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ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 52**

[EPA-R04-OAR-2022-0512; FRL-10177-01-R4]

Air Plan Approval; North Carolina; Update to Materials Incorporated by Reference**AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Final rule; notification of administrative change.

SUMMARY: The Environmental Protection Agency (EPA) is updating the materials that are incorporated by reference (IBR) into the North Carolina State Implementation Plan (SIP). The regulations affected by this update have been previously submitted by North Carolina and approved by EPA. In this final rule, EPA is also notifying the public of corrections and clarifying changes in the Code of Federal Regulations (CFR) tables that identify material incorporated by reference into the North Carolina 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 August 2, 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. 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 Planning and Implementation Branch, Air and Radiation Division, Region 4, U.S. Environmental Protection Agency, 61 Forsyth Street SW, Atlanta, Georgia 30303-8960. Ms. LaRocca can be reached via telephone at (404) 562-8994 and via electronic mail at 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 the 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.

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 North Carolina on May 20, 1999 (64 FR 27465), Forsyth County on August 9, 2002 (67 FR 51763), Mecklenburg County on October 22, 2002 (67 FR 64999), Western North Carolina on October 26, 2018 (83 FR 54032), and EPA-Approved North Carolina Source-Specific Requirements on November 24, 2020 (85 FR 74884), and is providing this notification in accordance with such procedures.

II. EPA Action

In this action, EPA is providing notification of an update to the materials incorporated by reference into the North Carolina SIP as of April 29, 2023, and identified in 40 CFR 52.1770(c) and (d). This update includes SIP materials submitted by North Carolina and approved by EPA since the last IBR update. See 83 FR 54032 (October 26, 2018). In addition, EPA is providing notification of the following corrections and clarifying changes to 40 CFR 52.1770(c) and (e):

Changes Applicable to Paragraph (c), Table (1), EPA Approved North Carolina Regulations

- A. Correcting Table (c)'s title, from "(c) EPA approved regulations" to "EPA-Approved Regulations"
- B. Correcting the header of Paragraph (c), Table (1) from "EPA Approved North Carolina Regulations" to "EPA-Approved North Carolina Regulations"
- C. Under the "State citation" column, changing "Section" to "Rule" before all rules in the table
- D. Under "EPA approval date," correcting a **Federal Register** citation to reflect the beginning page of the preamble as opposed to that of the regulatory text
- E. Changing the title "Subchapter 2D Air Pollution Control Requirements" to "Subchapter 02D Air Pollution Control Requirements"

- F. In “Subchapter 02D Air Pollution Control Requirements,” under “Section .0500 Emission Control Standards” adding the explanation “Except for the annual average opacity limits and except as the rule applies to Carolina Power & Light’s Asheville, Lee, Sutton, and Weatherspoon facilities.” to Rule .0536
- G. In “Subchapter 02D Air Pollution Control Requirements,” changing the title of Rule .0923, “Surface Coating of Large Appliances” to “Surface Coating of Large Appliance Parts”
- H. In “Subchapter 02D Air Pollution Control Requirements,” changing the title of Rule .0925, “Petroleum Liquid Storage” to “Petroleum Liquid Storage in Fixed Roof Tanks”
- I. In “Subchapter 02D Air Pollution Control Requirements,” changing the title of Section .1000 from “Motor Vehicle Emission Control Standard” to “Motor Vehicle Emission Control Standards”
- J. In “Subchapter 02D Air Pollution Control Requirements,” under “Section .2600 Source Testing,” correcting the state effective date for Rules .2601–.2608, .2612–.2615, and .2621, from “3/13/2008” to “6/1/2008”
- K. Changing the title “Subchapter 2Q Air Quality Permits” to “Subchapter 02Q Air Quality Permits”
- L. In “Subchapter 02Q Air Quality Permits,” under “Section .0800 Exclusionary Rules,” correcting the state effective date for Rule .0807 from “4/1/2002” to “4/1/2001”
- M. In “Subchapter 02Q Air Quality Permits,” under “Section .0800 Exclusionary Rules,” adding “Rule .0810 Air Curtain Burners,” which was approved into the SIP on 7/18/2017 (82 FR 32767)
- N. In “Subchapter 02Q Air Quality Permits,” under “Section .0800 Exclusionary Rules,” and “Section .0900 Permit Exemptions” correcting the approval dates and citations for Rules .0809, .0901, and .0902 from “9/27/2017, 82 FR 45473” to “9/29/2017, 82 FR 45473”
- Changes Applicable to Paragraph (c), Table (2), EPA Approved Forsyth County Regulations*
- A. Correcting the header of paragraph (c), Table (2) from “EPA Approved Forsyth County Regulations” to “EPA-Approved Forsyth County Regulations”
- B. Changing the “State citation” and “State effective date” column titles to “Citation” and “Effective date”, respectively
- C. Under the “Citation” column, changing “Section” to “Rule” before all rules in the table
- D. Correcting the header of Subchapter 3A from “Subchapter 3A Air Pollution Control Requirements” to “Subchapter 3A Air Pollution Control”
- E. For all applicable rules in “Subchapter 3A Air Pollution Control,” “Subchapter 3B Relationship to State Code,” “Subchapter 3D Air Pollution Control Requirements,” and “Subchapter 3Q Air Quality Permits,” correcting the effective date and citation from “6/14/1990” to “12/19/1994” and correcting the citation from “5/2/1991, 56 FR 20140” to “2/1/1996, 61 FR 3586”
- F. In “Subchapter 3A Air Pollution Control,” under “Section .0100 In General,” correcting the effective date for Rule .0106 from “1/17/1997” to “9/14/1998”
- G. In “Subchapter 3D Air Pollution Control Requirements,” under “Section .0100 Definitions and References,” correcting the effective date of Rule .0101 from 11/6/1998” to “9/14/1998”
- H. In “Subchapter 3D Air Pollution Control Requirements,” under Section .0400 Ambient Air Quality Standards,” changing the title of Rule .0409 from “PM₁₀ Particulate Matter” to “Particulate Matter”, and correcting the effective date and EPA approval date from “6/14/1990; 5/2/1991, 56 FR 20140” to “12/19/1994; 2/1/1996, 61 FR 3586”
- I. In “Subchapter 3D Air Pollution Control Requirements,” under “Section .0500 Emission Control Standards,” changing the title of the following Rules:
1. Rule .0509 “Particulates from MICA or FELDSPAR Processing Plants” to “Particulates from Mica or Feldspar Processing Plants”
 2. Rule .0513 “Particulates From Portland Cement Plants” to “Control of Particulates From Portland Cement Plants”
 3. Rule .0514 “Particulates From Ferrous Jobbing Foundries” to “Control of Particulates From Ferrous Jobbing Foundries”
- J. In “Subchapter 3D Air Pollution Control Requirements,” under “Section .0500 Emission Control Standards,” adding the following rules:
1. Rule .0520 Control and Prohibition of Open Burning; effective 12/19/1994; EPA approval date 2/1/1996, 61 FR 3586
 2. Rule .0523 Control of Conical Incinerators; effective 12/19/1994;
- EPA approval date 2/1/1996, 61 FR 3586
- K. In “Subchapter 3D Air Pollution Control Requirements,” under “Section .0500 Emission Control Standards,” removing the following rules:
1. Rule .0522 Control and Prohibition of Odorous Emissions
 2. Rule .0528 Total Reduced Sulfur from Kraft Pulp Mills
 3. Rule .0529 Fluoride Emissions from Primary Aluminum Reduction Plants
 4. Rule .0534 Fluoride Emissions from Phosphate Fertilizer Industry
 5. Rule .0539 Odor Control of Feed Ingredient Manufacturing Plants
 6. Rule .0540 Particulates from Fugitive Non-process Dust Emission Sources
 7. Rule .0541 Control of Emissions from Abrasive Blasting
 8. Rule .0542 Control of Particulate Emissions from Cotton Ginning Operations
- L. In Subchapter 3D Air Pollution Control Requirements,” under “Section .0500 Emission Control Standards,” adding the explanation “Except for item (2)” for Rule .0527
- M. In Subchapter 3D Air Pollution Control Requirements,” under “Section .0500 Emission Control Standards,” removing Rules .0524, .0537, and .0538
- N. In Subchapter 3D Air Pollution Control Requirements,” under “Section .0500 Emission Control Standards,” correcting the effective date and EPA approval date for Rule .0530 from “10/10/1997” to “8/14/1995” and “12/31/1998, 63 FR 72190” to “5/23/1996, 61 FR 25789”, respectively, and adding an explanation to read “Except for paragraphs (a), (l), (o), and (s) approved on 12/31/1998 with an effective date of 7/28/1997”
- O. In Subchapter 3D Air Pollution Control Requirements,” under “Section .0500 Emission Control Standards,” correcting the title of Rule .0533 from “Stack Heights” to “Stack Height”
- P. In “Subchapter 3D Air Pollution Control Requirements,” under “Section .0500 Emission Control Standards,” and “Section .0900 Volatile Organic Compounds” correcting the effective date for Rules .0506, .0507, .0508, .0509, .0510, .0511, .0515, .0521, .0535, .0914, and .0953 from “11/6/1998” to “9/14/1998”
- Q. In “Subchapter 3D Air Pollution Control Requirements,” under “Section .0500 Emission Control Standards,” and “Section .0900 Volatile Organic Compounds” correcting the effective date of Rules

- .0531 and .0909 from “11/6/1998” to 11/13/1995”
- R. In “Subchapter 3D Air Pollution Control Requirements,” under “Section .0600 Monitoring; Recordkeeping; Reporting” adding the following rules:
1. Rule .0608 Program Schedule; effective 12/19/1994; EPA approval date 2/1/1996, 61 FR 3586
 2. Rule .0610 Delegation; effective 12/19/1994; EPA approval date 2/1/1996, 61 FR 3586
- S. In “Subchapter 3D Air Pollution Control Requirements,” under “Section .0600 Air Monitoring; Recordkeeping; Reporting” correcting the effective date and EPA approval date of Rule .0615 from “6/14/1990” and “5/2/1991, 56 FR 20140” to “5/24/1999” and “10/22/2002, 67 FR 64994”
- T. In “Subchapter 3D Air Pollution Control Requirements,” under “Section .0900 Volatile Organic Compounds” correcting the effective date of Rule .0902 from “10/10/1997” to “7/28/1997” and adding the explanation “Paragraph (a) through (i) only”
- U. In “Subchapter 3D Air Pollution Control Requirements,” under “Section .0900 Volatile Organic Compounds” adding the explanation “Except Paragraphs (a) through (c), (g), and (h) approved on 12/31/1998 with an effective date of 7/28/1997” to Rule .0909
- V. In “Subchapter 3D Air Pollution Control Requirements,” under “Section .0900 Volatile Organic Compounds” adding Rule .0929 Petroleum Refinery Sources; effective 12/19/1994; with an EPA approval date of 2/1/1996, 61 FR 3586
- W. In “Subchapter 3D Air Pollution Control Requirements,” under “Section .0900 Volatile Organic Compounds,” correcting the effective date and EPA approval date of Rule .0952 from “11/29/1995” to “11/13/1995” and from “5/23/1996, 61 FR 25789” to “2/17/2000, 65 FR 8053”, respectively
- X. In “Subchapter 3D Air Pollution Control Requirements,” under “Section .0900 Volatile Organic Compounds,” correcting the effective date and EPA approval date of Rule .0954 from “10/10/1997” to “11/13/1995” and “5/23/1996, 61 FR 25789” to “2/17/2000, 65 FR 8053”, respectively, and adding the explanation “Except Paragraphs (a) and (f) approved on 12/31/1998 with an effective date of 7/28/1997”
- Y. In “Subchapter 3D Air Pollution Control Requirements,” under “Section .0900 Volatile Organic Compounds,” correcting the effective date of Rules .0955, .0956, and .0957 from “11/29/1995” to “8/14/1995”
- Z. In “Subchapter 3D Air Pollution Control Requirements,” under “Section .0900 Volatile Organic Compounds” removing Rule .0958
- AA. In “Subchapter 3D Air Pollution Control Requirements” removing “Section .1200 Control of Emissions from Incinerators 111(a)” and Rules .1201 and .1202
- BB. In “Subchapter 3D Air Pollution Control Requirements,” under “Section .1900 Open Burning” removing Rules .1901, .1902, and .1905
- CC. In “Subchapter 3D Air Pollution Control Requirements,” under “Section .1900 Open Burning,” correcting the EPA approval date of Rule .1903 from “9/8/2002, 67 FR 5176” to “8/9/2002, 67 FR 51763”
- DD. In “Subchapter 3D Air Pollution Control Requirements,” under “Section .1900 Open Burning” correcting the effective date and EPA approval date of Rule .1904 from “6/14/1990” to “10/25/1996” and “5/2/1991, 56 FR 20140” to “8/9/2002, 67 FR 51763”, respectively
- EE. In “Subchapter 3D Air Pollution Control Requirements,” adding “Section .2000 Transportation Conformity” and adding “Rule .2003 Transportation Conformity Determination” with a 10/25/1999 effective date and EPA approval of 8/9/2002, 67 FR 51763
- FF. In “Subchapter 3Q Air Quality Permits,” under “Section .0100 General Provisions,” adding the following Rules with an effective date of “12/19/1994” and EPA approval date of “2/1/1996, 61 FR 3586”:
1. Rule .0105 Copies of Referenced Documents
 2. Rule .0106 Incorporation by Reference
 2. Rule .0108 Delegation of Authority
 3. Rule .0109 Compliance Schedule for Previously Exempted Activities
 4. Rule .0110 Retention of Permit at Permit Facility
 5. Rule .0111 Applicability Determinations
- GG. In “Subchapter 3Q Air Quality Permits,” under “Section .0100 General Provisions,” correcting the effective date and EPA approval date of Rule .0103 from “5/24/1999; 67 FR 64994” to “10/25/1999; 67 FR 51763”
- HH. In “Subchapter 3Q Air Quality Permits,” under “Section .0100 General Provisions,” correcting the effective and EPA approval date of Rule .0104 from “10/10/1997” to “12/19/1994” and “12/31/1998, 63 FR 72190” to “2/1/1996, 61 FR 3586”, respectively, and adding the explanation “Except paragraph (b) approved on 12/31/1998 with a state effective date of 7/28/1997”
- II. In “Subchapter 3Q Air Quality Permits,” under “Section .0100 General Provisions,” “Section .0200 Permit Fees,” “Section .0300 Construction and Operation Permit,” and “Section .0800 Exclusionary Rules,” correcting the effective date of Rules .0101, .0207, .0301, .0302, .0312, .0805, .0806, and .0807 from “11/6/1998” to “9/14/1998”; and also correcting the EPA approval date for .0805, .0806, and .0807 from “2/17/2000, 65 FR 8093” to “2/17/2000, 65 FR 8053”
- JJ. In “Subchapter 3Q Air Quality Permits,” under “Section .0300 Construction and Operation Permit,” and Section .0800 Exclusionary Rules,” correcting the effective date of Rules .0304, .0306, .0309, .0315 and .0808 from “7/1/1999” to “5/24/1999”
- KK. In “Subchapter 3Q Air Quality Permits,” under “Section .0300 Construction and Operation Permit,” correcting the effective date and EPA approval date of Rule .0307 from “10/10/1997” to “12/19/1994” and “12/31/1998, 63 FR 72190” to “2/1/1996, 61 FR 3586” and adding the explanation “Except paragraph (i) approved on 12/31/1998 with a 7/28/1999 effective date”
- LL. In “Subchapter 3Q Air Quality Permits,” adding “Section .0600 Transportation Facility Procedures,” in sequential order and adding the following Rules with an effective date of “12/14/1994” and EPA approval date of “2/1/1996, 61 FR 3586”:
1. Rule .0601, Purpose of Section and Requirement for a Permit
 2. Rule .0602, Definitions
 3. Rule .0603, Applications, and also adding the explanation “Except paragraph (e) approved on 12/31/1998 with an effective date of 7/28/97”
 4. Rule .0604, Public Participation
 5. Rule .0605, Final Action on Permit Application
 6. Rule .0606, Termination, Modification and Revocation of Permits
 7. Rule .0607, Application Processing Schedule
- MM. In “Subchapter 3Q Air Quality Permits,” under “Section .0800 Exclusionary Rules,” correcting the effective date of Rule .0803 from “7/30/1999” to “5/24/1999”
- NN. In “Subchapter 3Q Air Quality Permits,” under “Section .0300 Construction and Operation Permit,” correcting the effective date of Rule .0308 from “3/14/1995” to “12/19/1994”

OO. In “Subchapter 3Q Air Quality Permits,” under “Section .0800 Exclusionary Rules,” correcting the effective date and EPA approval date of Rules .0802 and .0804 from “6/14/1990; 5/2/1991, 56 FR 20140” to 11/13/1995; 2/17/2000, 65 FR 8053,” respectively

