

Federal Regulatory Air Actions 2011

NESHAP = National Emission Standards for Hazardous Air Pollutants **NSPS** = New Source Performance Standards **NSR** = New Source Review **PSD** = Prevention of Significant Deterioration **NAAQS** = National Ambient Air Quality Standards

**** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments**

| Subject, Rule, Part, & Subpart | Date of Action | Type of Action & Link to Document** | Summary of Action | Additional Info/Actions | Additional Links |
|---|----------------|-------------------------------------|---|-------------------------|---|
| Regional Haze Revisions Approval & Promulgation of Implementation Plans 40 CFR Part 51 & 52 | 12/30/11 | Proposed Rule | The EPA is proposing that the trading program in the recently promulgated Transport Rule, also known as the Cross-State Air Pollution Rule, achieves greater reasonable progress towards the national goal of achieving natural visibility conditions in Class I areas than source-specific Best Available Retrofit Technology (BART) in those states covered by the Transport Rule. | | EPA's Regional Haze Program Website |
| Delegation of Authority Provisions Approval & Promulgation of Implementation Plans 40 CFR Part 52 | 12/30/11 | Proposed Rule | The EPA is taking action to propose amendments to the New Source Review (NSR) Prevention of Significant Deterioration (PSD) program that would correct certain outdated language that currently limits EPA's ability to delegate the Federal PSD program to interested Indian tribes. This action proposes changes that would provide consistency with the current Federal PSD regulatory requirements by allowing the EPA to delegate the PSD program to interested tribes for their attainment areas. The EPA is proposing to delete a restriction on tribes' ability to take delegation of the PSD program and to include tribes, along with state and locals, in another section to make it clear that tribes may voluntarily take direct delegation of the NSR program in areas that are currently attaining the national ambient air quality standards (NAAQS). The rule would not impose any new requirements. The EPA is also proposing to correct a minor typographical error. | | EPA's NSR Website |
| Ozone Nonattainment Proposed Settlement Agreement NAAQS 40 CFR Part 50 | 12/29/11 | Notice | On March 2, 2011, Sierra Club submitted to Lisa Jackson, Administrator, United States Environmental Protection Agency ("EPA") a Notice of intent to sue, pursuant to CAA section 304(b)(2), for alleged failure to make determinations of whether certain areas designated nonattainment for the 1997 8-hour ozone national ambient air quality standard ("8-Hour ozone standard") have attained that standard, pursuant to section 181(b)(2) of the CAA. Sierra Club's Notice alleged that EPA failed to perform nondiscretionary duties under the CAA as to whether seven 1997 8-hour ozone areas attained the 1997 8-hour ozone standard by the applicable attainment date. The proposed settlement agreement includes the Parties' agreement that EPA has taken actions with respect to three of these areas that have rendered moot the allegations in Sierra Club's Notice related to these areas. The proposed settlement agreement establishes deadlines for EPA to make determinations for the remaining four areas. | | |
| Pulp & Paper Industry NESHAP 40 CFR Part 63 Subpart S | 12/27/11 | Proposed Rule | The EPA is proposing amendments to the national emission standards for hazardous air pollutants for the pulp and paper industry to address the results of the residual risk and technology review that the EPA is required to conduct under sections 112(d)(6) and (f)(2) of the Clean Air Act. These proposed amendments include revisions to the kraft pulping process condensates standards; a requirement for 5-year repeat emissions testing for selected process equipment; revisions to provisions addressing periods of startup, shutdown and malfunction; additional test methods for measuring methanol; and technical and editorial changes. | | NDEQ Air Toxics Notebook Page |

Federal Regulatory Air Actions 2011

| NESHAP = National Emission Standards for Hazardous Air Pollutants NSPS = New Source Performance Standards NSR = New Source Review PSD = Prevention of Significant Deterioration NAAQS = National Ambient Air Quality Standards | | | | | |
|---|----------------|---|---|-------------------------|---|
| ** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments | | | | | |
| Subject, Rule, Part, & Subpart | Date of Action | Type of Action & Link to Document** | Summary of Action | Additional Info/Actions | Additional Links |
| Industrial, Commercial, & Institutional Boilers & Process Heaters (Major Sources) NESHAP 40 CFR Part 63 Subpart DDDDD | 12/23/11 | Proposed Rule | <p>On March 21, 2011, the EPA promulgated national emission standards for the control of hazardous air pollutants from new and existing industrial, commercial, and institutional boilers and process heaters at major sources of hazardous air pollutants. On that same day, the EPA also published a notice announcing its intent to reconsider certain provisions of the final rule. The EPA subsequently issued a notice on May 18, 2011, to postpone the effective dates of the final rule until judicial review has been completed, or the agency finalizes its reconsideration of the standard, whichever is earlier.</p> <p>In the action to postpone the effective dates of the rule, the EPA also requested the public to submit data and information to assist the EPA in its reconsideration. The EPA is reconsidering and requesting comment on several provisions of the final rule. Additionally, the EPA is proposing amendments and technical corrections to the final rule to clarify definitions, references, applicability, and compliance issues raised by stakeholders subject to the final rule.</p> | | NDEQ Air Toxics Notebook Page |
| Industrial, Commercial, & Institutional Boilers (Area Sources) NESHAP 40 CFR Part 63 Subpart JJJJJ | 12/23/11 | Proposed Rule | <p>On March 21, 2011, the EPA promulgated national emission standards for the control of hazardous air pollutants from two area source categories: industrial boilers, and commercial and institutional boilers. On that same date, the EPA announced that it was convening a proceeding for reconsideration of certain portions of those final emission standards. After promulgation, the Administrator received petitions for reconsideration of certain provisions in the final rule.</p> <p>In this action, the EPA is proposing for reconsideration specific elements and accepting public comment on those elements, not on any other provisions of the final rule. In addition, the EPA is proposing amendments and technical corrections to the final rule to clarify some applicability and implementation issues raised by stakeholders subject to the final rule.</p> | | NDEQ Air Toxics Notebook Page |
| Prepared Feeds Manufacturing NESHAP 40 CFR Part 63 Subpart DDDDDDD | 12/23/11 | Direct Final & Proposal | <p>The EPA is taking direct final action to revise certain provisions of the area source national emission standards for hazardous air pollutants (NESHAP) for prepared feeds manufacturing published on January 5, 2010 (final rule). The revisions address the generally available control technology (GACT) requirements for pelleting processes at large, existing prepared feeds manufacturing facilities, specifically removal of the cyclone 95-percent design efficiency requirement, as well as associated requirements for compliance demonstration, monitoring, reporting, and recordkeeping; clarification of the requirement that doors be kept closed in areas where materials containing chromium and manganese are stored, used, or handled; and clarification of the requirement to install a device at the point of bulk loadout to minimize emissions. These amendments are not expected to result in increased emissions or in the imposition of costs beyond those described in the January 5, 2010, final rule.</p> | | NDEQ Air Toxics Notebook Page |

Federal Regulatory Air Actions 2011

| NESHAP = National Emission Standards for Hazardous Air Pollutants NSPS = New Source Performance Standards NSR = New Source Review PSD = Prevention of Significant Deterioration NAAQS = National Ambient Air Quality Standards | | | | | |
|---|----------------|---|---|-------------------------|---|
| ** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments | | | | | |
| Subject, Rule, Part, & Subpart | Date of Action | Type of Action & Link to Document** | Summary of Action | Additional Info/Actions | Additional Links |
| Greenhouse Gas Reporting Rule Administrative Practice & Procedure 40 CFR Part 98 | 12/23/11 | Final Rule | EPA is finalizing technical corrections and revisions to the petroleum and natural gas systems source category of the Greenhouse Gas Reporting Rule. Final changes include providing clarification on existing requirements, increasing flexibility for certain calculation methods, amending data reporting requirements, clarifying terms and definitions, and technical corrections. | | EPA's Greenhouse Gas Website |
| Ozone Nonattainment Designation Consent Decree NAAQS 40 CFR Part 50 | 12/21/11 | Notice | In accordance with section 113(g) of the Clean Air Act, as amended ("CAA" or the "Act"), 42 U.S.C. 7413(g), notice is hereby given of a proposed consent decree to address a lawsuit filed by WildEarth Guardians in the United States District Court for the District of Arizona: WildEarth Guardians v. Jackson, No. 2:11-cv-01661-ROS (D. Ariz.). On August 24, 2011, Plaintiff filed a complaint alleging that EPA failed to perform a nondiscretionary duty to promulgate the area designations for the 2008 ground-level ozone NAAQS within the time lines set forth in section 107(d)(1)(B) of the CAA. The proposed consent decree establishes a deadline of May 31, 2012 for EPA to take action. | | |
| Wool Fiberglass Manufacturing NESHAP 40 CFR Part 63 Subpart NNN | 12/20/11 | Extension of Comment Period | The EPA published in the Federal Register on November 25, 2011, the proposed rules, "National Emission Standards for Hazardous Air Pollutants: Mineral Wool Production and Wool Fiberglass Manufacturing." The EPA was asked to hold a public hearing only on the wool fiberglass rule. Therefore, EPA is making two announcements: first, a public hearing for the proposed Wool Fiberglass Manufacturing rule will be held on January 4, 2012 in Kansas City Kansas, and second, the comment period for the Wool Fiberglass Manufacturing proposed rules will be extended until February 3, 2012. | | NDEQ Air Toxics Notebook Page |
| Substitutes for Hydrocarbon Refrigerants Protection of Stratospheric Ozone 40 CFR Part 82 | 12/20/11 | Final Rule | This action lists isobutane (R-600a) and R-441A as acceptable, subject to use conditions, as substitutes for chlorofluorocarbon (CFC)-12 and hydrochlorofluorocarbon (HCFC)-22 in household refrigerators, freezers, and combination refrigerators and freezers. This action also lists propane (R-290) as acceptable, subject to use conditions, as a substitute for CFC-12, HCFC-22, and R-502 in retail food refrigerators and freezers (stand-alone units only). | | EPA's Stratospheric Protection Division |
| Extension of Exemption Protection of Stratospheric Ozone 40 CFR Part 82 | 12/15/11 | Final Rule | EPA is extending the laboratory and analytical use exemption for the production and import of Class I ozone-depleting substances through December 31, 2014. This action is taken under the Clean Air Act consistent with the recent actions by the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer. The exemption allows the production and import of controlled substances in the United States for laboratory and analytical uses that have not been already identified by EPA as nonessential. | | EPA's Stratospheric Protection Division |

Federal Regulatory Air Actions 2011

| NESHAP = National Emission Standards for Hazardous Air Pollutants NSPS = New Source Performance Standards NSR = New Source Review PSD = Prevention of Significant Deterioration NAAQS = National Ambient Air Quality Standards | | | | | |
|---|----------------|-------------------------------------|--|-------------------------|---|
| ** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments | | | | | |
| Subject, Rule, Part, & Subpart | Date of Action | Type of Action & Link to Document** | Summary of Action | Additional Info/Actions | Additional Links |
| Ozone Nonattainment Designation Consent Decree NAAQS 40 CFR Part 50 | 12/12/11 | Notice | Notice is hereby given of a proposed consent decree to address a lawsuit filed by Sierra Club in the United States District Court for the District of Columbia: Sierra Club v. Jackson, No. 1:11-cv-00035-GK (D. D.C.). On June 3, 2011, Plaintiffs filed a complaint alleging that EPA failed to promulgate Federal Implementation Plans ("FIPs") as mandated by section 110(c)(1)(A) of the CAA, for a number of areas designated as nonattainment for the 1997 8-hour ozone National Ambient Air Quality Standards ("NAAQS"). The complaint also alleged that EPA failed to perform a duty mandated by section 110(k)(2) of the CAA, to take final action by approving in full, disapproving in full, or approving in part and disapproving in part certain State Implementation Plan (SIP) submittals for the 1997 8-hour ozone NAAQS from the States of Maine, Missouri and Illinois. The proposed consent decree establishes deadlines for EPA to take action. | | |
| Lead NAAQS Review NAAQS 40 CFR Part 50 | 12/9/11 | Notice | The EPA is making available to the public the final document, Integrated Review Plan for the National Ambient Air Quality Standards for Lead. This document contains the plans for the review of the air quality criteria and national ambient air quality standards (NAAQS) for lead (Pb). The Pb NAAQS provide for the protection of public health and the environment from Pb emitted to ambient air. | | Integrated Review Plan for the NAAQS for Lead |
| Primary Aluminum Reduction Plants NESHAP 40 CFR Part 63 Subpart LL | 12/6/11 | Proposed Rule | The EPA is proposing amendments to the national emissions standards for hazardous air pollutants for Primary Aluminum Reduction Plants. If finalized, these proposed amendments would address previously unregulated emissions (i.e., carbonyl sulfide (COS) emissions from new and existing potlines and polycyclic organic matter (POM) emissions from new and existing prebake potlines and existing pitch storage tanks); remove the vertical stud Soderberg one (VSS1) potline subcategory; reduce the MACT limits for POM emissions from horizontal stud Soderberg (HSS) and VSS2 potlines; eliminate the startup, shutdown and malfunction exemption; add provisions for facilities to avail themselves of an affirmative defense in the event of a malfunction under certain conditions; and make certain technical and editorial changes. | | NDEQ Air Toxics Notebook Page |

