

Federal Regulatory Air Actions 2013

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					
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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
HCFC Production, Import, & Export Protection of Stratospheric Ozone 40 CFR Part 82 Subpart	12/24/13	Proposed Rule	EPA is seeking comment on options for adjusting the allowance system controlling United States consumption and production of hydrochlorofluorocarbons (HCFCs). Under Title VI of the Clean Air Act, EPA is required to phase out production and import of these chemicals in accordance with United States obligations under the Montreal Protocol on Substances that Deplete the Ozone Layer (Protocol). Given these requirements, EPA is seeking comment on how best to implement the 2015 stepdown to no more than 10 percent of the cap. In addition to taking comment on the implementation of phaseout requirements and proposed changes to section 608 regulations, the agency is also highlighting important Clean Air Act requirements that take effect in 2015, specifically the section 611 labeling requirements and the section 605 restrictions on HCFC use and introduction into interstate commerce.	Comments must be received on or before February 24, 2014, unless a public hearing is held.	EPA's Stratospheric Ozone Website
Petroleum Refineries NSPS 40 CFR Part 60 Subpart Ja	12/19/13	Direct Final Rule	The Environmental Protection Agency (EPA) is proposing to amend the Standards of Performance for Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After May 14, 2007. In the "Rules and Regulations" section of this Federal Register, we are amending the definition of "delayed coking unit" as a direct final rule without a prior proposed rule. If we receive no adverse comment, we will not take further action on this proposed rule.	Written comments must be received by February 3, 2014.	NDEQ NSPS Notebook Page
PM 2.5 SIL's and SMC Prevention of Significant Deterioration 40 CFR Part 51 & 52 Subpart	12/9/13	Final Rule	On January 22, 2013, the United States Court of Appeals for the District of Columbia Circuit (the Court) granted a request from the EPA to vacate and remand to the EPA portions of two Prevention of Significant Deterioration (PSD) regulations, promulgated in 2010 under the authority of the Clean Air Act (CAA), regarding the Significant Impact Levels (SILs) for particulate matter less than 2.5 micrometers (PM2.5). The Court further vacated the portions of the PSD regulations establishing a PM2.5 Significant Monitoring Concentration (SMC). The EPA is amending its regulations to remove the vacated PM2.5 SILs and SMC provisions from the PSD regulations in the Code of Federal Regulations (CFR). This action is exempt from notice-and-comment rulemaking because it is ministerial in nature. The EPA will initiate a separate rulemaking in the future regarding the PM2.5 SILs that will address the Court's remand.		EPA's Particulate Matter Website
Renewable Fuel Standards Fuels & Fuel Additives 40 CFR Part 80 Subpart	11/29/13	Proposed Rule	Under section 211(o) of the Clean Air Act, the Environmental Protection Agency is required to set the renewable fuel percentage standards each November for the following year. Today's action proposes the annual percentage standards for cellulosic biofuel, biomass-based diesel, advanced biofuel, and renewable fuels that would apply to all motor vehicle gasoline and diesel produced or imported in the year 2014. EPA is requesting comment on a variety of alternative approaches and on a range of inputs and methodologies relevant for setting the applicable standards.	Comments must be received on or before January 28, 2014	EPA's Renewable Fuel Standard Website

