

**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Parts 52 and 60**

[ND7-1-6882a; FRL-5618-8]

**Clean Air Act Approval and Promulgation of State Implementation Plan for North Dakota; Revisions to the Air Pollution Control Rules; Delegation of Authority for Colorado Standards of Performance for New Stationary Sources****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Direct final rule and delegation of authority.

**SUMMARY:** EPA approves the State implementation plan (SIP) revisions submitted by the State of North Dakota with a letter dated December 21, 1994. The submittal addressed revisions to SIP Chapter 2, regarding delegatable authorities and asbestos law revisions, and revisions to air pollution control rules, regarding general provisions; ambient air quality standards; new source performance standards (NSPS); and national emission standards for hazardous air pollutants (NESHAPs). The submittal also addressed the following issues which were reviewed separately: Revisions to the Title V permit to operate program; revisions to the Acid Rain program; and emission standards for hazardous air pollutants for source categories (MACT standards).

In addition, EPA is providing notice that it granted delegation of authority to Colorado on February 15, 1996 to implement and enforce several NSPS adopted by the State.

**DATES:** This final rule is effective on December 9, 1996 unless comments are received in writing on or before November 7, 1996. If the effective date is delayed, timely notice will be published in the Federal Register. The Delegation of Authority for the State of Colorado became effective on February 15, 1996.

**ADDRESSES:** Copies of the State's submittal and other information are available for inspection during normal business hours at the following locations: Air Program, Environmental Protection Agency, Region VIII, 999 18th Street, suite 500, Denver, Colorado 80202-2405; North Dakota State Department of Health and Consolidated Laboratories, Environmental Health Section, 1200 Missouri Avenue, Bismarck, North Dakota, 58502-5520; and The Air and Radiation Docket and Information Center, 401 M Street, SW, Washington, DC 20460.

**FOR FURTHER INFORMATION CONTACT:** Amy Platt, Environmental Protection Agency, Region VIII, (303) 312-6449.

**SUPPLEMENTARY INFORMATION:****I. Analysis of North Dakota's Submission**

The State submitted various revisions to its air pollution control rules with a letter to EPA dated December 21, 1994. These revisions were necessary to make the rules consistent with Federal requirements.

**A. Procedural Background**

The Act requires States to observe certain procedural requirements in developing implementation plans and plan revisions for submission to EPA. Section 110(a)(2) of the Act provides that each implementation plan submitted by a State must be adopted after reasonable notice and public hearing. Section 110(l) of the Act similarly provides that each revision to an implementation plan submitted by a State under the Act must be adopted by such State after reasonable notice and public hearing.

EPA also must determine whether a submittal is complete and therefore warrants further EPA review and action [see section 110(k)(1) and 57 FR 13565]. EPA's completeness criteria for SIP submittals are set out at 40 CFR part 51, appendix V. EPA attempts to make completeness determinations within 60 days of receiving a submission. However, a submittal is deemed complete by operation of law if a completeness determination is not made by EPA six months after receipt of the submission.

To entertain public comment, the State of North Dakota, after providing adequate notice, held public hearings on May 24, and May 25, 1994 to address the respective revisions to the SIP and Air Pollution Control Rules. Following the public hearings, the North Dakota State Health Council adopted the respective rule revisions.

The Governor of North Dakota submitted revisions to the SIP with a letter dated December 21, 1994. The SIP revisions were reviewed by EPA to determine completeness in accordance with the completeness criteria set out at 40 CFR part 51, appendix V. The submittal was found to be complete and a letter dated February 13, 1995 was forwarded to the Governor indicating the completeness of the submittal and the next steps to be taken in the review process.

**B. December 21, 1994 Revisions**

The December 21, 1994 submittal addressed revisions to Chapter 2 of the

SIP, regarding delegatable authorities and asbestos law revisions, and the following chapters of the North Dakota Air Pollution Control Rules: 33-15-01 General Provisions; 33-15-02 Ambient Air Quality Standards; 33-15-12 Standards of Performance for New Stationary Sources; and 33-15-13 Emission Standards for Hazardous Air Pollutants.

