

Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the Clean Air Act.

In addition, 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 and will not impose substantial direct costs on Tribal governments or preempt Tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

Executive Order 12898 (Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations, 59 FR 7629, February 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.”

TDEC did not evaluate environmental justice considerations as part of its SIP submittal; the CAA and applicable implementing regulations neither prohibit nor require such an evaluation. EPA did not perform an EJ analysis and did not consider EJ in this proposed action. Due to the nature of the action being proposed here, this proposed action is expected to have a neutral to positive impact on the air quality of the affected area. Consideration of EJ is not required as part of this proposed action, and there is no information in the record inconsistent with the stated goal of E.O. 12898 of achieving environmental justice for people of color, low-income populations, and Indigenous peoples.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Nitrogen dioxide, Ozone, Reporting and recordkeeping requirements.

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

Dated: July 9, 2024.

Jeananne Gettle,

Acting Regional Administrator, Region 4.

[FR Doc. 2024–15396 Filed 7–15–24; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 55

[EPA–R02–OAR–2024–0277; FRL 12035–01–R2]

Outer Continental Shelf Air Regulations Update To Include New Jersey State Requirements

AGENCY: Environmental Protection Agency.

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to update a portion of the Outer Continental Shelf (OCS) Air Regulations. Requirements applying to OCS sources located within 25 miles of states’ seaward boundaries must be updated periodically to remain consistent with the requirements of the corresponding onshore area (COA), as mandated by the Clean Air Act (CAA). The portion of the OCS air regulations that is being updated pertains to the requirements for OCS sources for which the State of New Jersey is the COA. The intended effect of approving the OCS requirements for the State of New Jersey is to regulate emissions from OCS sources in accordance with the requirements onshore. The requirements discussed below are proposed to be incorporated by reference into the Code of Federal Regulations and listed in the appendix to the OCS air regulations.

DATES: Written comments must be received on or before August 15, 2024.

ADDRESSES: Submit your comments, identified by Docket ID Number EPA–R02–OAR–2024–0277 at <https://www.regulations.gov>. Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *Regulations.gov*. The EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not

consider comments or comment contents located outside of the primary submission (*i.e.*, on the web, cloud, or other file sharing system). For additional submission methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <https://www2.epa.gov/dockets/commenting-epa-dockets>.

FOR FURTHER INFORMATION CONTACT:

Viorica Petriman, Air Programs Branch, Permitting Section, U.S. Environmental Protection Agency, Region 2, 290 Broadway, New York, New York 10007, (212) 637–4021, petriman.viorica@epa.gov.

SUPPLEMENTARY INFORMATION:

Table of Contents

- I. Background and Purpose
- II. The EPA’s Evaluation
- III. The EPA’s Proposed Action
- IV. Incorporation by Reference
- V. Statutory and Executive Order Reviews

I. Background and Purpose

On September 4, 1992, EPA promulgated 40 CFR part 55 (“Part 55”),¹ which established requirements to control air pollution from Outer Continental Shelf (OCS) sources in order to attain and maintain Federal and State ambient air quality standards (AAQS) and to comply with the provisions of part C of title I of the Clean Air Act (CAA). The 40 CFR part 55 regulations apply to all OCS sources offshore of the states except those located in the Gulf of Mexico west of 87.5 degrees longitude.

Section 328(a) of the CAA requires that for such OCS sources located within 25 miles of a State’s seaward boundary, the requirements shall be the same as would be applicable if the sources were located in the corresponding onshore area (COA). Because the OCS requirements are based on onshore requirements, and onshore requirements may change, CAA section 328(a)(1) requires that the EPA update the OCS requirements as necessary to maintain consistency with onshore requirements. To comply with this statutory mandate, the EPA must incorporate by reference into part 55 all relevant state rules in effect for onshore sources, so they can be applied to OCS sources located offshore. This limits EPA’s flexibility in deciding which requirements will be incorporated into

¹ The reader may refer to the Proposed Rulemaking, December 5, 1991 (56 FR 63774), and the preamble to the final rule promulgated September 4, 1992 (57 FR 40792) for further background and information on the OCS regulations.

