

Federal Regulatory Air Actions 2012

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Chemical Manufacturing Area Sources NESHAP 40 CFR Part 63	12/21/12	Final Rule: Lift of Stay	EPA is lifting the stay of the title V permit requirement issued on March 14, 2011, and lifting the stay of the final rule issued on October 25, 2012. In addition, this final action includes revisions to the EPA's approach for addressing malfunctions and standards applicable during startup and shutdown periods. This final action also includes amendments and technical corrections to the final rule to clarify applicability and compliance issues raised by stakeholders subject to the 2009 final rule. This action		NDEQ Air Toxics Notebook Page
Coal- & Oil-Fired Electric Utility Steam Generating Units NSPS & NESHAP 40 CFR Part 60 & 63 Subpart Da & UUUUU	11/30/12	Proposed Rule	<p>The EPA received petitions for reconsideration of certain aspects of MATS and the Utility NSPS. In this notice, the EPA is announcing reconsideration of certain new source standards for MATS, the requirements applicable during periods of startup and shutdown for MATS, the startup and shutdown provisions related to the particulate matter (PM) standard in the Utility NSPS, and certain revisions to the definitional and monitoring provisions of the Utility NSPS. The EPA is also proposing certain technical corrections to both MATS and the Utility NSPS.</p> <p>The EPA is seeking comment only on the aspects of the final MATS and Utility NSPS rules specifically identified in this notice. The EPA is not opening for reconsideration any other provisions of MATS or the Utility NSPS at this time.</p>	12/12/12: Comment period extended until January 7, 2013.	NDEQ Air Toxics Notebook Page
Greenhouse Gas Reporting Greenhouse Gas 40 CFR Part 98	11/20/12	Extension of Public Comment Period	The EPA is announcing an extension of the public comment period for the proposed rule titled "Greenhouse Gas Reporting Program: Proposed Amendments and Confidentiality Determinations for Subpart I." In addition, the EPA is notifying the public that additional documentation related to this proposed rule was entered into the docket on November 8, 2012.		EPA's Greenhouse Gas Reporting Program Website
Diesel Fuel Sulfur Control & Reinforced Plastic Composites Production NESHAP & Fuel & Fuel Additives 40 CFR Part 9, 63, 80, 85, 86, 122, 123, & 412 Subpart WWWW	10/31/12	Request for Comments	EPA will review three regulatory actions pursuant to section 610 of the Regulatory Flexibility Act. Those three actions are: Heavy-Duty Engine and Vehicle Standards and Highway Diesel Fuel Sulfur Control Requirements (Heavy-Duty 610 Review); NESHAP: Reinforced Plastic Composites Production (Plastics 610 Review); and NPDES Permit Regulation and Effluent Limitations Guidelines Standards for CAFOs (CAFO 610 Review). As part of this review, EPA will consider and solicit comments on the following factors: The continued need for the rules; the nature of complaints or comments received concerning the rules; the complexity of the rules; the extent to which the rules overlap, duplicate, or conflict with other Federal, State, or local government rules; and the degree to which the technology, economic conditions or other factors have changed in areas affected by the rules.		NDEQ Air Toxics Notebook Page

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Chemical Manufacturing Area Sources NESHAP 40 CFR Part 63 Subpart VVVVVV	10/25/12	Final Rule	On January 30, 2012, the EPA published in the Federal Register a proposed rule reconsidering certain provisions in the final National Emission Standards for Hazardous Air Pollutants for Chemical Manufacturing Area Sources (CMAS) that was promulgated on October 29, 2009. The compliance date for the final CMAS rule is October 29, 2012. However, the EPA is still in the process of finalizing the reconsideration action. For this reason, a short stay of the final CMAS rule pending completion of the reconsideration action is warranted. Pursuant to the Clean Air Act, the EPA is staying until December 24, 2012 the final CMAS rule.		NDEQ Air Toxics Notebook Page
PM2.5 New Source Review State Implementation Plans 40 CFR Part 51 & 52	10/25/12	Final Rule	The EPA is issuing a final rule that revises the definition of "regulated NSR pollutant" contained in two sets of Prevention of Significant Deterioration (PSD) regulations and in the EPA's Emission Offset Interpretative Ruling. This revision removes a general requirement in the definition of "regulated NSR pollutant" to include condensable PM when measuring one of the emissions-related indicators for particulate matter (PM) known as "particulate matter emissions" in the context of the PSD and NSR regulations. However, the rule preserves the requirement in some particular cases to include condensable PM in measurements of "particulate matter emissions" as required by other regulations. In addition, measurement of condensable PM continues to be required in all cases for two other emissions-related indicators for emissions of PM--emissions of particles with an aerodynamic diameter of less than or equal to 10 micrometers (PM10 emissions) and PM2.5 emissions.		EPA's NSR Website
Electronics Manufacturing Calculation & Monitoring Methodologies Greenhouse Gas 40 CFR Part 98	10/16/12	Proposed Rule	This action proposes amending the calculation and monitoring methodologies for the Electronics Manufacturing, of the Greenhouse Gas Reporting Rule. Proposed changes include revising certain calculation methods and adding a new method, amending data reporting requirements, and clarifying terms and definitions. This action also proposes confidentiality determinations for the reporting of the new and revised data elements. Many of these proposed actions are in response to a petition to reconsider specific aspects of our regulations. This document also proposes amendments to the General Provisions of the Greenhouse Gas Reporting Rule to reflect proposed changes to the reporting requirements for the Electronics Manufacturing sector.		EPA's Greenhouse Gas Website

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Light-Duty Vehicle Greenhouse Gas & Fuel Economy Standards Mobile Sources 40 CFR Part 85, 86, & 600	10/15/12	Final Rule	EPA and NHTSA are issuing final rules to further reduce greenhouse gas emissions and improve fuel economy for light-duty vehicles for model years 2017 and beyond. NHTSA is finalizing Corporate Average Fuel Economy standards for model years 2017-2021 and issuing augural standards for model years 2022-2025 under the Energy Policy and Conservation Act. NHTSA will set final standards for model years 2022-2025 in a future rulemaking. EPA is finalizing greenhouse gas emissions standards for model years 2017-2025 under the Clean Air Act. These standards apply to passenger cars, light-duty trucks, and medium-duty passenger vehicles. Under the National Program, automobile manufacturers will be able to continue building a single light-duty national fleet that satisfies all requirements under both programs while ensuring that consumers still have a full range of vehicle choices that are available today. EPA is also finalizing minor changes to the regulations applicable to model years 2012-2016, with respect to air conditioner performance, nitrous oxides measurement, off-cycle technology credits, and police and emergency vehicles.		
Renewable Fuel Standard & Diesel Sulfur Programs Fuels & Fuel Additives 40 CFR Part 80	10/9/12	Direct Final Rule	EPA is issuing this direct final rule to amend the definition of heating oil in the Renewable Fuel Standard. This amendment will expand the scope of renewable fuels that can generate Renewable Identification Numbers (RINs) as heating oil to include fuel oil produced from qualifying renewable biomass that will be used to generate heat to warm buildings or other facilities where people live, work, recreate, or conduct other activities. Fuel oils used to generate process heat, power, or other functions will not be included in the amended definition. EPA is also amending the requirements under EPA's diesel sulfur program related to the sulfur content of locomotive and marine diesel fuel produced by transmix processors. These amendments will allow locomotive and marine diesel fuel produced by transmix processors to meet a maximum 500 parts per million (ppm) sulfur standard. EPA is also amending the fuel marker requirements for 500 ppm sulfur locomotive and marine (LM) diesel fuel to address an oversight in the original rulemaking.		EPA's Renewable Fuel Standards Website
Substitutes for Ozone-Depleting Substances Protection of Stratospheric Ozone 40 CFR Part 82	9/19/12	Direct Final Rule	EPA is taking direct final action to list substitutes for ozone-depleting substances (ODSs) in the fire suppression and explosion protection sector as acceptable subject to use restrictions under the EPA's Significant New Alternatives Policy program. This program implements Section 612 of the Clean Air Act, as amended in 1990, which requires EPA to evaluate substitutes for ozone-depleting substances and find them acceptable where they pose comparable or lower overall risk to human health and the environment than other available substitutes.	12/14/12: Withdrawal in Part	EPA's Stratospheric Ozone Protection Website