The December 21, 1994 submittal also addressed North Dakota Air Pollution Control Rules involving the Title V permit to operate program, the Acid Rain program, and emission standards for hazardous air pollutants for source categories (MACT standards). However, in a February 2, 1995 letter from Dana Mount, North Dakota Division of Environmental Engineering, to Douglas Skie, EPA, the State indicated that these programs were not intended to be reviewed through the SIP process. Accordingly, EPA reviewed these revisions separately from the rule revisions being considered in this document.

**1. Asbestos Law Revisions**

The 1993 North Dakota State Legislature made several revisions to the North Dakota Century Code provisions pertaining to asbestos regulation. These revisions were made to update the law to be consistent with the Federal Clean Air Act. Clarifications were made to the definition of "asbestos worker" and to the asbestos worker licensing and certification requirements. In addition, a new subsection was added to address requirements that the Department provide any procedural rules necessary to develop, implement, and enforce air pollution control programs, the authority and responsibility for which have been delegated to the State by EPA. These revisions are consistent with Federal requirements and, therefore, are approvable.

**2. North Dakota Air Pollution Control Rules, Chapter 33-15-01 General Provisions**

Revisions were made to section 33-15-01-17, Enforcement, and a new section 33-15-01-18, Compliance Certifications, was added. The change to section 33-15-01-17 allows the North Dakota State Department of Health and Consolidated Laboratories ("the Department") to use monitoring data as credible evidence that noncompliance of a source exists. Section 33-15-01-18 allows the source to use monitoring data to certify that the source is in compliance with the applicable emission limits. These revisions are consistent with Federal requirements and, therefore, are approvable.

These revisions also address EPA's nationwide SIP call regarding the new enhanced monitoring and compliance certification requirements of the amended Act. On October 22, 1993, EPA announced in the Federal Register that SIP calls pursuant to section 110(k)(5) of the Act would be issued in order to implement the enhanced monitoring requirements of section 114(a)(3) of the Act and the periodic monitoring requirements for operating permits under sections 502(b)(2) and 504 of the Act (see 58 FR 54677). This SIP call was required because existing SIPs could have been interpreted to limit the types of testing or monitoring data to be used for determining compliance and establishing violations.

EPA believes that the State has adequately satisfied the requirements of the SIP call. The revision to section 33-15-01-17 provides that information from monitoring methods approved in a federally enforceable operating permit or in the SIP, as well as from any other federally enforceable monitoring and testing methods (including those in 40 CFR Parts 50, 51, 60, 61, and 75), may be used by the State as credible evidence to determine compliance. By allowing compliance certifications to be made with approved enhanced monitoring protocols or other approved monitoring methods, the new section 33-15-01-18 has the practical effect of making the SIP more flexible and inclusive since it does not preclude the use of enhanced monitoring. Therefore, EPA is approving these revisions to Chapter 33-15-01 regarding enhanced monitoring and compliance certifications.

### 3. Chapter 33-15-02 Ambient Air Quality Standards

Revisions to this chapter consist of deleting the one-hour ambient air quality standard for nitrogen dioxide. The State received a request for this revision from the North Dakota Lignite Council. The State indicated that the standard was originally written in terms that allowed exceedances one percent of the time in any three-month period, which proved to be a very cumbersome standard to track and required extensive time by staff to perform dispersion modelling to ensure compliance. The State opted to delete the one-hour standard and retain the Federal annual standard of 100  $\mu\text{g}/\text{m}^3$ , in response to the need to develop a more manageable standard, the request by industry that the one-hour standard be deleted, and EPA's 1993 findings that no changes in the Federal standard were contemplated. This revision is

consistent with Federal requirements and, therefore, is approvable.

#### 4. Chapter 33-15-12, Standards of Performance for New Stationary Sources; Chapter 33-15-13, Emission Standards for Hazardous Air Pollutants

The revisions to Chapters 33-15-12 and 33-15-13 incorporate by reference the Federal NSPS in 40 CFR part 60 and the Federal NESHAPs in 40 CFR part 61, as in effect on May 1, 1994, with the exception of 40 CFR part 61, subparts B, H, I, K, Q, R, T, and W (*i.e.*, radionuclides). The revisions to Chapter 33-15-12 include the addition, by reference, of Subpart RRR—Standards of Performance for Volatile Organic Compound Emissions by Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes. EPA reviewed the State's revised NSPS and NESHAPs regulations and determined that they are consistent with the Federal regulations and, therefore, are approvable.

