

Federal Regulatory Air Actions 2010

NESHAP = National Emission Standards for Hazardous Air Pollutants NSPS = New Source Performance Standards NSR = New Source Review PSD = Prevention of Significant Deterioration NAAQS = National Ambient Air Quality Standards					
** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments					
Subject, Rule, Part, & Subpart	Date of Action	Type of Action & Link to Document**	Summary of Action	Additional Info/Actions	Additional Links
Electric Steam Generating Units NSPS 40 CFR Part 60 Subpart Da	12/30/10	Proposed Settlement	Under the proposed settlement agreement, EPA will sign by 7/26/11 a proposed rule under section 111(b) that includes standards of performance for GHGs for new and modified EGUs that are subject to 40 CFR part 60, subpart Da. EPA will also sign by 7/26/11 a proposed rule under section 111(d) that includes emissions guidelines for GHGs from existing EGUs that would have been subject to 40 CFR part 60, subpart Da if they were new sources. Under the proposed settlement agreement EPA will take final action with respect to the proposed rule no later than 5/26/12. Comments are due 1/31/11.		
Petroleum Refineries NSPS & NESHAP 40 CFR Part 60 & 63	12/30/10	Proposed Settlement	The proposed settlement agreement establishes deadlines for EPA's proposed and final actions for meeting its obligations in the agreement. Under the terms of the agreement, EPA shall sign a proposed rule by 12/10/11, that includes at a minimum, the following: (A) Standards of performance for GHGs for affected facilities at refineries that are subject to the following NSPS: (1) Subparts J and Ja, (2) subpart Db, (3) subpart Dc, (4) subpart Gg, and (5) subpart QQQ, and emissions guidelines for GHGs, and 40 CFR 60.22, from existing affected facilities at refineries in the source categories covered by those NSPS subparts; (B) a review of the emission standards set forth in 40 CFR Part 63, subpart UUU and (C) a resolution of all other issues raised in the 8/25/08 petition for reconsideration. EPA shall sign a final rule by 11/10/12, that includes final determinations with regard to each of the elements in the proposed rule. Comments are due 1/31/11.		
Greenhouse Gas Tailoring Rule PSD 40 CFR Part 52	12/30/10	Direct Final and Proposal	EPA is proposing to correct its previous full approval of Texas's Clean Air Act (CAA) Prevention of Significant Deterioration (PSD) program to be a partial approval and partial disapproval and is proposing a Federal Implementation Plan (FIP) for Texas. This action is based on EPA's determination that Texas's PSD program is flawed because the state did not address how the program would apply to all pollutants that would become newly subject to regulation in the future, including non-National Ambient Air Quality Standard (NAAQS) pollutants, among them greenhouse gases (GHGs). The partial disapproval requires EPA to promulgate a FIP and so EPA is also proposing a FIP in order to assure that GHG-emitting sources in Texas are able to proceed with plans to construct or expand. In the "Rules" section of this Federal Register, we are taking this action including the FIP through an interim final rule that is effective immediately.		EPA's NSR Website

Federal Regulatory Air Actions 2010

NESHAP = National Emission Standards for Hazardous Air Pollutants NSPS = New Source Performance Standards NSR = New Source Review PSD = Prevention of Significant Deterioration NAAQS = National Ambient Air Quality Standards					
** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments					
Subject, Rule, Part, & Subpart	Date of Action	Type of Action & Link to Document**	Summary of Action	Additional Info/Actions	Additional Links
Greenhouse Gas Tailoring Rule PSD 40 CFR Part 52	12/30/10	Final Rule	This action is another in a series of steps EPA is taking to implement the Prevention of Significant Deterioration (PSD) program for greenhouse gas (GHG)-emitting sources. EPA is finalizing its proposed rulemaking to narrow its previous approval of State Implementation Plan (SIP) PSD programs in 24 states that apply to GHG-emitting sources. Specifically, EPA is withdrawing its previous approval of those programs to the extent they apply PSD to GHG-emitting sources below the thresholds in the final Tailoring Rule, which EPA promulgated by Federal Register notice dated 6/3/10. Having narrowed its prior approval, EPA asks that each affected state withdraw from EPA consideration the part of its SIP that is no longer approved. The states for whose SIPs EPA is narrowing approval are: Alabama, California, Colorado, Georgia, Indiana, Iowa, Louisiana, Maine, Maryland, Mississippi, Missouri, New Hampshire, New Mexico, North Carolina, Ohio, Oklahoma, Rhode Island, South Carolina, South Dakota, Tennessee, Utah, Vermont, Virginia, and Wisconsin.		EPA's NSR Website
Greenhouse Gas Tailoring Rule PSD 40 CFR Part 52	12/30/10	Final Rule	EPA is establishing a federal implementation plan (FIP) to apply in each of seven states that have not submitted by their established deadline a corrective state implementation plan (SIP) revision to apply their Clean Air Act (CAA or Act) Prevention of Significant Deterioration (PSD) program to sources of greenhouse gases (GHGs). This action will ensure that a permitting authority--EPA--is available in these states as of 1/2/11, when PSD becomes applicable to GHG-emitting sources, to issue preconstruction PSD permits and thereby facilitate construction or expansion. The seven states are: Arizona: Both Pinal County and Rest of State (excluding Maricopa County, Pima County, and Indian Country), Arkansas, Florida, Idaho, Kansas, Oregon, and Wyoming. This action is related to EPA's recently promulgated final rule, published on 12/13/10, and in which EPA made a finding of substantial inadequacy and issued a SIP call for these seven states and several others on grounds that their SIPs do not apply the PSD program to GHG-emitting sources.		EPA's NSR Website