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Chromium Electroplating, Anodizing, & Steel Pickling NESHAP 40 CFR Part 63 Subpart CCC	9/19/12	Final Rule	On October 21, 2010, EPA proposed amendments to these NESHAP. On February 8, 2012, EPA published a supplemental proposal with new analyses and results. For hard and decorative chromium electroplating and chromium anodizing tanks these final amendments include revisions to the emissions limits for total chromium; addition of housekeeping requirements to minimize fugitive emissions; and a requirement to phase-out the use of perfluorooctane sulfonic acid (PFOS) based fume suppressants. In addition, as part of the October 2010 proposal, we proposed certain actions for hard and decorative chromium electroplating and chromium anodizing tanks. For these sources, we are modifying and adding testing and monitoring, recordkeeping, and reporting requirements; and revisions to the regulatory provisions related to emissions during periods of malfunction. For steel pickling hydrochloric acid regeneration plants, we are finalizing our proposal to remove the alternative compliance method. Additionally, we are adding provisions to the Steel Pickling Facilities NESHAP requiring that the emission limits of the rule apply at all times, including during periods of startup, shutdown and malfunction.		NDEQ Air Toxics Notebook Page
Petroleum Refineries NSPS 40 CFR Part 60 Subpart J & Ja	9/12/12	Final Rule	On June 24, 2008, the EPA promulgated amendments to the Standards of Performance for Petroleum Refineries and new standards of performance for petroleum refinery process units constructed, reconstructed or modified after May 14, 2007. The EPA subsequently received three petitions for reconsideration of these final rules. On September 26, 2008, the EPA granted reconsideration and issued a stay for the issues raised in the petitions regarding process heaters and flares. On December 22, 2008, the EPA addressed those specific issues by proposing amendments to certain provisions for process heaters and flares and extending the stay of these provisions until further notice. The EPA also proposed technical corrections to the rules for issues that were raised in the petitions for reconsideration. In this action, the EPA is finalizing those amendments and technical corrections and is lifting the stay of all the provisions granted on September 26, 2008 and extended until further notice on December 22, 2008.		NDEQ NSPS Notebook Page

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Pulp & Paper Industry NESHAP 40 CFR Part 63 Subpart S	9/11/12	Final Rule	This action finalizes the residual risk and technology review conducted for the pulp and paper industry source category regulated under national emission standards for hazardous air pollutants. The EPA is required to conduct residual risk and technology reviews under the Clean Air Act. This action finalizes amendments to the national emission standards for hazardous air pollutants that include a requirement for 5-year repeat emissions testing for selected process equipment; revisions to provisions addressing periods of startup, shutdown and malfunction; a requirement for electronic reporting; additional test methods for measuring methanol emissions; and technical and editorial changes. The amendments are expected to ensure that control systems are properly maintained over time, ensure continuous compliance with standards and improve data accessibility; we estimate facilities nationwide will spend \$2.1 million per year to comply.		NDEQ Air Toxics Notebook Page
Stationary Combustion Turbines NSPS 40 CFR Part 60 Subpart KKKK	8/29/12	Proposed Rule	The EPA is proposing to amend the new source performance standards (NSPS) for stationary gas turbines and stationary combustion turbines. On July 6, 2006, the EPA promulgated amendments to the new source performance standards for stationary combustion turbines. On September 5, 2006, the Utility Air Regulatory Group filed a petition for reconsideration of certain aspects of the promulgated standards. The EPA is proposing to amend specific provisions in the NSPS to resolve issues and questions raised by the petition for reconsideration, and to address other technical and editorial issues. In addition, this proposed rule would amend the location and wording of existing paragraphs for clarity.	10/26/12: Comment period extended until December 28, 2012.	NDEQ NSPS Notebook Page
Fluorinated Gas Source Category Greenhouse Gas 40 CFR Part 98	8/24/12	Final Rule	The EPA is amending specific provisions of the Greenhouse Gas Reporting Rule to provide greater clarity and flexibility to facilities subject to reporting emissions from the industrial waste landfill, petroleum and natural gas systems, fluorinated gas production, and electronics manufacturing source categories. These source categories will report greenhouse gas data for the first time in September 2012. The changes do not significantly change the overall calculation and monitoring requirements of the Greenhouse Gas Reporting Rule or add additional requirements for reporters. The EPA is also making confidentiality determinations for four new data elements for the fluorinated gas production source category of the Greenhouse Gas Reporting Rule. Lastly, the EPA is finalizing an amendment to the general provisions to defer the reporting deadline for a data element used as an input to an emission equation in the fluorinated gas production source category until 2015.		EPA's Greenhouse Gas Website

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Oil & Natural Gas Sector NSPS & NESHAP 40 CFR Part 60 & 63 Subpart KKK, LLL, OOOO, HH, & HHH	8/16/12	Final Rule	This action finalizes the review of new source performance standards for the listed oil and natural gas source category. The EPA revised the new source performance standards for volatile organic compounds from leaking components at onshore natural gas processing plants and new source performance standards for sulfur dioxide emissions from natural gas processing plants. The EPA also established standards for certain oil and gas operations not covered by the existing standards. This action includes revisions to the existing leak detection and repair requirements. In addition, the EPA established emission limits reflecting maximum achievable control technology for certain currently uncontrolled emission sources in these source categories. This action also includes modification and addition of testing and monitoring and related notification, recordkeeping and reporting requirements, as well as other minor technical revisions to the national emission standards for hazardous air pollutants. This action finalizes revisions to the regulatory provisions related to emissions during periods of startup, shutdown and malfunction.	NDEQ NSPS Notebook Page (OOOO)	NDEQ Air Toxics Notebook Page (HH)
Nitric Acid Plants NSPS 40 CFR Part 60 Subpart Ga	8/14/12	Final Rule	The EPA is finalizing the new source performance standards (NSPS) for nitric acid plants. Nitric acid plants include one or more nitric acid production units (NAPUs). These revisions include a change to the nitrogen oxides (NOX) emission limit, which applies to each NAPU commencing construction, modification, or reconstruction after October 14, 2011. These revisions also include additional testing and monitoring requirements.		NDEQ NSPS Notebook Page
Confidentiality Determinations Greenhouse Gas 40 CFR Part 98	8/12/12	Final Rule	This action finalizes confidentiality determinations for certain data elements in regulations under the Mandatory Greenhouse Gas Reporting Rule. In addition, the EPA is finalizing amendments to defer the reporting deadline of certain data elements until 2013 and to defer the reporting deadline of certain data elements until 2015. Lastly, the EPA is finalizing amendments regarding the calculation and reporting of emissions from facilities that use best available monitoring methods. This action does not include final confidentiality determinations for data elements in the "Inputs to Emission Equations" data category.		EPA's Greenhouse Gas Reporting Program Website
Significant New Alternatives Policy Program Protection of Stratospheric Ozone 40 CFR Part 82	8/10/12	Determination of Acceptability	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. This action lists as acceptable four additional substitutes for use in the refrigeration and air conditioning sector; two additional substitutes in the foam blowing sector; one additional substitute in the solvent cleaning sector; two additional substitutes in the aerosol sector; and one additional substitute in the fire suppression sector.		EPA's Stratospheric Ozone Protection Website