40 CFR part 55 and prevents EPA from making substantive changes to the requirements it incorporates. As a result, EPA may be incorporating rules into 40 CFR part 55 that do not conform to all of EPA's state implementation plan (SIP) guidance or certain requirements of the CAA. Inclusion in the OCS rule does not imply that a rule meets the requirements of the CAA for SIP approval, nor does it imply that the rule will be approved by EPA for inclusion in the SIP.

40 CFR 55.12 specifies certain times at which part 55's incorporation by reference of a state's rules must be updated. One time such a "consistency update" must occur is when any OCS source applicant submits a Notice of Intent (NOI) under 40 CFR 55.4 for a new or a modified OCS source. 40 CFR 55.4(a) requires that any OCS source applicant must submit to EPA an NOI before performing any physical change or change in method of operation that results in an increase in emissions if the OCS source is located within 25 miles of a state's seaward boundaries. EPA must conduct any necessary consistency update when it receives an NOI, and prior to receiving any application for a preconstruction permit from the OCS source applicant. 40 CFR 55.6(b)(2) and 55.12(f). This proposed action is being taken in response to the submittal of an NOI to EPA, with copies provided to certain state agencies, on May 10, 2024, by Atlantic Shores Offshore Wind Project 3, LLC, which proposes to submit an OCS permit application for the construction of a new OCS source (a wind energy project) about 7.3 nautical miles offshore New Jersey.

II. The EPA's Evaluation

In updating 40 CFR part 55, the EPA reviewed the New Jersey State Department of Environmental Protection ("NJDEP") air rules currently in effect, to ensure that they are rationally related to the attainment or maintenance of Federal and State AAQS or part C of title I of the CAA, that they are not designed expressly to prevent exploration and development of the OCS, and that they are applicable to OCS sources. See 40 CFR 55.1. The EPA has also evaluated the rules to ensure they are not arbitrary and capricious. See 40 CFR 55.12(e). The EPA has excluded New Jersey's administrative or procedural rules,² and requirements

² Each COA which has been delegated the authority to implement and enforce part 55 will use its administrative and procedural rules as onshore. However, in those instances where EPA has not delegated authority to implement and enforce part 55, as is the case in New Jersey, EPA will use its own administrative and procedural requirements to

that regulate toxics which are not related to the attainment and maintenance of Federal and State AAQS.

III. The EPA's Proposed Action

In today's action, the EPA is proposing to amend 40 CFR 55.14 to incorporate by reference an updated compilation of the State of New Jersey Requirements Applicable to OCS Sources and to revise the "New Jersey" entry in appendix A to 40 CFR part 55 to include air pollution control rules found in New Jersey Administrative Code, title 7, Chapters 27 and 27B, and currently state effective. The specific provisions are identified in the proposed regulatory language at the end of this proposed rule.

IV. Incorporation by Reference

In this proposed rule, the EPA is proposing to include in a final EPA rule regulatory text that includes incorporation by reference. In accordance with the requirements of 1 CFR 51.5, the EPA is proposing to incorporate by reference an updated compilation of NJDEP air rules applicable to OCS sources, "State of New Jersey Requirements Applicable to OCS Sources," dated June 6, 2024, that includes the updated state provisions described in sections II. and III. of this preamble. These documents are available in the docket of this rulemaking through www.regulations.gov.

V. Statutory and Executive Order Reviews

Under the Clean Air Act, the Administrator is required to establish requirements to control air pollution from OCS sources located within 25 miles of states' seaward boundaries that are the same as onshore air control requirements. To comply with this statutory mandate, the EPA must incorporate applicable onshore rules into part 55 as they exist onshore. 42 U.S.C. 7627(a)(1); 40 CFR 55.12. Thus, in promulgating OCS consistency updates, the EPA's role is to maintain consistency between OCS regulations and the regulations of onshore areas, provided that they meet the criteria of the Clean Air Act. Accordingly, this action simply updates the existing OCS requirements to make them consistent with requirements onshore, without the exercise of any policy discretion by the EPA.

implement the substantive requirements. See 40 CFR 55.14(c)(4).

a. Executive Order 12866, Regulatory Planning and Review

This action is not a "significant regulatory action" under the terms of Executive Orders (E.O.) 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011) and is therefore not subject to review under the E.O.