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Fluorinated Gas Production Greenhouse Gas Reporting 40 CFR Part 98 Subpart	11/19/13	Proposed Rule	The EPA is proposing to amend certain provisions of the Fluorinated Gas Production source category of the Greenhouse Gas Reporting Rule. The proposed changes would reduce the level of detail in which emissions were reported, establish a new set of default global warming potentials, eliminate the mass-balance emission calculation method, and clarify the emission factor method. We are also proposing confidentiality determinations for the new and substantially revised reporting requirements of the Fluorinated Gas Production source category.	Comments must be received on or before January 21, 2014	EPA's Greenhouse Gas Reporting Program Website
Electronics Manufacturing Greenhouse Gas Reporting 40 CFR Part 98 Subpart	11/13/13	Final Rule	The EPA is amending the calculation and monitoring methodologies for electronics manufacturers covered by the Greenhouse Gas Reporting Rule. These changes include revising certain calculation methods and adding a new method, amending data reporting requirements, and clarifying terms and definitions. The EPA is also making confidentiality determinations for new and revised data elements pertaining to electronics manufacturing. This rule also finalizes amendments to the general provisions of the Greenhouse Gas Reporting Rule to remove entries for data elements that are being moved from reporting to recordkeeping.	Final rule effective on January 1, 2014.	EPA's Greenhouse Gas Reporting Program Website
Renewable Fuel Standards Fuels & Fuel Additives 40 CFR Part 80	10/22/13	Final Rule	The EPA is amending the definition of "heating oil" in the regulations for the Renewable Fuel Standard (RFS) program. This amendment expands the scope of renewable fuels that can be used to show compliance with the RFS renewable fuel volume obligations by adding an additional category of compliant renewable fuel referred to as "fuel oils," produced from qualifying renewable biomass and used to generate heat to warm buildings or other facilities where people live, work, recreate, or conduct other activities. Producers or importers of fuel oil that meets the amended definition of heating oil will be allowed to generate Renewable Identification Numbers (RINs), provided that the fuel oil meets all other requirements specified in the RFS regulations. Fuel oils used to generate process heat, power, or other functions are not included in this additional category of heating oil. All fuels previously included in the definition of heating oil continue to be included as heating oil for purposes of the RFS program.		EPA's Renewable Fuel Standards Website
Volatile Organic Compounds SIP 40 CFR Part 51	10/22/13	Final Rule	The EPA is taking final action to revise the regulatory 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 final action adds 2,3,3,3-tetrafluoropropene (also known as HFO-1234yf) to the list of compounds excluded from the regulatory definition of VOCs on the basis that this compound makes a negligible contribution to tropospheric ozone formation. As a result, if you are subject to certain federal regulations limiting emissions of VOCs, your emissions of HFO-1234yf may not be regulated for some purposes. This action may also affect whether HFO-1234yf is considered a VOC for state regulatory purposes, depending on whether the state relies on the EPA's regulatory definition of VOCs.		

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Oil & Gas Sector NSPS 40 CFR Part 60 Subpart 60	9/23/13	Final Amendments	This action finalizes the amendments to new source performance standards for the oil and natural gas sector. The Administrator received petitions for reconsideration of certain aspects of the August 12, 2012, final standards. These amendments are a result of reconsideration of certain issues raised by petitioners related to implementation of storage vessel provisions. The final amendments provide clarity of notification and compliance dates, ensure control of all storage vessel affected facilities and update key definitions. This action also corrects technical errors that were inadvertently included in the final standards.		NDEQ NSPS Notebook Page
Reporting & Recordkeeping Requirements Greenhouse Gas Reporting 40 CFR Part 98	9/11/13	Proposed Rule	The EPA is proposing amendments to reporting and recordkeeping requirements and an alternative verification approach for the Greenhouse Gas Reporting Program. This action addresses concerns about the potential release of certain data that are inputs to emission equations for which the reporting deadline was deferred until March 31, 2015 while maintaining the EPA's ability to verify emissions and ensure compliance with the Greenhouse Gas Reporting Program. In addition, the EPA is proposing confidentiality determinations for the newly proposed data elements in this action.		EPA's Greenhouse Gas Reporting Program Website
Renewable Fuel Standards Fuels & Fuel Additives 40 CFR Part 80	8/15/13	Final Rule	This action sets the annual percentage standards for cellulosic biofuel, biomass-based diesel, advanced biofuel, and renewable fuels that apply to all motor vehicle gasoline and diesel produced or imported in the year 2013. In general the standards are designed to ensure that the applicable national volumes of renewable fuel specified in the statute are used. Today EPA is finalizing a cellulosic biofuel volume for 2013 that is below the applicable volume specified in the Act. EPA is also leaving the applicable volumes of advanced biofuel and total renewable fuel at the statutory levels for 2013 based on its assessment of the availability of renewable fuel for compliance purposes.		EPA's Renewable Fuel Standard Website
Renewable Fuel Volume Fuels & Fuel Additives 40 CFR Part 80	8/14/13	Notice of Denial of Petitions for Reconsideration	The Environmental Protection Agency (EPA, or Agency) is denying two petitions for reconsideration of the final rule entitled Regulation of Fuels and Fuel Additives: 2013 Biomass-Based Diesel Renewable Fuel Volume.		EPA's Renewable Fuel Standard Website