#### II. Notice of Delegation of Authority to Colorado

On November 17, 1995, the State of Colorado submitted revisions to its NSPS regulations in Part A of Colorado Regulation No. 6. The submittal included the addition of the Federal NSPS in 40 CFR part 60, subparts Dc, Ea, Kb, AAa, BBB, DDD, NNN, QQQ, RRR, SSS, TTT, UUU, and VVV.

Pursuant to such submittal, on February 15, 1996, delegation was given with the following letter:

Honorable Roy Romer, Governor of Colorado,  
136 State Capitol, Denver, Colorado  
80203-1792.

Dear Governor Romer: On November 17, 1995, you requested delegation of authority for revisions to the New Source Performance Standards (NSPS) in Part A of Colorado's Regulation No. 6. These revisions brought the State's NSPS up to date with the Federal NSPS in effect as of October 11, 1994, with the exception of Subparts AAA (new residential wood heaters) and III (volatile organic compound emissions from the synthetic organic chemical manufacturing industry air oxidation unit processes) which the State has not adopted.

Subsequent to states adopting NSPS regulations, the EPA delegates the authority for the implementation and enforcement of those NSPS, so long as the State's regulations are equivalent to the Federal regulations. EPA, therefore, is acting on the delegation of authority to Colorado for implementation and enforcement of thirteen NSPS.

EPA has reviewed the pertinent statutes and regulations of the State of Colorado and has determined that they provide an adequate and effective procedure for the implementation and enforcement of the NSPS, including the source applicability dates, by the State of Colorado. Therefore, pursuant to Section 111(c) of the Clean Air

Act (Act), as amended, and 40 CFR Part 60, EPA hereby delegates its authority for the implementation and enforcement of the NSPS to the State of Colorado as follows:

(A) Responsibility for all sources located, or to be located, in the State of Colorado subject to the standards of performance for new stationary sources promulgated in 40 CFR Part 60. The categories of new stationary sources covered by this delegation are as follows: small industrial-commercial-institutional steam generating units (Subpart Dc), municipal waste combustors (Subpart Ea), volatile organic liquid storage vessels (including petroleum liquid storage vessels) for which construction, reconstruction, or modification commenced after July 23, 1984 (Subpart Kb), steel plants: electric arc furnaces and argon-oxygen decarburization vessels constructed after August 7, 1983 (Subpart AAa), rubber tire manufacturing industry (Subpart BBB), volatile organic compound emissions from the polymer manufacturing industry (Subpart DDD), volatile organic compound emissions from synthetic organic chemical manufacturing industry distillation operations (Subpart NNN), volatile organic compound emissions from petroleum refinery wastewater systems (Subpart QQQ), volatile organic compound emissions from synthetic organic chemical manufacturing industry reactor processes (Subpart RRR), magnetic tape coating facilities (Subpart SSS), industrial surface coating: surface coating of plastic parts for business machines (Subpart TTT), calciners and dryers in mineral industries (Subpart UUU), and polymeric coating of supporting substrates facilities (Subpart VVV).

(B) Not all authorities of NSPS can be delegated to states under Section 111(c) of the Act, as amended. The EPA Administrator retains authority to implement those sections of the NSPS that require: (1) approving equivalency determinations and alternative test methods, (2) decision making to ensure national consistency, and (3) EPA rulemaking to implement. Therefore, of the NSPS of 40 CFR Part 60 being delegated in this letter, the following sections are not delegated to the State of Colorado:

- (i) 40 CFR 60.48c(a)(4), pertaining to small industrial-commercial-institutional steam generating units (Subpart Dc);
- (ii) 40 CFR 60.111b(f)(4), 60.114b, 60.116b(e)(3)(iii), 60.116b(e)(3)(iv), and 60.116b(f)(2)(iii), pertaining to volatile organic liquid storage vessels (including petroleum liquid storage vessels) for which construction, reconstruction, or modification commenced after July 23, 1984, (Subpart Kb);
- (iii) 40 CFR 60.543(c)(2)(ii)(B), pertaining to the rubber tire manufacturing industry (Subpart BBB);
- (iv) 40 CFR 60.562-2(c), pertaining to volatile organic compound emissions from the polymer manufacturing industry (Subpart DDD);
- (v) 40 CFR 60.663(e), pertaining to volatile organic compound emissions from synthetic organic chemical manufacturing industry distillation operations (Subpart NNN);
- (vi) 40 CFR 60.694, pertaining to volatile organic compound emissions from petroleum refinery wastewater systems (Subpart QQQ);
- (vii) 40 CFR 60.703(e), pertaining to volatile organic compound emissions from

synthetic organic chemical manufacturing industry reactor processes (Subpart RRR); (viii) 40 CFR 60.711(a)(16), 60.713(b)(1)(i), 60.713(b)(1)(ii), 60.713(b)(5)(i), 60.713(d), 60.715(a), and 60.716, pertaining to magnetic tape coating facilities (Subpart SSS);

(ix) 40 CFR 60.723(b)(1), 60.723(b)(2)(i)(C), 60.723(b)(2)(iv), 60.724(e), and 60.725(b), pertaining to industrial surface coating of plastic parts for business machines (Subpart TTT); and

(x) 40 CFR 60.743(a)(3)(v) (A) and (B), 60.743(e), 60.745(a), and 60.746, pertaining to polymeric coating of supporting substrates facilities (Subpart VVV).

(C) As 40 CFR Part 60 is updated, Colorado should revise its regulations accordingly and in a timely manner.

This delegation is based upon and is a continuation of the same conditions as those stated in EPA's original delegation letter of August 27, 1975, except that condition 3, relating to Federal facilities, has been voided by the Clean Air Act Amendments of 1977. It is also important to note that EPA retains concurrent enforcement authority as stated in condition 2. In addition, if at any time there is a conflict between a State and Federal NSPS regulation, the Federal regulation must be applied if it is more stringent than that of the State, as stated in condition 10. A copy of this letter was published in the notices section of the Federal Register on October 31, 1975 (40 FR 50748), along with an associated rulemaking notifying the public that certain reports and applications required from operators of new or modified sources shall be submitted to the State of Colorado (40 FR 50718). Copies of the Federal Register are enclosed for your convenience.

Since this delegation is effective immediately, there is no need for the State to notify the EPA of its acceptance. Unless we receive written notice of objections from you within ten days of the date on which you receive this letter, the State of Colorado will be deemed to have accepted all the terms of this delegation. An information notice will be published in the Federal Register in the near future informing the public of this delegation, in which this letter will appear in its entirety.

If you have any questions on this matter, please call me, or have your staff contact Richard Long, Director of our Air Program, at 312-6005.

Sincerely,

Patricia Hull,  
Acting Regional Administrator.

### III. Final Action

EPA is approving North Dakota's SIP revision, as submitted by the Governor with a letter December 21, 1994. This submittal addressed revisions to SIP Chapter 2, regarding Delegatable Authorities and Asbestos Law Revisions, and revisions to the following North Dakota Air Pollution Control Rules: 33-15-01 General Provisions; 33-15-02 Ambient Air Quality Standards; 33-15-12 Standards of Performance for New Stationary Sources; and 33-15-13 Emission

Standards for Hazardous Air Pollutants. This approval provides the State with the authority for implementation and enforcement of all Federal NSPS and NESHAPs (except 40 CFR part 61, subparts B, H, I, K, Q, R, T, and W, pertaining to radionuclides) promulgated as of May 1, 1994.