Changes Applicable to Paragraph (c), Table (3), EPA Approved Mecklenburg County Regulations

- A. Correcting the header of paragraph (c), Table (3) from “EPA Approved Mecklenburg County Regulations” to “EPA-Approved Mecklenburg County Regulations”
- B. Changing the “State citation” and “State effective date” column titles to “Citation” and “Effective date”, respectively
- C. Under the “County citation” column, changing “Section” to “Rule” before all rules in the table
- D. For all applicable rules in “Article 1.0000 Permitting Provisions for Air Pollution Sources, Rules and Operating Regulations for Acid Rain Sources, Title V and Toxic Air Pollutants,” and “Article 2.0000 Air Pollution Control Regulations and Procedures,” correcting the effective date from “6/14/1990” to “4/3/1989”
- E. In “Article 1.0000 Permitting Provisions for Air Pollution Sources, Rules and Operating Regulations for Acid Rain Sources, Title V and Toxic Air Pollutants,” under “Section 1.5200 Air Quality Permits” changing the title of Rule 1.5235 from “Expedited Application Processing Schedule” to “Delegation of Authority”
- F. In “Article 2.0000 Air Pollution Control Regulations and Procedures,” under “Section 2.0100 Definitions and References” changing the title of Rule 2.0104 from “Incorporation by Reference” to “Adoption by Reference Updates”
- G. In “Article 2.0000 Air Pollution Control Regulations and Procedures,” under “Section 2.0400 Ambient Air Quality Standards” changing the title of Rule 2.0409 from “PM₁₀ Particulate Matter” to “Particulate Matter”
- H. In “Article 2.0000 Air Pollution Control Regulations and Procedures,” under “Section 2.0500 Emission Control Standards,” adding the explanation “Except for item (2)” to Rule 2.0517
- I. In “Article 2.0000 Air Pollution Control Regulations and Procedures,” under “Section 2.0500 Emission Control Standards,” removing Rules 2.0527, 2.0538, and 2.0539
- J. In “Article 2.0000 Air Pollution Control Regulations and Procedures,”

under “Section 2.0500 Emission Control Standards,” changing the titles of the following Rules:

1. Rule 2.0506 from “Particulates from Hot Mix Asphalt Plants” to “Control of Particulates from Hot Mix Asphalt Plants”
 2. Rule 2.0508 from “Particulates from Pulp and Paper Mills” to “Control of Particulates from Pulp and Paper Mills”
 3. Rule 2.0509 from “Particulates from MICA or FELDSPAR Processing Plants” to “Particulates from Mica or Feldspar Processing Plants”
 4. Rule 2.0510 from “Particulates from Sand, Gravel, or Crushed Stone Operations” to “Particulates: Sand: Gravel: Crushed Stone Operations”
 5. Rule 2.0511 from “Particulates from Lightweight Aggregate Processes” to “Particulates: SO(2) From Lightweight Aggregate Processes”
 6. Rule 2.0513 from “Particulates from Portland Cement Plants” to “Control of Particulates From Portland Cement Plants”
 7. Rule 2.0514 from “Particulates from Ferrous Jobbing Foundries” to “Control of Particulates From Ferrous Jobbing Foundries”
 8. Rule 2.0516 from “Sulfur Dioxide Emissions from Combustion Sources” to “Sulfur Dioxide Emissions from Fuel Burning Installations”
 9. Rule 2.0519 from “Control of Nitrogen Dioxide and Nitrogen Oxides Emissions” to “Control of Nitrogen Dioxide Emissions”
 10. Rule 2.0535 from “Excess Emissions Reporting and Malfunction” to “Malfunctions, Start-Up and Shut-Down”
- K. In “Article 2.0000 Air Pollution Control Regulations and Procedures” under “Section .0600 Monitoring: Recordkeeping: Reporting” removing Rules 2.0612, 2.0614, and 2.0615
 - L. In “Article 2.0000 Air Pollution Control Regulations and Procedures” under “Section .0600 Monitoring: Recordkeeping: Reporting” changing the title of Rule 2.0608 from “Other Large Coal or Residual Oil Burners” to “Program Schedule”
 - M. In “Article 2.0000 Air Pollution Control Regulations and Procedures” under “Section 2.0900 Volatile Organic Compounds” changing the title of the following Rules:
 1. Rule 2.0907 from “Equipment Installation Compliance Schedule” to “Equipment Installation Compliance Schedules”
 2. Rule 2.0909 from “Compliance Schedules for Sources In New Nonattainment Areas” to “Low Solvent Content Coating Compliance Schedules”

N. In “Article 2.000 Air Pollution Control Regulations and Procedures,” under “Section 2.900 Volatile Organic Compounds,” adding the following Rules with effective dates of 4/3/1989 and approved into the SIP on 5/2/1991 (56 FR 20140):

1. Rule 2.0911 Expectation for Compliance Schedule
2. Rule 2.0914 Determination of VOC Emission Control Efficiency

Changes Applicable to Paragraph (c), Table (4), EPA Approved Western North Carolina Regulations

- A. Replacing Table (4) in its entirety due to errors in the entries when the table was created in 83 FR 54032 (October 26, 2018)

Changes Applicable to Paragraph (e) EPA-Approved North Carolina Non-Regulatory Provisions

- A. Correcting the header of paragraph (e) from “EPA Approved North Carolina Non-regulatory Provisions” to “EPA-Approved North Carolina Non-Regulatory Provisions” to match the table heading
- B. Under “**Federal Register** Citation,” correcting a **Federal Register** citation to reflect the beginning page of the preamble as opposed to that of the regulatory text
- C. Under the “State effective date” and “EPA approval date” removing the leading zero from the month and day, changing the 2-digit year to reflect a 4-digit year (for consistency), and changing all dates to a numeric m/d/yyyy format
- D. Removing the period after all **Federal Register** citations (for consistency) under “**Federal Register** citation”
- E. Under the “Explanation,” capitalizing the first word of each phrase or sentence (for consistency)
- F. Under “North Carolina portion of bi-state Charlotte Area; 2008 8-Hour Ozone Base Year Emissions Inventory,” correcting the EPA approval date from “4/21/15 2015” to “4/21/2015”
- G. Under “2008 8-hour ozone Maintenance Plan for the North Carolina portion of the bi-state Charlotte Area,” correcting the **Federal Register** citation from “80 FR 44869” to “80 FR 44873”
- H. Under “110(a)(1) and (2) Infrastructure Requirements for the 2008 Lead NAAQS” and “110(a)(1) and (2) Infrastructure Requirements for the 2008 8-hour Ozone NAAQS,” adding the EPA approval date of “11/3/2015” and the **Federal Register** citation “80 FR 67646”

III. Good Cause Exemption

EPA has determined that this action falls under the “good cause” exemption in 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 corrections and clarifying changes to the tables in the CFR, and makes ministerial changes to the prefatory heading to the tables in the CFR. Under section 553 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 notification of the updated North Carolina SIP Compilation and notification of corrections to the North Carolina “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 regulations promulgated by North Carolina, previously approved by EPA and federally effective before April 29, 2023, contained in “North Carolina, Volume 1, 40 CFR 52.1770(c)(1), EPA-Approved North Carolina Regulations”, “North Carolina, Volume 2, 40 CFR 52.1770(c)(2), EPA-Approved Forsyth County Regulations”, “North Carolina, Volume 3, 40 CFR 52.1770(c)(3), EPA-Approved Mecklenburg County Regulations”, “North Carolina, Volume 4, 40 CFR 52.1770(c)(4), EPA-Approved Western North Carolina Regulations,” and “North Carolina, Volume 5, 40 CFR 52.1770(d), EPA-Approved Source-Specific Regulations”. EPA has made,

and will continue to make, these materials generally available through 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); and
- 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.

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.

Executive Order 12898 (Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations, 59 FR 7629, Feb. 16, 1994) directs Federal agencies to identify and address “disproportionately high and adverse human health or environmental effects” of their actions on minority populations and low-income populations to the greatest extent practicable and permitted by law. EPA defines environmental justice (EJ) as “the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.” EPA further defines the term fair treatment to mean that “no group of people should bear a disproportionate burden of environmental harms and risks, including those resulting from the negative environmental consequences of industrial, governmental, and commercial operations or programs and policies.” EPA did not perform an EJ analysis and did not consider EJ in this action. Consideration of EJ is not required as part of this action, and there is no information in the record inconsistent with the stated goal of E.O. 12898 of achieving EJ for people of color, low-income populations, and Indigenous peoples.

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 North Carolina SIP Compilation 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) 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: July 24, 2023.

Jeananne Gettle,

Acting Regional Administrator, Region 4.

For the reasons set out in the preamble, EPA amends 40 CFR part 52 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 II—North Carolina

■ 2. Section 52.1770 paragraphs (b), (c), and (e) are revised to read as follows:

§ 52.1770 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 April 29, 2023, 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 notification 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 after April 29, 2023, 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).

(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 inspect the material with an EPA approval date prior to April 29, 2023, for North Carolina at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA email fedreg.legal@nara.gov or go to <http://www.archives.gov/federal-register/cfr/ibr-locations.html>.

(c) *EPA-Approved Regulations.*

(1) EPA-APPROVED NORTH CAROLINA REGULATIONS

State citation	Title/subject	State effective date	EPA approval date	Explanation
Subchapter 02D Air Pollution Control Requirements				
Section .0100 Definitions and References				
Rule .0101	Definitions	1/1/2018	7/17/2020, 85 FR 43461	
Rule .0103	Copies of Referenced Federal Regulations.	1/1/2018	4/10/2019, 84 FR 14308	
Rule .0104	Incorporation by Reference	1/1/2018	4/10/2019, 84 FR 14308	
Rule .0105	Mailing List	1/1/2018	4/10/2019, 84 FR 14308	
Section .0200 Air Pollution Sources				
Rule .0201	Classification of Air Pollution Sources.	1/1/2018	4/10/2019, 84 FR 14308	
Rule .0202	Registration of Air Pollution Sources.	1/1/2018	4/10/2019, 84 FR 14308	
Section .0300 Air Pollution Emergencies				
Rule .0301	Purpose	2/1/1976	6/3/1986, 51 FR 19834	
Rule .0302	Episode Criteria	1/1/2018	4/10/2019, 84 FR 14308	
Rule .0303	Emission Reduction Plans	1/1/2018	4/10/2019, 84 FR 14308	
Rule .0304	Preplanned Abatement Program ...	1/1/2018	4/10/2019, 84 FR 14308	
Rule .0305	Emission Reduction Plan: Alert Level.	1/1/2018	4/10/2019, 84 FR 14308	
Rule .0306	Emission Reduction Plan: Warning Level.	1/1/2018	4/10/2019, 84 FR 14308	
Rule .0307	Emission Reduction Plan: Emergency Level.	1/1/2018	4/10/2019, 84 FR 14308	
Section .0400 Ambient Air Quality Standards				
Rule .0401	Purpose	1/1/2018	4/10/2019, 84 FR 14308	
Rule .0402	Sulfur Oxides	1/1/2018	4/10/2019, 84 FR 14308	
Rule .0403	Total Suspended Particulates	7/1/1988	1/16/1990, 55 FR 1419	
Rule .0404	Carbon Monoxide	1/1/2018	4/10/2019, 84 FR 14308	
Rule .0405	Ozone	1/1/2018	2/14/2019, 84 FR 3991	
Rule .0407	Nitrogen Dioxide	1/1/2018	4/10/2019, 84 FR 14308	
Rule .0408	Lead	1/1/2018	4/10/2019, 84 FR 14308	
Rule .0409	PM ₁₀ Particulate Matter	1/1/2018	4/10/2019, 84 FR 14308	

(1) EPA-APPROVED NORTH CAROLINA REGULATIONS—Continued

State citation	Title/subject	State effective date	EPA approval date	Explanation
Rule .0410	PM _{2.5} Particulate Matter	1/1/2018	4/10/2019, 84 FR 14308	
Section .0500 Emission Control Standards				
Rule .0501	Compliance with Emission Control Standards.	6/1/2008	4/9/2019, 84 FR 14019	
Rule .0502	Purpose	3/1/1981	7/26/1982, 47 FR 32118	
Rule .0503	Particulates from Fuel Burning Indirect Heat Exchangers.	5/1/1999	10/22/2002, 67 FR 64989	
Rule .0504	Particulates from Wood Burning Indirect Heat Exchangers.	7/1/2002	12/27/2002, 67 FR 78980	
Rule .0505	Control of Particulates from Incinerators.	7/1/1987	2/29/1988, 53 FR 5974	
Rule .0506	Particulates from Hot Mix Asphalt Plants.	3/20/1998	11/10/1999, 64 FR 61213	
Rule .0507	Particulates from Chemical Fertilizer Manufacturing Plants.	4/1/2003	9/17/2003, 68 FR 54362	
Rule .0508	Particulates from Pulp and Paper Mills.	3/20/1998	11/10/1999, 64 FR 61213	
Rule .0509	Particulates from Mica or Feldspar Processing Plants.	4/1/2003	9/17/2003, 68 FR 54362	
Rule .0510	Particulates from Sand, Gravel, or Crushed Stone Operations.	3/20/1998	11/10/1999, 64 FR 61213	
Rule .0511	Particulates from Lightweight Aggregate.	3/20/1998	11/10/1999, 64 FR 61213	
Rule .0512	Particulates from Wood Products Finishing Plants.	11/1/1984	12/19/1986, 51 FR 45468	
Rule .0513	Particulates from Portland Cement Plants.	3/20/1998	11/10/1999, 64 FR 61213	
Rule .0514	Particulates from Ferrous Jobbing Foundries.	3/20/1998	11/10/1999, 64 FR 61213	
Rule .0515	Particulates from Miscellaneous Industrial Processes.	4/1/2003	9/17/2003, 68 FR 54362	
Rule .0516	Sulfur Dioxide Emissions from Combustion Sources.	11/1/2020	10/25/2022, 87 FR 64382	
Rule .0517	Emissions from Plants Producing Sulfuric Acid.	11/1/2020	10/25/2022, 87 FR 64382	
Rule .0519	Control of Nitrogen Dioxide and Nitrogen Oxides Emissions.	11/1/2020	10/25/2022, 87 FR 64382	
Rule .0521	Control of Visible Emissions	1/1/2005	10/25/2005, 70 FR 61556	Approving changes to Paragraphs (c) and (d) that reference new Paragraph (g). Also, approving Paragraph (g) excluding the following language: "excluding startups, shutdowns, maintenance periods when fuel is not being combusted, and malfunctions approved as such according to procedures approved under Rule .0535 of this Section."
Rule .0522	Control and Prohibition of Odorous Emissions.	2/1/1976	6/3/1986, 51 FR 19834	
Rule .0523	Control of Conical Incinerators	1/1/1985	9/9/1987, 52 FR 33933	
Rule .0527	Emissions from Spodumene Ore Roasting.	11/1/1984	12/19/1986, 51 FR 45468	

(1) EPA-APPROVED NORTH CAROLINA REGULATIONS—Continued

State citation	Title/subject	State effective date	EPA approval date	Explanation
Rule .0530	Prevention of Significant Deterioration.	10/1/2020	1/5/2023, 88 FR 773	Except for the incorporation by reference of 40 CFR 51.166(b)(2)(iii)(a), which is instead the incorporation of the March 15, 1996, version of that section as approved into the SIP on October 15, 1999. Except for the incorporation by reference of 40 CFR 51.166(i)(2), which is instead the incorporation of the July 1, 2014, version of that section as approved into the SIP on September 11, 2018. Except for the incorporation by reference of 40 CFR 51.166(b)(2)(v), 51.166(b)(3)(iii)(d), 51.166(b)(53)–(56), 51.166(i)(11), and 51.166(y).
Rule .0531	Sources in Nonattainment Areas	9/1/2013	9/14/2016, 81 FR 63107	The version of Section .0531 in the SIP does not incorporate by reference the provisions amended in the Ethanol Rule (published in the FEDERAL REGISTER on May 1, 2007) that excludes facilities that produce ethanol through a natural fermentation process from the definition of “chemical process plants” at § 52.21(b)(1)(i)(a) and (b)(1)(iii)(t).
Rule .0532	Sources Contributing to an Ambient Violation.	7/1/1994	2/1/1996, 61 FR 3584	
Rule .0533	Stack Height	11/1/2020	10/25/2022, 87 FR 64382	
Rule .0535	Excess Emissions Reporting and Malfunctions.	7/1/1996	8/1/1997, 62 FR 41277	
Rule .0536	Particulate Emissions from Electric Utility Boilers.	6/1/2008	4/9/2019, 84 FR 14019	Except for the annual average opacity limits and except as the rule applies to Carolina Power & Light’s Asheville, Lee, Sutton, and Weatherspoon facilities.
Rule .0540	Particulates from Fugitive Dust Emission Sources.	8/1/2007	7/16/2019, 84 FR 33850	
Rule .0542	Control of Particulate Emissions from Cotton Ginning Operations.	11/1/2020	1/11/2022, 87 FR 1358	
Rule .0543	Best Available Retrofit Technology	11/1/2020	6/21/2022, 87 FR 36769	
Rule .0544	Prevention of Significant Deterioration Requirements for Greenhouse Gases.	11/1/2020	1/5/2023, 88 FR 773	Except for the Biomass Deferral Rule language contained in the second sentence of 40 CFR 51.166(b)(48)(ii)(a).

