

ACTION: Notice of temporary deviation from regulations.

SUMMARY: The Commander, Eighth Coast Guard District has issued a temporary deviation from the regulation in 33 CFR 117.5 governing the operation of the FM 457 pontoon drawbridge across the Gulf Intracoastal Waterway, mile 418.0, west of Harvey Locks, near Sargent, Matagorda County, Texas. This deviation allows the Texas Department of Transportation to close the bridge from 6 a.m. until 10 p.m. on Tuesday, December 1, 1998. This temporary deviation is issued to allow for scheduled maintenance to the swing span and its mechanical components.

DATES: This deviation is effective from 6 a.m. until 10 p.m. on December 1, 1998.

FOR FURTHER INFORMATION CONTACT:

Mr. David Frank, Bridge Administration Branch, Commander (ob), Eighth Coast Guard District, 501 Magazine Street, New Orleans, Louisiana, 70130-3396, telephone number 504-589-2965.

SUPPLEMENTARY INFORMATION: The FM 457 pontoon bridge across the Gulf Intracoastal Waterway, mile 418.0, west of Harvey Locks, near Sargent, Matagorda County, Texas, has no vertical clearance in the closed-to-navigation position and unlimited clearance in the open-to-navigation position. Navigation on the waterway consists of tugs with tows, fishing vessels, sailing vessels, and other recreational craft. The Texas Department of Transportation sent a letter to the Coast Guard requesting a temporary deviation from the normal operation of the bridge in order to accommodate the maintenance work. This work is essential for the continued operation of the draw span.

This deviation allows the draw of the FM 457 pontoon bridge across the Gulf Intracoastal Waterway, mile 418.0, west of Harvey Locks, near Sargent to remain in the closed-to-navigation position between 6 a.m. and 10 p.m., on Tuesday, December 1, 1998.

This deviation will be effective from 6 a.m. until 10 p.m. on December 1, 1998. Presently, the draw opens on signal at any time.

Dated: November 2, 1998.

A.L. Gerfin, Jr.,

Captain, U.S. Coast Guard, Acting Commander, 8th Coast Guard Dist.

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BILLING CODE 4910-15-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[LA44-1-7365; FRL-6168-5]

Approval and Promulgation of Air Quality Implementation Plans; Louisiana; Revised Format for Materials Being Incorporated by Reference

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; notice of administrative change.

SUMMARY: The EPA is revising the format of 40 Code of Federal Regulations (CFR) part 52, subpart T for materials submitted by Louisiana that are incorporated by reference (IBR) into the State Implementation Plans (SIPs). The regulations affected by this format change have all been previously submitted by the respective State agency and approved by EPA. This format revision will primarily affect the "Identification of plan" sections of CFR 52.970, as well as the format of the SIP materials that will be available for public inspection at the EPA Region 6 office, the Air and Radiation Docket and Information Center located in Waterside Mall, Washington, DC., and the Office of the Federal Register. The sections of 40 CFR 52.970 pertaining to provisions promulgated by EPA or State-submitted materials not subject to IBR review and 40 CFR 52.971 through 52.995 remain unchanged.

EFFECTIVE DATE: This action is effective November 12, 1998.

ADDRESSES: The SIP materials which are incorporated by reference into 40 CFR part 52 are available for inspection at the following locations:

Environmental Protection Agency, Region 6, 1445 Ross Avenue, Suite 700, Dallas, Texas 75202-2733; Office of Air and Radiation, Docket and Information Center (Air Docket), EPA, 401 M Street, SW, Room M1500, Washington, DC 20460; and Office of the Federal Register, 800 North Capitol Street, NW, Suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Mr. Paul Scoggins, Air Planning Section (6PD-L) at the above Region 6 address or at (214) 665-7354.

SUPPLEMENTARY INFORMATION:

Background

Each State is required by section 110(a)(1) of the Clean Air Act (ACT), to have a SIP that contains the control measures and strategies which will be

used to attain and maintain the national ambient air quality standards. The SIP is extensive, containing such elements as emission inventories, monitoring network, attainment demonstrations, and enforcement mechanisms. The control measures and strategies must be formally adopted by each State after the public has had an opportunity to comment on them. They are then submitted to EPA as SIP revisions on which EPA must formally act.

Once these control measures are approved by EPA pursuant to 110(k) of the Act, after notice and comment, they are incorporated into the SIP and are identified in part 52 (Approval and Promulgation of Implementation Plans), 40 CFR. The actual State regulations which are approved by EPA are not reproduced in their entirety in 40 CFR part 52, but are "incorporated by reference," which means that the citation of a given State regulation with a specific effective date has been approved by EPA. This format allows both EPA and the public to know which measures are contained in a given SIP and ensures that the State is enforcing the regulations. It also allows EPA to take enforcement action or the public to bring citizen suits, should a State not enforce its SIP-approved regulations.

The SIP is an active or changing document which can be revised by the State as necessary to address the unique air pollution problems in the State as long as changes are not contrary to Federal law. Therefore, EPA, from time to time, must take action to incorporate into the SIP, revisions of the state program which may contain new and/or revised regulations. Regulations approved into the SIP are then incorporated by reference into part 52. As a result of consultations between EPA and the Office of Federal Register, EPA revised the procedures on May 22, 1997 (62 FR 27968), for incorporating by reference federally-approved SIPs and began the process of developing pursuant to 110(h)(1) of the Act: 1) a revised SIP document for each State that would be incorporated by reference under the provisions of 1 CFR part 51; 2) a revised mechanism for announcing EPA approval of revisions to an applicable SIP and updating both the IBR document and the CFR; and 3) a revised format of the "Identification of plan" sections for each applicable subpart to reflect these revised IBR procedures. The description of the revised SIP document, IBR procedures and "Identification of plan" format are discussed in further detail in the May 22, 1997, **Federal Register** document.

Content of Revised IBR Document

The new SIP compilations contain the federally-approved portion of state regulations and source specific permits submitted by each State agency. These regulations and source-specific permits have all been approved by EPA through previous rulemaking actions in the **Federal Register**. The SIP compilations are stored in 3-ring binders and will be updated primarily on an annual basis.

If no significant changes are made for any state to the SIP during the year, an update will not be made during that year. If significant changes occur during the year, an update could be done on a more frequent basis, as applicable. Typically, only the revised sections of the compilation will be updated. Complete resubmittals of a state SIP compilation will be done on as needed basis.

Each compilation contains two parts. Part 1 contains the regulations and Part 2 contains the source-specific permits that have been approved as part of the SIP. Each part has a table of contents identifying each regulation or each source specific permit. The table of contents in the compilation corresponds to the table of contents published in 40 CFR part 52 for these states. The regional EPA offices have the primary responsibility for ensuring accuracy and updating the compilations. The Region 6 EPA Office developed and will maintain the compilations for Louisiana. A copy of the full text of the State's current compilation will also be maintained at the Office of Federal Register and EPA's Air Docket and Information Center.

The EPA is beginning the phasing in of SIP compilations for individual states, and expects to complete the conversion of the revised "Identification of plan" format and IBR documentation for all states by May 1999. This revised format is consistent with the SIP compilation requirements of section 110(h)(1) of the Act.

Revised Format of the "Identification of Plan" Sections in Each Subpart

In order to better serve the public, EPA is revising the organization of the "Identification of plan" section of 40 CFR 52.970. The EPA is including additional information which will more clearly identify what provisions constitute the enforceable elements of the SIP.