However, the State's NSPS and NESHAP authorities do not include those authorities which cannot be delegated to the states, as defined in 40 CFR parts 60 and 61. The update of the 40 CFR part 60 table of NSPS delegations reflects these December 1994 North Dakota revisions as well as North Dakota revisions to the NSPS delegations that were approved in the Federal Register on August 21, 1995 (60 FR 43396) and South Dakota revisions to the NSPS delegations that were approved in the Federal Register on September 6, 1995 (60 FR 46225).

The December 21, 1994 submittal also included revisions to chapters 33-15-14, 33-15-21, 33-15-22, regarding the Title V permit to operate program, Acid Rain program, and MACT standards. These issues were reviewed separately from this document.

EPA is publishing this action without prior proposal because the Agency views this as a noncontroversial amendment and anticipates no adverse comments. However, in a separate document in this Federal Register publication, EPA is proposing to approve the SIP revision should adverse or critical comments be filed. This action will be effective December 9, 1996 unless, by November 7, 1996, adverse or critical comments are received.

If EPA receives such comments, this action will be withdrawn before the effective date by publishing a subsequent notice that will withdraw the final action. All public comments received will be addressed in a subsequent final rule based on this action serving as a proposed rule. EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time. If no such comments are received, the public is advised that this action will be effective on December 9, 1996.

Nothing in this action should be construed as permitting or allowing or establishing a precedent for any future request for revision to any SIP. Each request for revision to a SIP shall be considered separately in light of specific technical, economic, and environmental factors and in relation to relevant statutory and regulatory requirements.

### IV. Administrative Requirements

#### A. Executive Order 12866

This action has been classified as a Table 3 action for signature by the Regional Administrator under the procedures published in the Federal Register on January 19, 1989 (54 FR 2214-2225), as revised by a July 10, 1995 memorandum from Mary Nichols, Assistant Administrator for Air and Radiation. The Office of Management and Budget (OMB) has exempted this regulatory action from E.O. 12866 review.

#### B. Regulatory Flexibility Act

Under the Regulatory Flexibility Act, 5 U.S.C. 600, *et seq.*, EPA must prepare a regulatory flexibility analysis assessing the impact of any proposed or final rule on small entities. 5 U.S.C. 603 and 604. Alternatively, EPA may certify that the rule will not have a significant economic impact on a substantial number of small entities. Small entities include small businesses, small not-for-profit enterprises, and government entities with jurisdiction over populations of less than 50,000.

SIP approvals under section 110 and subchapter I, part D of the Clean Air Act do not create any new requirements, but simply approve requirements that the State is already imposing. Therefore, because the Federal SIP approval does not impose any new requirements, I certify that it does not have a significant impact on any small entities affected. Moreover, due to the nature of the Federal-State relationship under the Act, preparation of a regulatory flexibility analysis would constitute Federal inquiry into the economic reasonableness of state action. The Clean Air Act forbids EPA to base its actions concerning SIPs on such grounds. *Union Electric Co. v. U.S. E.P.A.*, 427 U.S. 246, 256-66 (1976); 42 U.S.C. 7410(a)(2).

#### C. Unfunded Mandates

Under Section 202 of the Unfunded Mandates Reform Act of 1995 ("Unfunded Mandates Act"), signed into law on March 22, 1995, EPA must prepare a budgetary impact statement to accompany any proposed or final rule that includes a Federal mandate that may result in estimated costs to State, local, or tribal governments in the aggregate; or to the private sector, of \$100 million or more. Under Section 205, EPA must select the most cost-effective and least burdensome alternative that achieves the objectives of the rule and is consistent with statutory requirements. Section 203 requires EPA to establish a plan for

informing and advising any small governments that may be significantly or uniquely impacted by the rule.

EPA has determined that the approval action promulgated does not include a Federal mandate that may result in estimated costs of \$100 million or more to either State, local, or tribal governments in the aggregate, or to the private sector. This Federal action proposes to approve pre-existing requirements under State or local law, and imposes not new Federal requirements. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, result from this action.

#### *D. Submission to Congress and the General Accounting Office*

Under 5 U.S.C. section 801(a)(1)(A) as added by the Small Business Regulatory Enforcement Fairness Act of 1996, EPA submitted a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives and the Comptroller General of the General Accounting Office prior to publication of this rule in today's Federal Register. This rule is not a "major rule" as defined by 5 U.S.C. section 804(2).