Section .0600 Monitoring: Recordkeeping: Reporting

Rule .0601	Purpose and Scope	11/1/2019	8/25/2021, 86 FR 47393	
Rule .0602	Definitions	11/1/2019	8/25/2021, 86 FR 47393	
Rule .0604	Exceptions to Monitoring and Reporting Requirements.	11/1/2019	8/25/2021, 86 FR 47393	
Rule .0605	General Recordkeeping and Reporting Requirements.	11/1/2019	8/25/2021, 86 FR 47393	
Rule .0606	Sources Covered by Appendix P of 40 CFR Part 51.	11/1/2019	8/25/2021, 86 FR 47393	
Rule .0607	Large Wood and Wood-Fossil Fuel Combination Units.	11/1/2019	10/7/2022, 87 FR 60895	
Rule .0608	Other Large Coal or Residual Oil Burners.	11/1/2019	10/7/2022, 87 FR 60895	
Rule .0609	Monitoring Condition in Permit	4/12/1984	10/4/1985, 50 FR 41501	
Rule .0610	Federal Monitoring Requirements ..	11/1/2019	10/7/2022, 87 FR 60895	
Rule .0611	Monitoring Emissions from Other Sources.	4/1/1999	8/8/2002, 67 FR 51461	
Rule .0612	Alternative Monitoring and Reporting Procedures.	11/1/2019	10/7/2022, 87 FR 60895	
Rule .0613	Quality Assurance Program	11/1/2019	10/7/2022, 87 FR 60895	

(1) EPA-APPROVED NORTH CAROLINA REGULATIONS—Continued

State citation	Title/subject	State effective date	EPA approval date	Explanation
Rule .0614	Compliance Assurance Monitoring	4/1/1999	8/8/2002, 67 FR 51461	
Section .0900 Volatile Organic Compounds				
Rule .0901	Definitions	1/1/2009	5/9/2013, 78 FR 27065	This approval does not include the start-up shutdown language as described in Section II.A.a. of EPA's 3/13/2013 proposed rule (78 FR 15895).
Rule .0902	Applicability	5/1/2013	9/23/2013, 78 FR 58184	
Rule .0903	Recordkeeping: Reporting: Monitoring.	5/1/2013	7/25/2013, 78 FR 44892	
Rule .0905	Petition for Alternative Controls	11/8/1984	12/19/1986, 51 FR 45468	
Rule .0906	Circumvention	11/8/1984	12/19/1986, 51 FR 45468	
Rule .0908	Equipment Modification Compliance Schedules.	11/8/1984	12/19/1986, 51 FR 45468	
Rule .0909	Compliance Schedules for Sources in Ozone Nonattainment and Maintenance Areas.	5/1/2013	9/23/2013, 78 FR 58186	
Rule .0912	General Provisions on Test Methods and Procedures.	3/13/2008	5/9/2013, 78 FR 27065	
Rule .0918	Can Coating	7/1/1996	8/1/1997, 62 FR 41277	
Rule .0919	Coil Coating	7/1/1996	8/1/1997, 62 FR 41277	
Rule .0922	Metal Furniture Coating	9/1/2010	5/9/2013, 78 FR 27065	
Rule .0923	Surface Coating of Large Appliance Parts.	9/1/2010	5/9/2013, 78 FR 27065	
Rule .0924	Magnet Wire Coating	7/1/1996	8/1/1997, 62 FR 41277	
Rule .0925	Petroleum Liquid Storage in Fixed Roof Tanks.	12/1/1989	6/23/1994, 59 FR 32362	
Rule .0926	Bulk Gasoline Plants	7/1/1996	8/1/1997, 62 FR 41277	
Rule .0927	Bulk Gasoline Terminals	6/1/2008	5/9/2013, 78 FR 27065	
Rule .0928	Gasoline Service Stations Stage I ..	7/1/1996	8/1/1997, 62 FR 41277	
Rule .0930	Solvent Metal Cleaning	6/1/2008	5/9/2013, 78 FR 27065	
Rule .0931	Cutback Asphalt	12/1/1989	6/23/1994, 59 FR 32362	
Rule .0932	Gasoline Truck Tanks and Vapor Collection Systems.	11/7/2007	5/9/2013, 78 FR 27065	
Rule .0933	Petroleum Liquid Storage in External Floating Roof Tanks.	8/1/2004	5/9/2013, 78 FR 27065	
Rule .0935	Factory Surface Coating of Flat Wood Paneling.	9/1/2010	5/9/2013, 78 FR 27065	
Rule .0937	Manufacture of Pneumatic Rubber Tires.	7/1/1996	8/1/1997, 62 FR 41277	
Rule .0943	Synthetic Organic Chemical and Polymer Manufacturing.	11/7/2007	5/9/2013, 78 FR 27065	
Rule .0944	Manufacture of Polyethylene, Polypropylene, and Polystyrene.	3/14/1985	11/19/1986, 51 FR 41786	
Rule .0945	Petroleum Dry Cleaning	11/7/2007	5/9/2013, 78 FR 27065	
Rule .0947	Manufacture of Synthesized Pharmaceutical Products.	7/1/1994	5/5/1995, 60 FR 22284	
Rule .0948	VOC Emissions from Transfer Operations.	7/1/2000	8/27/2001, 66 FR 34117	
Rule .0949	Storage of Miscellaneous Volatile Organic Compounds.	7/1/2000	8/27/2001, 66 FR 34117	
Rule .0951	RACT for Sources of Volatile Organic Compounds.	5/1/2013	7/25/2013, 78 FR 44890	
Rule .0952	Petitions for Alternative Controls for RACT.	9/18/2009	9/23/2013, 78 FR 58184	
Rule .0955	Thread Bonding Manufacturing	4/1/1995	2/1/1996, 61 FR 3588	
Rule .0956	Glass Christmas Ornament Manufacturing.	4/1/1995	2/1/1996, 61 FR 3588	
Rule .0957	Commercial Bakeries	4/1/1995	2/1/1996, 62 FR 3588	
Rule .0958	Work Practices for Sources of Volatile Organic Compounds.	7/1/2000	8/27/2001, 66 FR 34117	
Rule .0961	Offset Lithographic Printing and Letterpress Printing.	5/1/2013	7/25/2013, 78 FR 44890	
Rule .0962	Industrial Cleaning Solvents	5/1/2013	7/25/2013, 78 FR 44890	
Rule .0963	Fiberglass Boat Manufacturing Materials.	9/1/2010	5/9/2013, 78 FR 27065	
Rule .0964	Miscellaneous Industrial Adhesives	9/1/2010	5/9/2013, 78 FR 27065	
Rule .0965	Flexible Package Printing	9/1/2010	5/9/2013, 78 FR 27065	

(1) EPA-APPROVED NORTH CAROLINA REGULATIONS—Continued

State citation	Title/subject	State effective date	EPA approval date	Explanation
Rule .0966	Paper, Film and Foil Coatings	9/1/2010	5/9/2013, 78 FR 27065	
Rule .0967	Miscellaneous Metal and Plastic Parts Coatings.	9/1/2010	5/9/2013, 78 FR 27065	
Rule .0968	Automobile and Light Duty Truck Assembly Coatings.	9/1/2010	5/9/2013, 78 FR 27065	

Section .1000 Motor Vehicle Emission Control Standards

Rule .1001	Purpose	7/1/2018	9/11/2019, 84 FR 47889	
Rule .1002	Applicability	7/1/2018	9/11/2019, 84 FR 47889	
Rule .1003	Definitions	7/1/2018	9/11/2019, 84 FR 47889	
Rule .1005	On-Board Diagnostic Standards	7/1/2018	9/11/2019, 84 FR 47889	

Section .1400 Nitrogen Oxides

Rule .1401	Definitions	10/1/2020	1/13/2023, 88 FR 2243	
Rule .1402	Applicability	10/1/2020	1/13/2023, 88 FR 2243	
Rule .1403	Compliance Schedules	10/1/2020	1/13/2023, 88 FR 2243	
Rule .1404	Recordkeeping: Reporting: Monitoring.	10/1/2020	1/13/2023, 88 FR 2243	
Rule .1407	Boilers and Indirect Process Heaters.	10/1/2020	1/13/2023, 88 FR 2243	
Rule .1408	Stationary Combustion Turbines	10/1/2020	1/13/2023, 88 FR 2243	
Rule .1409	Stationary Internal Combustion Engines.	10/1/2020	1/13/2023, 88 FR 2243	
Rule .1410	Emissions Averaging	10/1/2020	1/13/2023, 88 FR 2243	
Rule .1411	Seasonal Fuel Switching	10/1/2020	1/13/2023, 88 FR 2243	
Rule .1412	Petition for Alternative Limitations	10/1/2020	1/13/2023, 88 FR 2243	
Rule .1413	Sources Not Otherwise Listed in This Section.	10/1/2020	1/13/2023, 88 FR 2243	
Rule .1414	Tune-Up Requirements	10/1/2020	1/13/2023, 88 FR 2243	
Rule .1415	Test Methods and Procedures	10/1/2020	1/13/2023, 88 FR 2243	
Rule .1418	New Electric Generating Units, Large Boilers, and Large I/C Engines.	10/1/2020	1/13/2023, 88 FR 2243	
Rule .1423	Large Internal Combustion Engines	7/15/2002	4/28/2020, 85 FR 23700	

Section .1900 Open Burning

Rule .1901	Open Burning: Purpose: Scope	7/1/2007	7/18/2017, 82 FR 32767	
Rule .1902	Definitions	7/1/2007	7/18/2017, 82 FR 32767	
Rule .1903	Open Burning Without an Air Quality Permit.	7/1/2007	7/18/2017, 82 FR 32767	
Rule .1904	Air Curtain Burners	7/1/1996	8/1/1997, 62 FR 41277	
Rule .1907	Multiple Violations Arising from a Single Episode.	7/1/2007	7/16/2019, 84 FR 33850	

Section .2000 Transportation Conformity

Rule .2001	Purpose, Scope and Applicability	1/1/2018	9/30/2019, 84 FR 51416	
Rule .2002	Definitions	1/1/2018	9/30/2019, 84 FR 51416	
Rule .2003	Transportation Conformity Determination.	1/1/2018	9/30/2019, 84 FR 51416	
Rule .2004	Determining Transportation Related Emissions.	4/1/1999	12/27/2002, 67 FR 78983	
Rule .2005	Memorandum of Agreement	1/1/2018	9/30/2019, 84 FR 51416	

Section .2400 Clean Air Interstate Rules

Rule .2401	Purpose and Applicability	5/1/2008	11/30/2009, 74 FR 62496	
Rule .2402	Definitions	5/1/2008	11/30/2009, 74 FR 62496	
Rule .2403	Nitrogen Oxide Emissions	5/1/2008	11/30/2009, 74 FR 62496	
Rule .2404	Sulfur Dioxide	5/1/2008	11/30/2009, 74 FR 62496	
Rule .2405	Nitrogen Oxide Emissions During Ozone Season.	5/1/2008	11/30/2009, 74 FR 62496	
Rule .2406	Permitting	7/1/2006	11/30/2009, 74 FR 62496	
Rule .2407	Monitoring, Reporting, and Recordkeeping.	5/1/2008	11/30/2009, 74 FR 62496	
Rule .2408	Trading Program and Banking	7/1/2006	11/30/2009, 74 FR 62496	
Rule .2409	Designated Representative	5/1/2008	11/30/2009, 74 FR 62496	
Rule .2410	Computation of Time	7/1/2006	11/30/2009, 74 FR 62496	

(1) EPA-APPROVED NORTH CAROLINA REGULATIONS—Continued

State citation	Title/subject	State effective date	EPA approval date	Explanation
Rule .2411	Opt-In Provisions	7/1/2006	11/30/2009, 74 FR 62496	
Rule .2412	New Unit Growth	5/1/2008	11/30/2009, 74 FR 62496	
Rule .2413	Periodic Review and Reallocations	7/1/2006	11/30/2009, 74 FR 62496	

Section .2600 Source Testing

Rule .2601	Purpose and Scope	6/1/2008	5/9/2013, 78 FR 27065	
Rule .2602	General Provisions on Test Methods and Procedures.	6/1/2008	5/9/2013, 78 FR 27065	
Rule .2603	Testing Protocol	11/1/2019	10/7/2022, 87 FR 60895	
Rule .2604	Number of Test Points	11/1/2019	10/7/2022, 87 FR 60895	
Rule .2605	Velocity and Volume Flow Rate	11/1/2019	10/7/2022, 87 FR 60895	
Rule .2606	Molecular Weight	11/1/2019	10/7/2022, 87 FR 60895	
Rule .2607	Determination of Moisture Content	11/1/2019	10/7/2022, 87 FR 60895	
Rule .2608	Number of Runs and Compliance Determination.	11/1/2019	10/7/2022, 87 FR 60895	
Rule .2609	Particulate Testing Methods	6/1/2008	4/9/2019, 84 FR 14019	
Rule .2610	Opacity	11/1/2019	10/7/2022, 87 FR 60895	
Rule .2611	Sulfur Dioxide Testing Methods	6/1/2008	4/9/2019, 84 FR 14019	
Rule .2612	Nitrogen Oxide Testing Methods	11/1/2019	10/7/2022, 87 FR 60895	
Rule .2613	Volatile Organic Compound Testing Methods.	11/1/2019	10/7/2022, 87 FR 60895	
Rule .2614	Determination of VOC Emission Control System Efficiency.	11/1/2019	10/7/2022, 87 FR 60895	
Rule .2615	Determination of Leak Tightness and Vapor Leaks.	6/1/2008	5/9/2013, 78 FR 27065	
Rule .2617	Total Reduced Sulfur	6/1/2008	4/9/2019, 84 FR 14019	
Rule .2621	Determination of Fuel Heat Content Using F-Factor.	6/1/2008	5/9/2013, 78 FR 27065	

Subchapter 02Q Air Quality Permits**Section .0100 General Provisions**

Rule .0101	Required Air Quality Permits	4/1/2018	7/17/2020, 85 FR 43461	
Rule .0102	Activities Exempted from Permit Requirements.	1/1/2005	8/22/2008, 73 FR 49613	
Rule .0103	Definitions	4/1/2018	7/17/2020, 85 FR 43461	
Rule .0104	Where to Obtain and File Permit Applications.	4/1/2018	7/17/2020, 85 FR 43461	
Rule .0105	Copies of Referenced Documents ..	4/1/2018	7/17/2020, 85 FR 43461	
Rule .0106	Incorporation by Reference	4/1/2018	7/17/2020, 85 FR 43461	
Rule .0107	Confidential Information	4/1/2018	7/17/2020, 85 FR 43461	
Rule .0108	Delegation of Authority	4/1/2018	7/17/2020, 85 FR 43461	
Rule .0109	Compliance Schedule for Previously Exempted Activities.	4/1/2018	7/17/2020, 85 FR 43461	
Rule .0110	Retention of Permit at Permitted Facility.	4/1/2018	7/17/2020, 85 FR 43461	
Rule .0111	Applicability Determinations	4/1/2018	7/17/2020, 85 FR 43461	

Section .0200 Permit Fees

Rule .0207	Annual Emissions Reporting	4/1/2018	3/1/2021, 86 FR 11867	
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Section .0300 Construction and Operating Permits

Rule .0301	Applicability	4/1/2018	3/1/2021, 86 FR 11875	
Rule .0303	Definitions	4/1/2018	3/1/2021, 86 FR 11875	
Rule .0304	Applications	4/1/2018	3/1/2021, 86 FR 11875	
Rule .0305	Application Submittal Content	4/1/2018	3/1/2021, 86 FR 11875	
Rule .0306	Permits Requiring Public Participation.	4/1/2018	3/1/2021, 86 FR 11875	
Rule .0307	Public Participation Procedures	4/1/2018	3/1/2021, 86 FR 11875	
Rule .0308	Final Action on Permit Applications	4/1/2018	3/1/2021, 86 FR 11875	
Rule .0309	Termination, Modification and Revocation of Permits.	4/1/2018	3/1/2021, 86 FR 11875	
Rule .0310	Permitting of Numerous Similar Facilities.	4/1/2018	3/1/2021, 86 FR 11875	
Rule .0311	Permitting of Facilities at Multiple Temporary Sites.	4/1/2018	3/1/2021, 86 FR 11875	
Rule .0312	Application Processing Schedule ...	4/1/2018	3/1/2021, 86 FR 11875	