Federal Regulatory Air Actions 2011

| NESHAP = National Emission Standards for Hazardous Air Pollutants NSPS = New Source Performance Standards NSR = New Source Review PSD = Prevention of Significant Deterioration NAAQS = National Ambient Air Quality Standards | | | | | |
|---|----------------|-------------------------------------|--|-------------------------|---|
| ** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments | | | | | |
| Subject, Rule, Part, & Subpart | Date of Action | Type of Action & Link to Document** | Summary of Action | Additional Info/Actions | Additional Links |
| Regional Haze Proposed Consent Decree Approval & Promulgation of Implementation Plans 40 CFR Part 52 | 12/2/11 | Notice | EPA provided notice of a proposed consent decree to address a lawsuit filed by National Parks Conservation Association, Montana Environmental Information Center, Grand Canyon Trust, San Juan Citizens Alliance, Our Children's Earth Foundation, Plains Justice, Powder River Basin Resource Council, Sierra Club, and Environmental Defense Fund (collectively "Plaintiffs") in the United States District Court for the District of Columbia: National Parks Conservation Association, et al. v. Jackson, No. 1:11-cv-1548 (D.D.C.). Plaintiffs filed a complaint alleging that EPA failed to promulgate regional haze federal implementation plans (FIPs) or approve regional haze state implementation plans (SIPs) for 34 states, as required by section 110(c) of the CAA. The complaint further alleges that EPA has also failed to act on ten regional haze SIPs submissions, as required by section 110(k) of the CAA. The proposed consent decree establishes proposed and final promulgation deadlines for EPA for meeting these obligations. | | EPA's Regional Haze Program Website |
| Greenhouse Gas Reporting Rule Administrative Practice & Procedure 40 CFR Part 98 | 11/29/11 | Final Rule | The EPA is amending specific provisions in the Mandatory Reporting of Greenhouse Gases Rule to correct certain technical and editorial errors that have been identified since promulgation and to clarify certain provisions that have been the subject of questions from reporters. These final changes include additional information to clarify compliance obligations, correct data reporting elements so they more closely conform to the information used to perform calculations, and make other corrections and amendments. In addition, these final amendments allow a limited, one-time six month extension of the 2012 reporting deadline for facilities and suppliers that contain one or more source categories for which data collection began in 2011. | | EPA's Greenhouse Gas Website |
| Draft Integrated Science Assessment for Ozone NAAQS 40 CFR Part 50 | 11/28/11 | Notice | EPA is announcing an extension of the public comment period for the second external review draft of a document titled, "Second External Review Draft Integrated Science Assessment for Ozone and Related Photochemical Oxidants" (EPA/600/R-10/076B). The original Federal Register notice announcing the public comment period was published on September 30, 2011 (76 FR 60820). This assessment document was developed by the National Center for Environmental Assessment (NCEA) within EPA's Office of Research and Development as part of the review of the national ambient air quality standards (NAAQS) for ozone. | | EPA's Ground Level Ozone Website |

Federal Regulatory Air Actions 2011

| NESHAP = National Emission Standards for Hazardous Air Pollutants NSPS = New Source Performance Standards NSR = New Source Review PSD = Prevention of Significant Deterioration NAAQS = National Ambient Air Quality Standards | | | | | |
|---|----------------|-------------------------------------|---|--|---|
| ** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments | | | | | |
| Subject, Rule, Part, & Subpart | Date of Action | Type of Action & Link to Document** | Summary of Action | Additional Info/Actions | Additional Links |
| Mineral Wool Production & Wool Fiberglass Manufacturing NESHAP 40 CFR Part 63 Subpart DDD | 11/25/11 | Proposed Rule | The EPA is proposing amendments to the national emissions standards for hazardous air pollutants for Mineral Wool Production and Wool Fiberglass Manufacturing to address the results of the residual risk and technology review that the EPA is required to conduct by the Clean Air Act. The proposed Mineral Wool Production amendments include emissions limits for carbonyl sulfide, hydrogen fluoride and hydrochloric acid for cupolas; add combined collection and curing processes as new regulated sources; and include emissions limits for formaldehyde, phenol and methanol for combined collection and curing operations. Modifications to the testing and monitoring and related notification, recordkeeping and reporting requirements are also proposed. | | NDEQ Air Toxics Notebook Page |
| Ferroalloys Production NESHAP 40 CFR Part 63 Subpart XXX | 11/23/11 | Proposed Rule | The EPA is proposing amendments to the national emissions standards for hazardous air pollutants for Ferroalloys Production to address the results of the residual risk and technology review that the EPA is required to conduct under the Clean Air Act. These proposed amendments include revisions to particulate matter standards for electric arc furnaces, metal oxygen refining processes, and crushing and screening operations. The amendments also add emission limits for hydrochloric acid, mercury, polycyclic aromatic hydrocarbons, and formaldehyde from electric arc furnaces. Furthermore, the amendments expand and revise the requirements to control fugitive emissions from furnace operations and casting. Other proposed requirements related to testing, monitoring, notification, recordkeeping, and reporting are included. We are also proposing to revise provisions addressing periods of startup, shutdown, and malfunction to ensure that the rules are consistent with a recent court decision. | 12/29/11 - Extension of Comment Period | NDEQ Air Toxics Notebook Page |
| Designations for 2008 Lead NAAQS NAAQS Designations 40 CFR Part 81 | 11/22/11 | Final Rule | This rule establishes air quality designations for most areas in the United States for the 2008 lead (Pb) National Ambient Air Quality Standards (NAAQS). In a previous action established on November 16, 2010, the EPA designated as "nonattainment" 16 areas as violating the 2008 Pb NAAQS based on data from the pre-2010 monitoring network. For all other areas, the EPA deferred action so that data from newly deployed monitors could be considered in making appropriate designation decisions. In this action, the EPA is designating all remaining areas of the United States, including Indian country. The Clean Air Act (CAA) requires areas designated nonattainment by this rule to undertake certain planning and pollution control activities to attain the standards as quickly as reasonably possible. | Correction | EPA's Lead NAAQS Website |

Federal Regulatory Air Actions 2011

| NESHAP = National Emission Standards for Hazardous Air Pollutants NSPS = New Source Performance Standards NSR = New Source Review PSD = Prevention of Significant Deterioration NAAQS = National Ambient Air Quality Standards | | | | | |
|---|----------------|---|---|--|--|
| ** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments | | | | | |
| Subject, Rule, Part, & Subpart | Date of Action | Type of Action & Link to Document** | Summary of Action | Additional Info/Actions | Additional Links |
| Shipbuilding & Ship Repair; Wood Furniture Manufacturing NESHAP 40 CFR Part 63 Subpart II & JJ | 11/21/11 | Final Rule | This action finalizes the residual risk and technology review conducted for two industrial source categories regulated by separate national emission standards for hazardous air pollutants. The two national emission standards for hazardous air pollutants are: National Emissions Standards for Shipbuilding and Ship Repair (Surface Coating) and National Emissions Standards for Wood Furniture Manufacturing Operations. This action also finalizes revisions to the regulatory provisions related to emissions during periods of startup, shutdown and malfunction. | NDEQ Air Toxics Notebook Page (Shipbuilding & Ship Repair) | NDEQ Air Toxics Notebook Page (Wood Furniture Manufacturing) |
| Acid Rain Program Excess Emissions 40 CFR Part 77 | 11/18/11 | Notice | The Acid Rain Program under title IV of the Clean Air Act provides for automatic excess emissions penalties in dollars per ton of excess emissions for sources that do not meet their annual Acid Rain emissions limitations. This notice states the dollars per ton excess emissions penalty amounts, which must be adjusted for each compliance year commensurate with changes in the Consumer Price Index (CPI), for compliance years 2011 and 2012. | | EPA's Acid Rain Program Website |
| Primary Lead Processing NESHAP 40 CFR Part 63 Subpart TTT | 11/15/11 | Final Rule | This action finalizes the residual risk and technology review conducted for the Primary Lead Processing source category regulated under national emission standards for hazardous air pollutants (NESHAP). This action finalizes amendments to the NESHAP that include revision of the rule's title and applicability provision, revisions to the stack emission limits for lead, work practice standards to minimize fugitive dust emissions, and the modification and addition of testing and monitoring and related notification, recordkeeping, and reporting requirements. It also finalizes revisions to the regulatory provisions related to emissions during periods of startup, shutdown, and malfunction and makes minor non-substantive changes to the rule. | | NDEQ Air Toxics Notebook Page |
| Reciprocating Internal Combustion Engines (RICE) NESHAP 40 CFR Part 63 Subpart ZZZZ | 11/2/11 | Notice of Proposed Settlement Agreement | A settlement agreement has been proposed to address a lawsuit filed by the Engine Manufacturers Association, in the United States Court of Appeals for the District of Columbia Circuit. Petitioners filed a petition for review of an EPA rule that revised the National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines (the RICE NESHAP). Under the terms of the proposed settlement agreement, EPA anticipates that, by June 15, 2012, the Agency will sign a notice of proposed rulemaking that includes a proposal to revise the RICE NESHAP to allow owners and operators of spark-ignition 4-stroke rich burn engines that meet an emission standard requiring a 76 percent or greater reduction of the pollutant formaldehyde, to prove compliance with the standard based on approved testing that shows at least a thirty percent reduction in total hydrocarbons and that, by March 14, 2013, the Administrator of EPA will sign a final action on this proposal, which may include signature of a final rule by the Administrator. | | NDEQ Air Toxics Notebook Page |

Federal Regulatory Air Actions 2011

| NESHAP = National Emission Standards for Hazardous Air Pollutants NSPS = New Source Performance Standards NSR = New Source Review PSD = Prevention of Significant Deterioration NAAQS = National Ambient Air Quality Standards | | | | | |
|---|----------------|--|--|-------------------------|---|
| ** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments | | | | | |
| Subject, Rule, Part, & Subpart | Date of Action | Type of Action & Link to Document** | Summary of Action | Additional Info/Actions | Additional Links |
| New Source Performance Standards (NSPS) Review NSPS 40 CFR Part 60 | 10/24/11 | Advanced Notice of Proposed Rulemaking | The purpose of this advanced notice of proposed rulemaking (ANPRM) is to request public comment on a proposed approach the EPA has developed to carry out the statutorily required periodic evaluation of the new source performance standards (NSPS) program. By demonstrating the continued efficacy of the standards, the EPA will be able to fulfill its statutory requirement to review, and, if necessary, revise NSPS at a minimum of every 8 years. The EPA is seeking comment on the overall approach to managing the NSPS program, in particular the criteria used to determine that no review is needed for a subset of NSPS. | | |
| Gasoline; Alternative Test Method for Olefins Regulation of Fuels and Fuel Additives 40 CFR Part 80 | 10/21/11 | Final Rule | The Environmental Protection Agency (EPA) is finalizing a rule to allow refiners and laboratories to use an alternative test method for olefin content in gasoline. This final rule will provide flexibility to the regulated community by allowing an additional test method for compliance measurement while maintaining environmental benefits achieved from our fuels programs. | | EPA's RFS Website |
| Methyl Bromide; Phaseout of Critical Use Exemption Protection of Stratospheric Ozone 40 CFR Part 82 | 10/20/11 | Proposed Rule | EPA is proposing uses that qualify for the 2012 critical use exemption and the amount of methyl bromide that may be produced, imported, or supplied from existing pre-phaseout inventory for those uses in 2012. EPA is taking action under the authority of the Clean Air Act to reflect a recent consensus decision taken by the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer at the Twenty-Second Meeting of the Parties. EPA is seeking comment on the list of critical uses and on EPA's determination of the amounts of methyl bromide needed to satisfy those uses. | | EPA's Stratospheric Protection Division |
| Greenhouse Gas Reporting Rule Public Information 40 CFR Part 2 | 10/17/11 | Proposed Rule | The EPA is proposing to correct an erroneous reference in EPA's procedures for handling data collected under the Mandatory Greenhouse Gas Reporting Rule, which are provided in the Special Rules Governing Certain Information Obtained under the Clean Air Act. The proposed correction would not change any requirements for entities regulated under the Mandatory Greenhouse Gas Reporting Rule or the final confidentiality determinations EPA has made for such data. In the "Rules and Regulations" section of this Federal Register, we are making this correction as a direct final rule without a prior proposed rule. If no adverse comment is received, no further action will be taken on the proposed rule. | | |

Federal Regulatory Air Actions 2011

| NESHAP = National Emission Standards for Hazardous Air Pollutants NSPS = New Source Performance Standards NSR = New Source Review PSD = Prevention of Significant Deterioration NAAQS = National Ambient Air Quality Standards | | | | | |
|---|----------------|--|---|-------------------------|--|
| ** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments | | | | | |
| Subject, Rule, Part, & Subpart | Date of Action | Type of Action & Link to Document** | Summary of Action | Additional Info/Actions | Additional Links |
| Volatile Organic Compound; Definition State Implementation Plans 40 CFR Part 51 | 10/17/11 | Proposed Rule | The EPA is proposing to revise the agency's definition of volatile organic compounds (VOCs) for purposes of preparing state implementation plans (SIPs) to attain the national ambient air quality standards (NAAQS) for ozone under Title I of the Clean Air Act (CAA). This proposed revision would add 2,3,3,3-tetrafluoropropene (also known as HFO-1234yf) and trans-1,3,3,3-tetrafluoropropene (also known as HFO-1234ze) to the list of compounds excluded from the definition of VOC on the basis that these compounds make a negligible contribution to tropospheric ozone formation. | | |
| Nitric Acid Plants NSPS 40 CFR Part 60 Subpart Ga | 10/14/11 | Proposed Rule | The EPA is proposing revisions to the new source performance standards (NSPS) for nitric acid plants. Nitric acid plants include one or more nitric acid production units. These proposed revisions include a change to the nitrogen oxides (NOX) emission limit, which applies to each nitric acid production unit commencing construction, modification, or reconstruction after October 14, 2011. These proposed revisions will also include additional testing and monitoring requirements. | | NDEQ NSPS Notebook Page |
| CSAPR (Transport Rule) Implementation Plans & Interstate Transport Rule 40 CFR Part 52 & 97 | 10/14/11 | Proposed Rule | EPA is proposing or seeking comment on revisions to the final Transport Rule promulgated on August 8, 2011. These revisions address discrepancies in unit-specific modeling assumptions that affect the proper calculation of Transport Rule state budgets and assurance levels in Florida, Louisiana, Michigan, Mississippi, Nebraska, New Jersey, New York, Texas, and Wisconsin, as well as new unit set-asides in Arkansas and Texas. EPA is also proposing to amend the assurance penalty provisions of the rule to make them effective beginning January 1, 2014, rather than in 2012, in order to promote the development of allowance market liquidity as these revisions are finalized. In addition, the EPA is proposing to correct typographical errors in the rule. | | EPA's Cross-State Air Pollution Rule (CSAPR) Website |
| CSAPR (Transport Rule) Implementation Plans & Interstate Transport Rule 40 CFR Part 52 & 97 | 10/12/11 | Notice of Public Hearing | EPA is announcing that a public hearing will be held on October 28, 2011, for the proposed rule, "Revisions to the Federal Implementation Plans to Reduce Interstate Transport of Fine Particulate Matter and Ozone", which was signed on October 6, 2011 and posted on EPA's website on October 6, 2011. The hearing will be held, as provided in this notice and in the proposed rule, if requested, and will take place in Washington, DC. | | EPA's Cross-State Air Pollution Rule (CSAPR) Website |

