-3-1-.02(7)(a)(2)(iv), which EPA disapproved on March 4, 2016. Except for portions of Rule 391-3-1-.02(7) incorporating by reference 40 CFR 52.21(b)(2)(v), and 40 CFR 52.21(b)(3)(iii)(c), because those CFR provisions were indefinitely stayed by the Fugitive Emissions Rule in the March 30, 2011 rulemaking and have not been approved into the Georgia SIP.
391-3-1-.02(11) .....	Compliance Assurance Monitoring .....	6/15/1998	12/2/1999, 64 FR 67491.	
391-3-1-.02(12) .....	Cross State Air Pollution Rule NO <sub>x</sub> Annual Trading Program.	7/23/2018	2/18/2020, 85 FR 8749.	
391-3-1-.02(13) .....	Cross State Air Pollution Rule SO <sub>2</sub> Annual Trading Program.	7/23/2018	2/18/2020, 85 FR 8749.	
391-3-1-.02(14) .....	Cross State Air Pollution Rule NO <sub>x</sub> Ozone Season Trading Program.	7/23/2018	2/18/2020, 85 FR 8749.	
391-3-1-.03 .....	Permits			
391-3-1-.03(1) .....	Construction (SIP) Permit .....	8/17/1994	8/30/1995, 60 FR 45048.	
391-3-1-.03(2) .....	Operating (SIP) Permit .....	12/26/2001	7/11/2002, 67 FR 45909 .....	Except subparagraph (e), which is not approved into the SIP.
391-3-1-.03(3) .....	Revocation, Suspension, Modification or Amendment of Permits.	2/23/1979	9/18/1979, 44 FR 54047.	
391-3-1-.03(4) .....	Permits Not Transferable .....	11/20/1975	8/20/1976, 41 FR 35184.	
391-3-1-.03(5) .....	Permits Public Records .....	10/28/1992	2/2/1996, 61 FR 3819.	
391-3-1-.03(6) .....	Exemptions .....	7/29/2020	4/5/2022, 87 FR 19643 .....	With the exception of Rule 391-3-1-.03(6)(b)16.
391-3-1-.03(7) .....	Combined Permits and Applications .....	2/23/1979	9/18/1979, 44 FR 54047.	
391-3-1-.03(8) .....	Permit Requirements .....	9/26/2019	9/16/2020, 85 FR 57694.	
391-3-1-.03(11) .....	Permit by Rule .....	7/23/2018	11/22/2019, 84 FR 64427 ...	Except sections (a)-(b)(5) and (b)(7)-(b)(10), approved on 2/9/2010 with a state effective date of 7/20/2005; section (b)(6), approved on 3/13/2000 with a state effective date of 12/25/1997; and the phrase "or enforceable as a practical matter" in section .03(11)(b)11.(i), which is not in the SIP.
391-3-1-.03(12) .....	Generic Permit .....	8/17/1994	8/30/1995, 60 FR 45048.	