(1) EPA-APPROVED NORTH CAROLINA REGULATIONS—Continued

State citation	Title/subject	State effective date	EPA approval date	Explanation
Rule .0313	Expedited Application Processing Schedule.	4/1/2018	3/1/2021, 86 FR 11875	
Rule .0314	General Permitting for All Requirements.	4/1/2018	3/1/2021, 86 FR 11875	
Rule .0315	Synthetic Minor Facilities	4/1/2018	3/1/2021, 86 FR 11875	
Rule .0316	Administrative Permit Amendments	4/1/2018	3/1/2021, 86 FR 11875	
Rule .0317	Avoidance Conditions	4/1/2018	3/1/2021, 86 FR 11875	

Section .0800 Exclusionary Rules

Rule .0801	Purpose and Scope	4/1/2018	10/18/2022, 87 FR 62990	
Rule .0802	Gasoline Service Stations and Dispensing Facilities.	4/1/2018	10/18/2022, 87 FR 62990	
Rule .0803	Coating, Solvent Cleaning, Graphic Arts Operations.	4/1/2018	10/18/2022, 87 FR 62990	
Rule .0804	Dry Cleaning Facilities	4/1/2018	10/18/2022, 87 FR 62990	
Rule .0805	Grain Elevators	4/1/2018	10/18/2022, 87 FR 62990	
Rule .0806	Cotton Gins	4/1/2018	10/18/2022, 87 FR 62990	
Rule .0807	Emergency Generators	4/1/2018	10/18/2022, 87 FR 62990	
Rule .0808	Peak Shaving Generators	11/10/2005	6/18/2017, 82 FR 32767	

Section .0900 Permit Exemptions

Rule .0901	Purpose and Scope	1/1/2005	9/29/2017, 82 FR 45473	
Rule .0902	Portable Crushers	1/1/2005	9/29/2017, 82 FR 45473	

(2) EPA-APPROVED FORSYTH COUNTY REGULATIONS

Citation	Title/subject	County effective date	EPA approval date	Explanation
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Subchapter 3A Air Pollution Control

Section .0100 In General

Rule .0101	Department Established	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0102	Enforcement of Chapter	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0103	General Powers and Duties of Director.	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0104	Authority of Director to Establish Administrative Procedures.	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0105	Fees for Inspections, Permits, and Certificates Required by Chapter.	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0106	Penalties for Violation of Chapter ...	9/14/1998	2/17/2000, 65 FR 8053	
Rule .0107	Civil Relief for Violations of Chapter	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0108	Chapter Does Not Prohibit Private Actions For Relief.	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0109	Judicial Review of Administrative Decisions Rendered Under Chapter.	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0111	Copies of Referenced Federal Regulations.	12/19/1994	2/1/1996, 61 FR 3586	

Section .0200 Advisory Board

Rule .0201	Established; Composition; Terms of Members.	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0202	Secretary	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0203	Meetings	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0204	To Serve in Advisory Capacity; General Functions.	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0205	Appeals to and Other Appearances Before Board.	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0206	Opinions Not Binding	12/19/1994	2/1/1996, 61 FR 3586	

Section .0300 Remedies for Enforcement of Standards—Special Orders

Rule .0301	Applicability	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0302	Issuance	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0303	Definitions	12/19/1994	2/1/1996, 61 FR 3586	

(2) EPA-APPROVED FORSYTH COUNTY REGULATIONS—Continued

Citation	Title/subject	County effective date	EPA approval date	Explanation
Rule 0304	Categories of Sources	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0305	Enforcement Procedures	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0306	Required Procedures for Issuance of Special Orders by Consent and Special Orders.	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0307	Documentation for Special Orders	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0308	Public Hearing	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0309	Compliance Bonds	12/19/1994	2/1/1996, 61 FR 3586	
Section .0400 Forsyth County Air Quality Technical Code				
Rule .0401	Adopted	12/19/1994	2/1/1996, 61 FR 3586	
Subchapter 3B Relationship to State Code				
Rule .0101	In General	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0102	Air Pollution Control Requirements (Subchapter 3D).	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0103	Air Quality Permits (Subchapter 3Q).	12/19/1994	2/1/1996, 61 FR 3586	
Subchapter 3D Air Pollution Control Requirements				
Section .0100 Definitions and References				
Rule .0101	Definitions	9/14/1998	2/17/2000, 65 FR 8053	
Rule .0103	Copies of Referenced Federal Regulations.	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0104	Incorporation by Reference	5/24/1999	10/22/2002, 67 FR 64994	
Section .0200 Air Pollution Sources				
Rule .0201	Classification of Air Pollution Sources.	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0202	Registration of Air Pollution Sources.	12/19/1994	2/1/1996, 61 FR 3586	
Section .0300 Air Pollution Emergencies				
Rule .0301	Purpose	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0302	Episode Criteria	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0303	Emission Reduction Plans	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0304	Preplanned Abatement Program ...	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0305	Emission Reduction Plan: Alert Level.	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0306	Emission Reduction Plan: Warning Level.	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0307	Emission Reduction Plan: Emergency Level.	12/19/1994	2/1/1996, 61 FR 3586	
Section .0400 Ambient Air Quality Standards				
Rule .0401	Purpose	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0402	Sulfur Oxides	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0403	Total Suspended Particulates	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0404	Carbon Monoxide	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0405	Ozone	5/24/1999	10/22/2002, 67 FR 64994	
Rule .0407	Nitrogen Dioxide	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0408	Lead	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0409	Particulate Matter	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0410	PM _{2.5} Particulate Matter	5/24/1999	10/22/2002, 67 FR 64994	
Section .0500 Emission Control Standards				
Rule .0501	Compliance With Emission Control Standards.	5/24/1999	10/22/2002, 67 FR 64994	
Rule .0502	Purpose	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0503	Particulates From Fuel Burning Indirect Heat Exchangers.	5/24/1999	10/22/2002, 67 FR 64994	
Rule .0504	Particulates from Wood Burning Indirect Heat Exchangers.	7/22/2002	9/16/2003, 68 FR 54166	

(2) EPA-APPROVED FORSYTH COUNTY REGULATIONS—Continued

Citation	Title/subject	County effective date	EPA approval date	Explanation
Rule .0506	Particulates from Hot Mix Asphalt Plants.	9/14/1998	2/17/2000, 65 FR 8053	
Rule .0507	Particulates from Chemical Fertilizer Manufacturing Plants.	9/14/1998	2/17/2000, 65 FR 8053	
Rule .0508	Particulates from Pulp and Paper Mills.	9/14/1998	2/17/2000, 65 FR 8053	
Rule .0509	Particulates from Mica or Feldspar Processing Plants.	9/14/1998	2/17/2000, 65 FR 8053	
Rule .0510	Particulates from Sand, Gravel, or Crushed Stone Operations.	9/14/1998	2/17/2000, 65 FR 8053	
Rule .0511	Particulates from Lightweight Aggregate Processes.	9/14/1998	2/17/2000, 65 FR 8053	
Rule .0512	Particulates from Wood Products Finishing Plants.	7/28/1997	12/31/1998, 63 FR 72190	
Rule .0513	Control of Particulates From Portland Cement Plants.	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0514	Control of Particulates From Ferrous Jobbing Foundries.	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0515	Particulates from Miscellaneous Industrial Processes.	9/14/1998	2/17/2000, 65 FR 8053	
Rule .0516	Sulfur Dioxide Emissions from Combustion Sources.	11/29/1995	5/26/1996, 61 FR 25789	
Rule .0517	Emissions from Plants Producing Sulfuric Acid.	12/19/1994	2/1/1996, 61 FR 3586	Except for item 2.
Rule .0519	Control of Nitrogen Dioxide and Nitrogen Oxides Emissions.	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0520	Control and Prohibition of Open Burning.	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0521	Control of Visible Emissions	9/14/1998	2/17/2000, 65 FR 8053	
Rule .0523	Control of Conical Incinerators	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0527	Emissions from Spodumene Ore Roasting.	12/19/1994	2/1/1996, 61 FR 3586	Except for item (2).
Rule .0530	Prevention of Significant Deterioration.	8/14/1995	5/23/1996, 61 FR 25789	Except for Paragraphs (a), (l), (o), and (s) approved on 12/31/1998 with a state effective date of 7/28/1997.
Rule .0531	Sources in Nonattainment Areas	11/13/1995	2/17/2000, 65 FR 8053	
Rule .0532	Sources Contributing to an Ambient Violation.	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0533	Stack Height	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0535	Excess Emissions Reporting and Malfunctions.	9/14/1998	2/17/2000, 65 FR 8053	
Rule .0536	Particulate Emissions From Electric Utility Boilers.	12/19/1994	2/1/1996, 61 FR 3586	

Section .0600 Monitoring: Recordkeeping: Reporting

Rule .0601	Purpose and Scope	5/24/1999	10/22/2002, 67 FR 64994	
Rule .0602	Definitions	5/24/1999	10/22/2002, 67 FR 64994	
Rule .0604	Exceptions to Monitoring and Reporting Requirements.	5/24/1999	10/22/2002, 67 FR 64994	
Rule .0605	General Recordkeeping and Reporting Requirements.	5/24/1999	10/22/2002, 67 FR 64994	
Rule .0606	Sources Covered By Appendix P of 40 CFR Part 51.	5/24/1999	10/22/2002, 67 FR 64994	
Rule .0607	Large Wood and Wood-fossil Fuel Combination Units.	5/24/1999	10/22/2002, 67 FR 64994	
Rule .0608	Program Schedule	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0610	Delegation	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0611	Monitoring Emissions from Other Sources.	5/24/1999	10/22/2002, 67 FR 64994	
Rule .0612	Alternative Monitoring and Reporting Procedures.	5/24/1999	10/22/2002, 67 FR 64994	
Rule .0613	Quality Assurance Program	5/24/1999	10/22/2002, 67 FR 64994	
Rule .0614	Compliance Assurance Monitoring	5/24/1999	10/22/2002, 67 FR 64994	
Rule .0615	Delegation	5/24/1999	10/22/2002, 67 FR 64994	

Section .0800 Transportation Facilities

Rule .0801	Purpose and Scope	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0802	Definitions	12/19/1994	2/1/1996, 61 FR 3586	

(2) EPA-APPROVED FORSYTH COUNTY REGULATIONS—Continued

Citation	Title/subject	County effective date	EPA approval date	Explanation
Rule .0803	Highway Projects	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0804	Airport Facilities	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0805	Parking Facilities	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0806	Ambient Monitoring and Modeling Analysis.	12/19/1994	2/1/1996, 61 FR 3586	
Section .0900 Volatile Organic Compounds				
Rule .0901	Definitions	12/19/1994	2/1/1996, 61 FR 3586	Paragraphs (a) through (i) only.
Rule .0902	Applicability	7/28/1997	12/31/1998, 63 FR 72190	
Rule .0903	Recordkeeping: Reporting: Monitoring.	5/24/1999	10/22/2002, 67 FR 64994	
Rule .0906	Circumvention	12/19/1994	2/1/1996, 61 FR 3586	Except Paragraphs (a) through (c), (g), and (h) approved on 12/31/1998 with a state effective date of 7/28/1997.
Rule .0909	Compliance Schedules for Sources in New Nonattainment Areas.	11/13/1995	2/17/2000, 65 FR 8053	
Rule .0912	General Provisions on Test Methods and Procedures.	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0913	Determination of Volatile Content of Surface Coatings.	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0914	Determination of VOC Emission Control System Efficiency.	9/14/1998	2/17/2000, 65 FR 8053	
Rule .0915	Determination of Solvent Metal Cleaning VOC Emissions.	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0916	Determination: VOC Emissions from Bulk Gasoline Terminals.	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0917	Automobile and Light-Duty Truck Manufacturing.	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0918	Can Coating	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0919	Coil Coating	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0920	Paper Coating	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0921	Fabric and Vinyl Coating	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0922	Metal Furniture Coating	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0923	Surface Coating of Large Appliances.	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0924	Magnet Wire Coating	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0925	Petroleum Liquid Storage in Fixed Roof Tanks.	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0926	Bulk Gasoline Plants	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0927	Bulk Gasoline Terminals	7/22/2002	9/16/2003, 68 FR 54166	
Rule .0928	Gasoline Service Stations Stage I ..	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0929	Petroleum Refinery Sources	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0930	Solvent Metal Cleaning	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0931	Cutback Asphalt	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0932	Gasoline Truck Tanks and Vapor Collection Systems.	7/22/2002	9/16/2003, 68 FR 54166	
Rule .0933	Petroleum Liquid Storage in External Floating Roof Tanks.	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0934	Coating of Miscellaneous Metal Parts and Products.	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0935	Factory Surface Coating of Flat Wood Paneling.	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0936	Graphic Arts	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0937	Manufacture of Pneumatic Rubber Tires.	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0939	Determination of Volatile Organic Compound Emissions.	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0940	Determination of Leak Tightness and Vapor Leaks.	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0941	Alternative Method for Leak Tightness.	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0942	Determination of Solvent in Filter Waste.	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0943	Synthetic Organic Chemical and Polymer Manufacturing.	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0944	Manufacture of Polyethylene, Polypropylene and Polystyrene.	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0945	Petroleum Dry Cleaning	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0947	Manufacture of Synthesized Pharmaceutical Products.	12/19/1994	2/1/1996, 61 FR 3586	

(2) EPA-APPROVED FORSYTH COUNTY REGULATIONS—Continued

Citation	Title/subject	County effective date	EPA approval date	Explanation
Rule .0948	VOC Emissions from Transfer Operations.	12/19/1994	2/1/1996, 61 FR 3586	Except Paragraphs (a) and (f) approved on 12/31/1998 with a state effective date of 7/28/1997.
Rule .0949	Storage of Miscellaneous Volatile Organic Compounds.	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0950	Interim Standards for Certain Source Categories.	11/13/1995	2/17/2000, 65 FR 8053	
Rule .0951	Miscellaneous Volatile Organic Compound Emissions.	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0952	Petition for Alternative Controls	11/13/1995	2/17/2000, 65 FR 8053	
Rule .0953	Vapor Return Piping for Stage II Vapor Recovery.	9/14/1998	2/17/2000, 65 FR 8053	
Rule .0954	Stage II Vapor Recovery	11/13/1995	2/17/2000, 65 FR 8053	
Rule .0955	Thread Bonding Manufacturing	8/14/1995	5/23/1996, 61 FR 25789	
Rule .0956	Glass Christmas Ornament Manufacturing.	8/14/1995	5/23/1996, 61 FR 25789	
Rule .0957	Commercial Bakeries	8/14/1995	5/23/1996, 61 FR 25789	
Section .1900 Open Burning				
Rule .1903	Permissible Open Burning	10/25/1999	8/9/2002, 67 FR 51763	
Rule .1904	Air Curtain Burners	10/25/1999	8/9/2002, 67 FR 51763	
Section .2000 Transportation Conformity				
Rule .2003	Transportation Conformity Determination.	10/25/1999	8/9/2002, 67 FR 51763	
Subchapter 3Q Air Quality Permits				
Section .0100 General Provisions				
Rule .0101	Required Air Quality Permits	9/14/1998	2/17/2000, 65 FR 8053	Except paragraph (b) approved on 12/31/1998 with a state effective date of 7/28/1997.
Rule .0102	Activities Exempted From Permit Requirements.	7/22/2002	9/16/2003, 68 FR 54163	
Rule .0103	Definitions	10/25/1999	8/9/2002, 67 FR 51763	
Rule .0104	Where to Obtain and File Permit Applications.	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0105	Copies of Referenced Documents	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0106	Incorporation by Reference	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0107	Confidential Information	5/24/1999	10/22/2002, 67 FR 64994	
Rule .0108	Delegation of Authority	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0109	Compliance Schedule for Previously Exempted Activities.	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0110	Retention of Permit at Permitted Facility.	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0111	Applicability Determinations	12/19/1994	2/1/1996, 61 FR 3586	
Section .0200 Permit Fees				
Rule .0207	Annual Emissions Reporting	9/14/1998	2/17/2000, 65 FR 8053	
Section .0300 Construction and Operation Permit				
Rule .0301	Applicability	9/14/1998	2/17/2000, 65 FR 8053	Except paragraph (i) approved on 12/31/1998 with a 7/28/1999 effective date.
Rule .0302	Facilities Not Likely to Contravene Demonstration.	9/14/1998	2/17/2000, 65 FR 8053	
Rule .0303	Definitions	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0304	Applications	5/24/1999	10/22/2002, 67 FR 64994	
Rule .0305	Application Submittal Content	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0306	Permits Requiring Public Participation.	5/24/1999	10/22/2002, 67 FR 64994	
Rule .0307	Public Participation Procedures	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0308	Final Action on Permit Applications	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0309	Termination, Modification and Revocation of Permits.	5/24/1999	10/22/2002, 67 FR 64994	
Rule .0310	Permitting of Numerous Similar Facilities.	12/19/1994	2/1/1996, 61 FR 3586	