Federal Regulatory Air Actions 2010

NESHAP = National Emission Standards for Hazardous Air Pollutants NSPS = New Source Performance Standards NSR = New Source Review PSD = Prevention of Significant Deterioration NAAQS = National Ambient Air Quality Standards					
** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments					
Subject, Rule, Part, & Subpart	Date of Action	Type of Action & Link to Document**	Summary of Action	Additional Info/Actions	Additional Links
Greenhouse Gas Tailoring Rule PSD & Title V 40 CFR Part 52 & 70	12/30/10	Final Rule	The final greenhouse gas (GHG) Tailoring Rule includes a step-by-step implementation strategy for issuing Federally-enforceable permits to the largest, most environmentally significant sources beginning 1/2/11. EPA is finalizing its proposed rulemaking to narrow EPA's previous approval of State title V operating permit programs that apply (or may apply) to GHG-emitting sources. Specifically, EPA is narrowing its previous approval of certain State permitting thresholds for GHG emissions so that only sources that equal or exceed the GHG thresholds established in the final Tailoring Rule would be covered as major sources by the Federally-approved programs in the affected States. By raising the GHG thresholds that apply title V permitting to major sources in the affected States, this final rule will reduce the number of sources that will be issued Federally-enforceable title V permits and thereby significantly reduce permitting burdens for permitting agencies and sources alike in those States. Proposed 10/27/09.		EPA's NSR Website
Greenhouse Gas Tailoring Rule PSD 40 CFR Part 52	12/29/10	Final Rule	The EPA is making a finding that seven states have failed to submit revisions to their EPA-approved state implementation plans (SIPs) to satisfy requirements of the Clean Air Act to apply Prevention of Significant Deterioration (PSD) requirements to greenhouse gas (GHG)-emitting sources. On 12/13/10, EPA issued a "SIP call" for these seven, and six other, states, requiring each state to revise its SIP as necessary to correct the SIP's failure to apply PSD to such sources and establishing a SIP submittal deadline for each state. EPA established 12/22/10, as the deadline for these seven states. By this action, EPA is making a finding that the seven states failed to submit the required SIP revisions by that date. This finding requires EPA to promulgate a Federal implementation plan (FIP) for these seven states applying PSD to GHG-emitting sources, and EPA is taking a separate action to promulgate the FIP immediately. The seven states are Arizona, Arkansas, Florida, Idaho, Kansas, Oregon, and Wyoming.		EPA's NSR Website
Mandatory Reporting of Greenhouse Gases Administrative Practice & Procedure 40 CFR Part 98 Subpart A, LL, & MM	12/27/10	Notice	EPA's Office of Transportation and Air Quality plans to authorize various contractors to access information which will be submitted to EPA under the Clean Air Act that may be claimed as, or may be determined to be, confidential business information. Contractor access to this information will begin 1/6/11. EPA will accept comments through 1/3/11.		EPA Climate Change Website