The revised "Identification of plan" section will contain five subsections: (a) Purpose and scope, (b) Incorporation by reference, (c) EPA approved regulations, (d) EPA approved source-specific permits, and (e) EPA approved

nonregulatory provisions, such as transportation control measures, statutory provisions, control strategies, monitoring networks, etc.

Enforceability and Legal Effect

This change to the procedures for incorporation by reference announced today will not alter in any way the enforceability or legal effect of approved SIP materials, including both those approved in the past or to be approved in the future. As of the effective date of the final rule approving a SIP revision, all provisions identified in the **Federal Register** document announcing the SIP approval will be federally enforceable, both by EPA under section 113 of the Act and by citizens under section 304 of the Act, where applicable. All revisions to the applicable SIP are federally enforceable as of the effective date of EPA approval even if they have not yet been incorporated by reference. To facilitate enforcement of previously approved SIP provisions and provide a smooth transition to the new SIP processing system, EPA is retaining the original "Identification of Plan" section, previously appearing in the CFR as the first or second section of part 52 for each State subpart.

Notice of Administrative Change

Today's action constitutes a "housekeeping" exercise to ensure that federally approved state plans are accurately reflected in 40 CFR part 52. State SIP revisions are controlled by EPA Regulations at 40 CFR part 51. When EPA receives a formal SIP revision request, the Agency must publish the proposed revision in the **Federal Register** and provide for public comment before approval.

The EPA has determined that today's rule falls under the "Good Cause" exemption in section 553(b)(3)(B) of the Administrative Procedures Act (APA) which, upon finding "good cause," authorizes agencies to dispense with public participation and section 553(d)(3) which allows an agency to make a rule effective immediately (thereby avoiding the 30-day delayed effective date otherwise provided for in the APA). Today's rule simply codifies provisions which are already in effect as a matter of law in Federal and approved State programs.

Under section 553 of the APA, an agency may find good cause where procedures are "impractical, unnecessary, or contrary to the public interest." Public comment is "unnecessary" since the codification only reflects existing law. Immediate revision to the CFR benefits the public by removing outdated citations.

Administrative Requirements

A. Executive Order (E.O.) 12866

The Office of Management and Budget (OMB) has exempted this regulatory action from E.O. 12866, entitled "Regulatory Planning and Review."

B. Executive Order 12875

Under E.O. 12875, EPA may not issue a regulation that is not required by statute and that creates a mandate upon a state, local, or tribal government, unless the Federal government provides the funds necessary to pay the direct compliance costs incurred by those governments. If the mandate is unfunded, EPA must provide to the Office of Management and Budget a description of the extent of EPA's prior consultation with representatives of affected state, local, and tribal governments, the nature of their concerns, copies of written communications from the governments, and a statement supporting the need to issue the regulation. In addition, E.O. 12875 requires EPA to develop an effective process permitting elected officials and other representatives of state, local, and tribal governments "to provide meaningful and timely input in the development of regulatory proposals containing significant unfunded mandates." Today's rule does not create a mandate on state, local, or tribal governments. The rule does not impose any enforceable duties on these entities. Accordingly, the requirements of section 1(a) of E.O. 12875 do not apply to this rule.

C. Executive Order 13045

Protection of Children from Environmental Health Risks and Safety Risks (62 FR 19885, April 23, 1997), applies to any rule that: (1) is determined to be "economically significant" as defined under Executive Order 12866, and (2) concerns an environmental health or safety risks that EPA has reason to believe may have a disproportionate effect on children. If the regulatory action meets both criteria, the Agency must evaluate the environmental health or safety effects of the planned rule on children, and explain why the planned regulation is preferable to other potentially effective and reasonably feasible alternatives considered by the Agency.

This rule is not subject to E.O. 13045 because it does not involve decisions intended to mitigate environmental health or safety risks.

D. Executive Order 13084

Under E.O. 13084, EPA may not issue a regulation that is not required by

statute, that significantly affects or uniquely affects the communities of Indian tribal governments, and that imposes substantial direct compliance costs on those communities, unless the Federal government provides the funds necessary to pay the direct compliance costs incurred by the tribal governments. If the mandate is unfunded, EPA must provide to the Office of Management and Budget, in separately identified section of the preamble to the rule, a description of the extent of EPA's prior consultation with representatives of affected tribal governments, a summary of the nature of their concerns, and a statement supporting the need to issue the regulation. In addition, E.O. 13084 requires EPA to develop an effective process permitting elected officials and other representatives of Indian tribal governments "to provide meaningful and timely input in the development of regulatory policies on matters that significantly or uniquely affect their communities." Today's rule does not significantly or uniquely affect the communities of Indian tribal governments. Accordingly, the requirements of section 3(b) of E.O. 13084 do not apply to this rule.

E. 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 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.

The regulations affected by this format change to 40 CFR part 52 have all been previously submitted by the respective State agency and approved by EPA. Therefore, the Regional Administrator certifies that there is no significant impact on any small entities affected.

F. Unfunded Mandates

Under section 202 of the Unfunded Mandates Reform Act of 1995, 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.

The 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 approves preexisting requirements under State or local law, and imposes no new requirements. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, result from this action.

G. Submission to Congress and the Comptroller General

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 Congress and to the Comptroller General of the United States. The EPA will submit 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 United States prior to publication of the rule in the **Federal Register**. This rule is not a "major rule" as defined by 5 U.S.C. § 804(2).

H. Judicial Review

The EPA has determined that the provisions of section 307(b)(1) of the Clean Air Act pertaining to petitions for judicial review are not applicable to this action. Prior EPA rulemaking actions approving each individual component of Louisiana SIP compilations had previously afforded interested parties the opportunity to file a petition for judicial review in the United States Court of Appeals for the appropriate circuit within 60 days of such rulemaking action. Thus, EPA sees no need in this action to provide an additional opportunity for judicial review.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Hydrocarbons, Incorporation by reference, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and record keeping requirements, Sulfur oxides.

Dated: September 8, 1998.

Jerry Clifford,

Deputy Regional Administrator, Region 6.

Part 52 of chapter I, title 40, *Code of Federal Regulations*, is amended as follows:

PART 52—[AMENDED]

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

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

Subpart T—Louisiana

2. Section 52.970 is redesignated as § 52.999 and the heading and paragraph (a) are revised to read as follows:

§ 52.999 Original Identification of plan section.

(a) This section identifies the original "The Louisiana Air Control Commission Implementation Plan" and all revisions submitted by Louisiana that were federally approved prior to July 1, 1998.

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3. A new § 52.970 is added to read as follows:

§ 52.970 Identification of plan.

(a) *Purpose and scope.* This section sets forth the applicable State Implementation Plan (SIP) for Louisiana under section 110 of the Clean Air Act, 42 U.S.C. 7410, and 40 CFR part 51 to meet national ambient air quality standards.

(b) *Incorporation by reference.* (1) Material listed in paragraphs (c), (d) and (e) of this section with an EPA approval date prior to July 1, 1998, was approved for incorporation by reference by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Material is incorporated as it exists on the date of the approval, and notice of any change in the material will be published in the **Federal Register**. Entries in paragraphs (c), (d) and (e) of this section with EPA approval dates after July 1, 1998, will be incorporated by reference in the next update to the SIP compilation.

(2) EPA Region 6 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 July 1, 1998.