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Coal- & Oil-Fired Electric Utility Steam Generating Units NESHAP 40 CFR Part 63 Subpart UUUUU	8/2/12	Partial Stay of Effectiveness	This action stays the effectiveness of national new source emission standards for hazardous air pollutants from coal- and oil-fired electric utility steam generating units issued pursuant to Clean Air Act section 112 that were published in the Federal Register on February 16, 2012 (77 FR 9304).		NDEQ Air Toxics Notebook Page
Total Reduced Sulfur Emissions Testing NSPS 40 CFR Part 60 Subpart	7/30/12	Final Rule	This action promulgates Method 16C for measuring total reduced sulfur (TRS) emissions from stationary sources. Method 16C offers the advantages of real-time data collection and uses procedures that are already in use for measuring other pollutants. Method 16C will be a testing option that is used at the discretion of the tester.		
Ozone NAAQS Review NAAQS 40 CFR Part 50	7/19/12	Notice of Data Availability	The Office of Air Quality Planning and Standards (OAQPS) of the EPA is making available for public comment two draft assessment documents titled, Health Risk and Exposure Assessment for Ozone, First External Review Draft and Welfare Risk and Exposure Assessment for Ozone, First External Review Draft. These two draft assessment documents describe the quantitative analyses the EPA is conducting as part of the review of the national ambient air quality standards (NAAQS) for ozone (O3). In addition, OAQPS will make available for public comment the first draft document titled, Policy Assessment for the Review of the Ozone National Ambient Air Quality Standards, First External Review Draft, as well as appendices and additional technical materials that support the first draft Policy Assessment and first draft Risk and Exposure Assessments.		EPA's Ozone Risk & Exposure Assessment Drafts
Portland Cement Manufacturing NSPS & NESHAP 40 CFR Part 60 & 63 Subpart F & LLL	7/18/12	Proposed Rule	The EPA is proposing amendments to the National Emission Standards for Hazardous Air Pollutants for the Portland cement industry for Portland cement plants issued under sections 112(d) of the Clean Air Act. Specifically, the EPA is proposing to amend the existing and new source standards for particulate matter (PM). The EPA is also proposing amendments with respect to issues on which it granted reconsideration on May 17, 2011. In addition, the EPA is proposing amendments to the new source performance standard for PM issued pursuant to section 111(b) of the Clean Air Act. These proposed amendments would promote flexibility, reduce costs, and ease compliance burdens. EPA is also addressing the remand of the emission standards in the NESHAP by the D.C. Circuit on December 9, 2011. Finally, the EPA is proposing to extend the date for compliance with the existing source national emission standards for hazardous air pollutants to September 9, 2015.	NDEQ NSPS Notebook Page	NDEQ Air Toxics Notebook Page

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Greenhouse Gas Tailoring Rule & PALs State Implementation Plans 40 CFR Part 52	7/12/12	Final Rule	The EPA is promulgating the third step (Step 3) of the phase-in approach to permitting sources of greenhouse gas (GHG) emissions as required in the GHG Tailoring Rule. This rule completes Step 3 by determining not to lower the current Prevention of Significant Deterioration (PSD) and title V applicability thresholds for GHG-emitting sources established in the Tailoring Rule for Steps 1 and 2. The EPA is also promulgating regulatory revisions for better implementation of the federal program for establishing plantwide applicability limitations (PALs) for GHG emissions.		EPA's Greenhouse Gas Reporting Website
Exceptional Events NAAQS & State Implementation Plans 40 CFR Part 50 & 51	7/6/12	Notice	The EPA has posted its draft non-binding guidance titled, Draft Guidance to Implement Requirements for the Treatment of Air Quality Monitoring Data Influenced by Exceptional Events and associated attachments, on the agency's Internet Web site. The EPA invites public comments on this guidance document and plans to issue an updated version of the guidance after reviewing timely submitted comments. The EPA intends to hold a conference call to provide interested stakeholders with an overview of the Exceptional Events draft guidance.		EPA's Exceptional Events Website & Draft Guidance
Regional Haze BART Determination State Implementation Plans 40 CFR Part 52	7/6/12	Final Rule	EPA is finalizing a partial approval and partial disapproval of a revision to the State Implementation Plan (SIP) for Nebraska, submitted by the State of Nebraska through the Nebraska Department of Environmental Quality (NDEQ) on July 13, 2011, that is intended to address regional haze for the first implementation period. This revision is intended to address the requirements of the Clean Air Act (CAA or Act) and EPA's rules that require states to prevent any future and remedy any existing anthropogenic impairment of visibility in mandatory Class I Areas (national parks and wilderness areas) caused by emissions of air pollutants located over a wide geographic area (also known as the "regional haze" program). States are required to assure reasonable progress toward the national goal of achieving natural visibility conditions in Class I areas. EPA is also promulgating a Federal Implementation Plan (FIP) relying on the Transport Rule to satisfy BART for sulfur dioxide (SO ₂) at one source to address deficiencies in the State's plan.		EPA's Regional Haze Program Website

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Particulate Matter NAAQS, State Implementation Plans, Monitoring, & Surveillance 40 CFR Part 50, 51, 52, 53, & 58	6/29/12	Proposed Rule	The EPA is proposing revisions to the primary and secondary NAAQS for PM to provide requisite protection of public health and welfare, respectively, and to make corresponding revisions to the data handling conventions for PM and ambient air monitoring, reporting, and network design requirements. The EPA also proposes revisions to the prevention of significant deterioration (PSD) permitting program with respect to the proposed NAAQS revisions. With regard to primary standards for fine particles (generally referring to particles less than or equal to 2.5 micrometers ([mu]m) in diameter, PM2.5), the EPA proposes to revise the annual PM2.5 standard by lowering the level to within a range of 12.0 to 13.0 micrograms per cubic meter ([mu]g/m\3\) and to retain the 24-hour PM2.5 standard. With regard to the primary standard for particles generally less than or equal to 10 [mu]m in diameter (PM10), the EPA proposes to retain the current 24-hour PM10 standard. With regard to the secondary PM standards, the EPA proposes to revise the suite of secondary PM standards by adding a distinct standard for PM2.5 to address PM-related visibility impairment and to retain the current	6/29/12: Correction	EPA's PM NAAQS Website
Definition of VOCs State Implementation Plans 40 CFR Part 51	6/22/12	Final Rule	This action revises the EPA's definition of volatile organic compounds (VOCs) under the Clean Air Act (CAA). This revision adds 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 this compound makes a negligible contribution to tropospheric ozone formation. As a result, emissions of HFO-1234ze may not be regulated for some purposes for sources subject to certain federal regulations limiting emissions of VOCs. This action may also affect whether HFO-1234ze is considered a VOC for state regulatory purposes, depending on whether the state relies on the EPA's definition of VOC.		
Ozone & Related Photochemical Oxidants NAAQS 40 CFR Part 50	6/19/12	Notice of Public Comment Period	EPA is announcing the availability of the third external review draft of a document titled, "Third External Review Draft Integrated Science Assessment for Ozone and Related Photochemical Oxidants" (EPA/600/R-10/076C). 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). The draft document does not represent and should not be construed to represent any final EPA policy, viewpoint, or determination. EPA will consider any public comments submitted in response to this notice when revising the document.	Public Comment Period: 6/19/12 - 8/20/12	EPA's Ozone NAAQS Website