Federal Regulatory Air Actions 2011

| NESHAP = National Emission Standards for Hazardous Air Pollutants NSPS = New Source Performance Standards NSR = New Source Review PSD = Prevention of Significant Deterioration NAAQS = National Ambient Air Quality Standards | | | | | |
|---|----------------|-------------------------------------|---|-------------------------|---|
| ** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments | | | | | |
| Subject, Rule, Part, & Subpart | Date of Action | Type of Action & Link to Document** | Summary of Action | Additional Info/Actions | Additional Links |
| Ozone-Depleting Substances; Significant New Alternatives Acceptability Protection of Stratospheric Ozone 40 CFR Part 82 | 10/4/11 | Notice | This Determination of Acceptability expands the list of acceptable substitutes for ozone-depleting substances under the U.S. Environmental Protection Agency's (EPA) Significant New Alternatives Policy (SNAP) program. The determinations concern new substitutes for use in the refrigeration and air conditioning, solvent cleaning and fire suppression sectors. | | EPA's Stratospheric Protection Division |
| Biogenic Carbon Emissions Administrative Practice & Procedure 40 CFR Part 98 | 10/3/11 | Notice | The Environmental Protection Agency (EPA or Agency) Science Advisory Board (SAB) Staff Office announces a public face-to-face meeting of the SAB Biogenic Carbon Emissions Panel to review EPA's draft Accounting Framework for Biogenic CO2 Emissions from Stationary Sources (September 2011). | | EPA's Greenhouse Gas Website |
| Ozone & Related Photochemical Oxidants Draft ISA NAAQS 40 CFR Part 50 | 9/30/11 | Notice | The EPA is announcing the availability of the "Second External Review Draft Integrated Science Assessment for Ozone and Related Photochemical Oxidants" (EPA/600/R-10/076B). The document was prepared by the National Center for Environmental Assessment (NCEA) within EPA's Office of Research and Development as part of the review of the national ambient air quality standards (NAAQS) for ozone. EPA is releasing this draft document to seek review by the Clean Air Scientific Advisory Committee (CASAC) and the public (meeting date and location to be specified in a separate Federal Register notice). EPA will consider any public comments submitted in response to this notice when revising the document. | | EPA's Ground-Level Ozone Website |
| Methyl Bromide; Phaseout of Critical Use Exemption Protection of Stratospheric Ozone 40 CFR Part 82 | 9/30/11 | Final Rule | EPA is finalizing uses that qualify for the 2011 critical use exemption and the amount of methyl bromide that may be produced, imported, or supplied from existing pre-phaseout inventory for those uses in 2011. EPA is taking this action under the authority of the Clean Air Act to reflect a recent consensus decision taken by the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer at the Twenty-First Meeting of the Parties. | | EPA's Stratospheric Protection Division |
| NOx & SOx; Secondary NAAQS NAAQS 40 CFR Part 50 | 9/27/11 | Notice | The EPA is announcing the extension of the public comment period for the Secondary National Ambient Air Quality Standards for Oxides of Nitrogen and Sulfur to October 10, 2011. | | EPA's NOx/SOx Secondary NAAQS Website |

Federal Regulatory Air Actions 2011

| NESHAP = National Emission Standards for Hazardous Air Pollutants NSPS = New Source Performance Standards NSR = New Source Review PSD = Prevention of Significant Deterioration NAAQS = National Ambient Air Quality Standards | | | | | |
|---|----------------|--|--|-------------------------|--|
| ** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments | | | | | |
| Subject, Rule, Part, & Subpart | Date of Action | Type of Action & Link to Document** | Summary of Action | Additional Info/Actions | Additional Links |
| Greenhouse Gas Reporting Rule Administrative Practice & Procedure 40 CFR Part 98 | 9/27/11 | Final Rule | EPA is finalizing amendments to certain provisions related to the use of best available monitoring methods for the Petroleum and Natural Gas Systems source category of the Greenhouse Gas Reporting Rule. Specifically, EPA is extending the time period during which owners and operators of facilities would be permitted to use best available monitoring methods in 2011, without submitting a request to the Administrator for approval. EPA is also expanding the list of types of emissions sources for which owners and operators are not required to submit a request to the Administrator to use best available monitoring methods during 2011 and extending the deadline by which owners and operators of facilities can request use of best available monitoring methods for beyond 2011. | | EPA's Greenhouse Gas Website |
| Greenhouse Gas Reporting Rule Administrative Practice & Procedure 40 CFR Part 98 | 9/27/11 | Final Rule | EPA is issuing a regulation to amend the calculation and monitoring provisions in the Electronics Manufacturing portion of the Greenhouse Gas Reporting Rule for the "largest" semiconductor manufacturing facilities (i.e., those that fabricate devices on wafers measuring 300 millimeters or less in diameter and that have an annual manufacturing capacity of greater than 10,500 square meters). More specifically, for reporting years 2011, 2012, and 2013, these amendments allow the largest semiconductor facilities the option to calculate emissions using default emission factors already contained in the regulations. In addition, this action extends two deadlines in the provisions related to the use of best available monitoring methods. | | EPA's Greenhouse Gas Website |
| Lead NAAQS Review NAAQS 40 CFR Part 50 | 9/21/11 | Notice of Availability | On June 28, 2011, the EPA made available for public review the Review of the National Ambient Air Quality Standards for Lead: Risk and Exposure Assessment Planning Document (REA Planning Document). This document considers the extent to which information and conclusions presented in the first external review draft of the Integrated Science Assessment (ISA) for this review (Lead Integrated Science Assessment (First External Review Draft) (First Draft ISA) provides support for the development of quantitative assessments of risk and exposure for health and/or welfare effects in this review of the national ambient air quality standards (NAAQS) for lead (Pb). | | EPA's Lead NAAQS Website |

Federal Regulatory Air Actions 2011

| NESHAP = National Emission Standards for Hazardous Air Pollutants NSPS = New Source Performance Standards NSR = New Source Review PSD = Prevention of Significant Deterioration NAAQS = National Ambient Air Quality Standards | | | | | |
|---|----------------|--|---|--|--|
| ** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments | | | | | |
| Subject, Rule, Part, & Subpart | Date of Action | Type of Action & Link to Document** | Summary of Action | Additional Info/Actions | Additional Links |
| Plating & Polishing; Area Sources NESHAP 40 CFR Part 63 Subpart WWWWWW | 9/19/11 | Final Rule & Withdrawal of Direct Final Rule | On June 12, 2008, the EPA issued national emission standards for hazardous air pollutants (NESHAP) for the plating and polishing area source category under section 112 of the Clean Air Act (CAA). On June 20, 2011, the EPA proposed amendments to clarify that the emission control requirements of the plating and polishing area source NESHAP did not apply to any bench-scale activities. The amendments also made several technical corrections and clarifications that are not significant changes in the rule's requirements. In addition, on June 20, 2011, the EPA issued a direct final rule amending the area source standards for plating and polishing area sources. Since we received an adverse comment, we are withdrawing the direct final rule today simultaneously with this final rule. | | NDEQ Air Toxics Notebook Page |
| Fuel Efficiency Standards Mobile Sources 40 CFR Part 85, 86, 600, 1033, 1036, 1037, 1039, 1065, 1066, & 1068 | 9/15/11 | Final Rule | NHTSA's final fuel consumption standards and EPA's final carbon dioxide (CO ₂) emissions standards are tailored to each of three regulatory categories of heavy-duty vehicles: Combination Tractors; Heavy-duty Pickup Trucks and Vans; and Vocational Vehicles. The rules include separate standards for the engines that power combination tractors and vocational vehicles. Certain rules are exclusive to the EPA program. These include EPA's final hydrofluorocarbon standards to control leakage from air conditioning systems in combination tractors, and pickup trucks and vans. These also include EPA's final nitrous oxide (N ₂ O) and methane (CH ₄) emissions standards that apply to all heavy-duty engines, pickup trucks and vans. EPA's final greenhouse gas emission standards under the Clean Air Act will begin with model year 2014. EPA is also finalizing provisions allowing light-duty vehicle manufacturers to use CO ₂ credits to meet the light-duty vehicle N ₂ O and CH ₄ standards, technical amendments to the fuel economy provisions for light-duty vehicles, and a technical amendment to the criteria pollutant emissions requirements for certain switch locomotives. | | EPA's Transportation and Climate Website |
| Greenhouse Gas Reporting Rule Mandatory Greenhouse Gas Reporting 40 CFR Part 98 | 9/9/11 | Proposed Rule | This action proposes technical revisions to the electronics manufacturing and the petroleum and natural gas systems source categories of the greenhouse gas reporting rule. Proposed changes include providing clarification on existing requirements, increasing flexibility for certain calculation methods, amending data reporting requirements clarifying terms and definitions, and technical corrections. In addition, the Environmental Protection Agency is proposing to amend the definition of heat transfer fluids in subpart I to include more fluorocarbons used as heat transfer fluids in the electronics manufacturing industry. | Extension of Public Comment Period to October 24, 2011 | EPA's Greenhouse Gas Website |

Federal Regulatory Air Actions 2011

| NESHAP = National Emission Standards for Hazardous Air Pollutants NSPS = New Source Performance Standards NSR = New Source Review PSD = Prevention of Significant Deterioration NAAQS = National Ambient Air Quality Standards | | | | | |
|---|----------------|-------------------------------------|--|-------------------------|--|
| ** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments | | | | | |
| Subject, Rule, Part, & Subpart | Date of Action | Type of Action & Link to Document** | Summary of Action | Additional Info/Actions | Additional Links |
| CSAPR (Transport Rule) NSR, PSD, Title V, & CSAPR 40 CFR Part 51, 52, 72, 78, & 97 | 8/8/11 | Final Rule | EPA is limiting the interstate transport of emissions of nitrogen oxides (NOX) and sulfur dioxide (SO2) that contribute to harmful levels of fine particle matter (PM2.5) and ozone in downwind states. EPA is identifying emissions within 27 states in the eastern United States that significantly affect the ability of downwind states to attain and maintain compliance with the 1997 and 2006 fine particulate matter national ambient air quality standards (NAAQS) and the 1997 ozone NAAQS. Also, EPA is limiting these emissions through Federal Implementation Plans (FIPs) that regulate electric generating units (EGUs) in the 27 states. EPA is modifying its prior approvals of certain SIP submissions to rescind any statements that the submissions satisfy the interstate transport requirements of the CAA. EPA is also issuing a supplemental proposal to request comment on its conclusion that six additional states significantly affect downwind states' ability to attain and maintain compliance with the 1997 ozone NAAQS. | | EPA's Cross-State Air Pollution Rule (CSAPR) Website |
| HCFC Production, Import, & Export Protection of Stratospheric Ozone 40 CFR Part 82 | 8/5/11 | Interim Rule | EPA is adjusting the allowance system controlling U.S. consumption and production of hydrochlorofluorocarbons (HCFCs) as a result of a recent court decision vacating a portion of the rule titled "Protection of Stratospheric Ozone: Adjustments to the Allowance System for Controlling HCFC Production, Import, and Export; Final Rule." | | EPA's Stratospheric Protection Division |
| Greenhouse Gas Reporting Rule Administrative Practice & Procedure 40 CFR Part 98 | 8/4/11 | Proposed Rule | EPA is proposing to amend specific provisions in the Mandatory Reporting of Greenhouse Gases Rule to correct certain technical and editorial errors that have been identified since promulgation and to clarify or propose amendments to certain provisions that have been the subject of questions from reporting entities. These proposed changes include additional information to clarify compliance obligations, correct data reporting elements so they more closely conform to the information used to perform emission calculations, and make other corrections and amendments. EPA has received petitions for reconsideration on some of these subparts. EPA is still considering these petitions, and the issues raised in the petitions are not discussed or addressed in this action. | | EPA's Greenhouse Gas Website |