b. Paperwork Reduction Act (PRA)

This action does not impose any new information collection burden under PRA because this action only updates the state rules that are incorporated by reference into 40 CFR part 55, appendix A. OMB has previously approved the information collection activities contained in the existing regulations at 40 CFR part 55 and, by extension, this update to 40 CFR part 55, and has assigned OMB control number 2060-0249. This action does not impose a new information burden under PRA because this action only updates the state rules that are incorporated by reference into 40 CFR part 55, appendix A.

c. Regulatory Flexibility Act (RFA)

I certify that this action will not have a significant impact on a substantial number of small entities under the RFA. This proposed rule does not impose any requirements or create impacts on small entities. This proposed consistency update under CAA section 328 will not create any new requirements but simply proposes to update the State requirements incorporated by reference into 40 CFR part 55 to match the current State requirements.

d. Unfunded Mandates Reform Act (UMRA)

This action does not contain any unfunded mandate or significantly or uniquely affect small governments as described in UMRA, 2 U.S.C. 1531-1538. The action imposes no enforceable duty on any state, local or Tribal governments.

e. Executive Order 13132, Federalism

This action does not have federalism implications. It will not have substantial direct effects on the states, on the relationship between the national government and the states, or on the distribution of power and responsibilities among the various levels of government.

f. Executive Order 13175, Coordination With Indian Tribal Governments

This action does not have Tribal implications, as specified in Executive Order 13175 (65 FR 67249, November 9, 2000), because it does not have a

substantial direct effect on one or more Indian Tribes, on the relationship between the Federal Government and Indian Tribes, or on the distribution of power and responsibilities between the Federal Government and Indian Tribes, nor does it impose substantial direct costs on Tribal governments, nor preempt Tribal law. It merely proposes to update the State law incorporated by reference into 40 CFR part 55 to match current State requirements.

g. Executive Order 13045, Protection of Children From Environmental Health Risks and Safety Risks

EPA interprets Executive Order 13045 as applying only to those regulatory actions that concern health or safety risks that the EPA has reason to believe may disproportionately affect children, per the definition of “covered regulatory action” in section 2–202 of the Executive Order. This action is not subject to Executive Order 13045 because it is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 and simply proposes to update the State requirements incorporated by reference into 40 CFR part 55 to match the current State requirements.

h. Executive Order 13211, Actions That Significantly Affect Energy Supply, Distribution, or Use.

This proposed rule is not subject to Executive Order 13211 because it is not a significant regulatory action under Executive Order 12866.

i. National Technology Transfer and Advancement Act

This rulemaking is not subject to requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the Clean Air Act.

j. Executive Order 12898: Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Population

The EPA believes that this action is not subject to Executive Order 12898 (59 FR 7629, February 16, 1994) because it does not provide the EPA with the discretionary authority to address, as appropriate, disproportionate human health, or environmental effects, using practicable and legally permissible methods.

List of Subjects in 40 CFR Part 55

Environmental protection, Administrative practice and procedures,

Air pollution control, Hydrocarbons, Incorporation by reference, Intergovernmental relations, Nitrogen dioxide, Nitrogen oxides, Outer Continental Shelf, Ozone, Particulate matter, Permits, Reporting and recordkeeping requirements, Sulfur oxides.

Lisa Garcia,

Regional Administrator, Region 2.

For the reasons set out in the preamble, title 40 of the Code of Federal Regulations, part 55, is proposed to be amended as follows.

PART 55—[AMENDED]

■ 1. The authority citation for 40 CFR part 55 continues to read as follows:

Authority: Section 328 of the Clean Air Act (42 U.S.C. 7401, *et seq.*) as amended by Public Law 101–549.

■ 2. Section 55.14 is amended by revising the paragraph (e)(15)(i)(A) to read as follows:

§ 55.14 Requirements that apply to OCS sources located within 25 miles of States’ seaward boundaries, by State.

* * * * *

(e) * * *

(15) * * *

(i) * * *

(A) State of New Jersey Requirements Applicable to OCS Sources, June 6, 2024.