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Renewable Fuels from Grain Sorghum Fuels & Fuel Additives 40 CFR Part 80 Subpart	6/12/12	Notice of Data Availability	This notice of data availability provides an opportunity to comment on EPA's analyses of grain sorghum used as a feedstock to produce ethanol under the Renewable Fuel Standard (RFS) program. EPA's analysis shows that ethanol from grain sorghum has estimated lifecycle greenhouse gas (GHG) emission reductions of 32% compared to the baseline petroleum fuel it would replace. This analysis indicates that grain sorghum ethanol qualifies as a conventional renewable fuel under the RFS program. Furthermore, this analysis shows that, when produced via certain pathways that utilize advanced process technologies (e.g., biogas in addition to combined heat and power), grain sorghum ethanol has lifecycle GHG emission reductions of over 50% compared to the baseline petroleum fuel it would replace, and would qualify as an advanced biofuel under RFS.		EPA's Renewable Fuel Standards Website
Revisions to FIP CSAPR 40 CFR Part 97	6/12/12	Final Rule	EPA is taking final action on revisions to the final Transport Rule (Federal Implementation Plans: Interstate Transport of Fine Particulate Matter and Ozone and Correction of SIP Approvals, published August 8, 2011). EPA is revising the 2012 and 2014 state budgets for Arkansas, Georgia, Indiana, Kansas, Louisiana, Mississippi, Missouri, New York, Nebraska, Ohio, Oklahoma, South Carolina, and Texas, and revising the new unit set-asides for Arkansas, Louisiana, and Missouri. These revisions are in addition to the revisions to the final Transport Rule published on February 21, 2012.		
Revisions for Emergency Vehicles Pollution Control from Mobile Sources 40 CFR Part 85, 86, & 1039	6/8/12	Direct Final Rule	EPA is taking direct final action on revisions to its heavy-duty diesel regulations that will enable emergency vehicles, such as dedicated ambulances and fire trucks, to perform mission-critical life-saving work without risking that abnormal conditions of the emission control system could lead to decreased engine power, speed or torque. The revisions will allow manufacturers to request and EPA to approve modifications to emission control systems on emergency vehicles so they do not interfere with the vehicles' missions. This action is not expected to result in any significant changes in regulatory burdens or costs.		EPA's Transportation & Air Quality Website

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Revisions for Emergency Vehicles Pollution Control from Mobile Sources 40 CFR Part 85, 86, & 1039	6/8/12	Notice of Proposed Rulemaking	This proposal consists of three parts. First, EPA is proposing revisions to its heavy-duty diesel regulations that would enable emergency vehicles to perform their mission-critical life-saving work without risking that abnormal conditions of the emission control system could lead to decreased engine power, speed or torque. The revisions would allow manufacturers to request and EPA to approve modifications to emission control systems on emergency vehicles so they do not interfere with the vehicles' missions. Second, EPA is proposing to revise the emission-related maintenance and scheduled maintenance intervals for all motor vehicles and nonroad compression-ignition engines to specify minimum maintenance intervals in connection with the use of selective catalytic reduction technologies. Third, EPA is proposing to offer short-term relief for nonroad engines from performance inducements related to the emission control system, for general purpose nonroad vehicles while operating in temporary emergency service.		EPA's Transportation & Air Quality Website
Internal Combustion Engines NSPS & NESHAP 40 CFR Part 60 & 63 Subpart JJJJ & ZZZZ	6/7/12	Proposed Rule	The EPA is proposing amendments to the national emission standards for hazardous air pollutants for stationary reciprocating internal combustion engines under section 112 of the Clean Air Act. The proposed amendments include alternative testing options for certain large spark ignition (generally natural gas-fueled) stationary reciprocating internal combustion engines, management practices for a subset of existing spark ignition stationary reciprocating internal combustion engines in sparsely populated areas and alternative monitoring and compliance options for the same engines in populated areas. The EPA is also proposing to include a limited temporary allowance for existing stationary emergency area source engines to be used for peak shaving and non-emergency demand response. In addition, the EPA is proposing to increase the hours that stationary emergency engines may be used for emergency demand response. The proposed amendments also correct minor mistakes in the pre-existing regulations.	6/21/12: Public hearing on July 10, 2012. Comment period extended until August 9, 2012. 10/3/12: Public comment period extended until November 2, 2012.	NDEQ Air Toxics Notebook Page
Regional Haze State Implementation Plans 40 CFR Part 51 & 52	6/7/12	Final Rule	The EPA is finalizing revisions to the regional haze program. In this action, the EPA is finalizing the finding that the trading programs in the Transport Rule, also known as the Cross-State Air Pollution Rule (CSAPR), achieve 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

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SNAP Program Protection of Stratospheric Ozone 40 CFR Part 82	6/6/12	Final Rule	Pursuant to the U.S. Environmental Protection Agency (EPA)'s Significant New Alternatives Policy (SNAP) program, this action lists carbon dioxide (CO2) or R-744, as acceptable substitute, subject to use conditions, in the motor vehicle air conditioning (MVAC) end-use for motor vehicles (i.e., passenger cars, light-duty and heavy-duty vehicles) within the refrigeration and air-conditioning sector. This final rule only concerns the use of CO2 in MVAC systems designed specifically for the use of CO2 refrigerant. The substitute is non-ozone-depleting and therefore does not contribute to stratospheric ozone depletion.		EPA's Stratospheric Ozone Protection Website
Technical Corrections & Confidentiality Determinations Greenhouse Gas 40 CFR Part 98 Subpart	5/21/12	Proposed Rule	The EPA is proposing to amend specific provisions of the Greenhouse Gas Reporting Rule to provide greater clarity and flexibility to facilities subject to reporting emissions from certain source categories. These source categories will report greenhouse gas (GHG) data for the first time in September of 2012. The proposed changes are not expected to significantly change the overall calculation and monitoring requirements of the Greenhouse Gas Reporting Rule or add additional requirements for reporters, but are expected to correct errors and clarify existing requirements in order to facilitate accurate and timely reporting. The EPA is also proposing confidentiality determinations for four new data elements for the fluorinated gas production source category of the Greenhouse Gas Reporting Rule. Lastly, we are proposing an amendment to Table A-7 of the general provisions to add a data element used as an input to an emission equation in the fluorinated gas production source category.		EPA's Greenhouse Gas Reporting Website
2008 Ozone NAAQS Designations Air Quality Designations 40 CFR Part 81	5/21/12	Final Rule	This rule establishes initial air quality designations for most areas in the United States, including areas of Indian country, for the 2008 primary and secondary national ambient air quality standards (NAAQS) for ozone.		EPA's Ozone NAAQS Website
Phaseout of Methyl Bromide Protection of Stratospheric Ozone 40 CFR Part 82	5/17/12	Final Rule	EPA is authorizing 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 this action under the authority of the Clean Air Act to reflect a recent consensus decision by the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer at the Twenty-Second Meeting of the Parties.	Deadline Extension	EPA's Stratospheric Ozone Protection Website