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SO2 Air Quality Designations SIP 40 CFR Part 51	8/5/13	Final Rule	This rule establishes air quality designations for certain areas in the United States for the 2010 primary Sulfur Dioxide (SO2) National Ambient Air Quality Standard (NAAQS). The EPA is issuing this rule to identify areas that, based on recorded air quality monitoring data showing violations of the NAAQS, do not meet the 2010 SO2 NAAQS and areas that contribute to SO2 air pollution in a nearby area that does not meet the SO2 NAAQS. At this time, the EPA is designating as nonattainment most areas in locations where existing monitoring data from 2009-2011 indicate violations of the 1-hour SO2 standard. The EPA intends to address in separate future actions the designations for all other areas for which the agency is not yet prepared to issue designations and that are consequently not addressed in this final rule.		EPA's Sulfur Dioxide NAAQS Website
Utility NSPS & MATS NSPS & NESHAP 40 CFR Part 60 & 63 Subpart Da & UUUUU	6/25/13	Proposed Rule/Reopening of Comment Period	On November 30, 2012, the EPA published in the Federal Register the proposed rule, "Reconsideration of Certain New Source and Startup/Shutdown Issues: 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." The EPA is reopening the public comment period for the proposed reconsideration to solicit additional input on specific issues raised during the initial public comment period related to the proposed revisions to the requirements and definitions related to periods of startup and shutdown. The EPA also requests comment on the additional technical analyses it conducted in response to public comments on this subject in Docket ID EPA-HQ-OAR-2009-0234. The National Emission Standards for Hazardous Air Pollutants (NESHAP) rule is referred to as the Mercury and Air Toxics Standards (MATS), and the New Source Performance Standards rule is referred to as the Utility NSPS.		NDEQ Air Toxics Notebook Page
Lead Reporting Threshold SIP 40 CFR Part 51	6/20/13	Proposed Rule	The proposal changes the existing EPA emission inventory reporting requirements on state, local, and tribal agencies in the current Air Emissions Reporting Requirements rule published on December 17, 2008. The proposed amendments would lower the current threshold for reporting Pb sources as point sources; eliminate the requirement for reporting emissions from wildfires and prescribed fires; and replace a requirement for reporting mobile source emissions with a requirement for reporting the input parameters that can be used to run the EPA models that generate the emissions estimates. In addition, the proposed amendments remove the requirements to report daily and seasonal emissions associated with carbon monoxide (CO), ozone (O3), and particulate matter up to 10 micrometers in size (PM10) nonattainment areas and nitrogen oxides (NOX) State Implementation Plan (SIP) call areas, although reporting requirements for those emissions would remain in other regulations. Lastly, the proposed amendments would clarify, remove, or simplify some current emissions reporting requirements.		