(3) Copies of the materials incorporated by reference may be inspected at the Region 6 EPA Office at 1445 Ross Avenue, Suite 700, Dallas, Texas, 75202-2733; the EPA, Air and Radiation Docket and Information

Center, Air Docket (6102), 401 M Street, Capitol Street, NW, Suite 700,
 SW, Washington, DC 20460; or at the Washington, DC.
 Office of Federal Register, 800 North (c) EPA approved regulations.

EPA APPROVED LOUISIANA REGULATIONS IN THE LOUISIANA SIP

| State citation | Title/subject | State approval date | EPA approval date | Comments |
|---|--|----------------------------|-----------------------------|--------------------|
| LAC Title 33. Environmental Quality Part III. Air | | | | |
| Chapter 1—General Provisions | | | | |
| Section 101 | Authority, Matter Incorporated by Reference, and Permit Fee System. | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795 | Ref 52.999(c)(49). |
| Section 103 | Scope and Severability of Air Regulations. | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795 | Ref 52.999(c)(49). |
| Section 107 | Procedure for Handling Investigations, Complaints and Confidentiality. | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795 | Ref 52.999(c)(49). |
| Section 109 | Necessary Changes for Approval of Compliance Schedules and Annual Report Requirements. | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795 | Ref 52.999(c)(49). |
| Section 111 | Definitions under the Louisiana Air Regulations. | Aug. 1991, LR17:777 | 05/05/94, 59 FR 23166 | Ref 52.999(c)(60). |
| Chapter 2—Rules and Regulations for the Fee System of the Air Quality Control Programs | | | | |
| Section 223 | Fee Schedule Listing | Nov. 1994, LR20:1263 | 10/23/95, 60 FR 54308 | Ref 52.999(c)(66). |
| Chapter 5—Permit Procedures | | | | |
| Section 501 | Authority | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795 | Ref 52.999(c)(49). |
| Section 503 | Procedures for Notification for Interstate Pollution. | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795 | Ref 52.999(c)(49). |
| Section 504 | Nonattainment New Source Review Procedures. | | 10/10/97, 62 FR 52951 | Ref 52.999(c)(68). |
| Section 505 | For Emissions Below PSD de minimis Levels. | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795 | Ref 52.999(c)(49). |
| Section 507 | Notification Requirement (for Emission Reduction). | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795 | Ref 52.999(c)(49). |
| Section 509 | Prevention of Significant Deterioration | Feb. 1995, LR21:170 | 10/15/96, 61 FR 53639 | Ref 52.999(c)(69). |
| Chapter 7—Ambient Air Quality | | | | |
| Section 701 | Purpose and Information Regarding Standards for PM10, SO2, CO, Atmospheric Oxidants, NO _x and Pb. | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795 | Ref 52.999(c)(49). |
| Section 703 | Scope of Ambient Air Quality Standards for PM10, SO2, CO, Ozone, NO _x , and Pb. | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795 | Ref 52.999(c)(49). |
| Section 705 | Standards: Description of Ambient Air Quality Standards. | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795 | Ref 52.999(c)(49). |
| Section 707 | Degradation of Ambient Air Having Higher Quality than Set Forth in these Sections Restricted. | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795 | Ref 52.999(c)(49). |
| Section 709 | Measurement of Concentrations PM10, SO2, CO, Atmospheric Oxidants, NO _x , and Pb. | Jun. 1988, LR14:348 | 06/15/89, 54 FR 25451 | Ref 52.999(c)(50). |
| Table 1 | Primary Ambient Air Quality Standards. | Jun. 1988, LR14:348 | 06/15/89, 54 FR 25451 | Ref 52.999(c)(50). |
| Table 1a | Secondary Ambient Air Quality Standards. | Jun. 1988, LR14:348 | 06/15/89, 54 FR 25451 | Ref 52.999(c)(50). |
| Table 2 | Ambient Air—Methods of Contaminant Measurements. | Jun. 1988, LR14:348 | 06/15/89, 54 FR 25451 | Ref 52.999(c)(50). |
| Chapter 9—General Regulations on Control of Emissions and Emission Standards | | | | |
| Section 901 | Purpose | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795 | Ref 52.999(c)(49). |
| Section 903 | Scope | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795 | Ref 52.999(c)(49). |
| Section 905 | Control Facilities to be Installed When Feasible. | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795 | Ref 52.999(c)(49). |
| Section 907 | Emission Resulting in Undesirable Levels Not Allowed (From Refuse Disposal). | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795 | Ref 52.999(c)(49). |
| Section 909 | Responsible Person to have Test Made. | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795 | Ref 52.999(c)(49). |

EPA APPROVED LOUISIANA REGULATIONS IN THE LOUISIANA SIP—Continued

| State citation | Title/subject | State approval date | EPA approval date | Comments |
|-------------------|---|----------------------------|------------------------------|--------------------|
| Section 911 | Department May Make Tests | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795 | Ref 52.999(c)(49). |
| Section 913 | New Sources to Provide Sampling Ports. | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795 | Ref 52.999(c)(49). |
| Section 915 | Emission Monitoring Requirements: Applicability, Special Considerations, Exemptions, and Circumvention. | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795 | Ref 52.999(c)(49). |
| Section 917 | Variances | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795 | Ref 52.999(c)(49). |
| Section 918 | Recordkeeping and Annual Reporting | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795 | Ref 52.999(c)(49). |
| Section 919 | Emission Inventory | Oct. 1994, LR20:1102 | 01/06/95, 60 FR 02016 | Ref 52.999(c)(65). |
| Section 921 | Stack Heights | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795 | Ref 52.999(c)(49). |
| Section 923 | Maintenance of Pay | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795 | Ref 52.999(c)(49). |
| Section 925 | Mass Emission Rate Control Plan | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795 | Ref 52.999(c)(49). |
| Section 927 | Notification Required (Emergency Occurrences). | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795, | Ref 52.999(c)(49). |
| Section 929 | Violation of Emission Regulation Cannot be Authorized. | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795 | Ref 52.999(c)(49). |

Chapter 11—Control of Emissions From Smoke

| | | | | |
|--------------------|--|---------------------------|-----------------------------|--------------------|
| Section 1101 | Control of Air Pollution from Smoke: Purpose and Control of Smoke. | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795 | Ref 52.999(c)(49). |
| Section 1103 | Impairment of Visibility on Public Roads Prohibited. | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795 | Ref 52.999(c)(49). |
| Section 1105 | Smoke from Flaring Shall be no Darker than No. 1 Ringelmann. | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795 | Ref 52.999(c)(49). |
| Section 1107 | Exemptions | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795 | Ref 52.999(c)(49). |
| Section 1109 | Control of Air Pollution from Outdoor Burning. | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795 | Ref 52.999(c)(49). |
| Section 1111 | Exclusion: Variance, Unpopulated Areas and Water Vapor. | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795 | Ref 52.999(c)(49). |