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Sewage Sludge Incineration Units NSPS 40 CFR Part 60 Subpart LLLL & MMMM	4/27/12	Denial of Petitions for Reconsideration	The EPA has denied two petitions for reconsideration of a final rule published in the Federal Register on March 21, 2011. The rule established new source performance standards and emission guidelines for sewage sludge incineration units located at wastewater treatment facilities designed to treat domestic sewage sludge, and was issued pursuant to the EPA's authority under Clean Air Act section 129 to regulate solid waste incineration units. After publication of the rule, the EPA received petitions for reconsideration of the final rule from the National Association of Clean Water Agencies (NACWA) (dated May 24, 2011) and the Sierra Club (dated May 20, 2011). EPA Administrator Lisa P. Jackson denied the petitions for reconsideration on April 6, 2012, in separate letters to the petitioners.		NDEQ NSPS Notebook Page
Hospital/Medical/Infectious Waste Incinerators NSPS & FIPs 40 CFR Part 60 & 62 Subpart Ec & HHH	4/23/12	Proposed Rule	This action proposes amendments to the hospital/medical/infectious waste incinerators federal plan to implement the amended emission guidelines adopted on October 6, 2009, for those states that do not have an approved revised/new state plan implementing the emission guidelines, as amended, in place by October 6, 2011. This action also proposes to amend the new source performance standards to better reflect the original intent in the October 6, 2009, final rule in eliminating an exemption during startup, shutdown and malfunction periods from the requirement to comply with standards at all times.		NDEQ NSPS Notebook Page
Polyvinyl Chloride & Copolymers Production NESHAP 40 CFR Part 63 Subpart DDDDDD & HHHHHH	4/17/12	Final Rule	The EPA is promulgating National Emission Standards for Hazardous Air Pollutants for Polyvinyl Chloride and Copolymers Production. The final rules establish emission standards that apply at all times, including periods of startup, shutdown and malfunction, for hazardous air pollutants from polyvinyl chloride and copolymers production located at major and area sources. The final rules include requirements to demonstrate initial and continuous compliance with the emission standards, including monitoring provisions and recordkeeping and reporting requirements.		NDEQ Air Toxics Notebook Page

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Greenhouse Gas Emissions for EGUs NSPS 40 CFR Part 60 Subpart TTTT	4/13/12	Proposed Rule	<p>The EPA is proposing new source performance standards for emissions of carbon dioxide (CO₂) for new affected fossil fuel-fired electric utility generating units (EGUs). The proposed requirements, which are strictly limited to new sources, would require new fossil fuel-fired EGUs greater than 25 megawatt electric (MWe) to meet an output-based standard of 1,000 pounds of CO₂ per megawatt-hour (lb CO₂/MWh). New coal-fired or pet coke-fired units could meet the standard either by employing carbon capture and storage (CCS) of approximately 50% of the CO₂ in the exhaust gas at startup, or through later application of more effective CCS to meet the standard on average over a 30-year period. The EPA is not proposing standards of performance for existing EGUs whose CO₂ emissions increase as a result of installation of pollution controls for conventional pollutants, or for proposed EGUs that have acquired a complete preconstruction permit by the time of this proposal and that commence construction within 12 months of this proposal. As a result, those sources would not be subject to the standards of performance proposed in today's rule.</p>	5/4/12: Notice of Public Hearings	NDEQ NSPS Notebook Page
Secondary NAAQS for Oxides of Nitrogen & Sulfur NAAQS 40 CFR Part 50	4/3/12	Final Rule	<p>The EPA is retaining the current nitrogen dioxide (NO₂) and sulfur dioxide (SO₂) secondary standards to address the direct effects on vegetation of exposure to gaseous oxides of nitrogen and sulfur and, for reasons described in detail in this final preamble, is not adding new standards at this time to address effects associated with the deposition of oxides of nitrogen and sulfur on sensitive aquatic and terrestrial ecosystems. In addition, in this rule the EPA describes a field pilot program being developed to enhance our understanding of the degree of protectiveness that would likely be afforded by a multi-pollutant standard to address deposition-related acidification of sensitive aquatic ecosystems.</p>		EPA's NO₂ & SO₂ Secondary Standards Website
Motor Vehicle Air Conditioning Protection of Stratospheric Ozone 40 CFR Part 82	3/23/12	Direct Final Rule	<p>The U.S. Environmental Protection Agency (EPA) is taking direct final action to revise one of the use conditions required for use of hydrofluoroolefin (HFO)-1234yf (2,3,3,3-tetrafluoroprop-1-ene), a substitute for ozone-depleting substances (ODSs) in the motor vehicle air conditioning end-use within the refrigeration and air conditioning sector, to be acceptable subject to use conditions under EPA's Significant New Alternatives Policy (SNAP) program. The revised use condition incorporates by reference a revised standard from SAE International.</p>		EPA's Stratospheric Ozone Protection Website

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Volatile Organic Compounds State Implementation Plans 40 CFR Part 51	3/23/12	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 standard (NAAQS) for ozone under Title I of the Clean Air Act (CAA). This proposed revision would add four chemical compounds to the list of compounds excluded from the definition of VOC on the basis that each of these compounds makes a negligible contribution to tropospheric ozone formation. These compounds consist of four hydrofluoropolyethers (HFPEs) which are identified as HCF2OCF2H (also known as HFE-134), HCF2OCF2OCF2H (also known as HFE-236ca2), HCF2OCF2CF2OCF2H (also known as HFE-338pcc13), and HCF2OCF2OCF2CF2OCF2 H (also known as H-Galden 1040X or H-Galden ZT 130 (or 150 or 180)). In addition, the EPA is proposing to make certain technical corrections to the current list of exempt compounds at 40 CFR 51.100(s)(1).		
Regulated NSR Pollutants State Implementation Plans 40 CFR Part 51 & 52	3/16/12	Proposed Rule	The EPA is proposing to revise the definition "regulated NSR pollutant" contained in two sets of Prevention of Significant Deterioration (PSD) regulations and in the EPA's Emission Offset Interpretative Ruling. This revision would correct an inadvertent error made in 2008 when the EPA issued its final rule to implement the new source review (NSR) program for fine particles with an aerodynamic diameter of less than or equal to 2.5 micrometers (PM2.5). Effectively, this revision would reestablish the interpretation that for measurement of "particulate matter emissions" in the context of the PSD and NSR regulations there is no explicit requirement to include measurement of condensable PM. However, the condensable portion would continue to be required for emissions of particles with an aerodynamic diameter of less than or equal to 10 micrometers (PM10) and PM2.5.		EPA's NSR Website
Emissions Estimating Methodologies NSPS 40 CFR Part 60	3/13/12	Notice of Availability	The EPA is requesting public comment on draft documents titled, "Development of Emissions Estimating Methodologies for Broiler Animal Feeding Operations" and "Development of Emissions Estimating Methodologies for Lagoons and Basins at Swine and Dairy Animal Feeding Operations." These documents contain EPA's draft emissions estimating methodologies for determining daily and annual emissions from a broiler chicken animal feeding operation and from a lagoon or basin located at a swine or dairy animal feeding operation.		