TABLE 1 TO PARAGRAPH (c)—EPA-APPROVED GEORGIA REGULATIONS—Continued

State citation	Title/subject	State effective date	EPA approval date	Explanation
391–3–1–.03(13) .....	Emission Reduction Credits .....	9/26/2019	9/22/2020, 85 FR 59436 ....	Except subparagraph 391–3–1–.03(13)(f), which was approved into the SIP with a state effective date of 7/18/2001, and subparagraphs (b), (c), (e), (g), and (i), which were approved into the SIP with a state effective date of 2/16/2000.
391–3–1–.04 .....	Air Pollution Episodes .....	11/20/1975	8/20/1976, 41 FR 35184.	
391–3–1–.07 .....	Inspections and Investigations .....	11/20/1975	8/20/1976, 41 FR 35184.	
391–3–1–.08 .....	Confidentiality of Information .....	11/20/1975	8/20/1976, 41 FR 35184.	
391–3–1–.09 .....	Enforcement .....	11/22/1992	2/2/1996, 61 FR 3819.	
391–3–1–.10 .....	Continuance of Prior Rules .....	11/22/1992	2/2/1996, 61 FR 3819.	
391–3–1–.15 .....	Georgia Transportation Conformity and Consultation Interagency Rule.	10/6/2010	6/15/2012, 77 FR 35866.	
391–3–20 .....	Enhanced Inspection and Maintenance			
391–3–20–.01 .....	Definitions .....	4/13/2021	9/22/2022, 87 FR 57834.	
391–3–20–.02 .....	Covered Counties .....	1/9/2005	5/24/2007, 72 FR 29075.	
391–3–20–.03 .....	Covered Vehicles; Exemptions .....	2/17/2019	8/24/2020, 85 FR 52047.	
391–3–20–.04 .....	Emission Inspection Procedures .....	4/13/2021	9/22/2022, 87 FR 57834.	
391–3–20–.05 .....	Emission Standards .....	4/13/2021	9/22/2022, 87 FR 57834.	
391–3–20–.06 .....	On-Road Testing of Exhaust Emissions by Remote Sensing Technology or Other Means.	2/17/2019	8/24/2020, 85 FR 52047.	
391–3–20–.07 .....	Inspection Equipment System Specifications	4/13/2021	9/22/2022, 87 FR 57834.	
391–3–20–.08 .....	Quality Control and Equipment Calibration Procedures.	3/28/2018	8/24/2020, 85 FR 52047.	
391–3–20–.09 .....	Inspection Station Requirements .....	4/13/2021	9/22/2022, 87 FR 57834.	
391–3–20–.10 .....	Certificates of Authorization .....	3/28/2018	8/24/2020, 85 FR 52047.	
391–3–20–.11 .....	Inspector Qualifications and Certification .....	4/13/2021	9/22/2022, 87 FR 57834.	
391–3–20–.12 .....	Schedules for Emission Inspections .....	6/19/2014	4/10/2017, 82 FR 17128.	
391–3–20–.13 .....	Certificate of Emission Inspection .....	3/28/2018	8/24/2020, 85 FR 52047.	
391–3–20–.15 .....	Repairs and Retests .....	3/28/2018	8/24/2020, 85 FR 52047.	
391–3–20–.16 .....	Extensions and Reciprocal Inspections .....	6/19/2014	4/10/2017, 82 FR 17128.	
391–3–20–.17 .....	Waivers .....	2/17/2019	8/24/2020, 85 FR 52047.	
391–3–20–.18 .....	Sale of Vehicles .....	3/28/2018	8/24/2020, 85 FR 52047.	
391–3–20–.19 .....	Management Contractor .....	6/19/2014	4/10/2017, 82 FR 17128.	
391–3–20–.20 .....	Referee Program .....	3/28/2018	8/24/2020, 85 FR 52047.	
391–3–20–.21 .....	Inspection Fees .....	6/19/2014	4/10/2017, 82 FR 17128.	
391–3–20–.22 .....	Enforcement .....	6/19/2014	4/10/2017, 82 FR 17128.	

(d) EPA-Approved State Source Specific Requirements.