#### *E. Petitions for Judicial Review*

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by December 9, 1996. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

#### List of Subjects

##### *40 CFR Part 52*

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

##### *40 CFR Part 60*

Air pollution control, Aluminum, Ammonium sulfate plants, Beverages, Carbon monoxide, Cement industry, Coal, Copper, Dry cleaners, Electric power plants, Fertilizers, Fluoride, Gasoline, Glass and glass products, Grains, Graphic arts industry, Household appliances, Insulation, Intergovernmental relations, Iron, Lead, Lime, Metallic and nonmetallic mineral processing plants, Metals, Motor vehicles, Natural gas, Nitric acid plants, Nitrogen dioxide, Paper and paper products industry, Particulate matter, Paving and roofing materials, Petroleum, Phosphate, Plastics materials and synthetics, Reporting and recordkeeping requirements, Sewage disposal, Steel, Sulfur oxides, Tires, Urethane, Vinyl, Waste treatment and disposal, Wool, and Zinc.

Dated: September 13, 1996.

Patricia D. Hull,

*Acting Regional Administrator.*

Chapter I, title 40 of the Code of Federal Regulations is amended as follows:

#### **PART 52—[AMENDED]**

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

Authority: 42 U.S.C. 7401-7671q.

#### **Subpart JJ—North Dakota**

2. Section 52.1820 is amended by adding paragraph (c)(28) to read as follows:

#### **§ 52.1820 Identification of plan.**

\* \* \* \* \*

(c) \* \* \*

(28) The Governor of North Dakota submitted revisions to the North Dakota State Implementation Plan and Air Pollution Control Rules with a letter dated December 21, 1994. The submittal addressed revisions to SIP Chapter 2, regarding delegatable authorities and asbestos law revisions, and to air pollution control rules regarding general provisions; ambient air quality standards; new source performance standards (NSPS); and national emission standards for hazardous air pollutants (NESHAPs).

(i) Incorporation by reference.

(A) Revisions to the following sections of the North Dakota Century Code: 23-25-01; 23-25-03; and 23-25-03.1, effective August 1, 1993.

(B) Revisions to the Air Pollution Control Rules as follows: General Provisions 33-15-01-17 and 33-15-01-18; Ambient Air Quality Standards 33-15-02-05 and 33-15-02 Table 1; Standards of Performance for New Stationary Sources 33-15-12; and Emission Standards for Hazardous Air Pollutants 33-15-13, effective December 1, 1994.

#### **PART 60—[AMENDED]**

1. The authority citation for part 60 continues to read as follows:

Authority: 42 U.S.C. 7401, 7411, 7414, 7416, and 7601 as amended by the Clean Air Act Amendments of 1990, Pub. L. 101-549, 104 Stat. 2399 (November 15, 1990; 402, 409, 415 of the Clean Air Act as amended, 104 Stat. 2399, unless otherwise noted).

#### **Subpart A—General Provisions**

2. Section 60.4(c) is amended by revising the table to read as follows:

#### **§ 60.4 Address.**

\* \* \* \* \*

(c) \* \* \*

#### **DELEGATION STATUS OF NEW SOURCE PERFORMANCE STANDARDS [(NSPS) for Region VIII]**

Subpart	CO	MT <sup>1</sup>	ND <sup>1</sup>	SD <sup>1</sup>	UT <sup>1</sup>	WY
A—General Provisions .....	(*)	(*)	(*)	(*)	(*)	(*)
D—Fossil Fuel Fired Steam Generators .....	(*)	(*)	(*)	(*)	(*)	(*)
Da—Electric Utility Steam Generators .....	(*)	(*)	(*)	(*)	(*)	(*)
Db—Industrial-Commercial—Institutional Steam Generators .....	(*)	(*)	(*)	(*)	(*)	(*)
Dc—Industrial-Commercial—Institutional Steam Generators .....	(*)	(*)	(*)	(*)	(*)	(*)
E—Incinerators .....	(*)	(*)	(*)	(*)	(*)	(*)
Ea—Municipal Waste Combustors .....	(*)	(*)	(*)	(*)	(*)	(*)
F—Portland Cement Plants .....	(*)	(*)	(*)	(*)	(*)	(*)
G—Nitric Acid Plants .....	(*)	(*)	(*)	(*)	(*)	(*)
H—Sulfuric Acid Plants .....	(*)	(*)	(*)	(*)	(*)	(*)
I—Asphalt Concrete Plants .....	(*)	(*)	(*)	(*)	(*)	(*)
J—Petroleum Refineries .....	(*)	(*)	(*)	(*)	(*)	(*)