Chapter 13—Emission Standards for Particulate Matter

| Subchapter A | General | | | |
|--------------------|--|---------------------------|-----------------------------|--------------------|
| Section 1301 | Emission Standards for Particulate Matter. | Jun 1988, LR14:348 | 06/15/89, 54 FR 25451 | Ref 52.999(c)(50). |
| Section 1303 | Provision Governing Specific Activities | Jun 1988, LR14:348 | 06/15/89, 54 FR 25451 | Ref 52.999(c)(50). |
| Section 1305 | Control of Fugitive Emissions | Jun 1988, LR14:348 | 06/15/89, 54 FR 25451 | Ref 52.999(c)(50). |
| Section 1307 | Degradation | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795 | Ref 52.999(c)(49). |
| Section 1309 | Measurements of Concentrations | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795 | Ref 52.999(c)(49). |
| Subchapter B | Fluid Catalytic Cracking Units | | | |
| Section 1311 | Emission Limits—Including Fluid Catalytic Cracking Units. | Jun 1988, LR14:348 | 06/15/89, 54 FR 25451 | Ref 52.999(c)(50). |
| Subchapter C | Fuel Burning Equipment | | | |
| Section 1313 | Emissions from Fuel Burning Equipment. | Jun 1988, LR14:348 | 06/15/89, 54 FR 25451 | Ref 52.999(c)(50). |
| Section 1315 | More Stringent Regulations may be Prescribed if Particulates are Toxic. | Jun 1988, LR14:348 | 06/15/89, 54 FR 25451 | Ref 52.999(c)(50). |
| Section 1317 | Exclusions | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795 | Ref 52.999(c)(49). |
| Subchapter D | Refuse Incinerators | | | |
| Section 1319 | Refuse Incinerators: Purpose, Scope, Capacity, Approval of, Allowable Emissions, Disposal, and Restrictions. | Jun 1988, LR14:348 | 06/15/89, 54 FR 25451 | Ref 52.999(c)(50). |
| Subchapter E | Leaded Particulate Matter | | | |
| Section 1321 | Emission Standards for Leaded Particulate Matter. | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795 | Ref 52.999(c)(49). |
| Table 3 | Allowable Rate of Emissions Based on Process Weight Rate. | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795 | Ref 52.999(c)(49). |

Chapter 14—Conformity

| Subchapter A | Determining Conformity of General Federal Actions to State or Federal Implementations Plans | | | |
|--------------------|---|----------------------------|-----------------------------|--------------------|
| Section 1401 | Purpose | Nov. 1994, LR20:1268 | 09/13/96, 61 FR 48409 | Ref 52.999(c)(67). |

EPA APPROVED LOUISIANA REGULATIONS IN THE LOUISIANA SIP—Continued

| State citation | Title/subject | State approval date | EPA approval date | Comments |
|------------------------|--|----------------------------|-----------------------------|--------------------|
| Section 1402 | Scope | Nov. 1994, LR20:1268 | 09/13/96, 61 FR 48409 | Ref 52.999(c)(67). |
| Section 1403 | Prohibition | Nov. 1994, LR20:1268 | 09/13/96, 61 FR 48409 | Ref 52.999(c)(67). |
| Section 1404 | Definitions | Nov. 1994, LR20:1268 | 09/13/96, 61 FR 48409 | Ref 52.999(c)(67). |
| Section: 1405 | Applicability | Nov. 1994, LR20:1268 | 09/13/96, 61 FR 48409 | Ref 52.999(c)(67). |
| 1405.B | | 06/20/97, LR23:720 | 03/09/98, 63 FR 11372 | Ref 52.999(c)(75). |
| Section 1406 | Conformity Analysis | Nov. 1994, LR20:1268 | 09/13/96, 61 FR 48409 | Ref 52.999(c)(67). |
| Section 1407 | Reporting Requirements | Nov. 1994, LR20:1268 | 09/13/96, 61 FR 48409 | Ref 52.999(c)(67). |
| Section 1408 | Public Participation | Nov. 1994, LR20:1268 | 09/13/96, 61 FR 48409 | Ref 52.999(c)(67). |
| Section 1409 | Frequency of Conformity Determinations. | Nov. 1994, LR20:1268 | 09/13/96, 61 FR 48409 | Ref 52.999(c)(67). |
| Section 1410 | Criteria for Determining Conformity of General Federal Actions. | Nov. 1994, LR20:1268 | 09/13/96, 61 FR 48409 | Ref 52.999(c)(67). |
| Section 1411 | Procedures for Conformity Determinations of General Federal Actions. | Nov. 1994, LR20:1268 | 09/13/96, 61 FR 48409 | Ref 52.999(c)(67). |
| Section 1412 | Mitigation of Air Quality Impacts | Nov. 1994, LR20:1268 | 09/13/96, 61 FR 48409 | Ref 52.999(c)(67). |
| Section 1413 | Department Review | Nov. 1994, LR20:1268 | 09/13/96, 61 FR 48409 | Ref 52.999(c)(67). |
| Section 1414 | Enforcement Provisions | Nov. 1994, LR20:1268 | 09/13/96, 61 FR 48409 | Ref 52.999(c)(67). |
| Section 1415 | Savings Provision | Nov. 1994, LR20:1268 | 09/13/96, 61 FR 48409 | Ref 52.999(c)(67). |

Chapter 15—Emission Standards for Sulfur Dioxide

| | | | | |
|--------------------|---|---------------------------|-----------------------------|--------------------|
| Section 1501 | Degradation of Existing Emission Quality Restricted. | Apr. 1992, LR18:374 | 07/15/93, 58 FR 38060 | Ref 52.999(c)(59). |
| Section 1503 | Emission Limitations | Apr. 1992, LR18:374 | 07/15/93, 58 FR 38060 | Ref 52.999(c)(59). |
| Section 1505 | Variance | Apr. 1992, LR18:374 | 07/15/93, 58 FR 38060 | Ref 52.999(c)(59). |
| Section 1507 | Exceptions, Startup provisions, Online Operating Adjustments, and Bubble Concept. | Apr. 1992, LR18:374 | 07/15/93, 58 FR 38060 | Ref 52.999(c)(59). |
| Section 1509 | Reduced Sulfur Compounds (New and Existing Sources). | Apr. 1992, LR18:374 | 07/15/93, 58 FR 38060 | Ref 52.999(c)(59). |
| Section 1511 | Continuous Emissions Monitoring | Apr. 1992, LR18:374 | 07/15/93, 58 FR 38060 | Ref 52.999(c)(59). |
| Section 1513 | Recordkeeping and Reporting | Apr. 1992, LR18:374 | 07/15/93, 58 FR 38060 | Ref 52.999(c)(59). |
| Table 4 | Emissions—Methods of Contaminant Measurement. | Apr. 1992, LR18:374 | 07/15/93, 58 FR 38060 | Ref 52.999(c)(59). |

Chapter 17—Control of Emissions of Carbon Monoxide (New Sources)

| | | | | |
|--------------------|--|---------------------------|-----------------------------|--------------------|
| Subchapter A | General | | | |
| Section 1701 | Degradation of Existing Emission Quality Restricted. | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795 | Ref 52.999(c)(49). |
| Subchapter B | Ferrous Metal Emissions | | | |
| Section 1703 | Ferrous Metal Emissions | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795 | Ref 52.999(c)(49). |
| Subchapter C | Petroleum Refinery Emissions | | | |
| Section 1705 | Petroleum Refinery Emissions | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795 | Ref 52.999(c)(49). |