* * * * *

■ 3. Appendix A to 40 CFR part 55 is amended by revising the entry for “New Jersey” to read as follows:

Appendix A to Part 55—Listing of State and Local Requirements Incorporated by Reference Into Part 55, by State

* * * * *

New Jersey

(a) State requirements.

(1) The following State of New Jersey requirements are applicable to OCS Sources, as of June 6, 2024. New Jersey Department of Environmental Protection—New Jersey Administrative Code. The following sections of Title 7:

Chapter 27 Subchapter 2—Control and Prohibition of Open Burning (Effective 6/20/1994)

N.J.A.C. 7:27–2.1. Definitions
N.J.A.C. 7:27–2.2. Open burning for salvage operations
N.J.A.C. 7:27–2.3. Open burning of refuse
N.J.A.C. 7:27–2.4. General provisions
N.J.A.C. 7:27–2.6. Prescribed burning
N.J.A.C. 7:27–2.7. Emergencies
N.J.A.C. 7:27–2.8. Dangerous material
N.J.A.C. 7:27–2.12. Special permit
N.J.A.C. 7:27–2.13. Fees

Chapter 27 Subchapter 3—Control and Prohibition of Smoke From Combustion of Fuel (Effective 2/4/2002)

N.J.A.C. 7:27–3.1. Definitions
N.J.A.C. 7:27–3.2. Smoke emissions from stationary indirect heat exchangers
N.J.A.C. 7:27–3.3. Smoke emissions from marine installations
N.J.A.C. 7:27–3.4. Smoke emissions from the combustion of fuel in mobile sources
N.J.A.C. 7:27–3.5. Smoke emissions from stationary internal combustion engines and stationary turbine engines
N.J.A.C. 7:27–3.6. Stack test
N.J.A.C. 7:27–3.7. Exceptions

Chapter 27 Subchapter 4—Control and Prohibition of Particles From Combustion of Fuel (Effective 4/20/2009)

N.J.A.C. 7:27–4.1. Definitions
N.J.A.C. 7:27–4.2. Standards for the emission of particles
N.J.A.C. 7:27–4.3. Performance test principle
N.J.A.C. 7:27–4.4. Emissions tests
N.J.A.C. 7:27–4.6. Exceptions

Chapter 27 Subchapter 5—Prohibition of Air Pollution (Effective 10/12/1977)

N.J.A.C. 7:27–5.1. Definitions
N.J.A.C. 7:27–5.2. General provisions

Chapter 27 Subchapter 6—Control and Prohibition of Particles From Manufacturing Processes (Effective 5/4/1998)

N.J.A.C. 7:27–6.1. Definitions
N.J.A.C. 7:27–6.2. Standards for the emission of particles
N.J.A.C. 7:27–6.3. Performance test principles
N.J.A.C. 7:27–6.4. Emissions tests
N.J.A.C. 7:27–6.5. Variances
N.J.A.C. 7:27–6.7. Exceptions

Chapter 27 Subchapter 7—Sulfur (Effective 11/6/2017)

N.J.A.C. 7:27–7.1. Definitions
N.J.A.C. 7:27–7.2. Control and prohibition of air pollution from sulfur compounds

Chapter 27 Subchapter 8—Permits and Certificates for Minor Facilities (and Major Facilities Without an Operating Permit) (Effective 11/20/2023)

N.J.A.C. 7:27–8.1. Definitions
N.J.A.C. 7:27–8.2. Applicability
N.J.A.C. 7:27–8.3. General provisions
N.J.A.C. 7:27–8.4. How to apply, register, submit a notice, or renew
N.J.A.C. 7:27–8.5. Air quality impact analysis
N.J.A.C. 7:27–8.6. Service fees
N.J.A.C. 7:27–8.7. Operating certificates
N.J.A.C. 7:27–8.8. General permits
N.J.A.C. 7:27–8.9. Environmental improvement pilot tests
N.J.A.C. 7:27–8.11. Standards for issuing a permit
N.J.A.C. 7:27–8.12. State of the art
N.J.A.C. 7:27–8.13. Conditions of approval
N.J.A.C. 7:27–8.14. Denials
N.J.A.C. 7:27–8.15. Reporting requirements
N.J.A.C. 7:27–8.16. Revocation
N.J.A.C. 7:27–8.17. Changes to existing permits and certificates
N.J.A.C. 7:27–8.18. Permit revisions
N.J.A.C. 7:27–8.19. Compliance plan changes
N.J.A.C. 7:27–8.20. Seven-day notice changes
N.J.A.C. 7:27–8.21. Amendments