Federal Regulatory Air Actions 2011

| NESHAP = National Emission Standards for Hazardous Air Pollutants NSPS = New Source Performance Standards NSR = New Source Review PSD = Prevention of Significant Deterioration NAAQS = National Ambient Air Quality Standards | | | | | |
|---|----------------|-------------------------------------|--|--|---|
| ** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments | | | | | |
| Subject, Rule, Part, & Subpart | Date of Action | Type of Action & Link to Document** | Summary of Action | Additional Info/Actions | Additional Links |
| NOx & SOx; Secondary NAAQS NAAQS 40 CFR Part 50 | 8/1/11 | Proposed Rule | Based on its review, EPA proposes to retain the current nitrogen dioxide (NO ₂) and sulfur dioxide (SO ₂) secondary standards. Additionally, with regard to protection from the deposition of oxides of nitrogen and sulfur to sensitive aquatic and terrestrial ecosystems, including acidification and nutrient enrichment effects, EPA is proposing to add secondary standards identical to the NO ₂ and SO ₂ primary 1-hour standards and not set a new multi-pollutant secondary standard in this review. The proposed 1-hour secondary NO ₂ standard would be set at a level of 100 ppb and the proposed 1-hour secondary SO ₂ standard would be set at 75 ppb. In addition, EPA has decided to undertake a field pilot program to gather and analyze additional relevant data so as to enhance the Agency's understanding of the degree of protectiveness that a new multi-pollutant approach would afford and to support development of an appropriate monitoring network for such a standard. The EPA solicits comment on the framework of such a standard and on the design of the field pilot program. The EPA will sign a notice of final rulemaking for this review no later than March 20, 2012. | Notice of Public Hearing: Arlington, Virginia: August 25, 2011 | EPA's NOx/SOx Secondary NAAQS Website |
| Aircraft & Aircraft Engine Pollution Control Aircraft and Aircraft Engines Pollution 40 CFR Part 87 & 1068 | 7/27/11 | Proposed Rule | This action proposes several regulatory requirements for aircraft turbofan or turbojet engines with rated thrusts greater than 26.7 kilonewtons (kN). We also are proposing to clarify when the emission characteristics of a new turbofan or turbojet engine model have become different enough from its existing parent engine design that it must conform to the most current emission standards. We are proposing a new reporting requirement for manufacturers of gas turbine engines that are subject to any exhaust emission standard to provide us with timely and consistent emission-related information. Finally, we are proposing amendments to aircraft engine test and emissions measurement procedures. | | |
| Vehicle & Engine Misfueling Regulation of Fuels and Fuel Additives 40 CFR Part 80 | 7/25/11 | Final Rule | EPA granted waivers that allow gasoline containing greater than 10 vol% ethanol up to 15 vol% ethanol (E15) to be used in MY 2001 and newer light-duty motor vehicles. This rule prohibits the use of gasoline containing more than 10 vol% ethanol in vehicles, engines and equipment not covered by the partial waiver decisions, all E15 gasoline fuel dispensers must have a label when a retail station or wholesale-purchaser consumer chooses to sell E15, product transfer documents (PTDs) specifying ethanol content and Reid Vapor Pressure (RVP) accompany the transfer of gasoline blended with ethanol, and a survey of retail stations to ensure compliance with E15 labeling, ethanol content and other requirements, modifies the Reformulated Gasoline (RFG) program to allow fuel manufacturers to certify batches of E15, and denies a petition for rulemaking to require retail stations to offer for sale gasoline containing 10 vol% ethanol or less. | | EPA's RFS Website |

Federal Regulatory Air Actions 2011

| NESHAP = National Emission Standards for Hazardous Air Pollutants NSPS = New Source Performance Standards NSR = New Source Review PSD = Prevention of Significant Deterioration NAAQs = National Ambient Air Quality Standards | | | | | |
|---|----------------|--|--|-------------------------|--|
| ** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments | | | | | |
| Subject, Rule, Part, & Subpart | Date of Action | Type of Action & Link to Document** | Summary of Action | Additional Info/Actions | Additional Links |
| Bioenergy & Other Biogenic Sources; Carbon Monoxide Emissions NSR, PSD, & Title V 40 CFR Part 51, 52, 70, & 71 | 7/20/11 | Final Rule | This action defers for a period of three (3) years the application of the Prevention of Significant Deterioration (PSD) and Title V permitting requirements to biogenic carbon dioxide (CO2) emissions from bioenergy and other biogenic stationary sources. This action is being taken as part of the process of granting the Petition for Reconsideration filed by the National Alliance of Forest Owners (NAFO) on August 3, 2010, related to the PSD and Title V Greenhouse Gas Tailoring Rule. The result of this action is that during this three year period biogenic CO2 emissions are not required to be counted for applicability purposes under the PSD and Title V permitting programs. State, local, and tribal permitting authorities may adopt the deferral at their option but the deferral is effective upon publication for the PSD and Title V permit programs that are implemented by EPA. | | |
| CSAPR (Transport Rule) NOX & SO2 Trading Programs 40 CFR Part 97 | 7/18/11 | Notification of Data Availability (NODA) | In the Transport Rule Federal Implementation Plans (FIPs), EPA finalized allowance allocations for 2012 and thereafter to existing units subject to the Transport Rule FIP trading programs in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, West Virginia, and Wisconsin. As required in the Transport Rule, this NODA notifies the public of the availability of data on these allowance allocations for existing units. Through this NODA, EPA is also making available to the public the data upon which the allocations were based. | | EPA's Cross-State Air Pollution Rule (CSAPR) Website |
| Petroleum Refineries OMB Approvals & NESHAP 40 CFR Part 9 & 63 Subpart CC | 7/18/11 | Final Rule: Partial Withdrawal | On October 28, 2009, the EPA proposed to withdraw the residual risk and technology review portions of the final rule amending the National Emission Standards for Hazardous Air Pollutants From Petroleum Refineries. EPA is now providing final notice of the partial withdrawal. | | NDEQ Air Toxics Notebook Page |
| Ozone-Depleting Substances Exemption Protection of Stratospheric Ozone 40 CFR Part 82 | 7/15/11 | Proposed Rule | EPA is proposing to extend the global laboratory and analytical use exemption for the production and import of Class I ozone-depleting substances through December 31, 2014, consistent with the recent actions by the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer. The exemption allows persons in the United States to produce and import controlled substances for laboratory and analytical uses that have not been already identified by EPA as nonessential. EPA is also seeking comment on adding to the list of procedures that are excluded from the exemption uses that are noted in Decision XXI/6 (from the 21 st Meeting of the Parties [MOP] to the Montreal Protocol). EPA is not proposing to add these procedures at this time. | | EPA's Stratospheric Protection Division |

Federal Regulatory Air Actions 2011

| NESHAP = National Emission Standards for Hazardous Air Pollutants NSPS = New Source Performance Standards NSR = New Source Review PSD = Prevention of Significant Deterioration NAAQS = National Ambient Air Quality Standards | | | | | |
|---|----------------|--|---|-------------------------|---|
| ** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments | | | | | |
| Subject, Rule, Part, & Subpart | Date of Action | Type of Action & Link to Document** | Summary of Action | Additional Info/Actions | Additional Links |
| Onboard Refueling Vapor Recovery and Stage II Waiver NSR 40 CFR Part 51 | 7/15/11 | Proposed Rule | The EPA is proposing criteria for determining whether onboard refueling vapor recovery (ORVR) is in widespread use for purposes of controlling motor vehicle refueling emissions throughout the motor vehicle fleet. The EPA is also proposing to determine the date at which such widespread use of ORVR will occur. Once the Administrator has determined that widespread use has occurred, the Administrator may waive Clean Air Act (CAA or Act) statutory requirements for states to implement Stage II gasoline vapor recovery systems at gasoline dispensing facilities in areas classified "Serious," "Severe," or "Extreme" for nonattainment of the ozone national ambient air quality standard (NAAQS). Based on the proposed criteria, the EPA is proposing to determine that June 30, 2013, will be the date when "widespread use" will occur and the Stage II waiver will be effective. This rulemaking was identified as an example of examining rules to make sure they are still achieving the environmental benefit that was originally intended. | | EPA's NSR Website |
| Draft Integrated Science Assessment for Lead NAAQS 40 CFR Part 50 | 7/1/11 | Notice of Extension of Public Comment Period | EPA is announcing a two week extension of the public comment period for the first external review draft of a document titled, "First External Review Draft Integrated Science Assessment for Lead" (EPA/600/R-10/075A). The original Federal Register notice announcing the public comment period was published on May 6, 2011 (76 FR 26284). This assessment document was prepared by the National Center for Environmental Assessment (NCEA) within EPA's Office of Research and Development as part of the review of the National Ambient Air Quality Standards (NAAQS) for Lead. | | EPA's Lead NAAQS Website |
| Secondary Lead Smelting NESHAP 40 CFR Part 63 Subpart X | 7/1/11 | Extension of Comment Period | This action amends EPA's Method 301, Field Validation of Pollutant Measurement Methods from Various Waste Media. The revised Method 301 is more flexible, less expensive, and easier to use. This action finalizes amendments to Method 301 after considering comments received on the proposed rule published in the Federal Register on December 22, 2004. | | NDEQ Air Toxics Notebook Page |

Federal Regulatory Air Actions 2011

| NESHAP = National Emission Standards for Hazardous Air Pollutants NSPS = New Source Performance Standards NSR = New Source Review PSD = Prevention of Significant Deterioration NAAQS = National Ambient Air Quality Standards | | | | | |
|--|----------------|---|--|---|---|
| ** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments | | | | | |
| Subject, Rule, Part, & Subpart | Date of Action | Type of Action & Link to Document** | Summary of Action | Additional Info/Actions | Additional Links |
| <p>Proposed National Emission Standards for Hazardous Air Pollutants From Coal- and Oil-Fired Electric Utility Steam Generating Units and Standards of Performance for Fossil-Fuel-Fired Electric Utility, Industrial-Commercial-Institutional, and Small Industrial-Commercial-Institutional Steam Generating Units</p> <p>NSPS & NESHAP</p> <p>40 CFR Part 60 & 63</p> <p>Subpart D, Da, Db, Dc, & UUUUU</p> | 7/1/11 | Extension of Comment Period | <p>The EPA is announcing that the period for providing public comments on the May 3, 2011, Proposed National Emission Standards for Hazardous Air Pollutants from Coal- and Oil-fired Electric Utility Steam Generating Units and Standards of Performance for Fossil-Fuel-Fired Electric Utility, Industrial-Commercial-Institutional, and Small Industrial-Commercial-Institutional Steam Generating Units is being extended for 30 days.</p> | 12/1/11: CFR Correction | EPA's Stratospheric Protection Division |
| <p>Renewable Fuel Standards Program</p> <p>Regulation of Fuels and Fuel Additives</p> <p>40 CFR Part 80</p> | 7/1/11 | Proposed Rule | <p>Under the Clean Air Act Section 211(o), the statute specifies that EPA is to project the volume of cellulosic biofuel production for the upcoming year and must base the cellulosic biofuel standard on that projected volume if it is less than the applicable volume set forth in the Act. EPA proposed a projected cellulosic biofuel volume for 2012 and annual standards for cellulosic biofuel, biomass-based diesel, advanced biofuel, and renewable fuels that would apply to all gasoline and diesel produced or imported in year 2012. In addition, EPA proposed an applicable volume of biomass-based diesel that would apply in 2013. A number of proposed changes to the RFS2 regulations were proposed that are designed to clarify existing provisions and to address several unique circumstances that have come to light since the RFS2 program became effective on July 1, 2010. Finally, the rule also proposed to make a minor amendment to the gasoline benzene regulations regarding inclusion of transferred blendstocks in a refinery's early benzene credit generation calculations.</p> | | EPA's RFS Website |

Federal Regulatory Air Actions 2011

| NESHAP = National Emission Standards for Hazardous Air Pollutants NSPS = New Source Performance Standards NSR = New Source Review PSD = Prevention of Significant Deterioration NAAQS = National Ambient Air Quality Standards | | | | | |
|---|----------------|-------------------------------------|---|-------------------------|--|
| ** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments | | | | | |
| Subject, Rule, Part, & Subpart | Date of Action | Type of Action & Link to Document** | Summary of Action | Additional Info/Actions | Additional Links |
| Review of New Sources and Modifications in Indian Country Tribal Clean Air Act Authority & Review of New Sources and Modifications 40 CFR Part 49 & 51 | 7/1/11 | Final Rule | The EPA is finalizing a Federal Implementation Plan (FIP) under the Clean Air Act (CAA or Act) for Indian country. The FIP includes two New Source Review (NSR) regulations for the protection of air resources in Indian country. The first rule applies to new and modified minor stationary sources (minor sources) and to minor modifications at existing major stationary sources (major sources) throughout Indian country. The second rule (nonattainment major NSR rule) applies to new and modified major sources in areas of Indian country that are designated as not attaining the National Ambient Air Quality Standards (NAAQS). These rules will be implemented by EPA or a delegate Tribal agency assisting EPA with administration of the rules, until replaced by an EPA-approved implementation plan. | | EPA's Tribal Air Website |
| Standards of Performance for Stationary Spark Ignition Internal Combustion Engines; Control of Emissions from New and In-Use Nonroad Compression Engines; Control of Emissions from Marine Compression-Ignition Engines and Vessels; Engine Testing Procedures; & General Compliance Provisions for Engine Programs NSPS 40 CFR Part 60, 1039, 1042, 1065, & 1068 Subpart JJJJ | 6/28/11 | Final Rule | The EPA is finalizing revisions to the standards of performance for new stationary compression ignition internal combustion engines. The final rule requires more stringent standards for stationary compression ignition engines with displacement greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder. In addition, the action revises the requirements for engines with displacement at or above 30 liters per cylinder to align more closely with recent standards for similar mobile source marine engines, and for engines in remote portions of Alaska that are not accessible by the Federal Aid Highway System. The action also provides additional flexibility to owners and operators of affected engines, and corrects minor mistakes in the original standards of performance. Finally, the action makes minor revisions to the standards of performance for new stationary spark ignition internal combustion engines to correct minor errors and to mirror certain revisions finalized for compression ignition engines, which provides consistency where appropriate for the regulation of stationary internal combustion engines. The final standards will reduce nitrogen oxides by an estimated 1,100 tons per year, particulate matter by an estimated 38 tons per year, and hydrocarbons by an estimated 18 tons per year in the year 2030. | | |
| Greenhouse Gas Reporting Rule Administrative Practice & Procedure 40 CFR Part 98 Subpart | 6/27/11 | Proposed Rule | EPA is proposing to amend certain provisions related to best available monitoring methods in regulations for Petroleum and Natural Gas Systems of the Greenhouse Gas Reporting Rule. Specifically, EPA is proposing to extend the time period during which owners and operators of covered facilities would be permitted to use best available monitoring methods during 2011 without submitting a request to the Administrator for approval. In addition, EPA is proposing to expand the list of types of emissions sources for which owners and operators would not be required to submit a request to the Administrator to use best available monitoring methods for 2011 and extend the deadline by which owners and operators of covered facilities would request use of best available monitoring methods for beyond 2011. | | EPA's Greenhouse Gas Website |