TABLE 2 TO PARAGRAPH (d)—EPA-APPROVED GEORGIA SOURCE-SPECIFIC REQUIREMENTS

Name of source	Permit No.	State effective date	EPA approval date	Comments
Georgia Power Plant Bowen .....	EPD–AQC–180 .....	11/17/1980	8/17/1981, 46 FR 41498.	
Georgia Power Plant Harlee Branch.	4911–117–6716–0 .....	4/23/1980	5/5/1981, 46 FR 25092.	
ITT Rayonier, Inc. ....	2631–151–7686–C .....	11/4/1980	8/14/1981, 46 FR 41050.	
Georgia Power Plant Bowen .....	EPD–AQC–163 .....	5/16/1979	1/3/1980, 45 FR 781.	
Union Camp .....	2631–025–7379–0 .....	12/18/1981	4/13/1982, 47 FR 15794.	
Blue Bird Body Company .....	3713–111–8601 .....	1/27/1984	1/7/1985, 50 FR 765.	
Plant McDonough .....	4911–033–5037–0 conditions 10 through 22 .....	12/27/1995	3/18/1999, 64 FR 13348.	
Plant Yates .....	4911–038–4838–0 conditions 19 through 32 .....	12/27/1995	3/18/1999, 64 FR 13348.	
Plant Yates .....	4911–038–4839–0 conditions 16 through 29 .....	12/27/1995	3/18/1999, 64 FR 13348.	
Plant Yates .....	4911–038–4840–0 conditions 16 through 29 .....	12/27/1995	3/18/1999, 64 FR 13348.	
Plant Yates .....	4911–038–4841–0 conditions 16 through 29 .....	12/27/1995	3/18/1999, 64 FR 13348.	
Plant Atkinson .....	4911–033–1319–0 conditions 8 through 13 .....	11/15/1994	3/18/1999, 64 FR 13348.	
Plant Atkinson .....	4911–033–1320–0 conditions 8 through 13 .....	11/15/1994	3/18/1999, 64 FR 13348.	
Plant Atkinson .....	4911–033–1321–0 conditions 8 through 13 .....	11/15/1994	3/18/1999, 64 FR 13348.	
Plant Atkinson .....	4911–033–1322–0 conditions 8 through 13 .....	11/15/1994	3/18/1999, 64 FR 13348.	
Plant Atkinson .....	4911–033–6949 conditions 5 through 10 .....	11/15/1994	3/18/1999, 64 FR 13348.	
Plant McDonough .....	4911–033–6951 conditions 5 through 10 .....	11/15/1994	3/18/1999, 64 FR 13348.	
Atlanta Gas Light Company .....	4922–028–10902 conditions 20 and 21 .....	11/15/1994	3/18/1999, 64 FR 13348.	
Atlanta Gas Light Company .....	4922–031–10912 conditions 27 and 28 .....	11/15/1994	3/18/1999, 64 FR 13348.	
Austell Box Board Corporation ...	2631–033–11436 conditions 1 through 5 .....	11/15/1994	3/18/1999, 64 FR 13348.	
Emory University .....	8922–044–10094 conditions 19 through 26 .....	11/15/1994	3/18/1999, 64 FR 13348.	
General Motors Corporation .....	3711–044–11453 conditions 1 through 6 and Attachment A .....	11/15/1994	3/18/1999, 64 FR 13348.	
Georgia Proteins Company .....	2077–058–11226 conditions 16 through 23 and Attachment A .....	11/15/1994	3/18/1999, 64 FR 13348.	
Owens-Brockway Glass Container, Inc.	3221–060–10576 conditions 26 through 28 and Attachment A .....	11/15/1994	3/18/1999, 64 FR 13348.	

TABLE 2 TO PARAGRAPH (d)—EPA-APPROVED GEORGIA SOURCE-SPECIFIC REQUIREMENTS—Continued

Name of source	Permit No.	State effective date	EPA approval date	Comments
Owens-Corning Fiberglass Corporation.	3296-060-10079 conditions 25 through 29 .....	11/15/1994	3/18/1999, 64 FR 13348.	

\* \* \* \* \*  
 [FR Doc. 2023-05241 Filed 3-17-23; 8:45 am]  
 BILLING CODE 6560-50-P

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 180**

[EPA-HQ-OPP-2021-0729; FRL-10603-01-OCSPP]

**Azoxystrobin; Pesticide Tolerances**

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

**ACTION:** Final rule.

**SUMMARY:** This regulation establishes tolerances for residues of azoxystrobin in or on mango, papaya, and oil palm. Syngenta Crop Protection, LLC requested these tolerances under the Federal Food, Drug, and Cosmetic Act (FFDCA).

**DATES:** This regulation is effective March 20, 2023. Objections and requests for hearings must be received on or before May 19, 2023 and must be filed in accordance with the instructions provided in 40 CFR part 178 (see also Unit I.C. of the **SUPPLEMENTARY INFORMATION**).

**ADDRESSES:** The docket for this action, identified by docket identification (ID) number EPA-HQ-OPP-2021-0729, is available at <https://www.regulations.gov> or at the Office of Pesticide Programs Regulatory Public Docket (OPP Docket) in the Environmental Protection Agency Docket Center (EPA/DC), West William Jefferson Clinton Bldg., Rm. 3334, 1301 Constitution Ave. NW, Washington, DC 20460-0001. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room and the OPP Docket is (202) 566-1744. For the latest status information on EPA/DC services, docket access, visit <https://www.epa.gov/dockets>.