DELEGATION STATUS OF NEW SOURCE PERFORMANCE STANDARDS—Continued  
 [(NSPS) for Region VIII]

Subpart	CO	MT <sup>1</sup>	ND <sup>1</sup>	SD <sup>1</sup>	UT <sup>1</sup>	WY
K—Petroleum Storage Vessels (after 6/11/73 & prior to 5/19/78) .....	(*)	(*)	(*)	(*)	(*)	(*)
Ka—Petroleum Storage Vessels (after 5/18/78 & prior to 7/23/84) .....	(*)	(*)	(*)	(*)	(*)	(*)
Kb—Petroleum Storage Vessels (after 7/23/84) .....	(*)	(*)	(*)	(*)	(*)	(*)
L—Secondary Lead Smelters .....	(*)	(*)	(*)	(*)	(*)	(*)
M—Secondary Brass & Bronze Production Plants .....	(*)	(*)	(*)	(*)	(*)	(*)
N—Primary Emissions from Basic Oxygen Process Furnaces (after 6/11/73) .....	(*)	(*)	(*)		(*)	(*)
Na—Secondary Emissions from Basic Oxygen Process Furnaces (after 1/20/83) .....	(*)	(*)	(*)		(*)	(*)
O—Sewage Treatment Plants .....	(*)	(*)	(*)	(*)	(*)	(*)
P—Primary Copper Smelters .....	(*)	(*)	(*)		(*)	(*)
Q—Primary Zinc Smelters .....	(*)	(*)	(*)		(*)	(*)
R—Primary Lead Smelters .....	(*)	(*)	(*)		(*)	(*)
S—Primary Aluminum Reduction Plants .....	(*)	(*)	(*)		(*)	(*)
T—Phosphate Fertilizer Industry: Wet Process Phosphoric Plants .....	(*)	(*)	(*)		(*)	(*)
U—Phosphate Fertilizer Industry: Superphosphoric Acid Plants .....	(*)	(*)	(*)		(*)	(*)
V—Phosphate Fertilizer Industry: Diammonium Phosphate Plants .....	(*)	(*)	(*)		(*)	(*)
W—Phosphate Fertilizer Industry: Triple Superphosphate Plants .....	(*)	(*)	(*)		(*)	(*)
X—Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities .....	(*)	(*)	(*)		(*)	(*)
Y—Coal Preparation Plants .....	(*)	(*)	(*)	(*)	(*)	(*)
Z—Ferroalloy Production Facilities .....	(*)	(*)	(*)		(*)	(*)
AA—Steel Plants: Electric Arc Furnaces (10/21/74–8/17/83) .....	(*)	(*)	(*)		(*)	(*)
AAa—Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels (after 8/7/83) .....	(*)	(*)	(*)		(*)	(*)
BB—Kraft Pulp Mills .....	(*)	(*)	(*)		(*)	(*)
CC—Glass Manufacturing Plants .....	(*)	(*)	(*)		(*)	(*)
DD—Grain Elevator .....	(*)	(*)	(*)	(*)	(*)	(*)
EE—Surface Coating of Metal Furniture .....	(*)	(*)	(*)		(*)	(*)
GG—Stationary Gas Turbines .....	(*)	(*)	(*)	(*)	(*)	(*)
HH—Lime Manufacturing Plants .....	(*)	(*)	(*)	(*)	(*)	(*)
KK—Lead-Acid Battery Manufacturing Plants .....	(*)	(*)	(*)		(*)	(*)
LL—Metallic Mineral Processing Plants .....	(*)	(*)	(*)	(*)	(*)	(*)
MM—Automobile & Light Duty Truck Surface Coating Operations .....	(*)	(*)	(*)		(*)	(*)
NN—Phosphate Rock Plants .....	(*)	(*)	(*)		(*)	(*)
PP—Ammonium Sulfate Manufacturing .....	(*)	(*)	(*)		(*)	(*)