Federal Regulatory Air Actions 2010

NESHAP = National Emission Standards for Hazardous Air Pollutants NSPS = New Source Performance Standards NSR = New Source Review PSD = Prevention of Significant Deterioration NAAQS = National Ambient Air Quality Standards					
** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments					
Subject, Rule, Part, & Subpart	Date of Action	Type of Action & Link to Document**	Summary of Action	Additional Info/Actions	Additional Links
Mandatory Reporting of Greenhouse Gases Administrative Practice & Procedure 40 CFR Part 98	12/27/10	Call for Information	EPA is publishing this call for information and public comment to solicit certain additional information pertaining to reporting of inputs to emission equations under the Mandatory Greenhouse Gas Reporting Rule. In response to EPA's 7/7/10 proposed confidentiality determinations for data required under the reporting rule, EPA received several comments that warrant in-depth evaluation of potential harm to businesses from possible public availability of some of this data. The information and comment solicited by this notice will assist EPA as we consider a long-term approach that will balance data quality and transparency with the reporting businesses' need to protect sensitive business information. Information and comments are due 2/25/11.		EPA Climate Change Website
Mandatory Reporting of Greenhouse Gases Administrative Practice & Procedure 40 CFR Part 98	12/27/10	Proposed Rule	EPA is proposing to defer the reporting date of certain data elements that are inputs to emission equations under the Mandatory Greenhouse Gas Reporting Rule for three years. In response to EPA's 7/7/10 proposed confidentiality determinations for data required under the reporting rule, EPA received several comments raising concerns that warrant further consideration before EPA issues final confidentiality determinations for data elements that are inputs to emission equations for direct emitters. To allow time for EPA to consider these comments and other information concerning these data elements before they are reported to EPA, when they may become publicly available, EPA is proposing to defer direct emitter reporting of inputs to emission equations for calendar years through 2012 until 3/31/14. This proposal would not change any other requirements of the reporting rule. Comments are due 1/26/11.		EPA Climate Change Website
Mandatory Reporting of Greenhouse Gases Administrative Practice & Procedure 40 CFR Part 98	12/27/10	Final Rule	EPA is promulgating this interim final rule to defer until 12/31/11 the reporting deadline for year 2010 data elements that are inputs to emission equations under the Mandatory Greenhouse Gas Reporting Rule. In response to EPA's 7/7/10 proposed confidentiality determinations for data required under the reporting rule, EPA received several comments raising concerns that warrant further consideration before EPA issues final confidentiality determinations for data elements that are inputs to emission equations for direct emitters. To allow time for EPA to consider these comments and other information concerning these data elements before they are reported to EPA, EPA is deferring direct emitter reporting of the data elements in the inputs to emission equations data category until 8/31/11, while concurrently publishing both a proposed notice and comment rulemaking to defer the reporting date for these inputs and a call for information to assist EPA in its deliberations on this matter.		EPA Climate Change Website

Federal Regulatory Air Actions 2010

NESHAP = National Emission Standards for Hazardous Air Pollutants NSPS = New Source Performance Standards NSR = New Source Review PSD = Prevention of Significant Deterioration NAAQS = National Ambient Air Quality Standards					
** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments					
Subject, Rule, Part, & Subpart	Date of Action	Type of Action & Link to Document**	Summary of Action	Additional Info/Actions	Additional Links
Lead Ambient Air Monitoring Requirements Ambient Monitoring 40 CFR Part 58 Subpart B & Appendix A & D	12/27/10	Final Rule	The EPA issued a final rule on 11/12/08 that revised the primary and secondary NAAQS for lead and associated monitoring requirements. On 12/30/09, EPA proposed revisions to the lead monitoring requirements. This action promulgates revisions to the monitoring requirements pertaining to where State and local monitoring agencies would be required to conduct lead monitoring.		
Greenhouse Gas Tailoring Rule PSD 40 CFR Part 52	12/27/10	Proposed Rule	EPA is proposing to approve revisions to the Nebraska State Implementation Plan (SIP). These revisions include proposed changes to Nebraska's PSD program and Nebraska's greenhouse gas (GHG) construction permit related regulations. The proposed SIP revision (Chapters 1, 2, 5, 14, 15, 17 and 19 of Title 129) includes Nebraska's adoption of portions of EPA's 2002 new source review (NSR) rule. The proposed SIP revision also provides the state of Nebraska with authority to regulate GHG emissions under the PSD program and incorporates the GHG emission thresholds established by EPA. EPA is proposing approval of both submittals and is proposing approval of the GHG portion of the proposed SIP revision through a parallel processing action. In the alternative, EPA is soliciting comments from the public on whether it should initially only approve Nebraska's submittal with respect to the revisions to the GHG construction permit regulations, and address Nebraska's submittal related to NSR Reform in a subsequent final action. Comments are due 1/26/11.		EPA's NSR Website
1997 8-Hour Ozone NAAQS - Reasonable Further Progress NAAQS & NSR 40 CFR Part 50 & 51	12/22/10	Proposed Rule	EPA is proposing to revise the Agency's earlier interpretation of its rule regarding requirements for Reasonable Further Progress (RFP) that allowed certain emissions reductions from outside the nonattainment area to be credited toward meeting the RFP requirements for the 1997 8-hour ozone national ambient air quality standards (NAAQS). Specifically, EPA is proposing that States may not take credit for emission reductions from outside the nonattainment area to meet the area's RFP obligations. EPA is also taking comment on whether it would be appropriate for States to rely on emission reductions credit from outside the nonattainment area for RFP obligations. Comments are due 2/7/11.		EPA's Ground Level Ozone Website