**FOR FURTHER INFORMATION CONTACT:** Daniel Rosenblatt, Registration Division (7505T), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460-0001; main telephone number: (202) 566-2875; email address: [RDfrNotices@epa.gov](mailto:RDfrNotices@epa.gov).

**SUPPLEMENTARY INFORMATION:**

**I. General Information**

*A. Does this action apply to me?*

You may be potentially affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. The following list of North American Industrial Classification System (NAICS) codes is not intended to be exhaustive, but rather provides a guide to help readers determine whether this document applies to them. Potentially affected entities may include:

- Crop production (NAICS code 112).
- Animal production (NAICS code 311).
- Food manufacturing (NAICS code 311).
- Pesticide manufacturing (NAICS code 32532).

*B. How can I get electronic access to other related information?*

You may access a frequently updated electronic version of EPA's tolerance regulations at 40 CFR part 180 through the Office of the Federal Register's e-CFR site at <https://www.ecfr.gov/current/title-40>.

*C. How can I file an objection or hearing request?*

Under FFDCA section 408(g), 21 U.S.C. 346a, any person may file an objection to any aspect of this regulation and may also request a hearing on those objections. You must file your objection or request a hearing on this regulation in accordance with the instructions provided in 40 CFR part 178. To ensure proper receipt by EPA, you must identify docket ID number EPA-HQ-OPP-2021-0729 in the subject line on the first page of your submission. All objections and requests for a hearing must be in writing and must be received by the Hearing Clerk on or before May 19, 2023. Addresses for mail and hand delivery of objections and hearing requests are provided in 40 CFR 178.25(b).

In addition to filing an objection or hearing request with the Hearing Clerk as described in 40 CFR part 178, please submit a copy of the filing (excluding any Confidential Business Information (CBI)) for inclusion in the public docket. Information not marked confidential

pursuant to 40 CFR part 2 may be disclosed publicly by EPA without prior notice. Submit the non-CBI copy of your objection or hearing request, identified by docket ID number EPA-HQ-OPP-2021-0729, by one of the following methods:

- *Federal eRulemaking Portal:* <https://www.regulations.gov>. Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be CBI or other information whose disclosure is restricted by statute.
- *Mail:* OPP Docket, Environmental Protection Agency Docket Center (EPA/DC), (28221T), 1200 Pennsylvania Ave. NW, Washington, DC 20460-0001.
- *Hand Delivery:* To make special arrangements for hand delivery or delivery of boxed information, please follow the instructions at <https://www.epa.gov/send-comments-epa-dockets>.

Additional instructions on commenting or visiting the docket, along with more information about dockets generally, is available at <https://www.epa.gov/dockets>.

**II. Summary of Petitioned-For Tolerance**

In the **Federal Register** of May 20, 2022 (87 FR 30856) (FRL-9410-13), EPA issued a document pursuant to FFDCA section 408(d)(3), 21 U.S.C. 346a(d)(3), announcing the filing of a pesticide petition (PP 1F8946) by Syngenta Crop Protection, LLC, 410 Swing Road, P.O. Box 18300, Greensboro, NC 27419. The petition requested that 40 CFR 180.507 be amended by establishing an import tolerance for residues of the fungicide azoxystrobin, methyl (E)-2-[2-[6-(2-cyanophenoxy)pyrimidin-4-yl]oxy]phenyl]-3-methoxyacrylate, in or on palm, oil at 0.06 parts per million (ppm). The petition also requested to amend tolerances in 40 CFR 180.507 for residues of the fungicide azoxystrobin in or on mango at 4 ppm and papaya at 6 ppm. The May 20, 2022, notice of filing referenced a summary of the petition prepared by Syngenta Crop Protection, LLC, the registrant, which is available in the docket, <https://www.regulations.gov>. There were no comments received in response to the notice of filing.