(2) EPA-APPROVED FORSYTH COUNTY REGULATIONS—Continued

Citation	Title/subject	County effective date	EPA approval date	Explanation
Rule .0311	Permitting of Facilities at Multiple Temporary Sites.	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0312	Application Processing Schedule ...	9/14/1998	2/17/2000, 65 FR 8053	
Rule .0314	General Permit Requirements	5/24/1999	10/22/2002, 67 FR 64994	
Rule .0315	Synthetic Minor Facilities	5/24/1999	10/22/2002, 67 FR 64994	

Section .0600 Transportation Facility Procedures

Rule .0601	Purpose of Section and Requirement for a Permit.	12/19/1994	2/1/1996, 61 FR 3586	Except paragraph (e) approved on 12/31/1998 with a state effective date of 7/28/97.
Rule .0602	Definitions	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0603	Applications	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0604	Public Participation	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0605	Final Action on Permit Application ..	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0606	Termination, Modification and Revocation of Permits.	12/19/1994	2/1/1996, 61 FR 3586	
Rule .0607	Application Processing Schedule ...	9/14/1998	2/17/2000, 65 FR 8053	

Section .0800 Exclusionary Rules

Rule .0801	Purpose and Scope	5/24/1999	10/22/2002, 67 FR 64994	
Rule .0802	Gasoline Service Stations and Dispensing Facilities.	11/13/1995	2/17/2000, 65 FR 8053	
Rule .0803	Coating, Solvent Cleaning, Graphic Arts Operations.	5/24/1999	10/22/2002, 75 FR 64994	
Rule .0804	Dry Cleaning Facilities	11/13/1995	2/17/2000, 65 FR 8053	
Rule .0805	Grain Elevators	9/14/1998	2/17/2000, 65 FR 8053	
Rule .0806	Cotton Gins	9/14/1998	2/17/2000, 65 FR 8053	
Rule .0807	Emergency Generators	9/14/1998	2/17/2000, 65 FR 8053	
Rule .0808	Peak Shaving Generators	5/24/1999	10/22/2002, 67 FR 64990	

(3) EPA-APPROVED MECKLENBURG COUNTY REGULATIONS

Citation	Title/subject	County effective date	EPA approval date	Explanation
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Article 1.000 Permitting Provisions for Air Pollution Sources, Rules and Operating Regulations for Acid Rain Sources, Title V and Toxic Air Pollutants**Section 1.5100 General Provisions and Administrations**

Rule 1.5101	Declaration of Policy	4/3/1989	5/2/1991, 56 FR 20140	
Rule 1.5102	Definition of Terms	12/18/2018	1/11/2022, 87 FR 1356	
Rule 1.5103	Enforcement Agency	4/3/1989	5/2/1991, 56 FR 20140	
Rule 1.5104	General Duties and Powers of the Director, With the Approval of the Board.	12/15/2015	1/11/2022, 87 FR 1356	
Rule 1.5111	General Recordkeeping, Reporting and Monitoring Requirements.	12/18/2018	1/11/2022, 87 FR 1356	

Section 1.5200 Air Quality Permits

Rule 1.5210	Purpose and Scope	4/3/1989	5/2/1991, 56 FR 20140	
Rule 1.5211	Applicability	11/21/2000	10/22/2002, 67 FR 64999	
Rule 1.5212	Applications	12/18/2018	12/2/2021, 86 FR 68411	
Rule 1.5213	Action on Application; Issuance of Permit.	12/18/2018	12/2/2021, 86 FR 68411	
Rule 1.5214	Commencement of Operation ...	12/15/2015	12/2/2021, 86 FR 68411	
Rule 1.5215	Application Processing Schedule	12/18/2018	12/2/2021, 86 FR 68411	
Rule 1.5216	Incorporated By Reference	6/6/1994	7/28/1995, 60 FR 38715	
Rule 1.5217	Confidential Information	12/18/2018	12/2/2021, 86 FR 68411	
Rule 1.5218	Compliance Schedule for Previously Exempted Activities.	12/18/2018	12/2/2021, 86 FR 68411	
Rule 1.5219	Retention of Permit at Permitted Facility.	12/18/2018	12/2/2021, 86 FR 68411	
Rule 1.5220	Applicability Determination	12/18/2018	12/2/2021, 86 FR 68411	
Rule 1.5221	Permitting of Numerous Similar Facilities.	12/18/2018	12/2/2021, 86 FR 68411	

(3) EPA-APPROVED MECKLENBURG COUNTY REGULATIONS—Continued

Citation	Title/subject	County effective date	EPA approval date	Explanation
Rule 1.5222	Permitting of Facilities at Multiple Temporary Sites.	12/18/2018	12/2/2021, 86 FR 68411	
Rule 1.5230	Permitting Rules and Procedures.	4/3/1989	5/2/1991, 56 FR 20140	
Rule 1.5231	Air Quality Fees	7/1/1996	6/30/2003, 68 FR 38632	
Rule 1.5232	Issuance, Revocation, and Enforcement of Permits.	12/18/2018	12/2/2021, 86 FR 68411	
Rule 1.5234	Hearings	6/6/1994	7/28/1995, 60 FR 38715	
Rule 1.5235	Delegation of Authority	4/3/1989	5/2/1991, 56 FR 20140	
Section 1.5300 Enforcement; Variances; Judicial Review				
Rule 1.5301	Special Enforcement Procedures	12/15/2015	9/28/2021, 86 FR 53552	
Rule 1.5302	Criminal Penalties	12/15/2015	9/28/2021, 86 FR 53552	
Rule 1.5303	Civil Injunction	12/15/2015	9/28/2021, 86 FR 53552	
Rule 1.5304	Civil Penalties	12/15/2015	9/28/2021, 86 FR 53552	
Rule 1.5305	Variances	7/1/1996	6/30/2003, 68 FR 38632	
Rule 1.5306	Hearings	12/15/2015	9/28/2021, 86 FR 53552	
Rule 1.5307	Judicial Review	12/15/2015	9/28/2021, 86 FR 53552	
Section 1.5600 Transportation Facility Procedures				
Rule 1.5604	Public Participation	7/1/1996	6/30/2003, 68 FR 38632	
Rule 1.5607	Application Processing Schedule	7/1/1996	6/30/2003, 68 FR 38632	
Article 2.0000 Air Pollution Control Regulations and Procedures				
Section 2.0100 Definitions and References				
Rule 2.0101	Definitions	12/18/2015	9/28/2021, 86 FR 53552	
Rule 2.0104	Adoption by Reference Updates	4/3/1989	5/2/1991, 56 FR 20140	
Section 2.0200 Air Pollution Sources				
Rule 2.0201	Classification of Air Pollution Sources.	12/18/2015	9/28/2021, 86 FR 53552	
Rule 2.0202	Registration of Air Pollution Sources.	12/18/2015	9/28/2021, 86 FR 53552	
Section 2.0300 Air Pollution Emergencies				
Rule 2.0301	Purpose	12/15/2015	9/28/2021, 86 FR 53552	
Rule 2.0302	Episode Criteria	12/18/2015	9/28/2021, 86 FR 53552	
Rule 2.0303	Emission Reduction Plans	12/18/2015	9/28/2021, 86 FR 53552	
Rule 2.0304	Preplanned Abatement Program	12/18/2015	9/28/2021, 86 FR 53552	
Rule 2.0305	Emission Reduction Plan: Alert Level.	12/15/2015	9/28/2021, 86 FR 53552	
Rule 2.0306	Emission Reduction Plan: Warning Level.	4/3/1989	5/2/1991, 56 FR 20140	
Rule 2.0307	Emission Reduction Plan: Emergency Level.	4/3/1989	5/2/1991, 56 FR 20140	
Section 2.0400 Ambient Air Quality Standards				
Rule 2.0401	Purpose	12/18/2018	11/17/2021, 86 FR 64073	
Rule 2.0402	Sulfur Oxides	12/18/2018	11/17/2021, 86 FR 64073	
Rule 2.0403	Total Suspended Particulates	12/15/2015	11/17/2021, 86 FR 64073	
Rule 2.0404	Carbon Monoxide	12/18/2018	11/17/2021, 86 FR 64073	
Rule 2.0405	Ozone	12/18/2018	11/17/2021, 86 FR 64073	
Rule 2.0407	Nitrogen Dioxide	12/18/2018	11/17/2021, 86 FR 64073	
Rule 2.0408	Lead	12/18/2018	11/17/2021, 86 FR 64073	
Rule 2.0409	Particulate Matter	4/3/1989	5/2/1991, 56 FR 20140	
Rule 2.0410	PM _{2.5} Particulate Matter	12/18/2018	11/17/2021, 86 FR 64073	

(3) EPA-APPROVED MECKLENBURG COUNTY REGULATIONS—Continued

Citation	Title/subject	County effective date	EPA approval date	Explanation	
Section 2.0500 Emission Control Standards					
Rule 2.0501	Compliance With Emission Control Standards.	6/1/2008	1/25/2022, 87 FR 3663	Except for the addition of paragraph 2.0501(e); and except for changes to remove and recodify the prefatory text at 2.0501(c) and for subparagraphs (c)(3), (c)(4), (c)(5), (c)(6), (c)10, (c)(15), (c)(16), and (c)(18), which will remain unchanged with a state effective date of June 14, 1990. Because EPA is acting on other portions of Rule 2.0501, which includes moving former paragraph (e) to paragraph (c) with an effective date of June 1, 2008, there are two paragraphs 2.0501(c), with different state effective dates.	
Rule 2.0502	Purpose	4/3/1989	5/2/1991, 56 FR 20140		
Rule 2.0503	Particulates from Fuel Burning Indirect Heat Exchangers.	4/3/1989	5/2/1991, 56 FR 20140		
Rule 2.0504	Particulates from Wood Burning Indirect Heat Exchangers.	4/3/1989	5/2/1991, 56 FR 20140		
Rule 2.0506	Control of Particulates from Hot Mix Asphalt Plants.	4/3/1989	5/2/1991, 56 FR 20140		
Rule 2.0507	Particulates from Chemical Fertilizer Manufacturing Plants.	4/3/1989	5/2/1991, 56 FR 20140		
Rule 2.0508	Control of Particulates from Pulp and Paper Mills.	4/3/1989	5/2/1991, 56 FR 20140		
Rule 2.0509	Particulates from Mica or Feldspar Processing Plants.	4/3/1989	5/2/1991, 56 FR 20140		
Rule 2.0510	Particulates: Sand: Gravel: Crushed Stone Operations.	4/3/1989	5/2/1991, 56 FR 20140		
Rule 2.0511	Particulates: SO(2) From Lightweight Aggregate Processes.	4/3/1989	5/2/1991, 56 FR 20140		
Rule 2.0512	Particulates from Wood Products Finishing Plants.	4/3/1989	5/2/1991, 56 FR 20140		
Rule 2.0513	Control of Particulates from Portland Cement Plants.	4/3/1989	5/2/1991, 56 FR 20140		
Rule 2.0514	Control of Particulates from Ferrous Jobbing Foundries.	4/3/1989	5/2/1991, 56 FR 20140		
Rule 2.0515	Particulates from Miscellaneous Industrial Processes.	4/3/1989	5/2/1991, 56 FR 20140		
Rule 2.0516	Sulfur Dioxide Emissions from Fuel Burning Installations.	4/3/1989	5/2/1991, 56 FR 20140		
Rule 2.0517	Emissions From Plants Producing Sulfuric Acid.	4/3/1989	5/2/1991, 56 FR 20140		Except for item (2).
Rule 2.0518	Miscellaneous Volatile Organic Compound Emissions.	11/21/2000	10/22/2002, 67 FR 64999		
Rule 2.0519	Control of Nitrogen Dioxide Emissions.	4/3/1989	5/2/1991, 56 FR 20140		
Rule 2.0523	Control of Conical Incinerators ...	11/21/2000	10/22/2002, 67 FR 64999		
Rule 2.0530	Prevention of Significant Deterioration.	10/17/2017	10/6/2022, 87 FR 60551		Except for the incorporation by reference of 40 CFR 51.166(b)(2)(iii)(a), which is instead incorporated by reference as of July 1, 1988. Except for the incorporation by reference of 40 CFR 51.166(b)(2)(v), (b)(3)(iii)(d), (b)(53) through (56), and (y).
Rule 2.0531	Sources in Nonattainment Areas	4/3/1989	5/2/1991, 56 FR 20140		
Rule 2.0532	Sources Contributing to an Ambient Violation.	4/3/1989	5/2/1991, 56 FR 20140		
Rule 2.0533	Stack Height	4/3/1989	5/2/1991, 56 FR 20140		
Rule 2.0535	Malfunions, Start-Up and Shut-Down.	4/3/1989	5/2/1991, 56 FR 20140		

(3) EPA-APPROVED MECKLENBURG COUNTY REGULATIONS—Continued

Citation	Title/subject	County effective date	EPA approval date	Explanation
Rule 2.0544	Prevention of Significant Deterioration Requirements for Greenhouse Gases.	12/15/2015	10/6/2022, 87 FR 60551	Except for the Biomass Deferral Rule language contained in the second sentence of 40 CFR 51.166(b)(48)(ii)(a).

Section 2.0600 Monitoring: Recordkeeping: Reporting

Rule 2.0601	Purpose and Scope	12/15/2015	1/25/2022, 87 FR 3675	
Rule 2.0602	Definitions	12/15/2015	1/25/2022, 87 FR 3675	
Rule 2.0604	Exceptions to Monitoring and Reporting Requirements.	12/15/2015	1/25/2022, 87 FR 3675	
Rule 2.0605	General Recordkeeping and Reporting Requirements.	12/15/2015	1/25/2022, 87 FR 3675	
Rule 2.0606	Sources Covered by Appendix P of 40 CFR Part 51.	6/14/1991	5/2/1991, 56 FR 20140	
Rule 2.0607	Large Wood and Wood-Fossil Fuel Combination Units.	12/15/2015	1/25/2022, 87 FR 3675	
Rule 2.0608	Program Schedule	4/3/1989	5/2/1991, 56 FR 20140	
Rule 2.0610	Delegation Federal Monitoring Requirements.	12/15/2015	1/25/2022, 87 FR 3675	
Rule 2.0611	Monitoring Emissions From Other Sources.	12/15/2015	1/25/2022, 87 FR 3675	
Rule 2.0613	Quality Assurance Program	12/15/2015	1/25/2022, 87 FR 3675	