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Petroleum Refineries NESHAP 40 CFR Part 63 Subpart CC	6/20/13	Final Rule	This action amends the national emission standards for hazardous air pollutants for heat exchange systems at petroleum refineries. The amendments address issues raised in a petition for reconsideration of the EPA's final rule setting maximum achievable control technology rules for these systems and also provides additional clarity and regulatory flexibility with regard to that rule. This action does not change the level of environmental protection provided under those standards.		NDEQ Air Toxics Notebook Page
2008 Ozone NAAQS NAAQS, SIP, & OPs 40 CFR Part 50, 51, 70, & 71	6/6/13	Proposed Rule	The EPA is proposing a rule for implementing the 2008 ozone national ambient air quality standards (NAAQS) (the "2008 ozone NAAQS") that were promulgated on March 12, 2008. This proposed rule addresses a range of state implementation plan requirements for the 2008 ozone NAAQS, including requirements pertaining to attainment demonstrations, reasonable further progress (RFP), reasonably available control technology (RACT), reasonably available control measures (RACM), new source review (NSR) requirements in nonattainment areas, emission inventories, and the timing of state implementation plan (SIP) submissions and of compliance with emission control measures in the SIP. Other issues also addressed in this proposed rule are the revocation of the 1997 ozone NAAQS and anti-backsliding requirements that would apply when the 1997 ozone NAAQS is revoked.	6/11/13 - Notice of Public Hearing on June 25, 2013	EPA's Ground Level Ozone Website
Kraft Pulp Mills NSPS 40 CFR Part 60 Subpart Bba	5/23/13	Proposed Rule	The EPA is proposing revisions to the new source performance standards for kraft pulp mills. These revised standards include particulate matter emission limits for recovery furnaces, smelt dissolving tanks and lime kilns, which apply to emission units commencing construction, reconstruction or modification after May 23, 2013 that are different than those required under the existing standards for kraft pulp mills. The exemptions to opacity standards do not apply to the proposed standards for kraft pulp mills. The proposed rule also removes the exemption for periods of startup and shutdown resulting in a standard that applies at all times. The proposed rule includes additional testing requirements and updated monitoring, recordkeeping and reporting requirements for affected sources.	6/28/13: Extension of public comment period to July 23, 2013	NDEQ NSPS Notebook Page
Hospital/Medical/Infectious Waste Incinerators NSPS & SIP 40 CFR Part 60 & 62	5/13/13	Final Rule	This action finalizes amendments to the federal plan and the new source performance standards for hospital/medical/infectious waste incinerators. This final action implements national standards promulgated in the 2009 amendments to the hospital/medical/infectious waste incinerator emissions guidelines that will result in reductions in emissions of certain pollutants from all affected units.		NDEQ NSPS Notebook Page
Applicability Determinations NSPS, NESHAP, & Stratospheric Ozone 40 CFR Part 60. 63, & 82	5/10/13	Notice of Availability	This notice announces applicability determinations, alternative monitoring decisions, and regulatory interpretations that EPA has made under the New Source Performance Standards (NSPS); the National Emission Standards for Hazardous Air Pollutants (NESHAP); and/or the Stratospheric Ozone Protection Program.		

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Coal Mines NESHAP 40 CFR Part 63	5/8/13	Denial of Petition	On April 30, 2013, the Acting EPA Administrator, Bob Perciasepe, signed a letter denying a petition to add coal mines to the Clean Air Act (CAA) section 111 list of stationary source categories. The agency denied the petition because the EPA must prioritize its actions in light of limited resources and ongoing budget uncertainties, and at this time, cannot commit to conducting the process to determine whether coal mines should be added to the list of categories under CAA 111(b)(1)(A).		
Petroleum & Natural Gas Systems Greenhouse Gas Reporting 40 CFR Part 98	5/1/13	Final Rule	The EPA is revising the deadline by which owners or operators of facilities subject to the petroleum and natural gas systems source category of the Greenhouse Gas Reporting Rule must submit requests for use of best available monitoring methods to the Administrator. This revision does not change any other requirements for owners or operators as outlined in the best available monitoring method rule provisions.		EPA's Greenhouse Gas Reporting Program Website
Utility NSPS & MATS NSPS & NESHAP 40 CFR Part 60 & 63 Subpart Da & UUUUU	4/24/13	Final Rule: Notice on Reconsideration	<p>The EPA is taking final action on its reconsideration of certain issues in the final rules titled the Mercury and Air Toxics Standards (MATS) NESHAP, and the New Source Performance Standards rule issued pursuant to CAA section 111 referred to as the Utility NSPS. The Administrator received petitions for reconsideration of certain aspects of the MATS NESHAP and the Utility NSPS.</p> <p>The EPA is now taking final action on the revised new source numerical standards in the MATS NESHAP and the definitional and monitoring provisions in the Utility NSPS that were addressed in the proposed reconsideration rule. As part of this action, the EPA is also making certain technical corrections to both the MATS NESHAP and the Utility NSPS. The EPA is not taking final action on requirements applicable during periods of startup and shutdown in the MATS NESHAP or on startup and shutdown provisions related to the PM standard in the Utility NSPS.</p>		NDEQ Air Toxics Notebook Page
Chromium Electroplating & Anodizing NESHAPS 40 CFR Part 63 Subpart N	4/19/13	Notice of Petition Denial	This action provides notice that on March 28, 2013, the Acting EPA Administrator, Bob Perciasepe, signed a letter denying a petition for reconsideration of the final rule published in the Federal Register on September 19, 2012. The rule established new emission limits for hard and decorative chromium electroplating and chromium anodizing tanks, and steel pickling—HCl process facilities and hydrochloric acid regeneration plants.		NDEQ Air Toxics Notebook Page
Grain Sorghum Renewable Fuels Fuels & Fuel Additives 40 CFR Part 80	4/17/13	Correction	In the December 17, 2012 Federal Register, EPA published a final rule that determines that grain sorghum ethanol qualifies as a renewable fuel under the RFS Program based on a lifecycle greenhouse gas analysis for grain sorghum ethanol. This action corrects typographical errors contained in the December 17, 2012, final rule.		EPA Renewable Fuel Standards Program Website