Chapter 19—Mobile Sources

| | | | | |
|--------------------|---|----------------------------|-----------------------------|--------------------|
| Subchapter B | Clean Fuel Fleet | | | |
| Section 1951 | Purposes | Nov. 1994, LR20:1263 | 10/23/95, 60 FR 54308 | Ref 52.999(c)(66). |
| Section 1953 | General Provisions | Nov. 1994, LR20:1263 | 10/23/95, 60 FR 54308 | Ref 52.999(c)(66). |
| Section 1955 | Definitions | Nov. 1994, LR20:1263 | 10/23/95, 60 FR 54308 | Ref 52.999(c)(66). |
| Section 1957 | Exemptions | Nov. 1994, LR20:1263 | 10/23/95, 60 FR 54308 | Ref 52.999(c)(66). |
| Section 1959 | Emissions Standards | Nov. 1994, LR20:1263 | 10/23/95, 60 FR 54308 | Ref 52.999(c)(66). |
| Section 1961 | Credits Program | Nov. 1994, LR20:1263 | 10/23/95, 60 FR 54308 | Ref 52.999(c)(66). |
| Section 1963 | Emissions Reduction Credits Program—Reserved. | Nov. 1994, LR20:1263 | 10/23/95, 60 FR 54308 | Ref 52.999(c)(66). |
| Section 1965 | Recordkeeping | Nov. 1994, LR20:1263 | 10/23/95, 60 FR 54308 | Ref 52.999(c)(66). |
| Section 1967 | Conversion to Clean Fuel Vehicles—Reserved. | Nov. 1994, LR20:1263 | 10/23/95, 60 FR 54308 | Ref 52.999(c)(66). |
| Section 1969 | Fuel Provider Requirements | Nov. 1994, LR20:1263 | 10/23/95, 60 FR 54308 | Ref 52.999(c)(66). |
| Section 1971 | Enforcement | Nov. 1994, LR20:1263 | 10/23/95, 60 FR 54308 | Ref 52.999(c)(66). |
| Section 1973 | Fees | Nov. 1994, LR20:1263 | 10/23/95, 60 FR 54308 | Ref 52.999(c)(66). |

Chapter 21—Control of Emissions of Organic Compounds

| | | | | |
|--------------------|----------------------------|---------------------------|-----------------------------|--------------------|
| Subchapter A | General | | | |
| Section 2101 | Compliance Schedules | Nov. 1990, LR16:959 | 05/05/94, 59 FR 23166 | Ref 52.999(c)(60). |

EPA APPROVED LOUISIANA REGULATIONS IN THE LOUISIANA SIP—Continued

| State citation | Title/subject | State approval date | EPA approval date | Comments |
|--------------------|--|----------------------------|-----------------------------|--|
| Section 2103 | Storage of Volatile Organic Compounds (Large Tanks). | Dec. 1995, LR21:1333 | 10/22/96, 61 FR 54737 | Ref 52.999(c)(71)(E)(F)(G). NOT IN SIP. |
| Section 2105 | Storage of Volatile Organic Compounds (Small Tanks). | | | |
| Section 2107 | Volatile Organic Compounds—Loading. | Apr. 1991, LR17:360 | 05/05/94, 59 FR 23166 | Ref 52.999(c)(60). |
| Section 2108 | Marine Vapor Recovery | Nov. 1990, LR16:959 | 10/22/96, 61 FR 54737 | Ref 52.999(c)(71)(A)(B). |
| Section 2109 | Oil/Water—Separation | Oct. 1992, LR18:1122 | 07/25/96, 61 FR 38590 | Ref 52.999(c)(64). |
| Section 2111 | Pumps and Compressors | Apr. 1991, LR17:360 | 05/05/94, 59 FR 23166 | Ref 52.999(c)(60). |
| Section 2113 | Housekeeping | Apr. 1991, LR17:360 | 05/05/94, 59 FR 23166 | Ref 52.999(c)(60). |
| Section 2115 | Waste Gas Disposal and Exemptions | Mar. 1993, LR19:317 | 07/25/96, 61 FR 38590 | Ref 52.999(c)(64). |
| Section 2117 | Exemptions | Feb. 1990, LR16:116 | 05/05/94, 59 FR 23166 | Ref 52.999(c)(60). |
| Section 2119 | Variances | Feb. 1990, LR16:116 | 05/05/94, 59 FR 23166 | Ref 52.999(c)(60). |
| Section 2121 | Fugitive Emission Control | Jul. 1991, LR17:654 | 05/05/94, 59 FR 23166 | Ref 52.999(c)(60). |
| Section 2122 | Fugitive Emission Control for Ozone Nonattainment Areas. | Nov. 1994, LR20:1269 | 10/22/96, 61 FR 54737 | Ref 52.999(c)(71)(C)(D). |
| Subchapter B | Organic Solvents | | | |
| Section 2123 | Organic Solvents | Oct. 1992, LR18:1122 | 07/25/96, 61 FR 38590 | Ref 52.999(c)(64). |
| Subchapter C | Vapor Degreasers | | | |
| Section 2125 | Vapor Degreasers | Oct. 1992, LR18:1122 | 07/25/96, 61 FR 38590 | Ref 52.999(c)(64). |
| Subchapter D | Cutback Paving Asphalt | | | |
| Section 2127 | Cutback Paving Asphalt | Apr. 1991, LR17:360 | 05/05/94, 59 FR 23166 | Ref 52.999(c)(60). |
| Subchapter E | Perchloroethylene Dry Cleaning Systems | | | |
| Section 2129 | Perchloroethylene Dry Cleaning Systems. | Nov. 1990, LR16:959 | 05/05/94, 59 FR 23166 | Ref 52.999(c)(60). |
| Subchapter F | Gasoline Handling | | | |
| Section 2131 | Filling of Gasoline Storage Vessels | Oct. 1992, LR18:1122 | 07/25/96, 61 FR 38590 | Ref 52.999(c)(64). |
| Section 2132 | Stage II Vapor Recovery Systems for Control of Vehicle Refueling Emissions at Gasoline Dispensing Facilities. | Jan. 1993, LR19:46 | 03/25/94, 59 FR 14114 | Ref 52.999(c)(61). |
| Section 2133 | Gasoline Bulk Plants | Jul. 1990, LR16:609 | 05/05/94, 59 FR 23166 | Ref 52.999(c)(60). |
| Section 2135 | Bulk Gasoline Terminals | Oct. 1992, LR18:1123 | 07/25/96, 61 FR 38590 | Ref 52.999(c)(64). |
| Section 2137 | Gasoline Terminal Vapor-Tight Control Procedure. | Jul. 1990, LR16:609 | 05/05/94, 59 FR 23166 | Ref 52.999(c)(60). |
| Subchapter G | Petroleum Refinery Operations | | | |
| Section 2139 | Refinery Vacuum Producing Systems | Jul. 1991, LR17:654 | 05/05/94, 59 FR 23166 | Ref 52.999(c)(60). |
| Section 2141 | Refinery Process Unit Turnarounds. | Jul. 1991, LR17:654 | 05/05/94, 59 FR 23166 | Ref 52.999(c)(60). |
| Subchapter H | Graphic Arts | | | |
| Section 2143 | Graphic Arts (Printing) by Rotogravure and Flexographic Processes. | Oct. 1992, LR18:1123 | 07/25/96, 61 FR 38590 | Ref 52.999(c)(64). |
| Subchapter I | Pharmaceutical Manufacturing Facilities | | | |
| Section 2145 | Pharmaceutical Manufacturing Facilities. | Nov. 1990, LR16:959 | 05/05/94, 59 FR 23166 | Ref 52.999(c)(60). |
| Subchapter J | Limiting Volatile Organic Compound (VOC) Emissions from Reactor Processes and Distillation Operations in the Synthetic Organic Chemical Manufacturing Industry (SOCMI) | | | |
| Section 2147 | Limiting VOC Emissions from SOCMI Reactor Process and Distillation Operations. | Apr. 1995, LR21:380 | 12/02/97, 62 FR 63658 | Ref 52.999(c)(74). |
| Subchapter K | Limiting Volatile Organic Compound Emissions from Batch Processing | | | |