N.J.A.C. 7:27–8.23. Reconstruction
 N.J.A.C. 7:27–8.24. Special provisions for construction but not operation
 N.J.A.C. 7:27–8.25. Special provisions for pollution control equipment or pollution prevention process modifications
 Appendix 1

Chapter 27 Subchapter 9—Sulfur in Fuels (Effective 9/20/2010)

N.J.A.C. 7:27–9.1. Definitions
 N.J.A.C. 7:27–9.2. Sulfur content standards
 N.J.A.C. 7:27–9.3. Exemptions
 N.J.A.C. 7:27–9.4. Waiver of air quality modeling

Chapter 27 Subchapter 10—Sulfur in Solid Fuels (Effective 9/6/2011)

N.J.A.C. 7:27–10.1. Definitions
 N.J.A.C. 7:27–10.2. Sulfur contents standards
 N.J.A.C. 7:27–10.3. Expansion, reconstruction, or construction of solid fuel burning units
 N.J.A.C. 7:27–10.4. Exemptions
 N.J.A.C. 7:27–10.5. SO₂ emission rate determinations

Chapter 27 Subchapter 11—Incinerators (Effective 5/4/1998)

N.J.A.C. 7:27–11.1. Definitions
 N.J.A.C. 7:27–11.2. Construction standards
 N.J.A.C. 7:27–11.3. Emission standards
 N.J.A.C. 7:27–11.4. Permit to construct; certificate to operate
 N.J.A.C. 7:27–11.5. Operation
 N.J.A.C. 7:27–11.6. Exceptions

Chapter 27 Subchapter 12—Prevention and Control of Air Pollution Emergencies (Effective 5/20/1974)

N.J.A.C. 7:27–12.1. Definitions
 N.J.A.C. 7:27–12.2. Emergency criteria
 N.J.A.C. 7:27–12.3. Criteria for emergency termination
 N.J.A.C. 7:27–12.4. Standby plans
 N.J.A.C. 7:27–12.5. Standby orders
 Table I Emission Reduction Objectives
 Table II Emission Reduction Objectives
 Table III Emission Reduction Objectives

Chapter 27 Subchapter 16—Control and Prohibition of Air Pollution by Volatile Organic Compounds (Effective 4/4/2022)

N.J.A.C. 7:27–16.1. Definitions
 N.J.A.C. 7:27–16.1A. Purpose, scope, applicability, and severability
 N.J.A.C. 7:27–16.2. VOC stationary storage tanks
 N.J.A.C. 7:27–16.3. Gasoline transfer operations
 N.J.A.C. 7:27–16.4. VOC transfer operations, other than gasoline
 N.J.A.C. 7:27–16.5. Marine tank vessel loading and ballasting operations
 N.J.A.C. 7:27–16.6. Open top tanks and solvent cleaning operations
 N.J.A.C. 7:27–16.7. Surface coating and graphic arts operations
 N.J.A.C. 7:27–16.8. Boilers
 N.J.A.C. 7:27–16.9. Stationary combustion turbines

N.J.A.C. 7:27–16.10. Stationary reciprocating engines
 N.J.A.C. 7:27–16.12. Surface coating operations at mobile equipment repair and refinishing facilities
 N.J.A.C. 7:27–16.13. Flares
 N.J.A.C. 7:27–16.16. Other source operations
 N.J.A.C. 7:27–16.17. Alternative and facility-specific VOC control requirements
 N.J.A.C. 7:27–16.18. Leak detection and repair
 N.J.A.C. 7:27–16.19. Application of cutback and emulsified asphalts
 N.J.A.C. 7:27–16.21. Natural gas pipelines
 N.J.A.C. 7:27–16.22. Emission information, record keeping and testing
 N.J.A.C. 7:27–16.23. Procedures for demonstrating compliance
 N.J.A.C. 7:27–16.27. Exceptions
 Appendix I
 Appendix II