Federal Regulatory Air Actions 2010

NESHAP = National Emission Standards for Hazardous Air Pollutants NSPS = New Source Performance Standards NSR = New Source Review PSD = Prevention of Significant Deterioration NAAQS = National Ambient Air Quality Standards					
** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments					
Subject, Rule, Part, & Subpart	Date of Action	Type of Action & Link to Document**	Summary of Action	Additional Info/Actions	Additional Links
Renewable Fuel Standard Program Regulation of Fuels and Fuel Additives 40 CFR Part 80	12/21/10	Final Rule	EPA is finalizing amendments to certain of the Renewable Fuel Standard program regulations that were published on 3/26/10. Following publication of the regulations, promulgated in response to the requirements of the Energy Independence and Security Act of 2007, EPA discovered some technical errors and areas within the final regulations that could benefit from clarification or modification. In a direct final rule and parallel notice of proposed rulemaking published on 5/10/10, EPA included language to amend the regulations to make the appropriate corrections, clarifications, and modifications. However, EPA received adverse comment on a few provisions in the direct final rule and, on 6/30/10, withdrew those provisions prior to their effective date of 7/1/10. In this action, EPA is addressing the comments received on the portions of the direct final rule that were withdrawn and is taking final action regarding the withdrawn provisions based on consideration of the comments received.		
Methods for Measurement of Filterable PM10 and PM2.5 and Condensable PM NSR 40 CFR Part 51 Subpart Appendix M	12/21/10	Final Rule	This action promulgates amendments to Methods 201A and 202. The final amendments to Method 201A add a particle-sizing device to allow for sampling of PM2.5. The final amendments to Method 202 revise the sample collection and recovery procedures of the method to reduce the formation of reaction artifacts that could lead to inaccurate measurements of condensable particulate matter. Additionally, the final amendments to Method 202 eliminate most of the hardware and analytical options in the existing method, thereby increasing the precision of the method and improving the consistency in the measurements obtained between source tests performed under different regulatory authorities. This action also announces that EPA is taking no action to affect the already established January 1, 2011 sunset date for the New Source Review (NSR) transition period, during which EPA is not requiring that State NSR programs address condensable particulate matter emissions.		EPA's NSR Website
Shipbuilding and Ship Repair (Surface Coating) & Wood Furniture Manufacturing (Surface Coating) NESHAP 40 CFR Part 63 Subpart II & JJ	12/21/10	Proposed Rule	This action proposes how EPA will address the residual risk and technology review conducted for two industrial source categories regulated by separate national emission standards for hazardous air pollutants. It also proposes to address provisions related to emissions during periods of startup, shutdown, and malfunction. Comments are due 2/22/11.		EPA's Air Toxic Website