EPA APPROVED LOUISIANA REGULATIONS IN THE LOUISIANA SIP—Continued

| State citation | Title/subject | State approval date | EPA approval date | Comments |
|---|--|---------------------------|-----------------------------|---|
| Section 2149 | Limiting Volatile Organic Compound Emissions from Batch Processing. | Apr. 1995, LR21:387 | 12/02/97, 62 FR 63658 | Ref 52.999(c)(74). |
| Subchapter L | Limiting Volatile Organic Compound Emissions from Cleanup Solvent Processing | | | |
| Section 2151 | Limiting Volatile Organic Compound Emissions from Cleanup Solvent Processing. | Apr. 1995, LR21:391 | 12/02/97, 62 FR 63658 | Ref 52.999(c)(74). |
| Table 8 | Untitled [List of Synthetic Organic Chemicals]. | Dec. 1987, LR13:741 | 05/05/94, 59 FR 23166 | Ref 52.999(c) (49) and (60). Table approved at (c)(49) included CAS numbers. Table approved at (c)(60) did not include CAS numbers. |
| Chapter 23—Control of Emissions from Specific Industries | | | | |
| Subchapter A | Chemical Woodpulpung Industry | | | |
| Section 2301 | Control of Emissions from the Chemical Woodpulpung Industry. | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795 | Ref 52.999(c)(49). |
| Subchapter B | Aluminum Plants | | | |
| Section 2303 | Standards for Horizontal Stud Soderberg Primary Aluminum Plants and Prebake Primary Aluminum Plants. | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795 | Ref 52.999(c)(49). |
| Subchapter C | Phosphate Fertilizer Plants | | | |
| Section 2305 | Fluoride Emissions Standards for Phosphate Fertilizer Plants. | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795 | Ref 52.999(c)(49). |
| Subchapter D | Emission Standards for the Nitric Acid Industry | | | |
| Section 2307 | Emission Standards for the Nitric Acid Industry. | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795 | Ref 52.999(c)(49). |
| Chapter 56—Prevention of Air Pollution Emergency Episodes | | | | |
| Section 5601 | Purpose | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795 | Ref 52.999(c)(49). |
| Section 5603 | Scope | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795 | Ref 52.999(c)(49). |
| Section 5605 | Episode Criteria and Air Pollution Forecast. | Dec. 1987, LR13:741 | 03/08/89 54 FR 09795 | Ref 52.999(c)(49). |
| Section 5607 | Administrative Authority Will Determine When Criteria Level Has Been Reached. | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795 | Ref 52.999(c)(49). |
| Section 5609 | Preplanning Strategies Required: Alert Level, Warning Level, and Emergency Level. | Jun. 1988, LR14:348 | 06/15/89, 54 FR 25451 | Ref 52.999(c)(50). |
| Section 5611 | Standby Plans to be Submitted When Requested by Administrative Authority. | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795 | Ref 52.999(c)(49). |
| Table 5 | Emission Reduction Plans—Alert Level. | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795 | Ref 52.999(c)(49). |
| Table 6 | Emission Reduction Plans—Warning Level. | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795 | Ref 52.999(c)(49). |
| Table 7 | Emission Reduction Plans—Emergency Level. | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795 | Ref 52.999(c)(49). |
| Chapter 60—Test Methods—NSPS Division's Source Test Manual | | | | |
| 6001 to 6089 | 40 CFR 60, Appendix A NSPS Methods 1 to 41. | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795 | Ref 52.999(c)(49). |
| Chapter 61—Divisions Source Test Method | | | | |
| Subchapter A | Method 43—Capture Efficiency Test Procedures | | | |
| Section 6121 | Principle | Jul. 1991, LR17:653 | 05/05/94, 59 FR 23166 | Ref 52.999(c)(60). |
| Section 6123 | Definitions | Jul. 1991, LR17:653 | 05/05/94, 59 FR 23166 | Ref 52.999(c)(60). |
| Section 6125 | Applicability | Jul. 1991, LR17:653 | 05/05/94, 59 FR 23166 | Ref 52.999(c)(60). |
| Section 6127 | Specific Requirements | Jul. 1991, LR17:653 | 05/05/94, 59 FR 23166 | Ref 52.999(c)(60). |

EPA APPROVED LOUISIANA REGULATIONS IN THE LOUISIANA SIP—Continued

| State citation | Title/subject | State approval date | EPA approval date | Comments |
|--------------------|--|---------------------------|-----------------------------|--------------------|
| Section 6129 | Recording and Reporting | Jul. 1991, LR17:653 | 05/05/94, 59 FR 23166 | Ref 52.999(c)(60). |
| Section 6131 | Procedures for Method 43 | Jul. 1991, LR17:653 | 05/05/94, 59 FR 23166 | Ref 52.999(c)(60). |
| 6131.A | Procedure F.1—Fugitive VOC Emissions from Temporary Enclosures. | Jul. 1991, LR17:653 | 05/05/94, 59 FR 23166 | Ref 52.999(c)(60). |
| 6131.B | Procedure F.2—Fugitive VOC Emissions from Building Enclosures. | Jul. 1991, LR17:653 | 05/05/94, 59 FR 23166 | Ref 52.999(c)(60). |
| 6131.C | Procedure G.1—Captured VOC Emissions. | Jul. 1991, LR17:653 | 05/05/94, 59 FR 23166 | Ref 52.999(c)(60). |
| 6131.D | Procedure G.2—Captured VOC Emissions (Dilution Technique). | Jul. 1991, LR17:653 | 05/05/94, 59 FR 23166 | Ref 52.999(c)(60). |
| 6131.E | Procedure L—VOC Input | Jul. 1991, LR17:653 | 05/05/94, 59 FR 23166 | Ref 52.999(c)(60). |
| 6131.F | Procedure T—Criteria for Verification of a Permanent or Temporary Total Enclosure. | Jul. 1991, LR17:653 | 05/05/94, 59 FR 23166 | Ref 52.999(c)(60). |

Chapter 63—Test Methods—LESHAP Division's Source Test Manual

| | | | | |
|--------------------|------------------------------------|---------------------------|-----------------------------|--------------------|
| 6301 to 6401 | 40 CFR 61, Appendix B Test Methods | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795 | Ref 52.999(c)(49). |
|--------------------|------------------------------------|---------------------------|-----------------------------|--------------------|

Chapter 65—Rules and Regulations for the Fee System of the Air Quality Control Programs

| | | | | |
|--------------------|----------------------------|----------------------------|-----------------------------|--------------------|
| Section 6501 | Scope and Purpose | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795 | Ref 52.999(c)(49). |
| Section 6503 | Authority | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795 | Ref 52.999(c)(49). |
| Section 6505 | Definitions | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795 | Ref 52.999(c)(49). |
| Section 6507 | Application Fees | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795 | Ref 52.999(c)(49). |
| Section 6509 | Annual Fees | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795 | Ref 52.999(c)(49). |
| Section 6511 | Methodology | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795 | Ref 52.999(c)(49). |
| Section 6513 | Determination of Fee | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795 | Ref 52.999(c)(49). |
| Section 6515 | Method of Payment | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795 | Ref 52.999(c)(49). |
| Section 6517 | Late Payment | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795 | Ref 52.999(c)(49). |
| Section 6519 | Failure to Pay | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795 | Ref 52.999(c)(49). |
| Section 6521 | Effective Date | Dec. 1987, LR13:741 | 03/08/89, 54 FR 09795 | Ref 52.999(c)(49). |
| Section 6523 | Fee Schedule Listing | Nov. 1992, LR18:1256 | 03/25/94, 59 FR 14114 | Ref 52.999(c)(61). |

(d) EPA-approved State Source-specific requirements.