Federal Regulatory Air Actions 2011

| NESHAP = National Emission Standards for Hazardous Air Pollutants NSPS = New Source Performance Standards NSR = New Source Review PSD = Prevention of Significant Deterioration NAAQS = National Ambient Air Quality Standards | | | | | |
|---|----------------|--|---|-------------------------|---|
| ** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments | | | | | |
| Subject, Rule, Part, & Subpart | Date of Action | Type of Action & Link to Document** | Summary of Action | Additional Info/Actions | Additional Links |
| Greenhouse Gas Reporting Rule Administrative Practice & Procedure 40 CFR Part 98 | 6/22/11 | Proposed Rule | EPA is proposing changes to the calculation and monitoring provisions in the Electronics Manufacturing portion (Subpart I) of the Mandatory Greenhouse Gas Reporting Rule for the "largest" semiconductor manufacturing facilities (i.e., those that fabricate devices on wafers measuring 300 millimeters or less in diameter and that have an annual manufacturing capacity of greater than 10,500 square meters). More specifically, for reporting years 2011 and 2012 this action proposes to allow the largest semiconductor facilities the option to calculate emissions using default emission factors already contained in Subpart I, instead of recipe-specific utilization and by-product formation rates (recipe-specific emission factors) for the plasma etching process type. These proposed changes are in response to a request for reconsideration of specific provisions submitted by the Semiconductor Industry Association. This action would only apply to the initial years of compliance while the Agency continues to better understand industry's concerns with Subpart I and considers longer-term alternative options. | | EPA's Greenhouse Gas Website |
| Greenhouse Gas Reporting Rule Administrative Practice & Procedure 40 CFR Part 98 | 6/22/11 | Final Rule: Grant of Reconsideration | This action gives notice that EPA has initiated the reconsideration process in response to a request for reconsideration of provisions for the use of best available monitoring methods in Subpart I: Electronics Manufacturing of the Mandatory Greenhouse Gas Reporting Rule. Consequently, this action extends three of the deadlines in Subpart I related to using the best available monitoring methods provisions from June 30, 2011 to September 30, 2011. | | EPA's Greenhouse Gas Website |
| Plating & Polishing; Area Sources NESHAP 40 CFR Part 63 Subpart WWWWWW | 6/20/11 | Direct Final & Proposal | On June 12, 2008, EPA issued national emission standards for control of hazardous air pollutants (HAP) for the plating and polishing area source category under section 112 of the Clean Air Act (CAA). EPA is taking direct final action to amend the national emission standards for HAP (NESHAP) for the plating and polishing area source category. These final amendments clarify that the emission control requirements of the plating and polishing area source NESHAP do not apply to any bench-scale activities. Also, several technical corrections and clarifications that do not make significant changes in the rule's requirements have been made to the rule text. We are making these amendments by direct final rule, without prior proposal, because we view these revisions as noncontroversial and anticipate no adverse comments. Consistent with Executive Order 13563, "Improving Regulation and Regulatory Review," issued on January 18, 2011, this amended rule will increase flexibility and freedom of choice for the public, and make the rule more clear and intelligible which, as a result, will reduce the burden. | | NDEQ Air Toxics Notebook Page |

Federal Regulatory Air Actions 2011

NESHAP = National Emission Standards for Hazardous Air Pollutants **NSPS** = New Source Performance Standards **NSR** = New Source Review **PSD** = Prevention of Significant Deterioration **NAAQS** = National Ambient Air Quality Standards

**** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments**

| Subject, Rule, Part, & Subpart | Date of Action | Type of Action & Link to Document** | Summary of Action | Additional Info/Actions | Additional Links |
|---|----------------|--------------------------------------|---|---|--|
| Methyl Bromide; Phaseout of Critical Use Exemption Protection of Stratospheric Ozone 40 CFR Part 82 | 6/14/11 | Notice | EPA is soliciting applications for the critical use exemption from the phaseout of methyl bromide for 2014. Critical use exemptions last only one year. All entities interested in obtaining a critical use exemption for 2014 must provide EPA with technical and economic information to support a "critical use" claim and must do so by the deadline specified in this notice even if they have applied for an exemption in previous years. The notice also invites interested parties to provide EPA with new data on the technical and economic feasibility of methyl bromide alternatives. | | EPA's Stratospheric Protection Division |
| Heavy-Duty Diesel Engines Using Selective Catalytic Reduction Technology Control of Emissions from New and In-Use Highway Vehicles and Engines 40 CFR Part 86 | 6/7/11 | Request for Comments | EPA is requesting comment on draft guidance and related interpretations concerning the application of certain emission certification regulations to those on-highway heavy-duty diesel engines that are using selective catalytic reduction systems to meet Federal emission standards. EPA will review the comments and provide final guidance and interpretations in a future Federal Register document. | | EPA's National Clean Diesel Campaign Website |
| Ozone; CASAC Review NAAQS 40 CFR Part 50 | 6/3/11 | Notice | The Environmental Protection Agency (EPA) Science Advisory Board (SAB) Staff Office announces a public teleconference on July 6, 2011 of the Clean Air Scientific Advisory Committee (CASAC) Ozone Review Panel to discuss its draft review of EPA's Integrated Science Assessment for Ozone and Related Photochemical Oxidants (March 2011 Draft). | | EPA's Ground-Level Ozone Website |
| Greenhouse Gas Reporting Rule Public Information 40 CFR Part 2 | 5/26/11 | Final Rule | This action finalizes the confidentiality determinations for certain data elements required to be reported under the Mandatory Greenhouse Gas Reporting Rule. This action also finalizes amendments to the special rules governing certain information obtained under the Clean Air Act, which authorizes EPA to release or withhold as confidential reported data under the Mandatory Greenhouse Gas Reporting Rule according to the final determinations for such data without taking further procedural steps. This action does not include final confidentiality determinations for data elements that are in the "Inputs to Emission Equations" category. | | EPA's Greenhouse Gas Website |
| Polyvinyl Chloride and Copolymers Production NESHAP 40 CFR Part 63 Subpart HHHHHHH | 5/20/11 | Proposed Rule | EPA is proposing National Emission Standards for Hazardous Air Pollutants for Polyvinyl Chloride and Copolymers Production. The proposed rule would establish emission standards for hazardous air pollutants from polyvinyl chloride and copolymers production located at major and area sources. The proposed rule includes requirements to demonstrate initial and continuous compliance with the proposed emission standards. EPA is proposing standards that would apply at all times, including during periods of startup, shutdown, and malfunctions. The proposed standards also include continuous monitoring provisions and recordkeeping and reporting requirements. | 7/19/11 - Extension of Public Comment to 8/2/11 | NDEQ Air Toxics Notebook Page |

Federal Regulatory Air Actions 2011

| NESHAP = National Emission Standards for Hazardous Air Pollutants NSPS = New Source Performance Standards NSR = New Source Review PSD = Prevention of Significant Deterioration NAAQS = National Ambient Air Quality Standards | | | | | |
|---|----------------|--|---|-------------------------|---|
| ** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments | | | | | |
| Subject, Rule, Part, & Subpart | Date of Action | Type of Action & Link to Document** | Summary of Action | Additional Info/Actions | Additional Links |
| Secondary Lead Smelting NESHAP 40 CFR Part 63 Subpart X | 5/19/11 | Proposed Rule | EPA is proposing amendments to the national emissions standards for hazardous air pollutants for Secondary Lead Smelting to address the results of the residual risk and technology review that EPA is required to conduct by the Clean Air Act. These proposed amendments include revisions to the stack emissions limits for lead; revisions to the fugitive dust emissions control requirements; the addition of total hydrocarbons emissions limits for reverberatory, electric, and rotary furnaces; the addition of emissions limits and work practice requirements for dioxins and furans; and the modification and addition of testing and monitoring and related notification, recordkeeping, and reporting requirements. We are also proposing to revise provisions addressing periods of startup, shutdown, and malfunction to ensure that the rules are consistent with a recent court decision. | | NDEQ Air Toxics Notebook Page |
| Pollutant Measurement Methods; Field Validation from Various Waste Media NESHAP 40 CFR Part 63 | 5/18/11 | Final Rule | This action amends EPA's Method 301, Field Validation of Pollutant Measurement Methods from Various Waste Media. The revised Method 301 is more flexible, less expensive, and easier to use. This action finalizes amendments to Method 301 after considering comments received on the proposed rule published in the Federal Register on December 22, 2004. | | NDEQ Air Toxics Notebook Page |
| PM2.5 New Source Review (NSR) Implementation NSR & PSD 40 CFR Part 51 & 52 | 5/18/11 | Final Rule | The EPA is issuing a final rule that repeals the "grandfather" provision for particulate matter less than 2.5 micrometers (PM2.5) under the Federal Prevention of Significant Deterioration (PSD) permit program, which is administered by EPA in states that lack a PSD permit program in their approved state implementation plan (SIP). The grandfather provision allowed certain facilities under certain circumstances to satisfy the PSD permit program requirements for PM2.5 by meeting the requirements for controlling particulate matter less than 10 micrometers (PM10) and analyzing impacts on PM10 air quality as a surrogate approach based on an EPA policy known as the "1997 PM10 Surrogate Policy." In its February 11, 2010, notice of proposed rulemaking, EPA also proposed to end early the 1997 PM10 Surrogate Policy in EPA-approved state PSD programs during the remainder of the SIP development period, which ends on May 16, 2011. EPA is taking no final action on that aspect of the proposal. | | EPA's NSR Website |
| Portland Cement Manufacturing NSPS & NESHAP 40 CFR Part 60 & 63 Subpart F & LLL | 5/17/11 | Decisions on Petitions to Reconsider | The Environmental Protection Agency (EPA or Agency) is denying in part and granting in part the petitions to reconsider the final revised National Emission Standards for Hazardous Air Pollutants emitted by the Portland Cement Industry and the New Source Performance Standards for Portland Cement Plants issued under sections 112(d) and 111(b) of the Clean Air Act, respectively. The EPA is also denying all requests that the EPA issue an administrative stay of the National Emission Standards for Hazardous Air Pollutants and the New Source Performance Standards. | | NDEQ Air Toxics Notebook Page |

Federal Regulatory Air Actions 2011

| NESHAP = National Emission Standards for Hazardous Air Pollutants NSPS = New Source Performance Standards NSR = New Source Review PSD = Prevention of Significant Deterioration NAAQS = National Ambient Air Quality Standards | | | | | |
|--|----------------|-------------------------------------|--|---|---|
| ** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments | | | | | |
| Subject, Rule, Part, & Subpart | Date of Action | Type of Action & Link to Document** | Summary of Action | Additional Info/Actions | Additional Links |
| Draft Integrated Science Assessment for Lead NAAQS 40 CFR Part 50 | 5/6/11 | Notice | <p>The U.S. Environmental Protection Agency (EPA) is announcing the availability of a document titled, "First External Review Draft Integrated Science Assessment for Lead" (EPA/600/R-10/075A). This draft document was prepared as part of the review of the national ambient air quality standards (NAAQS) for lead (Pb).</p> <p>EPA is releasing this draft document to seek review by the Clean Air Scientific Advisory Committee (CASAC) and the public (meeting date and location to be specified in a separate Federal Register Notice). The draft document does not represent and should not be construed to represent any final EPA policy, viewpoint, or determination. EPA will consider any timely public comments submitted in response to this notice when revising the document.</p> | | EPA's Lead NAAQS Website |
| National Emission Standards for Hazardous Air Pollutants From Coal- and Oil-Fired Electric Utility Steam Generating Units and Standards of Performance for Fossil-Fuel-Fired Electric Utility, Industrial-Commercial-Institutional, and Small Industrial-Commercial-Institutional Steam Generating Units NSPS & NESHAP 40 CFR Part 60 & 63 Subpart D, Da, Db, Dc, & UUUUU | 5/3/11 | Proposed Rule | <p>The United States Environmental Protection Agency is proposing national emission standards for hazardous air pollutants (NESHAP) from coal- and oil-fired electric utility steam generating units (EGUs) under Clean Air Act (CAA or the Act) section 112(d) and proposing revised new source performance standards (NSPS) for fossil fuel-fired EGUs under CAA section 111(b). In addition, these proposed amendments to the NSPS are in response to a voluntary remand of a final rule. We also are proposing several minor amendments, technical clarifications, and corrections to existing NSPS provisions for fossil fuel-fired EGUs and large and small industrial-commercial-institutional steam generating units.</p> | Notice of Public Hearings | NDEQ Air Toxics Notebook Page |
| Methyl Bromide; Phaseout of Critical Use Exemption Protection of Stratospheric Ozone 40 CFR Part 82 | 4/28/11 | Proposed Rule | <p>EPA is proposing uses that qualify for the 2011 critical use exemption and the amount of methyl bromide that may be produced, imported, or supplied from existing pre-phaseout inventory for those uses in 2011. EPA is seeking comment on the list of critical uses and on EPA's determination of the amounts of methyl bromide needed to satisfy those uses.</p> | | EPA's Stratospheric Protection Division |