Chapter 27 Subchapter 18—Control and Prohibition of Air Pollution From New or Altered Sources Affecting Ambient Air Quality (Emission Offset Rules) (Effective 11/6/2017)

N.J.A.C. 7:27–18.1. Definitions
 N.J.A.C. 7:27–18.2. Facilities subject to this subchapter
 N.J.A.C. 7:27–18.3. Standards for issuance of permits
 N.J.A.C. 7:27–18.4. Air quality impact analysis
 N.J.A.C. 7:27–18.5. Standards for use of emission reductions as emission offsets
 N.J.A.C. 7:27–18.6. Emission offset postponement
 N.J.A.C. 7:27–18.7. Determination of a net emission increase or a significant net emission increase
 N.J.A.C. 7:27–18.8. Banking of emission reductions
 N.J.A.C. 7:27–18.9. Secondary emissions
 N.J.A.C. 7:27–18.10. Exemptions
 N.J.A.C. 7:27–18.12. Civil or criminal penalties for failure to comply

Chapter 27 Subchapter 19—Control and Prohibition of Air Pollution From Oxides of Nitrogen (Effective 1/16/2018)

N.J.A.C. 7:27–19.1. Definitions
 N.J.A.C. 7:27–19.2. Purpose, scope, and applicability
 N.J.A.C. 7:27–19.3. General provisions
 N.J.A.C. 7:27–19.4. Boilers serving electric generating units
 N.J.A.C. 7:27–19.5. Stationary combustion turbines
 N.J.A.C. 7:27–19.6. Emissions averaging
 N.J.A.C. 7:27–19.7. Industrial/commercial/institutional boilers and other indirect heat exchangers
 N.J.A.C. 7:27–19.8. Stationary reciprocating engines
 N.J.A.C. 7:27–19.11. Emergency generators—recordkeeping
 N.J.A.C. 7:27–19.13. Alternative and facility-specific NO_x emission limits
 N.J.A.C. 7:27–19.14. Procedures for obtaining approvals under this subchapter

N.J.A.C. 7:27–19.15. Procedures and deadlines for demonstrating compliance
 N.J.A.C. 7:27–19.16. Adjusting combustion processes
 N.J.A.C. 7:27–19.17. Source emissions testing
 N.J.A.C. 7:27–19.18. Continuous emissions monitoring
 N.J.A.C. 7:27–19.19. Recordkeeping and recording
 N.J.A.C. 7:27–19.20. Fuel switching
 N.J.A.C. 7:27–19.21. Phased compliance—repowering
 N.J.A.C. 7:27–19.23. Phased compliance—use of innovative control technology
 N.J.A.C. 7:27–19.25. Exemption for emergency use of fuel oil
 N.J.A.C. 7:27–19.26. Penalties

Chapter 27 Subchapter 20—Used Oil Combustion (Effective 9/6/2011)

N.J.A.C. 7:27–20.1. Definitions
 N.J.A.C. 7:27–20.2. General provisions
 N.J.A.C. 7:27–20.3. Burning of on-specification used oil in space heaters covered by a registration
 N.J.A.C. 7:27–20.4. Burning of on-specification used oil in space heaters covered by a permit
 N.J.A.C. 7:27–20.5. Demonstration that used oil is on-specification
 N.J.A.C. 7:27–20.6. Burning of on-specification oil in other combustion units
 N.J.A.C. 7:27–20.7. Burning of off-specification used oil
 N.J.A.C. 7:27–20.8. Ash standard
 N.J.A.C. 7:27–20.9. Exception

Chapter 27 Subchapter 21—Emission Statements (Effective 6/6/2022)

N.J.A.C. 7:27–21.1. Definitions
 N.J.A.C. 7:27–21.2. Applicability
 N.J.A.C. 7:27–21.3. General provisions
 N.J.A.C. 7:27–21.4. Procedures for submitting an emission statement
 N.J.A.C. 7:27–21.5. Required contents of an emission statement
 N.J.A.C. 7:27–21.6. Methods to be used for quantifying actual emissions
 N.J.A.C. 7:27–21.7. Recordkeeping requirements
 N.J.A.C. 7:27–21.8. Certification of information
 N.J.A.C. 7:27–21.9. Request for extensions
 N.J.A.C. 7:27–21.10. Determination of non-applicability
 N.J.A.C. 7:27–21.11. Severability
 Appendix 1