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Greenhouse Gas Tailoring Rule PSD & Title V 40 CFR Part 51, 52, 70 & 71	3/8/12	Proposed Rule	<p>This proposal concerns the third step (Step 3) in the EPA's Tailoring Rule. The EPA is proposing to maintain the applicability thresholds for greenhouse gas (GHG)-emitting sources at the current levels. The EPA is also proposing two streamlining approaches intended to improve the administration of GHG Prevention of Significant Deterioration (PSD) and title V permitting programs. The first proposal addresses the implementation of GHG plantwide applicability limitations (PALs). The EPA proposes to allow permitting authorities to issue GHG PALs on either a mass-basis (tpy) or a carbon dioxide equivalent (CO₂e)-basis and to allow PALs to be used as an alternative approach for determining whether a project is a major modification and whether GHG emissions are subject to regulation. The second proposal would create the regulatory authority for the EPA to issue synthetic minor limitations for GHGs in areas subject to a GHG PSD Federal Implementation Plan (FIP).</p>		
Regional Haze SIP State Implementation Plans 40 CFR Part 52	3/2/12	Proposed Rule	<p>EPA is proposing to partially approve and partially disapprove a revision to the Nebraska State Implementation Plan (SIP) submitted by the State of Nebraska through the Nebraska Department of Environmental Quality (NDEQ) on July 13, 2011 that addresses the requirements of the Clean Air Act (CAA or Act) and rules that require States to prevent any future and remedy any existing man-made impairment of visibility in mandatory Class I areas caused by emissions of air pollutants from numerous sources located over a wide geographic area (also referred to as the "regional haze program"). EPA is proposing to approve a portion of this SIP revision as meeting certain requirements of the regional haze program and to partially approve and partially disapprove those portions addressing the requirements for best available retrofit technology (BART) and the long-term strategy (LTS). EPA is proposing a Federal Implementation Plan (FIP) relying on the Transport Rule to satisfy BART for sulfur dioxide (SO₂) at one source to address these issues.</p>	4/4/12: Comment period extended until 5/2/12.	EPA's Regional Haze Website
Greenhouse Gas Reporting Greenhouse Gas 40 CFR Part 98	2/24/12	Proposed Rule	<p>This action re-proposes confidentiality determinations for the data elements in subpart W, the petroleum and natural gas systems category, of the Mandatory Reporting of Greenhouse Gases Rule. On July 7, 2010, the EPA proposed confidentiality determinations for then-proposed subpart W data elements and is now issuing this re-proposal due to significant changes to certain data elements in the final subpart W reporting requirements. The EPA is also proposing to assign 10 recently added reporting elements as "Inputs to Emission Equations" and to defer their reporting deadline to March 31, 2015, consistent with the agency's approach in the August 25, 2011 rule which finalized the deferral of some reporting data elements that are inputs to emissions equations.</p>		EPA's Greenhouse Gas Reporting Website

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Greenhouse Gas Reporting Greenhouse Gas 40 CFR Part 98	2/22/12	Proposed Rule	This action re-proposes confidentiality determinations for the data elements in subpart I, Electronics Manufacturing source category, of the Mandatory Reporting of Greenhouse Gases Rule. On July 7, 2010, the EPA proposed confidentiality determinations for then-proposed subpart I data elements and is now issuing this re-proposal due to significant changes to certain data elements in the final subpart I reporting requirements. In addition, the EPA is proposing amendments to subpart I regarding the calculation and reporting of emissions from facilities that use best available monitoring methods. Proposed amendments would remove the obligation to recalculate and resubmit emission estimates for the period during which the facility used best available monitoring methods after the facility has begun using all applicable monitoring methods of subpart I.		EPA's Greenhouse Gas Reporting Website
Greenhouse Gas Reporting Greenhouse Gas 40 CFR Part 98	2/22/12	Final Rule	The EPA is finalizing technical revisions to the electronics manufacturing source category of the Greenhouse Gas Reporting Rule related to fluorinated heat transfer fluids. More specifically, EPA is finalizing amendments to the definition of fluorinated heat transfer fluids and to the provisions to estimate and report emissions from fluorinated heat transfer fluids. This final rule is narrow in scope and does not address any other changes related to the electronics manufacturing source category.		EPA's Greenhouse Gas Reporting Website
FIP Revisions to CSAPR CSAPR 40 CFR Part 52 & 97	2/21/12	Final Rule	EPA is finalizing revisions to the Transport Rule that was published on August 8, 2011 (76 FR 48208). 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 finalizing allowance allocation revisions to specific units covered by certain consent decrees that restrict the use of those allowances. The resulting budgets maintain substantial emission reductions from historic levels and are consistent with the final Transport Rule's methodology for defining significant contribution and interference with maintenance.		EPA's CSAPR Website

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FIP Revisions to CSAPR CSAPR 40 CFR Part 97	2/21/12	Direct Final Rule & Proposal	EPA is taking direct final action on additional revisions to the final Transport Rule (Federal Implementation Plans: Interstate Transport of Fine Particulate Matter and Ozone and Correction of SIP Approvals published August 8, 2011). In the proposed Revisions to Federal Implementation Plans To Reduce Interstate Transport of Fine Particulate Matter and Ozone, published October 14, 2011, EPA sought additional comment on unit-level operational information similar to the information supporting the proposed revisions, which specifically addressed post-combustion pollution control equipment and immediate-term operational requirements necessitating non-economic generation based on verifiable data. Based on comments received, EPA is finalizing adjustments that result in revisions to 2012 and 2014 state budgets in Arkansas, Georgia, Indiana, Kansas, Louisiana, Mississippi, Missouri, New York, Nebraska, Ohio, Oklahoma, South Carolina, and Texas, and revisions to new unit set-asides in Arkansas, Louisiana, and Missouri.	5/16/12: EPA withdrew the direct final rule as adverse comments were received. The EPA will act on the parallel proposed rule.	EPA's CSAPR Website
2010 NO2 NAAQS Designations Air Quality Designations 40 CFR Part 81	2/17/12	Final Rule	This rule establishes air quality designations for all areas in the United States for the 2010 Primary Nitrogen Dioxide (NO ₂) National Ambient Air Quality Standards (NAAQS). Based on air quality monitoring data, the EPA is issuing this rule to designate all areas of the country as "unclassifiable/attainment" for the 2010 NO2 NAAQS. The EPA is designating areas as "unclassifiable/attainment" to mean that available information does not indicate that the air quality in these areas exceeds the 2010 NO2 NAAQS.		EPA's Nitrogen Dioxide Website
Mercury and Air Toxics Standards (MATS) NSPS & NESHAP 40 CFR Part 60 & 63 Subpart Da, Db, Dc, & UUUUU	2/16/12	Final Rule	On May 3, 2011, the EPA proposed both national emission standards for hazardous air pollutants (NESHAP) from coal- and oil-fired electric utility steam generating units (EGUs) and standards of performance for fossil-fuel-fired electric utility, industrial-commercial-institutional, and small industrial-commercial-institutional steam generating units (76 FR 24976). After consideration of public comments, the EPA is finalizing these rules. The EPA is revising standards of performance in response to a voluntary remand of a final rule, specifically the amendment of new source performance standards (NSPS) after analysis of the public comments received. The EPA is also finalizing 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. The EPA is establishing NESHAP that will require coal- and oil-fired EGUs to meet hazardous air pollutant (HAP) standards reflecting the application of the maximum achievable control technology.	4/19/12: Final Rule Correction	NDEQ Air Toxics Notebook Page