Federal Regulatory Air Actions 2011

| NESHAP = National Emission Standards for Hazardous Air Pollutants NSPS = New Source Performance Standards NSR = New Source Review PSD = Prevention of Significant Deterioration NAAQS = National Ambient Air Quality Standards | | | | | |
|---|----------------|--|--|-------------------------|--|
| ** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments | | | | | |
| Subject, Rule, Part, & Subpart | Date of Action | Type of Action & Link to Document** | Summary of Action | Additional Info/Actions | Additional Links |
| Ozone NAAQS NAAQS & Ambient Surveillance 40 CFR Part 50 & 58 | 4/28/11 | Notice of Availability | On or about April 22, 2011, the EPA is making available for public review the documents titled, ``Ozone National Ambient Air Quality Standards: Scope and Methods Plan for Health Risk and Exposure Assessment,`` (REA Plan for the primary ozone NAAQS) and ``Ozone National Ambient Air Quality Standards: Scope and Methods Plan for Welfare Risk and Exposure Assessment`` (REA Plan for the secondary ozone NAAQS). These documents contain the plans for the risk and exposure analyses that EPA is preparing to conduct in support of the reviews of ozone NAAQS. EPA is also making available to the public the final document ``Integrated Review Plan for the Ozone National Ambient Air Quality Standards`` (IRP). This document contains the plans for the review of the air quality criteria and national ambient air quality standards (NAAQS) for ozone. The Ozone NAAQS provide for the protection of public health and the environment from ozone in ambient air. | | EPA's Ground-Level Ozone Website |
| Greenhouse Gas Reporting Rule Administrative Practice & Procedure 40 CFR Part 98 | 4/25/11 | Final Rule: Grant of Reconsideration | On November 30, 2010 EPA promulgated Subpart W: Petroleum and Natural Gas Systems of the Greenhouse Gas Reporting Rule. As part of the provisions outlined in this rule, the EPA stated that the Agency would allow certain owners or operators to use best available monitoring methods (BAMM) in lieu of specified parameters outlined for calculating greenhouse gas emissions for the petroleum and natural gas systems source category of the greenhouse gas reporting rule. EPA is giving notice that the Agency has initiated the reconsideration process in response to requests for reconsideration of certain provisions in the regulations. First, EPA has been asked to reconsider the requirement to submit requests to use best available monitoring methods during the 2011 calendar year by April 30, 2011 and pursuant to its authority under CAA section 307(d)(7)(B) consequently is extending the deadline contained in those provisions until July 31, 2011. Second, EPA has also been asked to reconsider the time period during which owners and operators of certain specific sources could automatically use BAMM without having to request approval by the Administrator. As a result of this second request, pursuant to its authority under CAA section 307(d)(7)(B) EPA is also extending the date by which | | EPA's Greenhouse Gas Website |
| Particulate Matter Review Policy Assessment NAAQS 40 CFR Part 50 | 4/22/11 | Notice of Availability | The Office of Air Quality Planning and Standards (OAQPS) of EPA is announcing the availability of a final document titled, Policy Assessment for the Review of the Particulate Matter National Ambient Air Quality Standards (PA). The PA contains staff analyses of the scientific bases for alternative policy options for consideration by the Agency prior to rulemaking. | | EPA's Particulate Matter Website |

Federal Regulatory Air Actions 2011

| NESHAP = National Emission Standards for Hazardous Air Pollutants NSPS = New Source Performance Standards NSR = New Source Review PSD = Prevention of Significant Deterioration NAAQS = National Ambient Air Quality Standards | | | | | |
|---|----------------|-------------------------------------|---|-------------------------------|--|
| ** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments | | | | | |
| Subject, Rule, Part, & Subpart | Date of Action | Type of Action & Link to Document** | Summary of Action | Additional Info/Actions | Additional Links |
| Group I Polymers and Resins, Marine Tank Vessel Loading Operations, Pharmaceuticals Production, and the Printing and Publishing Industry NESHAP 40 CFR Part 63 Subpart U, Y, GGG, & KK | 4/21/11 | Final Rule | EPA is taking final action for NESHAPs for Group I Polymers and Resins (Butyl Rubber Production, Epichlorohydrin Elastomers Production, Ethylene Propylene Rubber Production, Hypalon(TM) Production, Neoprene Production, Nitrile Butadiene Rubber Production, Polybutadiene Rubber Production, Polysulfide Rubber Production, and Styrene Butadiene Rubber and Latex Production); Marine Tank Vessel Loading Operations; Pharmaceuticals Production; and The Printing and Publishing Industry. For some source categories, the EPA is finalizing decisions concerning the residual risk and technology reviews. For the Marine Tank Vessel Loading Operations NESHAP and the Group I Polymers and Resins NESHAP, EPA is finalizing emission standards to address certain emission sources not previously regulated under the NESHAP. The EPA is also finalizing changes to the Pharmaceuticals Production NESHAP to correct an editorial error. For each of the four NESHAPs, the EPA is finalizing revisions to the regulatory provisions related to emissions during periods of startup, shutdown, and malfunction and promulgating provisions addressing electronic submission of emission test results. | | NDEQ Air Toxics Notebook Page |
| Marine Compression-Ignition Engines and Vessels; New Mobile Sources 40 CFR Part 1042 | 4/13/11 | CFR Correction | Corrections made to rule beginning on page 240 in the July 1, 2010 issue of the CFR in Section 1042.901. | Correction #2 | Correction #3 |
| Clean Alternative Fuel Vehicles and Engine Conversions Emissions from Mobile Sources 40 CFR Part 85 & 86 | 4/8/11 | Final Rule | EPA is streamlining the process by which manufacturers of clean alternative fuel conversion systems may demonstrate compliance with vehicle and engine emissions requirements. Specifically, EPA is revising the regulatory criteria for gaining an exemption from the Clean Air Act prohibition against tampering for the conversion of vehicles and engines to operate on a clean alternative fuel. This final rule creates additional compliance options beyond certification that protect manufacturers of clean alternative fuel conversion systems against a tampering violation, depending on the age of the vehicle or engine to be converted. The new options alleviate some economic and procedural impediments to clean alternative fuel conversions while maintaining environmental safeguards to ensure that acceptable emission levels from converted vehicles are sustained. | | EPA's On-road Vehicles and Engines Website |

Federal Regulatory Air Actions 2011

| NESHAP = National Emission Standards for Hazardous Air Pollutants NSPS = New Source Performance Standards NSR = New Source Review PSD = Prevention of Significant Deterioration NAAQS = National Ambient Air Quality Standards | | | | | |
|---|----------------|-------------------------------------|---|-------------------------|-----------------------------------|
| ** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments | | | | | |
| Subject, Rule, Part, & Subpart | Date of Action | Type of Action & Link to Document** | Summary of Action | Additional Info/Actions | Additional Links |
| Hospital-Medical-Infectious Waste Incinerators NSPS 40 CFR Part 60 Subpart Ce | 4/4/11 | Final Rule | This action promulgates amendments to the new source performance standards and emissions guidelines for hospital/medical/infectious waste incinerators, correcting inadvertent drafting errors in the nitrogen oxides and sulfur dioxide emissions limits for large hospital/medical/infectious waste incinerators in the new source performance standards, correcting erroneous cross-references in the reporting and recordkeeping requirements in the new source performance standards, clarifying that compliance with the emission guidelines must be expeditious if a compliance extension is granted, correcting the inadvertent omission of delegation of authority provisions in the emission guidelines, correcting errors in the units' description for several emissions limits in the emission guidelines and new source performance standards, and removing extraneous text from the hydrogen chloride emissions limit for large hospital/medical/infectious waste incinerators in the emission guidelines. | | |
| Sulfur Dioxide Emissions Monitoring Continuous Emission Monitoring 40 CFR Part 75 | 4/4/11 | CFR Correction | In Title 40 of the Code of Federal Regulations, Parts 72 to 80, revised as of July 1, 2010, on page 219, in Sec. 75.11, paragraph (f) is added to read as follows: Sec. 75.11 Specific provisions for monitoring SO2 emissions. * * * * * (f) Other units. The owner or operator of an affected unit that combusts wood, refuse, or other material in addition to oil or gas shall comply with the monitoring provisions for coal-fired units specified in paragraph (a) of this section, except where the owner or operator has an approved petition to use the provisions of paragraph (e)(1) of this section. | | |
| Renewable Fuel Standards Program Regulation of Fuels and Fuel Additives 40 CFR Part 80 | 4/1/11 | CFR Correction | In Title 40 of the Code of Federal Regulations, Parts 72 to 80, revised as of July 1, 2010, on page 1160, in Sec. 80.1466, in paragraph (h)(1), the equation is corrected to read as follows: Sec. 80.1466 What are the additional requirements under this subpart for RIN-generating foreign producers and importers of renewable fuels for which RINs have been generated by the foreign producer? * * * * * (h) * * * (1) * * * Bond = G * \$0.01 * * * * * | | EPA's RFS Website |

Federal Regulatory Air Actions 2011

| NESHAP = National Emission Standards for Hazardous Air Pollutants NSPS = New Source Performance Standards NSR = New Source Review PSD = Prevention of Significant Deterioration NAAQS = National Ambient Air Quality Standards | | | | | |
|---|----------------|-------------------------------------|--|---|---|
| ** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments | | | | | |
| Subject, Rule, Part, & Subpart | Date of Action | Type of Action & Link to Document** | Summary of Action | Additional Info/Actions | Additional Links |
| Ozone; Nebraska 1997 SIP Approval & Promulgation of Implementation Plans 40 CFR Part 52 | 3/30/11 | Proposed Rule | EPA is proposing to approve the State Implementation Plan (SIP) submittal from the state of Nebraska addressing the requirements of Clean Air Act (CAA) sections 110(a)(1) and (2) for the 1997 revisions to the National Ambient Air Quality Standards (NAAQS) for ozone. Because EPA already approved the portion of Nebraska's SIP submittal relating to the interstate transport infrastructure element, section 110(a)(2)(D)(i), this proposed rulemaking does not address the interstate transport element, nor does this proposal reopen any aspect of EPA's prior action on the interstate transport element. | | EPA's SIP Website |
| Fugitive Emissions NSR & PSD 40 CFR Part 51 & 52 | 3/30/11 | Interim Rule | EPA is taking an interim action to effectuate and extend a stay of the final rule entitled "Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NSR): Reconsideration of Inclusion of Fugitive Emissions" ("Fugitive Emissions Rule") published in the Federal Register on December 19, 2008. The Fugitive Emissions Rule under the Federal NSR program required that fugitive emissions be included in determining whether a physical or operational change results in a major modification only for sources in designated industries. This action clarifies the stay and the revisions of specific paragraphs in the NSR regulations that were affected by the Fugitive Emissions Rule. This action also extends the stay until EPA completes its reconsideration of the Fugitive Emissions Rule. | 3/27/11 - Extension of Public Comment to 5/31/11 | EPA's NSR Website |
| Protocol Gas Verification Program Acid Rain 40 CFR Part 72 & 75 | 3/28/11 | Final Rule | EPA is finalizing rule revisions that modify existing requirements for sources affected by the federally administered emission trading programs including the NOX Budget Trading Program, the Acid Rain Program, and the Clean Air Interstate Rule. EPA is amending its Protocol Gas Verification Program (PGVP) and the minimum competency requirements for air emission testing (formerly air emission testing body requirements) to improve the accuracy of emissions data. EPA is also amending other sections of the Acid Rain Program continuous emission monitoring system regulations by adding and clarifying certain recordkeeping and reporting requirements, removing the provisions pertaining to mercury monitoring and reporting, removing certain requirements associated with a class-approved alternative monitoring system, disallowing the use of a particular quality assurance option in EPA Reference Method 7E, adding two incorporation by references that were inadvertently left out of the January 24, 2008 final rule, adding two new definitions, revising certain compliance dates, and clarifying the language and applicability of certain provisions. | Final Rule Correction | EPA's Acid Rain Website |

Federal Regulatory Air Actions 2011

NESHAP = National Emission Standards for Hazardous Air Pollutants **NSPS** = New Source Performance Standards **NSR** = New Source Review **PSD** = Prevention of Significant Deterioration **NAAQS** = National Ambient Air Quality Standards

**** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments**

| Subject, Rule, Part, & Subpart | Date of Action | Type of Action & Link to Document** | Summary of Action | Additional Info/Actions | Additional Links |
|---|----------------|---|--|-------------------------|---|
| <p>Renewable Fuel Standards Program</p> <p>Regulation of Fuels and Fuel Additives</p> <p>40 CFR Part 80</p> | 3/22/11 | Notice | <p>Petitioners alleged that EPA failed to properly require producers of renewable fuels to verify domestic crops and crop residues used to produce the renewable fuels complied with the applicable land use restrictions. Additionally, they alleged that EPA did not properly account for the "global rebound effect" in the final analysis of the lifecycle greenhouse gas (GHG) emission impacts of renewable fuel production and use. On February 17, 2011, the Administrator denied the petitions for reconsideration and the accompanying requests for stays in implementing the regulations. This Notice announces the availability of EPA's decision.</p> | | EPA's RFS Website |
| <p>Greenhouse Gas Tailoring Rule</p> <p>PSD</p> <p>40 CFR Part 52</p> | 3/22/11 | Final Rule | <p>EPA is taking final action to approve revisions to the State Implementation Plan (SIP) for Nebraska. These revisions cover two broad categories under Nebraska's prevention of significant deterioration (PSD) preconstruction permitting program. The first applies to revisions relating to permitting of greenhouse gas (GHG) emissions under the PSD program. The second applies to revisions incorporating relevant aspects of EPA's 2002 new source review (NSR) reform rules.</p> <p>The GHG SIP revision, which incorporates updates to NDEQ's air quality regulations, includes two significant changes impacting the regulation of GHGs under Nebraska's PSD program. First, the SIP revision provides the State of Nebraska with authority to issue PSD permits governing GHGs. Second, the SIP revision establishes emission thresholds for determining which new stationary sources and modification projects become subject to Nebraska's PSD permitting requirements for their GHG emissions.</p> <p>In addition, in today's action, EPA is also taking final action to approve Nebraska's adoption of portions of EPA's 2002 NSR Reform rules, published December 31, 2002.</p> | | EPA's NSR Website |
| <p>Solid Waste Incineration Units and Boilers</p> <p>NSPS & NESHAP</p> <p>40 CFR Part 60 & 63</p> <p>Subpart CCCC, DDDD, DDDDD, & JJJJJ</p> | 3/21/11 | Notice of Reconsideration | <p>EPA is initiating a reconsideration process with respect to certain aspects of the national emission standards for hazardous air pollutants (NESHAP) for new and existing sources for Major Source Industrial, Commercial, and Institutional Boilers and Process Heaters; the NESHAP for new and existing sources for Area Source Industrial, Commercial, and Institutional Boilers; and standards of performance for new Commercial and Industrial Solid Waste Incineration Units and emission guidelines for existing Commercial and Industrial Solid Waste Incineration Units published as final rules.</p> | | NDEQ Air Toxics Notebook Page |
| <p>Bioenergy & Other Biogenic Sources; Carbon Monoxide Emissions</p> <p>NSR, PSD, & Title V</p> <p>40 CFR Part 51, 52, 70, & 71</p> | 3/21/11 | Proposed Rule | <p>This action proposes to defer for a period of three (3) years the application of the Prevention of Significant Deterioration (PSD) and Title V permitting requirements to biogenic carbon dioxide (CO₂) emissions from bioenergy and other biogenic stationary sources.</p> | | EPA's Climate Change Website |

Federal Regulatory Air Actions 2011

| NESHAP = National Emission Standards for Hazardous Air Pollutants NSPS = New Source Performance Standards NSR = New Source Review PSD = Prevention of Significant Deterioration NAAQS = National Ambient Air Quality Standards | | | | | |
|---|----------------|-------------------------------------|--|--|---|
| ** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments | | | | | |
| Subject, Rule, Part, & Subpart | Date of Action | Type of Action & Link to Document** | Summary of Action | Additional Info/Actions | Additional Links |
| Sewage Sludge Incineration Units NSPS 40 CFR Part 60 Subpart LLLL & MMMM | 3/21/11 | Final Rule | This action promulgates EPA's new source performance standards and emission guidelines for sewage sludge incineration units located at wastewater treatment facilities designed to treat domestic sewage sludge. This final rule sets limits for nine pollutants under section 129 of the Clean Air Act: Cadmium, carbon monoxide, hydrogen chloride, lead, mercury, nitrogen oxides, particulate matter, polychlorinated dibenzo-p-dioxins and polychlorinated dibenzofurans, and sulfur dioxide. | | |
| Solid Waste Incineration Units; Commercial and Industrial NSPS 40 CFR Part 60 Subpart CCCC & DDDD | 3/21/11 | Final Rule | This action promulgates EPA's final response to the 2001 voluntary remand of the December 1, 2000, new source performance standards and emission guidelines for commercial and industrial solid waste incineration units and the vacatur and remand of several definitions by the District of Columbia Circuit Court of Appeals in 2007. In addition, this action includes the 5-year technology review of the new source performance standards and emission guidelines required under section 129 of the Clean Air Act. This action also promulgates other amendments that EPA believes are necessary to address air emissions from commercial and industrial solid waste incineration units. | | |
| Boilers and Process Heaters; Major Sources: Industrial, Commercial, and Institutional NESHAP 40 CFR Part 63 Subpart DDDDD | 3/21/11 | Final Rule | On September 13, 2004, EPA promulgated national emission standards for hazardous air pollutants for new and existing industrial/commercial/institutional boilers and process heaters. On June 19, 2007, the United States Court of Appeals for the District of Columbia Circuit vacated and remanded the standards. In response to the Court's vacatur and remand, EPA is establishing emission standards that will require industrial/commercial/institutional boilers and process heaters located at major sources to meet hazardous air pollutants standards reflecting the application of the maximum achievable control technology. | 5/19/11 - Final rules: Delay of effective dates. | NDEQ Air Toxics Notebook Page |
| Boilers; Area Sources: Industrial, Commercial, and Institutional NESHAP 40 CFR Part 63 Subpart JJJJJJ | 3/21/11 | Final Rule | EPA is promulgating national emission standards for control of hazardous air pollutants from two area source categories: Industrial boilers and commercial and institutional boilers. The final emission standards for control of mercury and polycyclic organic matter emissions from coal-fired area source boilers are based on the maximum achievable control technology. The final emission standards for control of hazardous air pollutants emissions from biomass-fired and oil-fired area source boilers are based on EPA's determination as to what constitutes the generally available control technology or management practices. | | NDEQ Air Toxics Notebook Page |

Federal Regulatory Air Actions 2011

| NESHAP = National Emission Standards for Hazardous Air Pollutants NSPS = New Source Performance Standards NSR = New Source Review PSD = Prevention of Significant Deterioration NAAQS = National Ambient Air Quality Standards | | | | | |
|---|----------------|---|---|-------------------------|---|
| ** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments | | | | | |
| Subject, Rule, Part, & Subpart | Date of Action | Type of Action & Link to Document** | Summary of Action | Additional Info/Actions | Additional Links |
| Greenhouse Gas Reporting Rule Administrative Practice & Procedure 40 CFR Part 98 | 3/18/11 | Final Rule | EPA is promulgating this final rule to extend until September 30, 2011 the reporting deadline for year 2010 data required under the Mandatory Reporting of Greenhouse Gases Rule. This rule changes only the deadline for reporting for 2011; it does not change the reporting deadline for future years and does not change what data must be reported. | | EPA's Greenhouse Gas Website |
| Mercury Cell Chlor-Alkali Plant Emissions NESHAP 40 CFR Part 63 Subpart IIIII | 3/14/11 | Supplemental Proposal | On June 11, 2008, EPA proposed amendments to this NESHAP in response to a petition for reconsideration filed by the Natural Resources Defense Council (NRDC). This action is a supplement to the June 11, 2008, proposal. Specifically, this action proposes two options for amending the NESHAP for mercury emissions from mercury cell chlor-alkali plants. The EPA is specifically requesting comment on which of these options is more appropriate, and may finalize either option or a combination of elements from them. In addition, this action proposes several amendments that would apply regardless of which option is selected. | | NDEQ Air Toxics Notebook Page |
| Chemical Manufacturing; Area Sources NESHAP 40 CFR Part 63 Subpart VVVVVV | 3/14/11 | Final Rule | On June 15, 2010, EPA notified Petitioners that the Agency intended to initiate the reconsideration process in response to their request for reconsideration of certain provisions in the National Emission Standards for Hazardous Air Pollutants for Chemical Manufacturing Area Sources. Among the provisions EPA is reconsidering is a requirement that certain affected sources obtain a permit. On December 14, 2010, EPA issued a 90-day stay of the requirement for certain affected sources to comply with the title V permit program. After considering the comments received, EPA is promulgating the stay of compliance through this final rule. | | NDEQ Air Toxics Notebook Page |
| Reciprocating Internal Combustion Engines (RICE) NESHAP 40 CFR Part 63 Subpart ZZZZ | 3/9/11 | Direct Final & Proposal | EPA is taking direct final action to promulgate amendments to a final rule that provided national emission standards for hazardous air pollutants for existing stationary spark ignition reciprocating internal combustion engines. The final rule was published on August 20, 2010. This direct final action amends certain regulatory text to clarify compliance requirements related to continuous parameter monitoring systems. EPA is also correcting minor typographical errors in the regulatory text to the August 20, 2010, action. | | NDEQ Air Toxics Notebook Page |
| Methyl Bromide; Phaseout of Critical Use Exemption Protection of Stratospheric Ozone 40 CFR Part 82 | 3/2/11 | Notice | EPA is planning to submit a request to renew an existing approved Information Collection Request (ICR) to the Office of Management and Budget (OMB). This ICR is scheduled to expire on October 31, 2011. Before submitting the ICR to OMB for review and approval, EPA is soliciting comments on specific aspects of the proposed information collection. | | EPA's Stratospheric Protection Division |

Federal Regulatory Air Actions 2011

| NESHAP = National Emission Standards for Hazardous Air Pollutants NSPS = New Source Performance Standards NSR = New Source Review PSD = Prevention of Significant Deterioration NAAQS = National Ambient Air Quality Standards | | | | | |
|---|----------------|--|---|---|--|
| ** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments | | | | | |
| Subject, Rule, Part, & Subpart | Date of Action | Type of Action & Link to Document** | Summary of Action | Additional Info/Actions | Additional Links |
| Ozone; CASAC Review NAAQS 40 CFR Part 50 | 2/28/11 | Notice | The Environmental Protection Agency (EPA or Agency) Science Advisory Board (SAB) Staff Office announces a public teleconference of the Clean Air Scientific Advisory Committee (CASAC) Ozone Review Panel for the Reconsideration of the 2008 National Ambient Air Quality Standard (NAAQS) to continue the discussion of their advice regarding EPA's reconsideration of the 2008 Ozone NAAQS. | | EPA's Ground-Level Ozone Website |
| Ozone; CASAC Review NAAQS 40 CFR Part 50 | 2/28/11 | Notice | The U.S. Environmental Protection Agency (EPA) is announcing a 60-day public comment period and availability of the first external review draft of a document titled, "First External Review Draft Integrated Science Assessment for Ozone and Related Photochemical Oxidants" (EPA/600/R-10/076A). The document was prepared by the National Center for Environmental Assessment (NCEA) within EPA's Office of Research and Development as part of the review of the national ambient air quality standards (NAAQS) for ozone. EPA is releasing this draft document to seek review by the Clean Air Scientific Advisory Committee (CASAC) and the public (meeting date and location to be specified in a separate Federal Register notice). EPA will consider any public comments submitted in response to this notice when revising the document. | 3/28/11 - Extension of Public Comment to 5/5/11 | EPA's Ground-Level Ozone Website |
| CFR Corrections NSPS 40 CFR Part 60 | 2/25/11 | Notice | Corrections in 40 CFR Part 60 to the definitions, emissions limitations, and monitoring of emissions and operations for fuel gas combustion devices. | | |
| Greenhouse Gas Reporting Rule Administrative Practice & Procedure 40 CFR Part 98 | 2/23/11 | Notice of Availability | The Draft Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2009 is available for public review. Annual U.S. emissions for the period of time from 1990 through 2009 are summarized and presented by source category and sector. The inventory contains estimates of carbon dioxide (CO ₂), methane (CH ₄), nitrous oxide (N ₂ O), hydrofluorocarbons (HFC), perfluorocarbons (PFC), and sulfur hexafluoride (SF ₆) emissions. The inventory also includes estimates of carbon fluxes in U.S. agricultural and forest lands. | | |
| Leak Repair Requirements Protection of Stratospheric Ozone 40 CFR Part 82 | 2/23/11 | Proposed Rule | EPA issued a proposed rule in the December 15, 2010, Federal Register proposing changes to the leak repair regulations promulgated under Section 608 of the Clean Air Act Amendments of 1990. In response to stakeholder requests, this action reopens the public comment period through March 25, 2011. | | Notice of Proposed Rulemaking |

Federal Regulatory Air Actions 2011

NESHAP = National Emission Standards for Hazardous Air Pollutants **NSPS** = New Source Performance Standards **NSR** = New Source Review **PSD** = Prevention of Significant Deterioration **NAAQS** = National Ambient Air Quality Standards

**** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments**

| Subject, Rule, Part, & Subpart | Date of Action | Type of Action & Link to Document** | Summary of Action | Additional Info/Actions | Additional Links |
|---|----------------|--|---|---|---|
| Improving EPA Regulations 40 CFR Chapters I through VII | 2/23/11 | Notice | On January 18, 2011, President Obama issued Executive Order 13563, "Improving Regulation and Regulatory Review," and called on all Federal agencies to conduct a "retrospective analysis of rules that may be outmoded, ineffective, insufficient, or excessively burdensome and to modify, streamline, expand, or repeal them in accordance with what has been learned." EPA seeks public input on the design of a plan to use for periodic retrospective review of its regulations. | | |
| Broadly Applicable Alternative Test Methods NSPS & NESHAP 40 CFR Part 60, 61, & 63 Subpart G, UU, JJJJ, AAAAAA, EEE, & LLLLL | 2/22/11 | Notice of Availability | This notice announces the broadly applicable alternative test method approval decisions that EPA has made under and in support of New Source Performance Standards (NSPS) and the National Emission Standards for Hazardous Air Pollutants (NESHAP) in 2010. | | NDEQ Air Toxics Notebook Page |
| Primary Lead Smelting NESHAP 40 CFR Part 63 Subpart TTT | 2/17/11 | Proposed Rule | EPA is proposing amendments to the national emission standards for hazardous air pollutants (NESHAP) for Primary Lead Smelting to address the results of the residual risk and technology reviews conducted. These proposed amendments include revisions to the emission limits for lead, the addition of a lead concentration in air standard, and the modification and addition of testing and monitoring and related notification, recordkeeping, and reporting requirements. The EPA is also proposing to revise provisions addressing periods of startup, shutdown, and malfunction to ensure that they are consistent with a recent court decision. Finally, the EPA is proposing revisions to the rule's applicability provision to make it consistent with the definition of the source category and proposing other minor technical changes to the standard. We are also responding to a petition for rulemaking filed on the standard with regard to lead as a surrogate and regulation of volatile organic compounds (VOC) and acid gases. | 3/17/11 - Extension of Public Comment to 4/19/11 4/18/11 - Extension of Public Comment to 5/8/11 | NDEQ Air Toxics Notebook Page |
| Gold Ore Mine Processing and Production; Area Source NESHAP 40 CFR Part 9 & 63 Subpart EEEEEEE | 2/17/11 | Final Rule | EPA is adding the gold mine ore processing and production area source category to the list of source categories to be regulated under Section 112(c)(6) of the Clean Air Act due to its mercury emissions. EPA is also promulgating national emission standards for hazardous air pollutants to regulate mercury emissions from this source category. | | NDEQ Air Toxics Notebook Page |
| Carbon Monoxide NAAQS NAAQS, Ambient Monitoring, & Ambient Surveillance 40 CFR Part 50, 53, & 58 | 2/11/11 | Proposed Rule | Based on its review of the air quality criteria and the national ambient air quality standards (NAAQS) for carbon monoxide (CO), EPA is proposing to retain the current standards. EPA is also proposing changes to the ambient air monitoring requirements for CO including those related to network design. | | EPA's Carbon Monoxide Website |