Section 2.0900 Volatile Organic Compounds

Rule 2.0901	Definitions	1/1/2009	1/25/2022, 87 FR 3663	
Rule 2.0902	Applicability	10/16/2004	9/12/2007, 72 FR 52012	
Rule 2.0903	Recordkeeping: Reporting: Monitoring.	7/1/1991	6/23/1994, 59 FR 32362	
Rule 2.0906	Circumvention	12/15/2015	2/28/2022, 87 FR 10975	
Rule 2.0907	Equipment Installation Compliance Schedules.	4/3/1989	5/2/1991, 56 FR 20140	
Rule 2.0909	Low Solvent Content Coating Compliance Schedules.	4/3/1989	5/2/1991, 56 FR 20140	
Rule 2.0911	Expectation for Compliance Schedule.	4/3/1989	5/2/1991, 56 FR 20140	
Rule 2.0912	General Provisions on Test Methods and Procedures.	6/1/2008	1/25/2022, 87 FR 3663	
Rule 2.0914	Determination of VOC Emission Control System Efficiency.	4/3/1989	5/2/1991, 56 FR 20140	
Rule 2.0917	Automobile and Light-Duty Truck Manufacturing.	4/3/1989	5/2/1991, 56 FR 20140	
Rule 2.0918	Can Coating	12/15/2015	2/28/2022, 87 FR 10975	
Rule 2.0919	Coil Coating	12/15/2015	2/28/2022, 87 FR 10975	
Rule 2.0920	Paper Coating	4/3/1989	5/2/1991, 56 FR 20140	
Rule 2.0921	Fabric and Vinyl Coating	4/3/1989	5/2/1991, 56 FR 20140	
Rule 2.0922	Metal Furniture Coating	4/3/1989	5/2/1991, 56 FR 20140	
Rule 2.0923	Surface Coating of Large Appliances.	4/3/1989	5/2/1991, 56 FR 20140	
Rule 2.0924	Magnet Wire Coating	12/15/2015	2/28/2022, 87 FR 10975	
Rule 2.0925	Petroleum Liquid Storage in Fixed Roof Tanks.	12/15/2015	2/28/2022, 87 FR 10975	
Rule 2.0926	Bulk Gasoline Plants	12/15/2015	2/28/2022, 87 FR 10975	
Rule 2.0927	Bulk Gasoline Terminals	12/15/2015	2/28/2022, 87 FR 10975	
Rule 2.0928	Gasoline Service Stations Stage 1.	12/15/2015	2/28/2022, 87 FR 10975	
Rule 2.0930	Solvent Metal Cleaning	12/15/2015	2/28/2022, 87 FR 10975	
Rule 2.0931	Cutback Asphalt	12/15/2015	2/28/2022, 87 FR 10975	
Rule 2.0932	Gasoline Truck Tanks and Vapor Collection Systems.	4/3/1989	5/2/1991, 56 FR 20140	
Rule 2.0933	Petroleum Liquid Storage in External Floating Roof Tanks.	12/15/2015	2/28/2022, 87 FR 10975	
Rule 2.0934	Coating of Miscellaneous Metal Parts and Products.	3/1/1991	6/23/1994, 59 FR 32362	
Rule 2.0935	Factory Surface Coating of Flat Wood Paneling.	4/3/1989	5/2/1991, 56 FR 20140	
Rule 2.0936	Graphic Arts	4/3/1989	5/2/1991, 56 FR 20140	
Rule 2.0937	Manufacture of Pneumatic Rubber Tires.	12/15/2015	2/28/2022, 87 FR 10975	

(3) EPA-APPROVED MECKLENBURG COUNTY REGULATIONS—Continued

Citation	Title/subject	County effective date	EPA approval date	Explanation
Rule 2.0943	Synthetic Organic Chemical and Polymer Manufacturing.	6/1/2008	1/25/2022, 87 FR 3663	
Rule 2.0944	Manufacture of Polyethylene, Polypropylene and Polystyrene.	12/15/2015	2/28/2022, 87 FR 10975	
Rule 2.0945	Petroleum Dry Cleaning	6/1/2008	1/25/2022, 87 FR 3663	
Rule 2.0947	Manufacture of Synthesized Pharmaceutical Products.	12/15/2015	2/28/2022, 87 FR 10975	
Rule 2.0948	VOC Emissions from Transfer Operations.	12/15/2015	2/28/2022, 87 FR 10975	
Rule 2.0949	Storage of Miscellaneous Volatile Organic Compounds.	12/15/2015	2/28/2022, 87 FR 10975	
Rule 2.0951	Miscellaneous Volatile Organic Compound Emissions.	7/1/2000	10/22/2002, 67 FR 64999	
Rule 2.0958	Work Practices for Sources of Volatile Organic Compounds.	12/15/2015	2/28/2022, 87 FR 10975	

Section 2.2600 Source Testing

Rule 2.2602	General Provisions on Test Methods and Procedures.	6/1/2008	1/25/2022, 87 FR 3663	Except for paragraph 2.2602(i).
Rule 2.2603	Testing Protocol	6/1/2008	1/25/2022, 87 FR 3663	
Rule 2.2604	Number of Test Points	6/1/2008	1/25/2022, 87 FR 3663	
Rule 2.2605	Velocity and Volume Flow Rate	6/1/2008	1/25/2022, 87 FR 3663	
Rule 2.2606	Molecular Weight	6/1/2008	1/25/2022, 87 FR 3663	
Rule 2.2607	Determination of Moisture Content.	6/1/2008	1/25/2022, 87 FR 3663	
Rule 2.2608	Number of Runs and Compliance Determination.	6/1/2008	1/25/2022, 87 FR 3663	
Rule 2.2610	Opacity	6/1/2008	1/25/2022, 87 FR 3663	
Rule 2.2612	Nitrogen Oxide Testing Methods	6/1/2008	1/25/2022, 87 FR 3663	
Rule 2.2613	Volatile Organic Compound Testing Methods.	6/1/2008	1/25/2022, 87 FR 3663	
Rule 2.2614	Determination of VOC Emission Control System Efficiency.	6/1/2008	1/25/2022, 87 FR 3663	
Rule 2.2615	Determination of Leak Tightness and Vapor Leaks.	6/1/2008	1/25/2022, 87 FR 3663	

(4) EPA-APPROVED WESTERN NORTH CAROLINA REGULATIONS

Citation	Title/subject	State effective date	EPA approval date	Explanation
Article I. Resolutions, Organization, Administration				
Sec. 1-1	Resolution	7/1/1970	5/2/1991, 56 FR 20140	
Sec. 1-2	Ordinance	7/1/1970	5/2/1991, 56 FR 20140	
Sec. 1-3	Authority	7/1/1970	5/2/1991, 56 FR 20140	
Sec. 1-4	Organization	7/1/1970	5/2/1991, 56 FR 20140	
Sec. 1-5	Administrative Procedures	7/1/1970	5/2/1991, 56 FR 20140	
Sec. 1-6	Appeals to and other Appearances before Board.	7/1/1970	5/2/1991, 56 FR 20140	
Sec. 1-7	Opinions not Binding	7/1/1970	5/2/1991, 56 FR 20140	
Article II. Definitions				
Sec. 1-25	Definitions	11/9/1988	5/2/1991, 56 FR 20140	
Sec. 1-26	Enforcement of Chapter	11/9/1988	5/2/1991, 56 FR 20140	
Sec. 1-27	General Powers and Duties of Director.	11/9/1988	5/2/1991, 56 FR 20140	
Sec. 1-28	Authority of Director to Establish Administrative Procedures.	11/9/1988	5/2/1991, 56 FR 20140	
Sec. 1-29	Confidentiality of Records and Information Furnished to the Department.	11/9/1988	5/2/1991, 56 FR 20140	
Sec. 1-30	Fees for Inspection Permits and Certificates Required by Chapter.	11/9/1988	5/2/1991, 56 FR 20140	
Sec. 1-32	Variances	11/9/1988	5/2/1991, 56 FR 20140	
Sec. 1-33	Penalties for Violation of Chapter ...	11/9/1988	5/2/1991, 56 FR 20140	
Sec. 1-34	Civil Relief for Violation of Chapter	11/9/1988	5/2/1991, 56 FR 20140	

(4) EPA-APPROVED WESTERN NORTH CAROLINA REGULATIONS—Continued

Citation	Title/subject	State effective date	EPA approval date	Explanation
Sec. 1–35	Chapter Does Not Prohibit Private Actions for Relief.	11/9/1988	5/2/1991, 56 FR 20140	
Sec. 1–36	Judicial Review of Administrative Decisions Rendered Under Chapter.	11/9/1988	5/2/1991, 56 FR 20140	
Article III. Open Burning				
Sec. 1–42	Purpose of Article	3/13/1985	5/2/1991, 56 FR 20140	
Sec. 1–43	Application of Article	3/13/1985	5/2/1991, 56 FR 20140	
Sec. 1–44	General Prohibition	3/13/1985	5/2/1991, 56 FR 20140	
Sec. 1–45	Permissible Burning—Generally	3/13/1985	5/2/1991, 56 FR 20140	
Article IV. Visible Emissions				
Sec. 1–59	Purpose of Article	3/13/1985	5/2/1991, 56 FR 20140	
Article V. Odorous Emissions				
Sec. 1–75	Control and Prohibition of Odorous Emissions.	3/13/1985	5/2/1991, 56 FR 20140	
Sec. 1–76	Control of Conical Incinerators	3/13/1985	5/2/1991, 56 FR 20140	
Article VI. Ambient Air Quality Standards				
Sec. 1–89	Purpose	3/13/1985	5/2/1991, 56 FR 20140	
Sec. 1–90	Sampling Locations for Enforcement of Article.	11/9/1988	5/2/1991, 56 FR 20140	
Sec. 1–91	Sulfur Oxides	6/5/1985	5/2/1991, 56 FR 20140	
Sec. 1–92	Suspended Particulates	6/5/1985	5/2/1991, 56 FR 20140	
Sec. 1–93	Carbon Monoxide	6/5/1985	5/2/1991, 56 FR 20140	
Sec. 1–94	Ozone	6/5/1985	5/2/1991, 56 FR 20140	
Sec. 1–95	Nitrogen Dioxide	6/5/1985	5/2/1991, 56 FR 20140	
Sec. 1–96	Lead	6/5/1985	5/2/1991, 56 FR 20140	
Sec. 1–97	Particulate Matter	11/9/1988	5/2/1991, 56 FR 20140	
Article VII. Classification of Air Contaminant Sources				
Sec. 1–108	Purpose of Article	8/19/1970	5/2/1991, 56 FR 20140	
Sec. 1–109	Application of Article	8/19/1970	5/2/1991, 56 FR 20140	
Sec. 1–110	System Established	8/19/1970	5/2/1991, 56 FR 20140	
Article VIII. Registration of Air Contaminant Sources				
Sec. 1–121	Purpose of Article	1/20/1982	5/2/1991, 56 FR 20140	
Sec. 1–122	Application of Article	1/20/1982	5/2/1991, 56 FR 20140	
Sec. 1–123	Operator and Premises Registration.	1/20/1982	5/2/1991, 56 FR 20140	
Sec. 1–124	Process Registration—Generally	1/20/1982	5/2/1991, 56 FR 20140	
Sec. 1–125	Director to Establish Dates	1/20/1982	5/2/1991, 56 FR 20140	
Sec. 1–126	Responsibility of Obtaining Forms ..	1/20/1982	5/2/1991, 56 FR 20140	
Article IX. Air Contaminant Emission Control Standards				
Sec. 1–135	Emission Control Standards	6/5/1985	5/2/1991, 56 FR 20140	
Sec. 1–136	Purpose of Article; All Sources to Be Provided with Maximum Feasible Control.	11/9/1988	5/2/1991, 56 FR 20140	
Sec. 1–137	Malfunction Regulations	11/9/1988	5/2/1991, 56 FR 20140	Except for paragraph (g).
Sec. 1–138	Control of Particulate from Fuel Burning Sources.	11/9/1988	5/2/1991, 56 FR 20140	
Sec. 1–140	Particulates from Wood Burning Indirect Heat Exchangers.	11/9/1988	5/2/1991, 56 FR 20140	
Sec. 1–141	Control of Particulates from Incinerators.	11/9/1988	5/2/1991, 56 FR 20140	
Sec. 1–142	Control of Particulates from Hot Mix Asphalt Plants.	11/9/1988	5/2/1991, 56 FR 20140	
Sec. 1–143	Particulates from Chemical Fertilizer Manufacturing Plants.	11/9/1988	5/2/1991, 56 FR 20140	
Sec. 1–144	Particulate Matter and Reduced Sulfur Emissions from Pulp and Paper Mills.	11/9/1988	2/7/1992, 57 FR 4737	Except paragraphs (f) and (g).

(4) EPA-APPROVED WESTERN NORTH CAROLINA REGULATIONS—Continued

Citation	Title/subject	State effective date	EPA approval date	Explanation
Sec. 1-145	Particulate Matter Emissions from Processing Mica or Feldspar.	11/18/1971	5/2/1991, 56 FR 20140	Except for item (2).
Sec. 1-146	Particulate Matter Emissions from Sand, Gravel and Crushed Stone Operations.	11/18/1971	5/2/1991, 56 FR 20140	
Sec. 1-147	Particulate Matter and Sulfur Dioxide Emissions from Lightweight Aggregate Process.	11/18/1971	5/2/1991, 56 FR 20140	
Sec. 1-148	Control and Prohibition of Particulate Matter Emissions from Plants Engaged in the Finishing of Wood Products.	11/18/1971	5/2/1991, 56 FR 20140	
Sec. 1-149	Control and Prohibition of Particulate Matter Emissions from Portland Cement Plants.	11/18/1971	5/2/1991, 56 FR 20140	
Sec. 1-150	Particulates from Miscellaneous Industrial Processes.	11/18/1971	5/2/1991, 56 FR 20140	
Sec. 1-151	Sulfur Dioxide Emissions from Fuel-Burning Installations.	11/9/1988	5/2/1991, 56 FR 20140	
Sec. 1-152	Emissions from plants Producing Sulfuric Acid.	11/18/1971	5/2/1991, 56 FR 20140	
Sec. 1-153	Vapor of Gas Emissions from Stationary Tanks Containing Carbon and Hydrogen.	11/9/1988	5/2/1991, 56 FR 20140	
Sec. 1-154	Restriction on Loading of Volatile Organic Compounds.	11/9/1988	5/2/1991, 56 FR 20140	
Sec. 1-155	Emissions from Operations Involving Photochemically Reactive Materials.	7/1/1972	5/2/1991, 56 FR 20140	
Sec. 1-156	Nitrogen Dioxide Emissions	7/1/1972	5/2/1991, 56 FR 20140	
Sec. 1-157	Control of Particulates from Ferrous Jobbing Foundries.	11/9/1988	5/2/1991, 56 FR 20140	
Sec. 1-160	Prevention of Significant Deterioration.	3/13/1985	5/2/1991, 56 FR 20140	
Sec. 1-162	Control of Mercury Emissions	3/13/1985	5/2/1991, 56 FR 20140	
Sec. 1-165	Sources Contributing to an Ambient Violation.	6/5/1985	5/2/1991, 56 FR 20140	

Article XII. Air Pollutants: Monitoring, Reporting

Sec. 1-202	Purpose and Scope	3/13/1985	5/2/1991, 56 FR 20140
Sec. 1-203	Definitions	6/5/1985	5/2/1991, 56 FR 20140
Sec. 1-204	Sources Covered by Implementation Plan Requirements.	6/5/1985	5/2/1991, 56 FR 20140
Sec. 1-205	Wood and Wood-Fossil Fuel Combination Units.	11/9/1988	5/2/1991, 56 FR 20140
Sec. 1-206	Other Coal or Residual Oil Burners	3/13/1985	5/2/1991, 56 FR 20140
Sec. 1-207	Exemptions to Monitoring and Reporting Requirements.	3/13/1985	5/2/1991, 56 FR 20140
Sec. 1-208	Program Schedule	3/13/1985	5/2/1991, 56 FR 20140

Article XIII. Air Pollution Alerts, Warnings and Emergencies

Sec. 1-222	Purpose of Article	11/9/1988	5/2/1991, 56 FR 20140
Sec. 1-223	General Procedure	11/9/1988	5/2/1991, 56 FR 20140
Sec. 1-224	Episode Criteria	11/9/1988	5/2/1991, 56 FR 20140
Sec. 1-225	Emission Reduction Plans	3/13/1985	5/2/1991, 56 FR 20140
Sec. 1-226	Preplanned Abatement Program ...	3/13/1985	5/2/1991, 56 FR 20140
Sec. 1-227	Emission Reduction Plan: Alert Level.	11/9/1988	5/2/1991, 56 FR 20140
Sec. 1-228	Emission Reduction Plan: Warning Level.	3/13/1985	5/2/1991, 56 FR 20140
Sec. 1-229	Emergency Reduction Plan: Emergency Level.	3/13/1985	5/2/1991, 56 FR 20140

Article XIV. Complex Sources

Sec. 1-230	Purpose of Article	6/5/1985	5/2/1991, 56 FR 20140
Sec. 1-231	Definition of "Complex Sources"	6/5/1985	5/2/1991, 56 FR 20140
Sec. 1-232	Application of Article	6/5/1985	5/2/1991, 56 FR 20140

(4) EPA-APPROVED WESTERN NORTH CAROLINA REGULATIONS—Continued

Citation	Title/subject	State effective date	EPA approval date	Explanation
Sec. 1-233	Submission of Permits for Review and Approval.	6/5/1985	5/2/1991, 56 FR 20140	
Sec. 1-234	Highway Projects	6/5/1985	5/2/1991, 56 FR 20140	
Sec. 1-235	Airport Facility	6/5/1985	5/2/1991, 56 FR 20140	
Sec. 1-236	Facility Under Construction	6/5/1985	5/2/1991, 56 FR 20140	
Sec. 1-237	Applications	6/5/1985	5/2/1991, 56 FR 20140	
Sec. 1-238	No Deviation from Standards	6/5/1985	5/2/1991, 56 FR 20140	
Sec. 1-239	Control of Airborne Particulate Matter in the Ambient Air.	11/9/1988	5/2/1991, 56 FR 20140	