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Broadly Applicable Alternative Test Methods NSPS & NESHAP 40 CFR Part 60, 61, & 63	2/15/12	Notice	This notice announces the broadly applicable alternative test method approval decisions the EPA has made under and in support of New Source Performance Standards (NSPS) and the National Emission Standards for Hazardous Air Pollutants (NESHAP) under the Clean Air Act (CAA) in 2011.		
Secondary Aluminum Production NESHAP 40 CFR Part 63 Subpart RRR	2/14/12	Proposed Rule	The EPA is proposing amendments to the national emissions standards for hazardous air pollutants for Secondary Aluminum Production to address the results of the residual risk and technology review. In addition, the EPA is proposing amendments to correct and clarify rule requirements and provisions. These proposed amendments would require emission sources to comply with the emission limits at all times including periods of startup and shutdown; add a definition of affirmative defense; add a requirement to report performance testing through the Electronic Reporting Tool (ERT); add rule provisions allowing owners and operators to change furnace classifications; add rule requirements regarding testing of uncontrolled furnaces; add compliance provisions for hydrogen fluoride (HF) for uncontrolled group 1 furnaces; add operating requirements such as monitoring of lime injection rates; and make technical corrections and clarifications to the applicability, definitions, operating, monitoring, and performance testing requirements.	3/23/12: Comment period extended until 4/23/12.	NDEQ Air Toxics Notebook Page
Quality Assurance of COMS NSPS 40 CFR Part 60	2/14/12	Direct Final/Proposed Rule	The EPA is taking direct final action to establish quality assurance and quality control (QA/QC) procedures for continuous opacity monitoring systems (COMS) used to demonstrate continuous compliance with opacity standards in federally enforceable regulations. Currently there are no QA/QC procedures for COMS. This action would require COMS used to demonstrate continuous compliance to meet these procedures (referred to as Procedure 3).	3/8/12: Comment period extended until 4/30/12. 3/28/12: Direct Final Rule withdrawn.	NDEQ NSPS Notebook Page
Regional Haze State Implementation Plans 40 CFR Part 51 & 52	1/31/12	Extension of Public Comment Period	On December 30, 2011, the EPA published in the Federal Register a proposal to revise rules that pertain to the regional haze program. In the proposal, the EPA stated that public comments were to be submitted by February 13, 2012. In order to ensure that the public has a sufficient time to analyze the proposed rule, the EPA is extending the public comment period until February 28, 2012.	Proposed Rule	EPA's Regional Haze Program Website

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Nonconformance Penalties for Heavy Heavy-Duty Diesel Engines Vehicle Emissions Control 40 CFR Part 86	1/31/12	Interim Final Rule	EPA is taking final action to make nonconformance penalties (NCPs) available to manufacturers of heavy heavy-duty diesel engines in model years 2012 and 2013 for emissions of oxides of nitrogen (NOX). In general, the availability of NCPs allows a manufacturer of heavy-duty engines (HDEs) whose engines fail to conform to specified applicable emission standards, but do not exceed a designated upper limit, to be issued a certificate of conformity upon payment of a monetary penalty to the United States Government. The upper limit associated with these NCPs is 0.50 grams of NOX per horsepower-hour. EPA is also simultaneously publishing a parallel Notice of Proposed Rulemaking (NPRM) addressing NCPs for heavy-duty engines. Among other things, that NPRM seeks comment on NCPs for model year 2012 and later heavy heavy-duty diesel engines, as well as for medium heavy-duty diesel engines. The NCPs in the Final Rule for that NPRM will eventually supersede the NCPs being promulgated in this Interim Final Rule, especially for model year 2013 and later.	Proposed Rule	EPA's Heavy-Duty Highway Diesel Program
Chemical Manufacturing Area Sources NESHAP 40 CFR Part 63 Subpart VVVVVV	1/30/12	Proposed Rule	On October 29, 2009, the EPA promulgated national emission standards for the control of hazardous air pollutants for nine area source categories in the chemical manufacturing sector: Agricultural Chemicals and Pesticides Manufacturing, Cyclic Crude and Intermediate Production, Industrial Inorganic Chemical Manufacturing, Industrial Organic Chemical Manufacturing, Inorganic Pigments Manufacturing, Miscellaneous Organic Chemical Manufacturing, Plastic Materials and Resins Manufacturing, Pharmaceutical Production and Synthetic Rubber Manufacturing. In response to a petition, the EPA is reconsidering and requesting comment on several provisions of the final rule. The EPA is also proposing certain revisions to its approach for addressing malfunctions and taking comment on those revisions. The EPA is further soliciting comment on the standards applicable during startup and shutdown periods, as set forth in the final rule. Additionally, the EPA is proposing amendments and technical corrections to the final rule to clarify applicability and compliance issues raised by stakeholders subject to the final rule.		NDEQ Air Toxics Notebook Page
Mandatory Reporting of Greenhouse Gases Administrative Practice & Procedure 40 CFR Part 98	1/10/12	Proposed Rule	This action re-proposes confidentiality determinations for the data elements under the Mandatory Greenhouse Gas Reporting Rule. On July 7, 2010, EPA proposed confidentiality determinations for data elements and is issuing this re-proposal today due to significant changes to certain data elements. In addition, EPA is proposing confidentiality determinations for seven new data elements that are not inputs to equations. EPA is also proposing to categorize three data elements as inputs to emission equations and to defer their reporting deadline to March 31, 2013.		EPA's Greenhouse Gas Website