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Mineral Wool & Wool Fiberglass NESHAPS 40 CFR Part 63 Subpart NN, DDD, & NNN	4/15/13	Proposed Rule & Notice of Public Hearing	This action proposes chromium and particulate matter (for metals) standards for wool fiberglass gas-fired glass-melting furnaces at area sources and adds these sources to the category list in the Urban Air Toxics Strategy. It also proposes amendments to the existing major source rules for Mineral Wool and Wool Fiberglass, supplementing the rule proposed on November 25, 2011.		NDEQ Air Toxics Notebook Page
Revision of Venting Prohibition Stratospheric Ozone 40 CFR Part 82	4/12/13	Proposed Rule	The EPA is proposing to amend the regulations promulgated as part of the National Recycling and Emission Reduction Program under section 608 of the Clean Air Act. EPA is proposing to exempt from the prohibition under section 608 on venting, release and disposal certain refrigerant substitutes listed as acceptable or acceptable subject to use conditions in regulations promulgated as part of EPA's Significant New Alternative Policy Program under section 612 of the Act.		EPA's Stratospheric Ozone Website
Oil & Gas Sector NSPS 40 CFR Part 60 Subpart OOOO	4/12/13	Proposed Rule	On August 16, 2012, the EPA published final new source performance standards for the oil and natural gas sector. The Administrator received petitions for reconsideration of certain aspects of the standards. In this notice, the EPA is announcing proposed amendments as a result of reconsideration of certain issues related to implementation of storage vessel provisions. The proposed amendments also correct technical errors that were inadvertently included in the final rule.		NDEQ NSPS Notebook Page
HCFC Production, Import, & Export Stratospheric Ozone 40 CFR Part 82	4/3/13	Final Rule	EPA is adjusting the allowance system controlling U.S. consumption and production of hydrochlorofluorocarbons (HCFCs) as a result of a 2010 Court decision vacating a portion of the 2009 final rule titled "Protection of Stratospheric Ozone: Adjustments to the Allowance System for Controlling HCFC Production, Import, and Export." EPA interprets the Court's vacatur as applying to the part of the rule that establishes the company-by-company baselines and calendar year allowances for HCFC-22 and HCFC-142b. Today's action relieves the regulatory ban on production and consumption of these two chemicals following the Court's vacatur by establishing company-by-company HCFC-22 and HCFC-142b baselines and allocating production and consumption allowances for 2012-2014.		EPA's Stratospheric Ozone Website
Greenhouse Gas Reporting Greenhouse Gas 40 CFR Part 98	4/2/13	Proposed Rule	The EPA is proposing to amend the Greenhouse Gas Reporting Rule and to clarify or change specific provisions. Particularly, the EPA is proposing to amend a table in the General Provisions, to reflect revised global warming potentials of some greenhouse gases that have been published by the Intergovernmental Panel on Climate Change and to add global warming potentials for certain fluorinated greenhouse gases not currently listed in the table. This action also proposes confidentiality determinations for the reporting of new or substantially revised data elements contained in these proposed amendments to the Greenhouse Gas Reporting Rule.		EPA's Greenhouse Gas Reporting Program Website