Federal Regulatory Air Actions 2010

NESHAP = National Emission Standards for Hazardous Air Pollutants NSPS = New Source Performance Standards NSR = New Source Review PSD = Prevention of Significant Deterioration NAAQS = National Ambient Air Quality Standards					
** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments					
Subject, Rule, Part, & Subpart	Date of Action	Type of Action & Link to Document**	Summary of Action	Additional Info/Actions	Additional Links
Mandatory Reporting of Greenhouse Gases Administrative Practice & Procedure 40 CFR Part 98	12/17/10	Final Rule	EPA is amending specific provisions in the greenhouse gas reporting rule to clarify certain provisions, to correct technical and editorial errors, and to address certain questions and issues that have arisen since promulgation. These final changes include generally providing additional information and clarity on existing requirements, allowing greater flexibility or simplified calculation methods for certain sources, amending data reporting requirements to provide additional clarity on when different types of greenhouse gas emissions need to be calculated and reported, clarifying terms and definitions in certain equations and other technical corrections and amendments.		EPA Climate Change Website
Leak Repair Requirements - Section 608 Protection of Stratospheric Ozone 40 CFR Part 82	12/15/10	Proposed Rule	EPA is proposing to lower the leak repair trigger rates for comfort cooling, commercial refrigeration, and industrial process refrigeration and air-conditioning equipment (i.e., appliances) with ozone-depleting refrigerant charges greater than 50 pounds. This action proposes to streamline existing required practices and associated reporting and recordkeeping requirements by establishing similar leak repair requirements for owners or operators of comfort cooling, commercial refrigeration, and industrial process refrigeration appliances. This action also proposes to reduce the use and emissions of class I and class II controlled substances (such as but not limited, to CFC-11, CFC-12, HCFC-123, HCFC-22) by requiring the following: Verification and documentation of all repairs, retrofit or retirement of appliances that cannot be sufficiently repaired, mandatory replacement of appliance components that have a history of failures, and mandatory recordkeeping of the determination of the full charge and the fate of recovered refrigerant. Comments are due 2/14/10.		EPA's Stratospheric Ozone Website
Chemical Manufacturing (area sources) NESHAP 40 CFR Part 63 Subpart VVVVVV	12/14/10	Direct Final and Proposal	On 6/15/10, EPA initiated the reconsideration process in response to their request for reconsideration of certain provisions of the rule. Among the provisions that EPA is reconsidering is a requirement that certain affected sources obtain a permit. In a separate rule published today, EPA is taking final action to stay for 90 days, the requirement for certain affected sources to comply with the title V permit program. Because they believe the reconsideration process may not be completed within 90 days, they are proposing to stay the provision requiring certain sources to obtain a permit until the final reconsideration rule is published in the Federal Register. EPA is requesting public comment on this proposed stay. Comments are due 1/28/11.		NDEQ Air Toxics Notebook Page

Federal Regulatory Air Actions 2010

NESHAP = National Emission Standards for Hazardous Air Pollutants NSPS = New Source Performance Standards NSR = New Source Review PSD = Prevention of Significant Deterioration NAAQS = National Ambient Air Quality Standards					
** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments					
Subject, Rule, Part, & Subpart	Date of Action	Type of Action & Link to Document**	Summary of Action	Additional Info/Actions	Additional Links
Greenhouse Gas Tailoring Rule PSD 40 CFR Part 52	12/13/10	Final Rule	EPA is issuing a finding that the EPA-approved state implementation plans (SIP) of 13 states (comprising 15 state and local programs) are substantially inadequate to meet Clean Air Act (CAA) requirements because they do not apply Prevention of Significant Deterioration (PSD) requirements to greenhouse gas (GHG)-emitting sources. In addition, EPA is issuing a "SIP call" for each of these states, which requires the state to revise its SIP as necessary to correct such inadequacies. Further, EPA is establishing a deadline for each state to submit its corrective SIP revision. These deadlines, which differ among the states, range from December 22, 2010, to December 1, 2011. Proposed 9/2/10.		EPA's NSR Website
Renewable Fuel Standard Program Regulation of Fuels and Fuel Additives 40 CFR Part 80	12/9/10	Final Rule	This action establishes annual percentage standards under Clean Air Act section 211(o) for cellulosic biofuel, biomass-based diesel, advanced biofuel, and renewable fuels that apply to all gasoline and diesel produced or imported in calendar year 2011. EPA determined that the applicable volume of cellulosic biofuel on which the percentage standard should be based is 6.0 million ethanol-equivalent gallons. This action also finalizes two changes to the regulations: modifications to the delayed RINs provision which provides a temporary and limited means for certain renewable fuel producers to generate RINs after they have produced and sold renewable fuel, and a new process for parties to petition EPA to authorize use of an aggregate approach to compliance with the renewable biomass provision for foreign feedstocks. Finally, this action makes two administrative announcements, one regarding the price for cellulosic biofuel waiver credits for 2011, and another regarding the status of the aggregate compliance provision for domestic crops.		
Fuel Economy Standards Mobile Sources 40 CFR Part 85, 86, & 600	12/8/10	Advanced Notice of Proposed Rulemaking	On 5/21/10, President Obama requested that the Environmental Protection Agency (EPA) and the National Highway Traffic Safety Administration (NHTSA), develop, through notice and comment rulemaking, a coordinated National Program to improve fuel economy and to reduce greenhouse gas emissions of light-duty vehicles for model years 2017-2025. On 9/30/10, the agencies issued the requested Notice, which described the agencies' initial assessment of potential levels of stringency for a National Program for model years 2017-2025 (See 75 FR 62739 (Oct. 13, 2010)). This Supplemental Notice highlights input on many of the key issues the agencies have received in response to the September NOI and the accompanying Interim Joint Technical Assessment (TAR) developed by EPA, NHTSA, and the California Air Resources Board, and also provides an overview of many of the key technical analyses the agencies have planned and are conducting to support the upcoming proposed rule.		