Chapter 17 Air Quality Permit Procedures

Section .0100 General Provisions

Rule .0101	Required Air Quality Permits	9/12/1994	7/28/1998, 60 FR 38707	
Rule .0102	Activities Exempted from Permit Requirements.	9/12/1994	7/28/1998, 60 FR 38707	
Rule .0103	Definitions	9/12/1994	7/28/1998, 60 FR 38707	
Rule .0104	Where to Obtain and File Permit Applications.	9/12/1994	7/28/1998, 60 FR 38707	
Rule .0105	Copies of Referenced Documents ..	9/12/1994	7/28/1998, 60 FR 38707	
Rule .0106	Incorporation by Reference	9/12/1994	7/28/1998, 60 FR 38707	
Rule .0107	Confidential Information	9/12/1994	7/28/1998, 60 FR 38707	
Rule .0109	Compliance Schedule for Previously Exempted Activities.	9/12/1994	7/28/1998, 60 FR 38707	
Rule .0110	Retention of Permit at Permitted Facility.	9/12/1994	7/28/1998, 60 FR 38707	
Rule .0111	Applicability Determinations	9/12/1994	7/28/1998, 60 FR 38707	

Section .0200 Permit Fees

Rule .0201	Applicability	9/12/1994	7/28/1998, 60 FR 38707	
Rule .0202	Definitions	9/12/1994	7/28/1998, 60 FR 38707	
Rule .0203	Permit and Application Fees	9/12/1994	7/28/1998, 60 FR 38707	
Rule .0204	Inflation Adjustment	9/12/1994	7/28/1998, 60 FR 38707	
Rule .0205	Other Adjustments	9/12/1994	7/28/1998, 60 FR 38707	
Rule .0206	Payment of Fees	9/12/1994	7/28/1998, 60 FR 38707	
Rule .0207	Annual Emissions Reporting	9/12/1994	7/28/1998, 60 FR 38707	

Section .0300 Construction and Operation Permit

Rule .0301	Applicability	9/12/1994	7/28/1998, 60 FR 38707	
Rule .0302	Facilities Not Likely to Contravene Demonstration.	9/12/1994	7/28/1998, 60 FR 38707	
Rule .0303	Definitions	9/12/1994	7/28/1998, 60 FR 38707	
Rule .0304	Applications	9/12/1994	7/28/1998, 60 FR 38707	
Rule .0305	Application Submittal Content	9/12/1994	7/28/1998, 60 FR 38707	
Rule .0306	Permits Requiring Public Participation.	9/12/1994	7/28/1998, 60 FR 38707	
Rule .0307	Public Participation Procedures	9/12/1994	7/28/1998, 60 FR 38707	
Rule .0308	Final Action On Permit Applications	9/12/1994	7/28/1998, 60 FR 38707	
Rule .0309	Termination, Modification and Revocation of Permits.	9/12/1994	7/28/1998, 60 FR 38707	
Rule .0310	Permitting of Numerous Similar Facilities.	9/12/1994	7/28/1998, 60 FR 38707	
Rule .0311	Permitting of Facilities at Multiple Temporary Sites.	9/12/1994	7/28/1998, 60 FR 38707	

Section .0400 Acid Rain Procedures

Rule .0401	Applicability	9/12/1994	7/28/1998, 60 FR 38707	
Rule .0402	Definitions	9/12/1994	7/28/1998, 60 FR 38707	
Rule .0403	New Units Exemption	9/12/1994	7/28/1998, 60 FR 38707	
Rule .0404	Retired Units Exemption	9/12/1994	7/28/1998, 60 FR 38707	
Rule .0405	Requirement to Apply	9/12/1994	7/28/1998, 60 FR 38707	
Rule .0406	Requirement for Permit Applications.	9/12/1994	7/28/1998, 60 FR 38707	
Rule .0407	Permit Application Shield and Binding Effect of Permit Application.	9/12/1994	7/28/1998, 60 FR 38707	
Rule .0408	Compliance Plans	9/12/1994	7/28/1998, 60 FR 38707	
Rule .0409	Phase II Repowering Extensions ...	9/12/1994	7/28/1998, 60 FR 38707	
Rule .0410	Permit Contents	9/12/1994	7/28/1998, 60 FR 38707	

(4) EPA-APPROVED WESTERN NORTH CAROLINA REGULATIONS—Continued

Citation	Title/subject	State effective date	EPA approval date	Explanation
Rule .0411	Standard Requirements	9/12/1994	7/28/1998, 60 FR 38707	
Rule .0412	Permit Shield	9/12/1994	7/28/1998, 60 FR 38707	
Rule .0413	Permit Revisions Generally	9/12/1994	7/28/1998, 60 FR 38707	
Rule .0414	Permit Modifications	9/12/1994	7/28/1998, 60 FR 38707	
Rule .0415	Fast-Track Modifications	9/12/1994	7/28/1998, 60 FR 38707	
Rule .0416	Administrative Permit Amendment	9/12/1994	7/28/1998, 60 FR 38707	
Rule .0417	Automatic Permit Amendment	9/12/1994	7/28/1998, 60 FR 38707	
Rule .0418	Permit Reopenings	9/12/1994	7/28/1998, 60 FR 38707	

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(e) *EPA-Approved North Carolina
Non-Regulatory Provisions.*

EPA-APPROVED NORTH CAROLINA NON-REGULATORY PROVISIONS

Provision	State effective date	EPA approval date	Federal Register citation	Explanation
Capital Area, North Carolina Interagency Transportation Conformity Memorandum of Agreement.	1/1/2002	12/27/2002	67 FR 78986	
Durham-Chapel Hill Interagency Transportation Conformity Memorandum of Agreement.	1/1/2002	12/27/2002	67 FR 78986	
Winston-Salem Interagency Transportation Conformity Memorandum of Agreement.	1/1/2002	12/27/2002	67 FR 78986	
High Point Interagency Transportation Conformity Memorandum of Agreement.	1/1/2002	12/27/2002	67 FR 78986	
Greensboro Interagency Transportation Conformity Memorandum of Agreement.	1/1/2002	12/27/2002	67 FR 78986	
Gaston, North Carolina Interagency Transportation Conformity Memorandum of Agreement.	1/1/2002	12/27/2002	67 FR 78986	
Mecklenburg-Union Interagency Transportation Conformity Memorandum of Agreement.	8/7/2003	9/15/2003	68 FR 53887	
10 Year Maintenance Plan Update for the Raleigh/Durham Area.	6/4/2004	9/20/2004	69 FR 56163	
10 Year Maintenance Plan Update for the Greensboro/Winston-Salem/High Point Area.	6/4/2004	9/20/2004	69 FR 56163	
Attainment Demonstration of the Mountain, Unifour, Triad and Fayetteville Early Action Compact Areas.	12/21/2004	9/21/2005	70 FR 48874	

EPA-APPROVED NORTH CAROLINA NON-REGULATORY PROVISIONS—Continued

Provision	State effective date	EPA approval date	Federal Register citation	Explanation
Charlotte, Raleigh-Durham, and Winston-Salem Carbon Monoxide Second 10-Year Maintenance Plan.	3/18/2005	3/24/2006	71 FR 14817	
8-Hour Ozone Maintenance plan for the Rocky Mount, North Carolina area (Edgecombe and Nash Counties).	6/19/2006	11/6/2006	71 FR 64891	
8-Hour Ozone Maintenance plan for the Raleigh-Durham-Chapel Hill, North Carolina area (Durham, Franklin, Granville, Johnston, Orange, Person and Wake Counties in their entireties, and Baldwin, Center, New Hope and Williams Townships in Chatham County).	6/7/2007	12/26/2007	72 FR 72948	
1-Hour Ozone Maintenance plan revision for the Greensboro/Winston-Salem/High Point area (Davidson, Forsyth, and Guilford counties and a portion of Davie County).	2/4/2008	4/8/2008	73 FR 18963	
8-Hour Ozone Maintenance Plan for the Great Smoky Mountains National Park Area.	7/24/2009	12/7/2009	74 FR 63995	
1997 Annual PM _{2.5} Maintenance Plan for the Hickory, North Carolina Area—(Catawba County).	12/18/2009	11/18/2011	76 FR 71452	
1997 Annual PM _{2.5} Maintenance Plan for the Hickory, North Carolina Area—MOVES Update.	12/22/2010	11/18/2011	76 FR 71452	
1997 Annual PM _{2.5} Maintenance Plan for the Greensboro, North Carolina Area (Davidson and Guilford Counties).	12/18/2009	11/18/2011	76 FR 71455	
1997 Annual PM _{2.5} Maintenance Plan for the Greensboro, North Carolina Area—MOVES Update.	12/22/2010	11/18/2011	76 FR 71455	

EPA-APPROVED NORTH CAROLINA NON-REGULATORY PROVISIONS—Continued

Provision	State effective date	EPA approval date	Federal Register citation	Explanation
North Carolina 110(a)(1) and (2) Infrastructure Requirements for the 1997 8-Hour Ozone National Ambient Air Quality Standards.	12/12/2007	2/6/2012	77 FR 5703	
1997 8-Hour Ozone 110(a)(1) Maintenance Plan for the Triad Area.	4/13/2011	3/26/2012	76 FR 3611	
Supplement to 110(a)(1) Maintenance Plan for the Triad Area.	5/18/2011	3/26/2012	76 FR 3611	
North Carolina portion of bi-state Charlotte; 1997 8-Hour Ozone 2002 Base Year Emissions Inventory.	11/12/2009	5/4/2012	77 FR 26441	
Regional Haze Plan ...	11/17/2007	6/27/2012	77 FR 38185	
110(a)(1) and (2) Infrastructure Requirements for 1997 Fine Particulate Matter National Ambient Air Quality Standards.	4/1/2008	10/16/2012	77 FR 63238	With the exception of section 110(a)(2)(D)(i). With respect to sections 110(a)(2)(C) related to PSD requirements, 110(a)(2)(E)(ii) and 110(a)(2)(J) related to PSD requirements, EPA conditionally approved these requirements.
110(a)(1) and (2) Infrastructure Requirements for 2006 Fine Particulate Matter National Ambient Air Quality Standards.	9/21/2009	10/16/2012	77 FR 63238	With the exception of section 110(a)(2)(D)(i). With respect to sections 110(a)(2)(C) related to PSD requirements, 110(a)(2)(E)(ii) and 110(a)(2)(J) related to PSD requirements, EPA conditionally approved these requirements.
MVEB Update for the Redesignation and Maintenance Plan for the Rocky Mount, NC Area for the 1997 8-hour Ozone Standard.	2/7/2011	11/26/2012	77 FR 59335	
1997 8-hour ozone reasonable further progress plan for North Carolina portion of the bi-state Charlotte Area.	11/30/2009	10/12/2012	77 FR 62166	
8-Hour Carbon Monoxide Limited Maintenance Plan for Charlotte, Raleigh/Durham and Winston-Salem Maintenance Area.	8/2/2012	6/20/2013	78 FR 37122	
1997 8-hour ozone Maintenance Plan for the North Carolina portion of the bi-state Charlotte Area.	11/2/2011, and supplemented on 3/28/2013.	12/2/2013	78 FR 72039	
North Carolina Transportation Conformity Air Quality Implementation Plan.	7/12/2013	12/26/2013	78 FR 78272	

EPA-APPROVED NORTH CAROLINA NON-REGULATORY PROVISIONS—Continued

Provision	State effective date	EPA approval date	Federal Register citation	Explanation
Supplement Maintenance Plan for the Raleigh-Durham-Chapel Hill, NC 1997 8-hour Ozone Maintenance Area and RVP Standard.	3/27/2013	1/2/2014	79 FR 50	
Supplement Maintenance Plan for the Greensboro/Winston-Salem/High Point Area, NC 1997 8-hour Ozone Maintenance Area and RVP Standard.	4/2/2013	1/24/2014	79 FR 4085	
110(a)(1) and (2) Infrastructure Requirements for 1997 Fine Particulate Matter National Ambient Air Quality Standards.	4/1/2008	5/7/2014	79 FR 26149	Addressing prong 4 of section 110(a)(2)(D)(i) only.
110(a)(1) and (2) Infrastructure Requirements for 2006 Fine Particulate Matter National Ambient Air Quality Standards.	9/21/2009	5/7/2014	79 FR 26149	Addressing prong 4 of section 110(a)(2)(D)(i) only.
Non-Interference Demonstration for the North Carolina Inspection and Maintenance Program.	10/11/2013	2/5/2015	80 FR 6457	
110(a)(1) and (2) Infrastructure Requirements for the 2008 Lead National Ambient Air Quality Standards.	6/15/2012	3/9/2015	80 FR 12344	With the exception of PSD permitting requirements for major sources of sections 110(a)(2)(C), prong 3 of D(i), and (J) and the state board requirements of 110(E)(ii).
North Carolina portion of bi-state Charlotte Area; 2008 8-Hour Ozone Base Year Emissions Inventory.	7/7/2014	4/21/2015	80 FR 22211	
North Carolina portion of bi-state Charlotte Area; 2008 8-Hour Ozone Annual Emissions Reporting (Emissions Statements).	7/7/2014	4/21/2015	80 FR 22211	
Supplement Maintenance Plan for the Charlotte Area, NC 2008 8-hour Ozone Maintenance Area and RVP Standard.	4/16/2015	7/28/2015	80 FR 44868	Provides the non-interference demonstration for revising the Federal Low-Reid Vapor Pressure requirement for the Charlotte Area, NC.
2008 8-hour ozone Maintenance Plan for the North Carolina portion of the bi-state Charlotte Area.	4/16/2015	7/28/2015	80 FR 44873	
110(a)(1) and (2) Infrastructure Requirements for the 1997 8-hour Ozone NAAQS.	7/27/2015	11/3/2015	80 FR 67646	Approving 110(a)(2)(E)(ii) as it relates to the Secretary of the DENR and his/her delegatee that approve permit or enforcement orders and appeal matters decided by ALJs.

EPA-APPROVED NORTH CAROLINA NON-REGULATORY PROVISIONS—Continued

Provision	State effective date	EPA approval date	Federal Register citation	Explanation
110(a)(1) and (2) Infrastructure Requirements for the 1997 Annual PM _{2.5} NAAQS.	7/27/2015	11/3/2015	80 FR 67646	Approving 110(a)(2)(E)(ii) as it relates to the Secretary of the DENR and his/her delegatee that approve permit or enforcement orders and appeal matters decided by ALJs.
110(a)(1) and (2) Infrastructure Requirements for the 2006 24-hour PM _{2.5} NAAQS.	7/27/2015	11/3/2015	80 FR 67646	Approving 110(a)(2)(E)(ii) as it relates to the Secretary of the DENR and his/her delegatee that approve permit or enforcement orders and appealed matters decided by ALJs.
110(a)(1) and (2) Infrastructure Requirements for the 2008 Lead NAAQS.	7/27/2015	11/3/2015	80 FR 67646	Approving 110(a)(2)(E)(ii) as it relates to the Secretary of the DENR and his/her delegatee that approve permit or enforcement orders and appeal matters decided by ALJs.
110(a)(1) and (2) Infrastructure Requirements for the 2008 8-hour Ozone NAAQS.	7/27/2015	11/3/2015	80 FR 67646	Approving 110(a)(2)(E)(ii) as it relates to the Secretary of the DENR and his/her delegatee that approve permit or enforcement orders and appeal matters decided by ALJs.
110(a)(1) and (2) Infrastructure Requirements for the 2010 NO ₂ NAAQS.	7/27/2015	11/3/2015	80 FR 67646	Approving 110(a)(2)(E)(ii) as it relates to the Secretary of the DENR and his/her delegatee that approve permit or enforcement orders and appeal matters decided by ALJs.
110(a)(1) and (2) Infrastructure Requirements for the 2010 SO ₂ NAAQS.	7/27/2015	11/3/2015	80 FR 67646	Approving 110(a)(2)(E)(ii) as it relates to the Secretary of the DENR and his/her delegatee that approve permit or enforcement orders and appeal matters decided by ALJs.
Chapter 7A section 754 of the North Carolina General Statutes.	7/27/2015	11/3/2015	80 FR 67646	Specifically, the following paragraph of 7A–754 stating “The Chief Administrative Law Judge and the administrative law judges shall comply with the Model Code of Judicial Conduct for State Administrative Law Judges, as adopted by the National Conference of Administrative Law Judges, Judicial Division, American Bar Association, (revised August 1998), as amended from time to time, except that the provisions of this section shall control as to the private practice of law in lieu of Canon 4G, and G.S. 126–13 shall control as to political activity in lieu of Canon 5.” is approved into the SIP.
110(a)(1) and (2) Infrastructure Requirements for the 2008 8-Hour Ozone National Ambient Air Quality Standards.	11/2/2012	11/5/2015	80 FR 68457	With the exception of sections: 110(a)(2)(C) and (J) concerning PSD permitting requirements; 110(a)(2)(D)(i)(I) and (II) (prongs 1 through 4) concerning interstate transport requirements; 110(a)(2)(E)(ii) concerning state board requirements.