Chapter 27 Subchapter 22—Operating Permits (Effective 1/3/2023)

N.J.A.C. 7:27–22.1. Definitions
 N.J.A.C. 7:27–22.2. Applicability
 N.J.A.C. 7:27–22.3. General provisions
 N.J.A.C. 7:27–22.4. General application procedures
 N.J.A.C. 7:27–22.5. Application procedures for initial operating permits
 N.J.A.C. 7:27–22.6. Operating permit application contents
 N.J.A.C. 7:27–22.7. Application shield

N.J.A.C. 7:27–22.8. Air quality simulation modeling and risk assessment
 N.J.A.C. 7:27–22.9. Compliance plans
 N.J.A.C. 7:27–22.10. Completeness reviews
 N.J.A.C. 7:27–22.11. Public comment
 N.J.A.C. 7:27–22.12. EPA comment
 N.J.A.C. 7:27–22.13. Final action on an application
 N.J.A.C. 7:27–22.14. General operating permits
 N.J.A.C. 7:27–22.15. Temporary facility operating permits
 N.J.A.C. 7:27–22.16. Operating permit contents
 N.J.A.C. 7:27–22.17. Permit shield
 N.J.A.C. 7:27–22.18. Source emissions testing and monitoring
 N.J.A.C. 7:27–22.19. Recordkeeping, reporting and compliance certification
 N.J.A.C. 7:27–22.20. Administrative amendments
 N.J.A.C. 7:27–22.21. Changes to insignificant source operations
 N.J.A.C. 7:27–22.22. Seven-day-notice changes
 N.J.A.C. 7:27–22.23. Minor modifications
 N.J.A.C. 7:27–22.24. Significant modifications
 N.J.A.C. 7:27–22.24A. Reconstruction
 N.J.A.C. 7:27–22.25. Department initiated operating permit modifications
 N.J.A.C. 7:27–22.26. MACT and GACT standards
 N.J.A.C. 7:27–22.27. Operating scenarios
 N.J.A.C. 7:27–22.28A. Emissions trading
 N.J.A.C. 7:27–22.28B. Facility-specific emissions averaging programs
 N.J.A.C. 7:27–22.29. Facilities subject to acid deposition control
 N.J.A.C. 7:27–22.30. Renewals
 N.J.A.C. 7:27–22.31. Fees
 N.J.A.C. 7:27–22.32. Hearings and appeals
 N.J.A.C. 7:27–22.33. Preconstruction review
 N.J.A.C. 7:27–22.34. Early reduction of HAP emissions
 N.J.A.C. 7:27–22.35. Advances in the art of air pollution
 Appendix
 Table A

Chapter 27B Subchapter 1—Sampling and Analytical Procedures for Determining Emissions of Particles From Manufacturing Processes and From Combustion of Fuels (Effective 6/21/1976)

N.J.A.C. 7:27B–1.1. Definitions
 N.J.A.C. 7:27B–1.2. Acceptable test methods
 N.J.A.C. 7:27B–1.3. Operating conditions during the test
 N.J.A.C. 7:27B–1.4. Sampling facilities to be provided by the person responsible for emissions
 N.J.A.C. 7:27B–1.5. Sampling train
 N.J.A.C. 7:27B–1.6. Performance test principle
 N.J.A.C. 7:27B–1.7. General testing requirements
 N.J.A.C. 7:27B–1.8. Required test data
 N.J.A.C. 7:27B–1.9. Preparation for sampling
 N.J.A.C. 7:27B–1.10. Sampling
 N.J.A.C. 7:27B–1.11. Sample recovery
 N.J.A.C. 7:27B–1.12. Analysis
 N.J.A.C. 7:27B–1.13. Calculations
 N.J.A.C. 7:27B–1.14. Validation of test