Federal Regulatory Air Actions 2010

NESHAP = National Emission Standards for Hazardous Air Pollutants NSPS = New Source Performance Standards NSR = New Source Review PSD = Prevention of Significant Deterioration NAAQS = National Ambient Air Quality Standards					
** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments					
Subject, Rule, Part, & Subpart	Date of Action	Type of Action & Link to Document**	Summary of Action	Additional Info/Actions	Additional Links
Reciprocating Internal Combustion Engines NESHAP 40 CFR Part 63 Subpart ZZZZ	12/7/10	Proposed Rule	On March 3, 2010, EPA published final national emission standards for hazardous air pollutants for existing compression ignition stationary reciprocating internal combustion engines. Subsequently, the Administrator received two petitions for reconsideration concerning one particular issue arising from the final rule. EPA is announcing reconsideration of and requesting public comment on that one issue. Specifically, while EPA is not proposing at this time any specific changes to our regulations, EPA is requesting comment on our decision to amend the limitations on operation of emergency stationary engines to allow emergency engines to operate for up to 15 hours per year as part of an emergency demand response program. EPA plans to issue a final decision on this issue as expeditiously as possible. EPA is seeking comment only on this issue. EPA will not respond to any comments addressing any other issue or any other provisions of the final rule or any other rule.	Public meeting in North Carolina 1/13/11. Extending deadline for comments to February 14, 2011.	NDEQ Air Toxics Notebook Page
Mandatory Reporting of Greenhouse Gases Administrative Practice & Procedure 40 CFR Part 72, 78, & 98	12/10/10	Final Rule	EPA is promulgating a regulation to require greenhouse gas monitoring and reporting from facilities that conduct geologic sequestration of carbon dioxide and all other facilities that conduct injection of carbon dioxide. This rule does not require control of greenhouse gases, rather it requires only monitoring and reporting of greenhouse gases.		EPA Climate Change Website
Mandatory Reporting of Greenhouse Gases Administrative Practice & Procedure 40 CFR Part 98	12/1/10	Final Rule	EPA is issuing a regulation to require monitoring and reporting of greenhouse gas emissions from additional sources of fluorinated greenhouse gases, including electronics manufacturing, fluorinated gas production, electrical equipment use, electrical equipment manufacture or refurbishment, as well as importers and exporters of pre-charged equipment and closed-cell foams. This rule requires monitoring and reporting of greenhouse gases for these source categories only for sources with carbon dioxide equivalent emissions, imports, or exports above certain threshold levels. This rule does not require control of greenhouse gases.		EPA Climate Change Website
Mandatory Reporting of Greenhouse Gases Administrative Practice & Procedure 40 CFR Part 98	11/30/10	Final Rule	EPA is promulgating a regulation to require monitoring and reporting of greenhouse gas emissions from petroleum and natural gas systems. This action adds this source category to the list of source categories already required to report greenhouse gas emissions. This action applies to sources with carbon dioxide equivalent emissions above certain threshold levels as described in this regulation. This action does not require control of greenhouse gases.		EPA Climate Change Website