EPA-APPROVED NORTH CAROLINA NON-REGULATORY PROVISIONS—Continued

Provision	State effective date	EPA approval date	Federal Register citation	Explanation
110(a)(1) and (2) Infrastructure Requirements for the 2010 1-hour SO ₂ NAAQS.	3/18/2014	4/26/2016	81 FR 24497	With the exception of the PSD permitting requirements for major sources of sections 110(a)(2)(C) and (J), the interstate transport requirements of section 110(a)(2)(D)(i)(I) and (II) (prongs 1, 2, 3, and 4), and the state board requirements of section 110(E)(ii).
BART Alternative Plan	10/31/2014	5/24/2016	81 FR 32654	This plan modifies the Regional Haze Plan approved with a state effective date of 11/17/2007 (see above) and converts the June 27, 2012, limited approval to a full approval.
110(a)(1) and (2) Infrastructure Requirements for the 2008 8-Hour Ozone NAAQS.	11/2/2012	6/3/2016	81 FR 35636	Addressing prong 4 of section 110(a)(2)(D)(i) only.
110(a)(1) and (2) Infrastructure Requirements for the 2010 1-hour NO ₂ NAAQS.	8/23/2013	6/3/2016	81 FR 35636	Addressing prong 4 of section 110(a)(2)(D)(i) only.
110(a)(1) and (2) Infrastructure Requirements for the 2010 1-hour SO ₂ NAAQS.	3/18/2014	6/3/2016	81 FR 35636	Addressing prong 4 of section 110(a)(2)(D)(i) only.
110(a)(1) and (2) Infrastructure Requirements for the 2012 Annual PM _{2.5} NAAQS.	12/4/2015	6/3/2016	81 FR 35636	Addressing prong 4 of section 110(a)(2)(D)(i) only.
May 2013 Regional Haze Progress Report.	5/31/2013	8/25/2016	81 FR 58401	Includes updated reasonable progress goals for North Carolina's Class I areas.
110(a)(1) and (2) Infrastructure Requirements for 1997 Fine Particulate Matter NAAQS.	4/1/2008	9/14/2016	81 FR 63111	Partially approve the PSD elements of sections 110(a)(2)(C), 110(a)(2)(D)(i)(II) (prong 3) and 110(a)(2)(J) and disapprove with respect to the PM _{2.5} increment requirements of 2010 PSD PM _{2.5} Rule.
110(a)(1) and (2) Infrastructure Requirements for 2006 Fine Particulate Matter NAAQS.	9/21/2009	9/14/2016	81 FR 63111	Partially approve the PSD elements of sections 110(a)(2)(C), 110(a)(2)(D)(i)(II) (prong 3) and 110(a)(2)(J) and disapprove with respect to the PM _{2.5} increment requirements of 2010 PSD PM _{2.5} Rule.
110(a)(1) and (2) Infrastructure Requirements for the 2008 Lead NAAQS.	6/15/2012	9/14/2016	81 FR 63111	Partially approve the PSD elements of sections 110(a)(2)(C), 110(a)(2)(D)(i)(II) (prong 3) and 110(a)(2)(J) and disapprove with respect to the PM _{2.5} increment requirements of 2010 PSD PM _{2.5} Rule.
110(a)(1) and (2) Infrastructure Requirements for the 2008 8-Hour Ozone NAAQS.	11/2/2012	9/14/2016	81 FR 63111	Partially approve the PSD elements of sections 110(a)(2)(C), 110(a)(2)(D)(i)(II) (prong 3) and 110(a)(2)(J) and disapprove with respect to the PM _{2.5} increment requirements of 2010 PSD PM _{2.5} Rule.

EPA-APPROVED NORTH CAROLINA NON-REGULATORY PROVISIONS—Continued

Provision	State effective date	EPA approval date	Federal Register citation	Explanation
110(a)(1) and (2) Infrastructure Requirements for the 2010 1-hour NO ₂ NAAQS.	8/23/2013	9/14/2016	81 FR 63111	Partially approve the PSD elements of sections 110(a)(2)(C), 110(a)(2)(D)(i)(II) (prong 3) and 110(a)(2)(J) and disapprove with respect to the PM _{2.5} increment requirements of 2010 PSD PM _{2.5} Rule.
110(a)(1) and (2) Infrastructure Requirements for the 2010 1-hour SO ₂ NAAQS.	3/18/2014	9/14/2016	81 FR 63111	Partially approve the PSD elements of sections 110(a)(2)(C), 110(a)(2)(D)(i)(II) (prong 3) and 110(a)(2)(J) and disapprove with respect to the PM _{2.5} increment requirements of 2010 PSD PM _{2.5} Rule.
110(a)(1) and (2) Infrastructure Requirements for the 2012 Annual PM _{2.5} NAAQS.	12/4/2015	9/14/2016	81 FR 63111	Partially approve the PSD elements of sections 110(a)(2)(C), 110(a)(2)(D)(i)(II) (prong 3) and 110(a)(2)(J) and disapprove with respect to the PM _{2.5} increment requirements of 2010 PSD PM _{2.5} Rule.
Good Neighbor Provisions (Section 110(a)(2)(D)(i)(I)) for the 2010 1-hour NO ₂ NAAQS.	3/24/2016	9/22/2016	81 FR 65288	
110(a)(1) and (2) Infrastructure Requirements for the 2010 1-hour NO ₂ NAAQS.	8/23/2013	10/14/2016	81 FR 70969	With the exception of sections: 110(a)(2)(E)(ii) concerning state boards; 110(a)(2)(C) and (J) concerning PSD permitting requirements; and 110(a)(2)(D)(i)(I) and (II) (prongs 1 through 4) concerning interstate transport requirements.
110(a)(1) and (2) Infrastructure Requirements for the 2012 Annual PM _{2.5} NAAQS.	12/4/2015	4/7/2017	82 FR 16924	With the exception of section 110(a)(2)(D)(i)(I) and (II) (prongs 1 through 4) and the PSD requirements of section 110(a)(2)(C) and (J).
110(a)(1) and (2) Infrastructure Requirements for the 2008 8-Hour Ozone NAAQS.	12/9/2015	10/4/2017	82 FR 46134	Addressing prongs 1 and 2 of section 110(a)(2)(D)(i) only.
North Carolina Removal of 26 Counties from Inspection and Maintenance Program and 110(l) Non-Interference Demonstration.	11/17/2017	9/25/2018	83 FR 48383	
110(a)(1) and (2) Infrastructure Requirements for 1997 Fine Particulate Matter NAAQS.	4/1/2008	9/11/2018	83 FR 45827	Approved the PSD elements of sections 110(a)(2)(C), 110(a)(2)(D)(i)(II) (prong 3) and 110(a)(2)(J).
110(a)(1) and (2) Infrastructure Requirements for 2006 Fine Particulate Matter NAAQS.	9/21/2009	9/11/2018	83 FR 45827	Approved the PSD elements of sections 110(a)(2)(C), 110(a)(2)(D)(i)(II) (prong 3) and 110(a)(2)(J).
110(a)(1) and (2) Infrastructure Requirements for the 2008 Lead NAAQS.	6/15/2012	9/11/2018	83 FR 45827	Approved the PSD elements of sections 110(a)(2)(C), 110(a)(2)(D)(i)(II) (prong 3) and 110(a)(2)(J).
110(a)(1) and (2) Infrastructure Requirements for the 2008 8-Hour Ozone NAAQS.	11/2/2012	9/11/2018	83 FR 45827	Approved the PSD elements of sections 110(a)(2)(C), 110(a)(2)(D)(i)(II) (prong 3) and 110(a)(2)(J).

EPA-APPROVED NORTH CAROLINA NON-REGULATORY PROVISIONS—Continued

Provision	State effective date	EPA approval date	Federal Register citation	Explanation
110(a)(1) and (2) Infrastructure Requirements for the 2010 1-hour NO ₂ NAAQS.	8/23/2013	9/11/2018	83 FR 45827	Approved the PSD elements of sections 110(a)(2)(C), 110(a)(2)(D)(i)(II) (prong 3) and 110(a)(2)(J).
110(a)(1) and (2) Infrastructure Requirements for the 2010 1-hour SO ₂ NAAQS.	3/18/2014	9/11/2018	83 FR 45827	Approved the PSD elements of sections 110(a)(2)(C), 110(a)(2)(D)(i)(II) (prong 3) and 110(a)(2)(J).
110(a)(1) and (2) Infrastructure Requirements for the 2012 Annual PM _{2.5} NAAQS.	12/4/2015	9/11/2018	83 FR 45827	Approved the PSD elements of sections 110(a)(2)(C), 110(a)(2)(D)(i)(II) (prong 3) and 110(a)(2)(J).
110(a)(1) and (2) Infrastructure Requirements for the 2012 Annual PM _{2.5} NAAQS.	12/4/2015	9/25/2018	83 FR 48387	Addressing Prongs 1 and 2 of section 110(a)(2)(D)(i)(I) only.
2008 8-hour ozone Maintenance Plan for the North Carolina portion of the bi-state Charlotte Area.	7/25/2018	9/11/2019	84 FR 47889	
110(a)(1) and (2) Infrastructure Requirements for the 2015 8-Hour Ozone NAAQS.	9/27/2018	3/11/2020	85 FR 14147	With the exception of 110(a)(2)(D)(i)(I) (prongs 1 and 2) and PSD provisions related to major sources under sections 110(a)(2)(C), 110(a)(2)(D)(i)(II) (prong 3), and 110(a)(2)(J).
MVEB Revision to the 2008 8-hour ozone Maintenance Plan for the North Carolina portion of the bi-state Charlotte Area.	7/16/2020	8/25/2021	86 FR 47387	
110(a)(1) and (2) Infrastructure Requirements for the 2015 8-Hour Ozone NAAQS.	9/27/2018	12/2/2021	86 FR 68413	Addressing Prongs 1 and 2 of section 110(a)(2)(D)(i)(I) only.
1997 8-hour Ozone NAAQS 2nd Maintenance Plans (Limited Maintenance Plans) for the Great Smoky Mountains National Park, Raleigh-Durham-Chapel Hill, and Rocky Mount, North Carolina Areas.	9/22/2020	5/9/2022	87 FR 27521	
Removal of Lee, Onslow, and Rockingham Counties from North Carolina's Inspection and Maintenance Program and 110(l) Non-Interference Demonstration.	12/14/2020	8/11/2022	87 FR 49524	
110(a)(1) and (2) Infrastructure Requirements for the 2015 8-Hour Ozone NAAQS.	4/13/2021	1/5/2023	88 FR 773	Addressing the PSD provisions of sections 110(a)(2)(C), (D)(i)(II) (Prong 3), and (J) only.

EPA-APPROVED NORTH CAROLINA NON-REGULATORY PROVISIONS—Continued

Provision	State effective date	EPA approval date	Federal Register citation	Explanation
1997 8-hour Ozone 2nd Maintenance Plan (Limited Maintenance Plan) for the North Carolina portion of the bi-state Charlotte Area.	12/9/2021	1/13/2023	88 FR 2245	
Burlington-Graham Interagency Transportation Conformity Memorandum of Agreement.	1/30/2023	3/29/2023	88 FR 18423	
Cabarrus-Rowan Interagency Transportation Conformity Memorandum of Agreement.	1/20/2023	3/29/2023	88 FR 18423	
Charlotte Regional Interagency Transportation Conformity Memorandum of Agreement.	1/30/2023	3/29/2023	88 FR 18423	
Durham-Chapel Hill-Carrboro Interagency Transportation Conformity Memorandum of Agreement.	1/30/2023	3/29/2023	88 FR 18423	
Gaston-Cleveland-Lincoln Interagency Transportation Conformity Memorandum of Agreement.	1/30/2023	3/29/2023	88 FR 18423	
Greater Hickory Interagency Transportation Conformity Memorandum of Agreement.	1/30/2023	3/29/2023	88 FR 18423	
Greensboro Urban Area Interagency Transportation Conformity Memorandum of Agreement.	1/27/2023	3/29/2023	88 FR 18423	
High Point Urban Area Interagency Transportation Conformity Memorandum of Agreement.	1/27/2023	3/29/2023	88 FR 18423	
North Carolina Capital Area Interagency Transportation Conformity Memorandum of Agreement.	1/27/2023	3/29/2023	88 FR 18423	
Rocky Mount Urban Area Interagency Transportation Conformity Memorandum of Agreement.	1/27/2023	3/29/2023	88 FR 18423	
Winston-Salem-Forsyth Urban Area Interagency Transportation Conformity Memorandum of Agreement.	1/27/2023	3/29/2023	88 FR 18423	

EPA-APPROVED NORTH CAROLINA NON-REGULATORY PROVISIONS—Continued

Provision	State effective date	EPA approval date	Federal Register citation	Explanation
Rural (counties not covered by MPO, administered by North Carolina DOT) Interagency Transportation Conformity Memorandum of Agreement.	1/27/2023	3/29/2023	88 FR 18423	
Great Smoky Mountains National Park (administered by NPS) Interagency Transportation Conformity Memorandum of Agreement.	1/30/2023	3/29/2023	88 FR 18423	

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 622

[Docket No. 140501394–5279–02; RTID 0648–XD176]

Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2023 Commercial Closure for Blueline Tilefish in the South Atlantic

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Temporary rule; closure.

SUMMARY: NMFS implements an accountability measure for blueline tilefish in the exclusive economic zone (EEZ) of the South Atlantic. NMFS estimates that commercial landings of blueline tilefish have reached the commercial annual catch limit (ACL) for the 2023 fishing year. Accordingly, NMFS closes the commercial sector for the harvest of blueline tilefish in the South Atlantic EEZ to protect the blueline tilefish resource from overfishing.

DATES: This temporary rule is effective from 12:01 a.m. eastern time on August 2, 2023, through December 31, 2023.

FOR FURTHER INFORMATION CONTACT: Mary Vara, NMFS Southeast Regional Office, telephone: 727–824–5305, email: mary.vara@noaa.gov.

SUPPLEMENTARY INFORMATION: The snapper-grouper fishery of the South Atlantic includes blueline tilefish and is

managed under the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region (FMP). The South Atlantic Fishery Management Council and NMFS prepared the FMP, and the FMP is implemented by NMFS under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) by regulations at 50 CFR part 622. All weights in this temporary rule are given in round weight.

Regulations at 50 CFR 622.193(z)(1)(i) specify the commercial ACL for blueline tilefish of 117,148 lb (53,137 kg), and the commercial accountability measure for blueline tilefish. NMFS is required to close the commercial sector when its ACL is reached, or is projected to be reached, by filing a notification to that effect with the Office of the Federal Register. NMFS estimates that for the 2023 fishing year, commercial landings of blueline tilefish will reach the commercial ACL by August 2, 2023. Accordingly, the commercial sector for South Atlantic blueline tilefish is closed effective at 12:01 a.m. eastern time on August 2, 2023, through December 31, 2023.

During the commercial closure, all sale or purchase of blueline tilefish is prohibited. While the recreational harvest of blueline tilefish is open, harvest of blueline tilefish in or from the South Atlantic EEZ is limited to the recreational bag and possession limits specified in 50 CFR 622.187. The bag and possession limits for blueline tilefish apply in state or Federal waters of the South Atlantic on a vessel for which NMFS has issued a valid commercial or charter vessel/headboat permit for South Atlantic snapper-grouper.

Classification

NMFS issues this action pursuant to section 305(d) of the Magnuson-Stevens Act. This action is required by 50 CFR 622.193(z)(1)(i), which was issued pursuant to section 304(b) of the Magnuson-Stevens Act, and is exempt from review under Executive Order 12866.

Pursuant to 5 U.S.C. 553(b)(B), there is good cause to waive prior notice and an opportunity for public comment on this action, as notice and comment are unnecessary and contrary to the public interest. Such procedures are unnecessary because the regulations associated with the closure of the blueline tilefish commercial sector at 50 CFR 622.193(z)(1)(i) have already been subject to notice and public comment, and all that remains is to notify the public of the closure. Prior notice and opportunity for public comment are contrary to the public interest because there is a need to immediately implement this action to protect blueline tilefish, because the capacity of the fishing fleet allows for rapid harvest of the commercial ACL. Prior notice and opportunity for public comment would require time and would potentially result in a harvest well in excess of the established commercial ACL.

For the reasons stated earlier, the Assistant Administrator also finds good cause to waive the 30-day delay in the effectiveness of this action under 5 U.S.C. 553(d)(3).

Authority: 16 U.S.C. 1801 *et seq.*

Dated: July 27, 2023.

Jennifer M. Wallace,
Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2023–16442 Filed 7–28–23; 4:15 pm]

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