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NO2 Monitoring Requirements Ambient Air Quality Surveillance 40 CFR Part 58	3/14/13	Final Rule	The EPA is finalizing revisions to the deadlines established in the national ambient air quality standard (NAAQS) for nitrogen dioxide (NO ₂) for the near-road component of the NO ₂ monitoring network in order to implement a phased deployment approach. This approach will create a series of deadlines that will make the near-road NO ₂ network operational between January 1, 2014, and January 1, 2017. The EPA is also finalizing revisions to the approval authority for annual monitoring network plans for NO ₂ monitoring.		EPA NAAQS Website
Renewable Fuel Pathways Fuels & Fuel Additives 40 CFR Part 80	3/5/13	Final Rule	EPA is issuing a final rule identifying additional fuel pathways that EPA has determined 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 (RFS) Program. This final rule describes EPA's evaluation of biofuels produced from camelina (<i>Camelina sativa</i>) oil and energy cane; it also includes an evaluation of renewable gasoline and renewable gasoline blendstocks, and clarifies our definition of renewable diesel.		EPA Renewable Fuel Standards Program Website
Petroleum & Natural Gas Systems Greenhouse Gas 40 CFR Part 98	2/19/13	Direct Final Rule	The EPA is taking direct final action to revise the deadline by which owners or operators of facilities subject to the petroleum and natural gas systems source category of the Greenhouse Gas Reporting Rule must submit requests for use of best available monitoring methods to the Administrator. This revision does not change any other requirements for owners or operators that are outlined in the best available monitoring method rule provisions.	4/2/13 - Withdrawal of Direct Final Rule	EPA's Greenhouse Gas Reporting Program Website
Alternative Test Methods NSPS & NESHAP 40 CFR Part 60, 61, & 63	2/15/13	Notice of Availability	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 2012.		
Volatile Organic Compounds State Implementation Plans 40 CFR Part 51	2/15/13	Proposal & Direct Final Rule	The EPA is proposing to revise the definition of volatile organic compounds (VOCs) for purposes of preparing state implementation plans (SIPs) to attain the national ambient air quality standards for ozone under title I of the Clean Air Act (CAA). This proposed revision would add trans 1-chloro-3,3,3-trifluoroprop-1-ene (also known as Solstice TM 1233zd(E)) to the list of compounds excluded from the definition of VOCs on the basis that this compound makes a negligible contribution to tropospheric ozone formation. If we receive no adverse comment, we will not take further action on this proposed rule.	4/18/13 - Withdrawal of Direct Final Rule	

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Portland Cement Manufacturing NSPS & NESHAP 40 CFR Part 60 & 63 Subpart F & LLL	2/12/13	Final Rule	This final action amends the national emission standards for hazardous air pollutants for the Portland cement industry. The EPA is also promulgating amendments with respect to issues on which it granted reconsideration on May 17, 2011. In addition, the EPA is amending the new source performance standard for particulate matter. The amendments also address the remand of the national emission standards for hazardous air pollutants for the Portland cement industry by the United States Court of Appeals for the District of Columbia Circuit on December 9, 2011. Finally, the EPA is setting the date for compliance with the existing source national emission standards for hazardous air pollutants to be September 9, 2015.	NDEQ NSPS Notebook	NDEQ Air Toxics Notebook Page
Volatile Organic Compounds State Implementation Plans 40 CFR Part 51	2/12/13	Final Rule	This action revises the definition of volatile organic compounds (VOCs) under the Clean Air Act (CAA). This revision adds four chemical compounds to the list of compounds excluded from the definition of VOC. These compounds consist of four hydrofluoropolyethers (HFPEs) which are identified as HCF 2 OCF 2 H (also known as HFE-134), HCF 2 OCF 2 OCF 2 H (also known as HFE-236cal2), HCF 2 OCF 2 CF 2 OCF 2 H (also known as HFE-338pcc13), and HCF 2 OCF 2 OCF 2 CF 2 OCF 2 H (also known as H-Galden 1040X or H-Galden ZT 130 (or 150 or 180)). If an entity uses or produces any of these four HFPE compounds (these being in the family of products known by the trade name H-Galden) and is subject to the EPA regulations limiting the use of VOC in a product, limiting the VOC emissions from a facility, or otherwise controlling the use of VOC for purposes related to attaining the ozone national ambient air quality standards (NAAQS), then the compound will not be counted as a VOC in determining whether these regulatory obligations have been met. In addition, the EPA is making certain technical corrections to the current list of exempt compounds.		
Commercial and Industrial Solid Waste Incineration Units NSPS 40 CFR Part 60 Subpart CCCC & DDDD	2/7/13	Final Rule	This action sets forth the EPA's final decision on the issues for which it granted reconsideration in December 2011, which pertain to certain aspects of the March 21, 2011, final rule titled "Standards of Performance for New Stationary Sources and Emissions Guidelines for Existing Sources: Commercial and Industrial Solid Waste Incineration Units" (CISWI rule). This action also includes the final decision to deny the requests for reconsideration with respect to all issues raised in the petitions for reconsideration of the final commercial and industrial solid waste incineration rule for which we did not grant reconsideration. In addition, the EPA is issuing final amendments to the regulations that were codified by the Non-Hazardous Secondary Materials rule (NHSM rule). The purpose of these amendments is to clarify several provisions in order to implement the non-hazardous secondary materials rule as the agency originally intended.		NDEQ NSPS Notebook