EPA-APPROVED LOUISIANA SOURCE-SPECIFIC REQUIREMENTS

| Name of source | Permit number | State approval/effective date | EPA approval date | Comments |
|--|------------------------|-------------------------------|-----------------------------|--|
| Lead SIP for Ethyl Corp. in Baton Rouge. | Compliance order | 01/27/89 | 06/27/89, 54 FR 27002 | Amended Compliance order dated 01/31/86. Modeling 05/27/88. State letter 01/27/89. Ref 52.999(c)(51). |
| Vulcan Materials Company Facility in Geiser, Ascension Parish. | 1829T(M-2) | 07/28/89 | 10/10/89, 54 FR 41444 | Revision of Bubble Permit. Issued 03/24/83, amended 07/28/89. Ref 52.999(c)(52). |
| American Cyanamid Company Fortier Plant in Westwego, Jefferson Parish. | 1896(M-2) | 07/20/89 | 11/27/89, 54 FR 48743 | Revision of Bubble Permit. Issued 10/17/84, amended 07/20/89. Ref 52.999(c)(53). |
| Vista Chemical Company Facility in Westlake, Louisiana. | 1828(M-2) | 09/25/86 | 02/02/90, 55 FR 03598 | Bubble Permit. Submitted by Governor on 11/22/83, amended 09/25/86. Ref 52.999(c)(54). |
| Union Carbide Facility in Hahnville, Louisiana. | 1836T(M-1) | 05/05/90 | 07/18/90, 55 FR 29205 | Revision of Bubble Permit. Submitted by Governor on 10/19/83, amended 04/23/87, revised 05/05/90. Ref 52.999(c)(55). |
| Dow Chemical Facility in Plaquemine, Iberville Parish. | 1838T(M-2) | 10/16/91 | 10/04/94, 59 FR 50500 | Revision of Bubble Permit. Issued 7/28/83, amended 10/16/91. Ref 52.999(c)(62). |
| Exxon Compliance Date Extension, Baton Rouge Refinery. | N/A | 09/12/97 | 05/11/98, 63 FR 25773 | Extension of compliance date to LAC 33:III, 2103.D.4 Ref 52.999(c)(79). |

(e) EPA approved nonregulatory provisions and quasi-regulatory measures.

EPA APPROVED LOUISIANA STATUTES IN THE LOUISIANA SIP

| State citation | Title/subject | State approval/ effective date | EPA approval date | Comments |
|--|---|--------------------------------|-----------------------------|--|
| LA. R.S. of 1950. Title 40, Chapter 12. The Louisiana Air Control Law, Part 1, Louisiana Air Control Commission | | | | |
| 40:2201 | Citation | Apr. 1979 | 02/14/80, 45 FR 09909 | Ref 52.999(c)(15). |
| 40:2202 | Definition | Apr. 1979 | 02/14/80, 45 FR 09909 | Ref 52.999(c)(15). |
| 40:2203 | Commission created; domicile; membership; tenure; meetings. | Apr. 1979 | 02/14/80, 45 FR 09909 | Ref 52.999(c)(15). |
| 40:2204 | Powers and Duties of Commission | Apr. 1979 | 02/14/80, 45 FR 09909 | Ref 52.999(c)(15). |
| 40:2205 | Powers and Duties of Technical Secretary | Apr. 1979 | 02/14/80, 45 FR 09909 | Ref 52.999(c)(15). |
| 40:2206 | Approval of rules and regulations; public hearings; difference. | Apr. 1979 | 02/14/80, 45 FR 09909 | Ref 52.999(c)(15). |
| 40:2207 | Validity of rules or regulations; declaratory judgment. | Apr. 1979 | 02/14/80, 45 FR 09909 | Ref 52.999(c)(15). |
| 40:2208 | Investigations; complaints; hearings; recommendations. | Apr. 1979 | 02/14/80, 45 FR 09909 | Ref 52.999(c)(15). |
| 40:2209 | Procedure at hearings | Apr. 1979 | 02/14/80, 45 FR 09909 | Ref 52.999(c)(15). |
| 40:1077 | Secret processes or methods as confidential | 01/01/80 | 06/09/82, 47 FR 25013 | Ref 52.999(c)(39) Old section name 2210. |
| 40:2211 | Variances | Apr. 1979 | 02/14/80, 45 FR 09909 | Ref 52.999(c)(15). |
| 40:2212 | Failure to act on petition for variance | Apr. 1979 | 02/14/80, 45 FR 09909 | Ref 52.999(c)(15). |
| 40:2213 | Judicial review | Apr. 1979 | 02/14/80, 45 FR 09909 | Ref 52.999(c)(15). |
| 40:2214 | Injunction; penalties for violations of orders of the commission. | Apr. 1979 | 02/14/80, 45 FR 09909 | Ref 52.999(c)(15). |
| 40:2215 | Actions inuring to benefit the state | Apr. 1979 | 02/14/80 45 FR 09909 | Ref 52.999(c)(15). |
| 40:2216 | Act as exclusive means of control; nuisances | Apr. 1979 | 02/14/80, 45 FR 09909 | Ref 52.999(c)(15). |
| LA. R.S. of 1992. Title 30 and 36, Subtitle II. Environmental Quality, Chapter 3. Louisiana Air Control Law | | | | |
| 30:2060 N.6 | Toxic air pollution emission control program | 10/22/92 | 06/23/94, 59 FR 32359 | Ref 52.999(c)(63). |
| 30:2061 | Small Business Stationary Source Technical and Environmental Compliance Assistance Program. | 10/22/92 | 06/23/94, 59 FR 32359 | Ref 52.999(c)(63). |
| 30:2062 | Louisiana Small Business Compliance Advisory panel. | 10/22/92 | 06/23/94, 59 FR 32359 | Ref 52.999(c)(63). |
| 36:239(H) | Transfer of agencies and functions to the Department of Environmental Quality. | 10/22/92 | 06/23/94, 59 FR 32359 | Ref 52.999(c)(63). |