Federal Regulatory Air Actions 2011

NESHAP = National Emission Standards for Hazardous Air Pollutants **NSPS** = New Source Performance Standards **NSR** = New Source Review **PSD** = Prevention of Significant Deterioration **NAAQS** = National Ambient Air Quality Standards

**** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments**

| Subject, Rule, Part, & Subpart | Date of Action | Type of Action & Link to Document** | Summary of Action | Additional Info/Actions | Additional Links |
|---|----------------|--|--|-------------------------|--|
| Natural Gas STAR Program Reporting and Recordkeeping | 2/4/11 | Notice | EPA is planning to submit a request to renew an existing approved Information Collection Request (ICR) to the Office of Management and Budget (OMB). This ICR is scheduled to expire on 7/31/2011. Before submitting the ICR to OMB for review and approval, EPA is soliciting comments on specific aspects of the proposed information collection as described below. Comments must be submitted on or before April 5, 2011. | | EPA's Natural Gas STAR Program Website |
| Road Dust from Paved Roads NSR & Administrative Practice & Procedure 40 CFR Part 51 & 93 | 2/4/11 | Notice of Availability | On January 13, 2011, EPA posted the latest version of the method for estimating re-entrained road dust emissions from cars, trucks, buses, and motorcycles on paved roads. This document approves this method for use in PM10 and PM2.5 state air quality implementation plans and regional emissions analyses for transportation conformity determinations. This new method is incorporated in Chapter 13 of Compilation of Air Pollutant Emission Factors, AP-42, Fifth Edition, Volume I, that was published in January 2011. Today's action also starts a two-year grace period after which the January 2011 AP-42 method is required to be used in regional conformity analyses in PM10 nonattainment and maintenance areas and any PM2.5 nonattainment and maintenance areas where the EPA regional administrator or the state air quality agency determined that re-entrained road dust is a significant contributor to the area's PM2.5 problem, or if the area has a PM2.5 motor vehicle emissions budget that includes re-entrained road dust. | | |
| Petroleum Refineries NSPS & NESHAP 40 CFR Part 60 & 63 | 2/2/11 | Information Collection Request | EPA is issuing a single collection of information for sources covered under 40 CFR part 63, subparts CC and UUU and 40 CFR part 60, subpart J so that EPA can, at one time, assess whether additional control strategies are necessary and, if so, which are the most effective for hazardous air pollutants (HAP) and criteria air pollutants. The data would also allow EPA to evaluate compliance options for startup and shutdown periods and consider ways to consolidate monitoring, reporting and recordkeeping requirements for the different rules under review. The data may also help EPA conduct reviews of other rules specific to petroleum refineries, including Standards of Performance for Equipment Leaks of VOC in Petroleum Refineries (40 CFR part 60, subpart GGG), Standards of Performance for VOC Emissions from Petroleum Refinery Wastewater Systems (40 CFR part 60, subpart QQQ), and the National Emission Standard for Benzene Waste Operations (40 CFR part 61, subpart FF). | | |
| Gasoline; Alternative Test Method for Olefins Regulation of Fuels and Fuel Additives 40 CFR Part 80 | 1/31/11 | Proposed Rule | The Environmental Protection Agency (EPA) is proposing to allow refiners and laboratories to use an alternative test method for olefin content in gasoline. This proposed rule will provide flexibility to the regulated community by allowing an additional test method for compliance measurement while maintaining environmental benefits achieved from our fuels programs. | | EPA's RFS Website |

Federal Regulatory Air Actions 2011

| NESHAP = National Emission Standards for Hazardous Air Pollutants NSPS = New Source Performance Standards NSR = New Source Review PSD = Prevention of Significant Deterioration NAAQS = National Ambient Air Quality Standards | | | | | |
|---|----------------|---|--|---------------------------------------|---|
| ** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments | | | | | |
| Subject, Rule, Part, & Subpart | Date of Action | Type of Action & Link to Document** | Summary of Action | Additional Info/Actions | Additional Links |
| Biofuels and the Environment Report Regulation of Fuels and Fuel Additives 40 CFR Part 80 | 1/28/11 | Notice of Peer Review Meeting and Public Comment Period | EPA will convene an independent panel of experts to review the external review draft document titled, Biofuels and the Environment: The First Triennial Report to Congress. The EPA also is announcing a 30-day public comment period for the draft document. EPA intends to forward public comments that are submitted in accordance with this notice to the external peer review panel prior to the meeting for their consideration. When finalizing the draft document, EPA intends to consider any public comments that EPA receives in accordance with this notice. EPA, through its Peer Review contractor, Versar, Inc., invites the public to register to attend the peer review meeting. In addition, EPA invites the public to give oral and/or provide written comments during the meeting regarding the draft document under review. The draft document and EPA's charge to the peer reviewers are available primarily via the Internet on NCEA's home page under the Recent Additions and Publications menus at http://www.epa.gov/ncea . | | Biofuels and the Environment Report |
| NOx & SOx; Secondary NAAQS NAAQS 40 CFR Part 50 | 1/26/11 | Notice of Availability | The Office of Air Quality Planning and Standards (OAQPS) of EPA is announcing the availability of a document titled, Policy Assessment for the Review of the Secondary National Ambient Air Quality Standards for Oxides of Nitrogen and Sulfur (January 14, 2011 version) (Policy Assessment). The Policy Assessment contains staff analyses of the scientific bases for alternative policy options for consideration by the Agency prior to rulemaking. | Public Meeting Notice | Policy Assessment for the Review of the Secondary NAAQS |
| Fuel & Fuel Additive Ethanol Content Waiver Regulation of Fuels and Fuel Additives 40 CFR Part 80 | 1/26/11 | Notice | The Environmental Protection Agency (EPA) is taking additional final action on Growth Energy's application for a waiver submitted under section 211(f)(4) of the Clean Air Act. Today's partial waiver allows fuel and fuel additive manufacturers to introduce into commerce gasoline that contains greater than 10 volume percent ethanol and no more than 15 volume percent ethanol (E15) for use in model year (MY) 2001 through 2006 light-duty motor vehicles (passenger cars, light-duty trucks and medium-duty passenger vehicles), if certain conditions are fulfilled. In October 2010, we granted a partial waiver for E15 for use in MY2007 and newer light-duty motor vehicles subject to the same conditions. Taken together, the two waiver decisions allow the introduction into commerce of E15 for use in MY2001 and newer light-duty motor vehicles if those conditions are met. | | |
| Ozone; CASAC Review NAAQS 40 CFR Part 50 | 1/26/11 | Notice | The Environmental Protection Agency (EPA or Agency) Science Advisory Board (SAB) Staff Office announces two public teleconferences of the Clean Air Scientific Advisory Committee (CASAC) Ozone Review Panel for the Reconsideration of the 2008 National Ambient Air Quality Standard (NAAQS). | | EPA's Ground-Level Ozone Website |

Federal Regulatory Air Actions 2011

| NESHAP = National Emission Standards for Hazardous Air Pollutants NSPS = New Source Performance Standards NSR = New Source Review PSD = Prevention of Significant Deterioration NAAQS = National Ambient Air Quality Standards | | | | | |
|---|----------------|---|---|--|--|
| ** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments | | | | | |
| Subject, Rule, Part, & Subpart | Date of Action | Type of Action & Link to Document** | Summary of Action | Additional Info/Actions | Additional Links |
| <p>Sulfur Dioxide NAAQS Reconsideration</p> <p>NAAQS, Ambient Monitoring, & Ambient Surveillance</p> <p>40 CFR Part 50, 53, & 58</p> | 1/26/11 | Denial of Petitions to Reconsider | <p>The Environmental Protection Agency (EPA, or Agency) is denying the petitions to reconsider the final revised primary national ambient air quality standard (NAAQS) for oxides of sulfur as measured by sulfur dioxide (SO₂) issued under section 109 of the Clean Air Act (CAA). The final revised SO₂ Primary NAAQS was published on June 22, 2010, and became effective on August 23, 2010. EPA has carefully reviewed all of the petitions and revisited both the rulemaking record and the Administrator's decision process underlying the final revised SO₂ Primary NAAQS in light of these petitions. EPA's analysis of the petitions reveals that the petitions have provided inadequate and generally irrelevant arguments and evidence that the underlying information supporting the final revised SO₂ Primary NAAQS is flawed, misinterpreted or inappropriately applied by EPA. The petitioners' arguments fail to meet the criteria for reconsideration under the Clean Air Act.</p> | | EPA's SO₂ Website |
| <p>Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities; and Gasoline Dispensing Facilities</p> <p>NESHAP & Paperwork Reduction Approvals</p> <p>40 CFR Part 9 & 63</p> <p>SubpartBBBBB & CCCCCC</p> | 1/24/11 | Final Rule | <p>This action promulgates amendments to the National Emission Standards for Hazardous Air Pollutants for Source Categories: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities; and Gasoline Dispensing Facilities, which EPA promulgated on January 10, 2008, and amended on March 7, 2008. In this action, EPA is finalizing amendments and clarifications to certain definitions and applicability provisions of the final rules in response to some of the issues raised in the petitions for reconsideration. In addition, several other compliance-related questions posed by various individual stakeholders and State and local agency representatives are addressed in this action. We are also denying reconsideration on one issue raised in a petition for reconsideration received by the Agency on the final rules.</p> | NDEQ Air Toxics Notebook Page (BBBBBB) | NDEQ Air Toxics Notebook Page (CCCCCC) |
| <p>Steam Generating Units</p> <p>NSPS</p> <p>40 CFR Part 60</p> <p>Subpart D, Da, Db, & Dc</p> | 1/20/11 | Direct Final & Proposal | <p>EPA is taking direct final action to amend the new source performance standards for electric utility steam generating units and industrial-commercial-institutional steam generating units. This action amends the testing requirements for owners/operators of steam generating units that elect to install particulate matter continuous emission monitoring systems. It also amends the opacity monitoring requirements for owners/operators of affected facilities subject to an opacity standard that are exempt from the requirement to install a continuous opacity monitoring system. In addition, this action corrects several editorial errors identified from previous rulemakings.</p> | | EPA's Boilers NSPS Website |

Federal Regulatory Air Actions 2011

| NESHAP = National Emission Standards for Hazardous Air Pollutants NSPS = New Source Performance Standards NSR = New Source Review PSD = Prevention of Significant Deterioration NAAQS = National Ambient Air Quality Standards | | | | | |
|---|----------------|---|--|-------------------------|--|
| ** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments | | | | | |
| Subject, Rule, Part, & Subpart | Date of Action | Type of Action & Link to Document** | Summary of Action | Additional Info/Actions | Additional Links |
| Portland Cement Manufacturing NSPS & NESHAP 40 CFR Part 60 & 63 Subpart F & LLL | 1/20/11 | Direct Final & Proposal | The EPA is taking direct final action on amendments to the National Emissions Standards for Hazardous Air Pollutants (NESHAP) from the Portland Cement Manufacturing Industry and Standards of Performance (NSPS) for Portland Cement Plants. The final rules were published on September 9, 2010. This direct final action amends certain regulatory text to clarify compliance dates and clarifies that the previously issued emission limits that were changed in the September 9, 2010, action remain in effect until sources are required to comply with the revised limits. We are also correcting two minor typographical errors in the regulatory text to the September 9, 2010 action. | | NDEQ Air Toxics Notebook Page |
| Greenhouse Gas Reporting Rule Administrative Practice & Procedure 40 CFR Part 98 | 1/19/11 | Notice | On December 27, 2010, EPA concurrently published a proposed Change to the Reporting Date for Certain Data Elements Required Under the Mandatory Reporting of Greenhouse Gases Rule and a Call for Information on Inputs to Emission Equations Under the Mandatory Reporting of Greenhouse Gases Rule. In this action, EPA is providing notice of a public hearing on the Call for Information, to be held on February 3, 2011, and extending the comment period for both actions until March 7, 2011. | | EPA's Greenhouse Gas Website |
| CSAPR (Transport Rule) NSR, PSD, Acid Rain, & Trading Programs 40 CFR Part 51, 52, 72, 78, & 97 | 1/7/11 | Proposed Rule | EPA has supplemented the Transport Rule docket with additional information, including unit-level SO ₂ Group 1 and Group 2, NO _x annual, and NO _x ozone season allowances for existing units calculated using two alternative methodologies and data supporting those calculations. The Notice of Data Availability (NODA) requests public comment on these two alternative allocation methodologies of SO ₂ and NO _x for existing units, on the unit-level allocations calculated using those alternative methodologies, on the data supporting the calculations, and on any resulting implications for the proposed assurance provisions. Comments must be received on or before February 7, 2011. | | EPA's Cross-State Air Pollution Rule (CSAPR) Website |