Federal Regulatory Air Actions 2010

NESHAP = National Emission Standards for Hazardous Air Pollutants NSPS = New Source Performance Standards NSR = New Source Review PSD = Prevention of Significant Deterioration NAAQS = National Ambient Air Quality Standards					
** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments					
Subject, Rule, Part, & Subpart	Date of Action	Type of Action & Link to Document**	Summary of Action	Additional Info/Actions	Additional Links
Fuel Economy Standards Mobile Sources 40 CFR Part 85, 86, 1036, 1037, 1065, 1066, & 1068	11/30/10	Proposed Rule	NHTSA's proposed fuel consumption standards and EPA's proposed carbon dioxide emissions standards would be tailored to each of three regulatory categories of heavy-duty vehicles: Combination Tractors; Heavy-Duty Pickup Trucks and Vans; and Vocational Vehicles, as well as gasoline and diesel heavy-duty engines. EPA's proposed hydrofluorocarbon emissions standards would apply to air conditioning systems in tractors, pickup trucks, and vans, and EPA's proposed nitrous oxide & methane emissions standards would apply to all heavy-duty engines, pickup trucks, and vans. EPA is also requesting comment on possible alternative CO2-equivalent approaches for model year 2012-14 light-duty vehicles. EPA's proposed greenhouse gas emission standards would begin with model year 2014. NHTSA's proposed fuel consumption standards would be voluntary in model years 2014 and 2015, & mandatory with model year 2016 for most regulatory categories. Commercial trailers would not be regulated in this phase.		
SIP Availability PSD 40 CFR Part 52	11/24/10	Notice of Availability	Section 110(h) of the Clean Air Act, as amended in 1990 (the "Act"), requires EPA by November 15, 1995, and every three years thereafter, to assemble the requirements of the Federally-enforceable State Implementation Plans (SIPs) in each State and to publish notice in the Federal Register of the availability of such documents.		
Greenhouse Gas Tailoring Rule NSR, & Operating Permits 40 CFR Part 51, 52, 70, & 71	11/17/10	Notice of Availability	Notice is hereby given that the EPA has posted its guidance titled, "PSD and Title V Permitting Guidance for Greenhouse Gases" on its significant guidance Internet Web site. EPA invites public comments on this guidance document. Comments due 12/1/10		EPA's NSR Website
Emissions Programs Standards & Procedures Mobile Sources 40 CFR Part 86, 1033, 1039, 1042, 1045, 1054, & 1065	11/8/10	Direct Final and Proposal	EPA is taking direct final action and proposing at the same time several revisions to EPA's mobile source emission programs standards and test procedures. EPA believes that each of these is minor and non-controversial in nature. Most of the changes arise from the results of the collaborative test program and related technical work we conducted for the highway heavy-duty diesel in-use testing program. Most noteworthy is the adoption of a particulate matter measurement allowance for use with portable emission measurement systems. Related to this are two provisions to align the in-use program timing requirements with completion of the program as required in current regulations and the incorporation of revisions to a few technical requirements in the testing regulations based on information learned in this and one other test program. Finally, it modifies a few transitional flexibilities for locomotive, recreational marine, and Tier 4 nonroad engines and incorporates a handful of minor corrections.		

Federal Regulatory Air Actions 2010

NESHAP = National Emission Standards for Hazardous Air Pollutants NSPS = New Source Performance Standards NSR = New Source Review PSD = Prevention of Significant Deterioration NAAQS = National Ambient Air Quality Standards					
** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments					
Subject, Rule, Part, & Subpart	Date of Action	Type of Action & Link to Document**	Summary of Action	Additional Info/Actions	Additional Links
Sewage Sludge Incineration Units NSPS 40 CFR Part 60 Subpart LLLL & MMMM	11/5/10	Proposed Rule	This action clarifies certain text of the proposed rules titled "Standards of Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Sewage Sludge Incineration Units." The proposed rules were published in the Federal Register on October 14, 2010. The action proposes how EPA will address Clean Air Act requirements to establish new source performance standards for new units and emission guidelines for existing units for specific categories of solid waste incineration units.		EPA's Sewage Sludge Incinerator Website
Renewable Fuel Standard Program Regulation of Fuels and Fuel Additives 40 CFR Part 80	11/4/10	Notice of Waiver	EPA is partially granting Growth Energy's waiver request application submitted under section 211(f)(4) of the Clean Air Act. This partial waiver allows fuel and fuel additive manufacturers to introduce into commerce gasoline that contains greater than 10 volume percent ethanol and no more than 15 volume percent ethanol (E15) for use in certain motor vehicles if certain conditions are fulfilled. We are partially approving the waiver for and allowing the introduction into commerce of E15 for use only in model year 2007 and newer light-duty motor vehicles, which includes passenger cars, light-duty trucks and medium-duty passenger vehicles. We are denying the waiver for introduction of E15 for use in model year 2000 and older light-duty motor vehicles, as well as all heavy-duty gasoline engines and vehicles, highway and off-highway motorcycles, and nonroad engines, vehicles, and equipment. The Agency is deferring a decision on the applicability of a waiver to model year 2001 through 2006 light-duty motor vehicles until additional test data, currently under development, is available.		
Renewable Fuel Standard Program Regulation of Fuels and Fuel Additives 40 CFR Part 80	11/4/10	Proposed Rule	EPA is proposing a regulatory program to help mitigate the potential for misfueling of certain engines, vehicles and equipment with gasoline containing greater than 10 volume percent ("vol%") ethanol up to 15 vol% ethanol (E15). This proposal is in conjunction with the Agency's partial waiver, pursuant to Clean Air Act section 211(f)(4), which allows for the introduction into commerce of gasoline-ethanol blends containing up to 15 vol% ethanol for use in model year 2007 and newer on-highway light-duty motor vehicles.		
Carbon Monoxide Standards NAAQS 40 CFR Part 50	11/2/10	Notice of Availability	EPA is announcing the availability of a final document titled Policy Assessment for the Review of the Carbon Monoxide National Ambient Air Quality Standards (PA). The PA contains staff analyses of the scientific bases for alternative policy options for consideration by the Agency prior to rulemaking.		EPA's CO Website