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Test Methods & Testing Procedures NSPS & NESHAP 40 CFR Part 51, 60, 61, & 63	1/9/12	Proposed Rule	This action proposes editorial and technical corrections necessary for source testing of emissions and operations. The revisions include the addition of alternative equipment and methods as well as corrections to technical and typographical errors. The EPA is also soliciting public comment on potential changes to the current procedures for determining emission stratification.		EPA's Emission Measurement Center Website
Pesticide Active Ingredient Production NESHAP 40 CFR Part 63 Subpart MMM	1/9/12	Proposed Rule	The EPA is proposing amendments to three national emission standards for hazardous air pollutants (NESHAP): National Emission Standards for Hazardous Air Pollutant Emissions: Group IV Polymers and Resins; NESHAP for Pesticide Active Ingredient Production; and NESHAP for Polyether Polyols Production. For all three of these NESHAP rules, the EPA is proposing decisions concerning the following: residual risk reviews; technology reviews; emissions during periods of startup, shutdown and malfunction; standards for previously unregulated hazardous air pollutant emissions; and electronic reporting of performance test results.	3/21/12: Comment period extended until 3/30/12.	NDEQ Air Toxics Notebook Page
2012 Renewable Fuel Standards Regulation of Fuels & Fuel Additives 40 CFR Part 80	1/9/12	Final Rule	EPA is finalizing a projected cellulosic biofuel volume for 2012 and annual percentage standards for cellulosic biofuel, biomass-based diesel, advanced biofuel, and renewable fuels that will apply to all gasoline and diesel produced or imported for domestic use in year 2012. EPA also proposed an applicable volume of 1.28 billion gallons for biomass-based diesel for 2013. The statute specifies that the minimum volume of biomass-based diesel for years 2013 and beyond must be at least 1.0 billion gallons. A separate final rule will be issued setting the applicable biomass-based diesel volume for calendar year 2013. This action also presents a number of changes to the RFS2 regulations that are designed to clarify existing provisions and to address several unique circumstances. The rule also makes a minor amendment to the gasoline benzene regulations regarding inclusion of transferred blendstocks in a refinery's early benzene credit generation calculations.		EPA's Renewable Fuel Standards Website

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Petroleum Refineries NESHAP 40 CFR Part 9, 63, & 65 Subpart CC	1/6/12	Proposed Rule	This action proposes amendments to the heat exchange system requirements of the national emission standards for hazardous air pollutants (NESHAP) for petroleum refineries in response to a petition for reconsideration filed by the American Petroleum Institute on the maximum achievable control technology standards promulgated on October 28, 2009. It is also creating national uniform standards for heat exchange systems and accompanying general provisions. The action proposes to revise the existing Petroleum Refinery NESHAP to cross-reference the uniform standard to allow an alternative option for complying with the standards for heat exchange systems. The proposed uniform standards would allow refiners to reduce monitoring frequency and burden by meeting a lower leak definition. If finalized, these national uniform standards would also be referenced as future NESHAPs or new source performance standards for individual source categories that have heat exchange systems are revised. There are also other clarifications and technical corrections to the Petroleum Refineries NESHAP being proposed.		NDEQ Air Toxics Notebook Page
Maintenance for SCR Technologies Control of Nonroad Engine Emissions 40 CFR Part 1039	1/5/12	Notice	EPA has granted manufacturers new emission-related scheduled maintenance and maintenance intervals for the replenishment of the nitrogen-containing reducing agent for selective catalytic reduction (SCR) technologies used with nonroad compression-ignition (NRCI) engines for 2011 and later model years. Replenishment of reducing agent for SCR technologies is considered critical emission-related maintenance.		
Maintenance for SCR Technologies Control of Vehicle Emissions 40 CFR Part 86	1/5/12	Notice	EPA has granted certain diesel vehicle and engine manufacturers' requests for approval of emission-related maintenance and scheduled maintenance intervals for replenishment of reducing agent in connection with their use of selective catalytic reduction (SCR) technologies. EPA's approval pertains to the use of SCR with 2011 and later model year (MY) diesel-fueled light-duty vehicles and light-duty trucks along with medium-duty passenger vehicles and chassis-certified diesel vehicles up to 14,000 pounds gross vehicle weight (GVW) and 2012 and later MY heavy-duty diesel engines.		

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Subject, Rule, Part, & Subpart	Date of Action	Type of Action & Link to Document**	Summary of Action	Additional Info/Actions	Additional Links
Qualifying Renewable Fuel Pathways Regulation of Fuels & Fuel Additives 40 CFR Part	1/5/12	Proposed & Direct Final Rule	<p>EPA is issuing a direct final rule identifying additional fuel pathways that meet the biomass-based diesel, advanced biofuel or cellulosic biofuel lifecycle greenhouse gas (GHG) reduction requirements specified in Clean Air Act section 211(o), the Renewable Fuel Standard Program. This direct final rule describes EPA's evaluation of biofuels produced from camelina oil, energy cane, giant reed, and napiergrass; it also includes an evaluation of renewable gasoline and renewable gasoline blendstocks, as well as biodiesel from esterification, and clarifies the definition of renewable diesel. It also finalizes two changes to regulation that were proposed on July 1, 2011 (76 FR 38844); adding ID letters to pathways to facilitate references to specific pathways and adding "rapeseed" to the existing pathway for renewable fuel made from canola oil.</p> <p>This direct final rule allows producers or importers of fuel produced pursuant to these pathways to generate Renewable Identification Numbers (RINs), providing that the fuel meets the other requirements specified in the RFS regulations to qualify it as renewable fuel.</p>	3/5/12 - Withdrawal of Direct Final Rule	EPA's RFS Website
Secondary Lead Smelting NESHAP 40 CFR Part 63 Subpart X	1/5/12	Final Rule	<p>This action finalizes amendments for the residual risk and technology review conducted for the secondary lead smelting source category regulated under national emission standards for hazardous air pollutants. These amendments include revisions to the emissions limits for lead compounds; revisions to the standards for fugitive emissions; the addition of total hydrocarbon and dioxin and furan emissions limits for reverberatory and electric furnaces; the addition of a work practice standard for mercury emissions; the modification and addition of testing and monitoring, recordkeeping, and reporting requirements; related notifications; and revisions to the regulatory provisions related to emissions during periods of startup, shutdown, and malfunction.</p>		NDEQ Air Toxics Notebook Page

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Reciprocating Internal Combustion Engines (RICE) NESHAP 40 CFR Part 63 Subpart ZZZZ	1/4/12	Notice	The EPA is providing notice of a proposed settlement agreement to address lawsuits filed by EnerNOC, Inc., EnergyConnect, Inc., CPower, Inc., and Innoventive Power, LLC in the United States Court of Appeals for the District of Columbia Circuit: EnerNOC, et al v. EPA, No. 10-1090 (DC Cir.) and EnerNOC, et al v. EPA, No. 10-1336 (DC Cir.). Petitioners filed for review of two EPA rulemakings 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, by April 20, 2012, the Agency will sign a notice of proposed rulemaking that includes a proposal to revise the RICE NESHAP and the stationary internal combustion engine new source performance standards (ICE NSPS) to allow owners and operators of emergency stationary internal combustion engines to operate emergency stationary internal combustion engines in emergency conditions, as defined in those regulations, as part of an emergency demand response program for 60 hours per year or the minimum hours required by Independent System Operator tariff, whichever is less. By December 14, 2012, 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
Regional Haze Proposed Consent Decree Approval & Promulgation of Implementation Plans 40 CFR Part 52	1/4/12	Notice	On December 2, 2011, 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 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. DC). The proposed consent decree establishes proposed and final promulgation deadlines for EPA to promulgate regional haze federal implementation plans (FIPs) or approve regional haze state implementation plans (SIPs) for 34 states. In the notice, EPA inadvertently failed to identify Arizona, Michigan, and New Mexico as states addressed by the proposed consent decree. The EPA is extending the comment period to provide an opportunity to comment on the proposed consent decree as it affects these three states only.		EPA's Regional Haze Program Website

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