QQ—Graphic Arts Industry: Publication Rotogravure Printing .....	(*)	(*)	(*)	(*)	(*)	(*)
RR—Pressure Sensitive Tape & Label Surface Coating .....	(*)	(*)	(*)	(*)	(*)	(*)
SS—Industrial Surface Coating: Large Applications .....	(*)	(*)	(*)		(*)	(*)
TT—Metal Coil Surface Coating .....	(*)	(*)	(*)		(*)	(*)
UU—Asphalt Processing & Asphalt Roofing Manufacture .....	(*)	(*)	(*)		(*)	(*)
VV—Synthetic Organic Chemicals Manufacturing: Equipment Leaks of VOC .....	(*)	(*)	(*)	(*)	(*)	(*)
WW—Beverage Can Surface Coating Industry .....	(*)	(*)	(*)		(*)	(*)
XX—Bulk Gasoline Terminals .....	(*)	(*)	(*)	(*)	(*)	(*)
AAA—Residential Wood Heaters .....	(*)	(*)	(*)	(*)	(*)	(*)
BBB—Rubber Tires .....	(*)	(*)	(*)		(*)	(*)
DDD—VOC Emissions from Polymer Manufacturing Industry .....	(*)	(*)	(*)		(*)	(*)
FFF—Flexible Vinyl & Urethane Coating & Printing .....	(*)	(*)	(*)		(*)	(*)
GGG—Equipment Leaks of VOC in Petroleum Refineries .....	(*)	(*)	(*)		(*)	(*)
HHH—Synthetic Fiber Production .....	(*)	(*)	(*)		(*)	(*)
III—VOC Emissions from the Synthetic Organic Chemical Manufacturing Industry Air Oxidation Unit Processes .....		(*)	(*)		(*)	(*)
JJJ—Petroleum Dry Cleaners .....	(*)	(*)	(*)	(*)	(*)	(*)
KKK—Equipment Leaks of VOC from Onshore Natural Gas Processing Plants .....	(*)	(*)	(*)		(*)	(*)
LLL—Onshore Natural Gas Processing: SO <sub>2</sub> Emissions .....	(*)	(*)	(*)		(*)	(*)
NNN—VOC Emissions from the Synthetic Organic Chemical Manufacturing Industry Distillation Operations .....	(*)	(*)	(*)	(*)	(*)	(*)
OOO—Nonmetallic Mineral Processing Plants .....	(*)	(*)	(*)	(*)	(*)	(*)
PPP—Wool Fiberglass Insulation Manufacturing Plants .....	(*)	(*)	(*)		(*)	(*)
QQQ—VOC Emissions from Petroleum Refinery Wastewater Systems .....	(*)	(*)	(*)		(*)	(*)
RRR—VOC Emissions from Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes .....	(*)		(*)		(*)	
SSS—Magnetic Tape Industry .....	(*)	(*)	(*)	(*)	(*)	(*)
TTT—Plastic Parts for Business Machine Coatings .....	(*)	(*)	(*)		(*)	(*)
UUU—Calciners and Dryers in Mineral Industries .....	(*)		(*)		(*)	

DELEGATION STATUS OF NEW SOURCE PERFORMANCE STANDARDS—Continued  
[(NSPS) for Region VIII]

Subpart	CO	MT <sup>1</sup>	ND <sup>1</sup>	SD <sup>1</sup>	UT <sup>1</sup>	WY
VVV—Polymeric Coating of Supporting Substrates .....	(*)	(*)	(*)		(*)	(*)

(\*) Indicates approval of state regulation.  
<sup>1</sup> Indicates approval of New Source Performance Standards as part of the State Implementation Plan (SIP).