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Industrial, Commercial, and Institutional Boilers NESHAP 40 CFR Part 63 Subpart JJJJJ	2/1/13	Final Rule	The EPA is taking final action on reconsideration of certain issues related to the emission standards to control hazardous air pollutants from new and existing industrial, commercial and institutional boilers at area sources which were issued under section 112 of the Clean Air Act. The EPA is amending certain compliance dates for the standard and making technical corrections to the final rule to clarify definitions, references, applicability and compliance issues raised by petitioners and other stakeholders affected by the rule. The EPA today is taking final action on the proposed reconsideration		NDEQ Air Toxics Notebook Page
Industrial, Commercial, & Institutional Boilers & Process Heaters NESHAP 40 CFR Part 63 Subpart DDDDD	1/31/13	Final Rule	The EPA is taking final action on its reconsideration of certain issues in the 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. The EPA is making technical corrections to the final rule to clarify definitions, references, applicability and compliance issues. After consideration of the petitions received, on December 23, 2011, the EPA proposed revisions to certain provisions of the March 21, 2011, final rule, and requested public comment on several provisions of the final rule. The EPA is now taking final action on the proposed reconsideration.		NDEQ Air Toxics Notebook Page
RICE NSPS & NESHAP 40 CFR Part 60 & 63 Subpart IIII, JJJJ, and ZZZZ	1/30/13	Final Rule	The EPA is finalizing amendments to the national emission standards for hazardous air pollutants for stationary reciprocating internal combustion engines. The final 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 establishing management practices for existing compression ignition engines on offshore vessels. The EPA is also finalizing limits on the hours that stationary emergency engines may be used for emergency demand response and establishing fuel and reporting requirements for certain emergency engines used for emergency demand response. The final amendments also correct minor technical or editing errors in the current regulations for stationary reciprocating internal combustion engines.	Correction - 3/6/13	NDEQ Air Toxics Notebook Page

Federal Regulatory Air Actions 2013

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 received, and supporting material for the rule.					
Subject, Rule, Part, & Subpart	Date of Action	Type of Action & Link to Document**	Summary of Action	Additional Info/Actions	Additional Links
NAAQS for Particulate Matter NAAQS 40 CFR Part 50, 51, 52, 53, and 58	1/15/13	Final Rule	<p>The EPA is making revisions to the suite of standards for PM to provide requisite protection of public health and welfare and to make corresponding revisions to the data handling conventions for PM and to the ambient air monitoring, reporting, and network design requirements. The EPA also is making revisions to the prevention of significant deterioration (PSD) permitting program with respect to the NAAQS revisions.</p> <p>With regard to primary (health-based) standards for fine particles (PM2.5), the EPA is revising the annual PM2.5 standard by lowering the level to 12.0 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$), and to retain the 24-hour PM2.5 standard at a level of 35 $\mu\text{g}/\text{m}^3$. The EPA is revising the Air Quality Index (AQI) for PM2.5 to be consistent with the revised primary PM2.5 standards. With regard to the primary standard for particles generally less than or equal to 10 μm in diameter (PM10), the EPA is retaining the current 24-hour PM10 standard. With regard to the secondary (welfare-based) PM standards, the EPA is generally retaining the current suite of secondary standards (i.e., 24-hour and annual PM2.5 standards and a 24-hour PM10 standard). Non-visibility welfare effects are addressed by this suite of secondary standards, and PM-related visibility impairment is addressed by the secondary 24-hour PM2.5 standard.</p>		EPA's Particulate Matter Website
Chemical Manufacturing Area Sources NESHAP 40 CFR Part 63	12/21/12	Final Rule; Lift of Stay	<p>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 also extends the</p>		NDEQ Air Toxics Notebook Page
Utility NSPS & MATS 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>	<p>12/12/12: Comment period extended until January 7, 2013.</p>	NDEQ Air Toxics Notebook Page