Chapter 27B Subchapter 2—Procedures for Visual Determination of the Opacity (Percent) and Shade or Appearance (Ringelmann Number) of Emissions From Sources (Effective 6/21/1976)

N.J.A.C. 7:27B–2.1. Definitions
 N.J.A.C. 7:27B–2.2. Acceptable observation methods
 N.J.A.C. 7:27B–2.3. Observation principle
 N.J.A.C. 7:27B–2.4. General observation requirements
 N.J.A.C. 7:27B–2.5. Required observation data
 N.J.A.C. 7:27B–2.6. Certification
 References
 Appendix

Chapter 27B Subchapter 3—Air Test Method 3: Sampling and Analytical Procedures for the Determination of Volatile Organic Compounds From Source Operations (Effective 12/1/2008)

N.J.A.C. 7:27B–3.1. Definitions
 N.J.A.C. 7:27B–3.2. Sampling and analytical protocol: acceptable test methods
 N.J.A.C. 7:27B–3.3. Operating conditions during the test
 N.J.A.C. 7:27B–3.4. Sampling facilities
 N.J.A.C. 7:27B–3.5. Source operations and applicable test methods
 N.J.A.C. 7:27B–3.6. Procedures for the determinations of vapor pressures of a single known VOC or mixtures of known and/or unknown VOC
 N.J.A.C. 7:27B–3.7. Procedures for the direct measurement of volatile organic compounds using a flame ionization detector (FID), a photoionization detector (PID) or a non-dispersive infrared analyzer (NDIR)
 N.J.A.C. 7:27B–3.8. Procedures for the direct measurement of volatile organic compounds using a gas chromatograph (GC) with a flame ionization detector (FID) or other suitable detector
 N.J.A.C. 7:27B–3.9. Procedures for the sampling and remote analysis of known volatile organic compounds using a gas chromatograph (GC) with a flame ionization detector (FID) or other suitable detector
 N.J.A.C. 7:27B–3.10. Procedures for the determination of volatile organic compounds in surface coating formulations
 N.J.A.C. 7:27B–3.11. Procedures for the determination of volatile organic compounds emitted from transfer operations using a flame ionization detector (FID) or non-dispersive infrared analyzer (NDIR)
 N.J.A.C. 7:27B–3.12. Procedures for the determination of volatile organic compounds in cutback and emulsified asphalts
 N.J.A.C. 7:27B–3.13. Procedures for the determination of leak tightness of gasoline delivery vessels
 N.J.A.C. 7:27B–3.14. Procedures for the direct detection of fugitive volatile organic compound leaks
 N.J.A.C. 7:27B–3.15. Procedures for the direct detection of fugitive volatile organic compound leaks from gasoline tank trucks and vapor collection systems using a combustible gas detector

N.J.A.C. 7:27B–3.18. Test methods and sources incorporated by reference.

* * * * *

[FR Doc. 2024–15327 Filed 7–15–24; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[EPA–HQ–OPP–2024–0278; FRL–12055–01–OCSPP]

Polytetrafluoroethylene; Revocation of the Tolerance Exemption When Used as an Inert Ingredient in Pesticide Products

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA or Agency) is proposing to revoke the tolerance exemption for residues of polytetrafluoroethylene (CAS No. 9002–84–0) under the Federal Food, Drug, and Cosmetic Act (FFDCA) when used as an inert ingredient in pesticide formulations. EPA is proposing to revoke this tolerance exemption because polytetrafluoroethylene, which has been identified as a per- and polyfluoroalkyl substance (PFAS), is no longer used in any registered pesticide product.

DATES: Comments must be received on or before September 16, 2024.

ADDRESSES: Submit your comments, identified by docket identification (ID) number EPA–HQ–OPP–2024–0278, through the *Federal eRulemaking Portal* at <https://www.regulations.gov>. Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Additional instructions on commenting and visiting the docket, along with more information about dockets generally, is available at <https://www.epa.gov/dockets>.

FOR FURTHER INFORMATION CONTACT: Charles Smith, Registration Division (7505T), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001; main telephone number: (202) 566–1030; email address: RDfrNotices@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this action apply to me?

You may be potentially affected by this action if you are an agricultural