EPA APPROVED CONTROL MEASURES IN THE LOUISIANA SIP

| Control measures | Applicable geographic or nonattainment area | State submittal date/ effective date | EPA approval date | Comments |
|---|---|--------------------------------------|-----------------------------|--|
| Federal Hydrocarbon Standards | Region 106, SE LA-SE TX AQCR | 03/30/73 | 06/22/73 38 FR 16565 | Ref 52.999(c)(04). |
| PM Strategy | Region 106, SE LA-SE TX AQCR | 01/02/73 | 07/19/77, 42 FR 37000 | Ref 52.999(c)(06). |
| Air Quality Maintenance Area for PM | Shreveport, LA | 12/09/77 | 08/18/78, 43 FR 36628 | Ref 52.999(c)(09). |
| Air Quality Surveillance Network | New Orleans, LA | 04/03/78 | 01/29/79, 44 FR 05601 | Ref 52.999(c)(10). Change of sampling site location. |
| Louisiana Ozone SIP | Nonattainment areas, AQCR 022 and 106. | 04/30/79 | 02/14/80, 45 FR 09909 | Ref 52.999(c)(15). Part D requirement. |
| Evidence of Notice and Public Hearing. | Statewide | 06/20/79 | 02/10/82, 47 FR 06017 | Ref 52.999(c)(16). |
| Emission Inventory | Nonattainment areas | 08/28/78 | 02/14/80, 45 FR 09909 | Ref 52.999(c)(17). |
| Air Quality Surveillance Network | Statewide | 01/10/80 | 08/06/81, 46 FR 40006 | Ref 52.999(c)(20). Final Revisions to ambient monitoring. |
| Lead SIP | Baton Rouge, LA | 10/31/83 | 05/01/84, 49 FR 18485 | Ref 52.999(c)(40). |
| NSR and Visibility Monitoring | Class I Federal Areas in LA | 10/14/85 | 06/10/86, 51 FR 20969 | Ref 52.999(c)(44). |
| Small Business Program | Statewide | 10/22/92 | 06/23/94, 59 FR 32359 | Ref 52.999(c)(63). |
| Redesignation Request and Maintenance Plan. | Pointe Coupe Parish | 12/20/95 | 01/06/97, 61 FR 00648 | Ref 52.999(c)(70). |
| Revision to SIP, 15% ROP Plan | Nonattainment areas | 12/15/95 | 10/22/96, 61 FR 54737 | Ref 52.999(c)(71). |
| VOC RACT Negative Declarations ... | Baton Rouge nonattainment area ... | 12/15/95 | 10/30/96, 61 FR 55894 | Ref 52.999(c)(72). |
| Redesignation Request and Maintenance Plan. | Calcasieu Parish | 12/20/95 | 05/02/97, 62 FR 24036 | Ref 52.999(c)(73). |

[FR Doc. 98-30151 Filed 11-10-98; 8:45 am]
BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 62

[AD-FRL-6185-4]

RIN 2060-ZA03

Federal Plan Requirements for Large Municipal Waste Combustors Constructed on or Before September 20, 1994

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This action promulgates (adopts) a Federal plan to implement emission guidelines for MWC units located in areas not covered by an approved and currently effective State plan. The Federal plan is an interim action because on the effective date of an approved State plan, the Federal plan will no longer apply to MWC units covered by the State plan. This MWC Federal plan includes the same required elements as a State plan as specified in 40 CFR part 60, subpart B. These elements are: identification of legal authority; identification of mechanisms for implementation; inventory of affected facilities; emission inventory; emission limits; compliance schedules; public hearing requirements; reporting and recordkeeping requirements; and public progress reports.

On December 19, 1995, EPA adopted emission guidelines for existing municipal waste combustor (MWC) units. Section 129 of the Clean Air Act (Act) requires States with existing MWC units subject to the guidelines to submit plans to EPA that implement and enforce the emission guidelines. The State plans were due on December 19, 1996. States without MWC units subject to the emission guidelines must submit a negative declaration letter. Following receipt of a State plan, EPA has up to 6 months to approve or disapprove the plan. If a State with existing MWC units does not submit an approvable plan within 2 years after promulgation of the guidelines (i.e., December 19, 1997), the Act requires EPA to develop, implement, and enforce a Federal Plan for MWC units in that State. This MWC Federal plan was proposed on January 23, 1998 (63 FR 3509).

EFFECTIVE DATE: The effective date of this MWC Federal plan is December 14, 1998. The incorporation by reference of certain publications listed in the rule is

approved by the Director of the Federal Register as of December 14, 1998.

Judicial Review. This section 111(d)/129 rule for municipal waste combustors was proposed on January 23, 1998 (63 FR 3509). This notice promulgating a rule for municipal waste combustors constitutes final administrative action concerning that proposal. Under section 307(b)(1) of the Act, judicial review of this final rule is available only by filing a petition for review in the U.S. Court of Appeals for the District of Columbia Circuit by January 11, 1999. Under section 307(d)(7)(B) of the Act, only an objection to this rule that was raised with reasonable specificity during the period for public comment can be raised during judicial review. Moreover, under section 307(b)(2) of the Act, the requirements established by today's final action may not be challenged separately in any civil or criminal proceeding brought by the EPA to enforce these requirements.

ADDRESSES: *Docket.* Docket numbers A-89-08, A-90-45, and A-97-45 contain the supporting information for this promulgated rule and the supporting information for EPA's promulgation of emission guidelines for existing MWC units. Public comments on the proposed rule for this action were received in docket number A-97-45. The dockets are available for public inspection and copying between 8:00 a.m. and 5:30 p.m., Monday through Friday, at EPA's Air and Radiation Docket and Information Center (Mail Code 6102), 401 M Street, SW, Washington, DC 20460, or by calling (202) 260-7548. The docket is located at the above address in Room M-1500, Waterside Mall (ground floor, central mall). A reasonable fee may be charged for copying.

FOR FURTHER INFORMATION CONTACT: For procedural and implementation information regarding this Federal Plan, contact Ms. Julie Andresen McClintock at (919) 541-5339, Program Review Group, Information Transfer and Program Integration Division (MD-12), U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711. For technical information regarding State plans, contact Mr. Walt Stevenson at (919) 541-5264, Combustion Group, Emission Standards Division (MD-13), U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711. For State-specific information regarding the implementation of this Federal plan, contact the appropriate Regional Office (table 2) as shown in section I of **SUPPLEMENTARY INFORMATION.**

The following outline shows the organization of the **SUPPLEMENTARY INFORMATION** section of this preamble.

- I. Background of MWC Regulations and Affected Facilities
 - A. Background of MWC Regulations
 - B. MWC Federal Plan and Affected Facilities
 - C. Status of State Plans
- II. Required Elements of the MWC Federal Plan
- III. Changes Since Proposal
 - A. Final Control Plan Requirements
 - B. Dates for Increments of Progress
 - C. Options 1, 2, and 3 and Site-specific Compliance Schedules
 - D. Compliance Dates Already Achieved
 - E. Subpart Cb Amended Emission Limits
- IV. Summary of Federal Plan Emission Limits and Requirements
- V. Implementation of Federal Plan and Delegation
 - A. Background of Authority
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 - C. Mechanisms for Transferring Authority
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- VII. Administrative Requirements
 - A. Docket
 - B. Paperwork Reduction Act
 - C. Executive Order 12866
 - D. Unfunded Mandates Reform Act of 1995
 - E. Regulatory Flexibility Act/Small Business Regulatory Enforcement Fairness Act of 1996
 - F. Submission to Congress and the General Accounting Office
 - G. National Technology Transfer and Advancement Act
 - H. Executive Order 12875
 - I. Executive Order 13084
 - J. Executive Order 13045

SUPPLEMENTARY INFORMATION:

I. Background of MWC Regulations and Affected Facilities

A. Background of MWC Regulations

On February 11, 1991 (56 FR 5488), EPA promulgated in the **Federal Register** emission guidelines for existing MWC units (40 CFR part 60, subpart Ca) under authority of section 111 of the Act as amended in 1977. On September 20, 1994, EPA proposed revised emission guidelines for MWC units (40 CFR part 60, subpart Cb) under sections 111 and 129 of the Act as amended in 1990. On December 19, 1995, EPA issued final emission guidelines applicable to small and large categories of MWC units.¹ See 60 FR 65387. On April 8, 1997, the United States Court of Appeals for the District of Columbia Circuit vacated subpart Cb as it applies to MWC units with an individual capacity to combust less than or equal to 250 tons per day

¹ The small category comprised all MWC units located at facilities with total capacity to combust between 35 mg/day (40 tons per day), and 225 mg/day (250 tons per day) of MSW. The large category comprised all MWC units located at facilities with total capacity to combust greater than 250 tons per day of MSW.