Federal Regulatory Air Actions 2010

NESHAP = National Emission Standards for Hazardous Air Pollutants NSPS = New Source Performance Standards NSR = New Source Review PSD = Prevention of Significant Deterioration NAAQS = National Ambient Air Quality Standards					
** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments					
Subject, Rule, Part, & Subpart	Date of Action	Type of Action & Link to Document**	Summary of Action	Additional Info/Actions	Additional Links
Mandatory Reporting of Greenhouse Gases Administrative Practice & Procedure 40 CFR Part 86 & 98	10/28/10	Final Rule	EPA is amending specific provisions in the 2009 Final Mandatory Greenhouse Gas Reporting rule to correct certain technical and editorial errors that have been identified since promulgation and to clarify and update certain provisions that have been the subject of questions from reporting entities. These final changes include additional information to better or more fully understand compliance obligations, corrections to data reporting elements so they more closely conform to the information used to perform emission calculations, and other corrections and amendments.		EPA Climate Change Website
Clean Air Transport Rule NSR & Acid Rain 40 CFR Part 51, 52, 72, 78, & 97	10/27/10	Notice of Availability	EPA is providing notice that it is supplementing the record for the Proposed Transport Rule (75 FR 45210). EPA has placed in the docket for the Proposed Transport Rule (Docket ID No. EPA-HQ-OAR-2009-0491) additional information relevant to the rulemaking, including updated emissions inventory data for 2005, 2012 and 2014 for several stationary and mobile source inventory components. The data revisions reflect new approaches to calculating emissions inventories for specific source categories and related new information and models that have become available since the emissions data were developed and modeled for the proposed rule. EPA is requesting comment on the new data provided in the docket and the proposed revisions identified in this document. These data and revisions could impact the final rule, although such impacts have not yet been quantified by EPA. Comments due 11/26/10.		EPA's Clean Air Transport Rule Website
Chromium Electroplating and Chromium Anodizing Tanks; Group I Polymers and Resins; Marine Tank Vessel Loading Operations; Printing and Publishing; Steel Pickling--Hydrochloric Acid; Pharmaceuticals Production; and Test Methods NESHAP 40 CFR Part 63 Subpart N, U, Y, KK, CCC, GGG, & Appendix A	10/21/10	Proposed Rule & Supplemental Notice of Proposed Rulemaking	This action proposes how EPA will address the residual risk and technology reviews conducted for two NESHAP, and this action is a supplemental notice of proposed rulemaking for an October 2008 action that proposed how EPA would address the residual risk and technology reviews for four NESHAP. The six NESHAP include 16 source categories, 12 of which are the subject of residual risk and technology reviews in this package. This action proposes to modify the existing emissions standards for eight source categories in three of the six NESHAP to address certain emission sources not currently regulated under these standards. It also proposes for all six NESHAP to address provisions related to emissions during periods of startup, shutdown, and malfunction. Finally, this action proposes changes to two of the six NESHAP to correct editorial errors, make clarifications, or address issues with implementation or determining compliance.		EPA's Air Toxic Website

Federal Regulatory Air Actions 2010

NESHAP = National Emission Standards for Hazardous Air Pollutants NSPS = New Source Performance Standards NSR = New Source Review PSD = Prevention of Significant Deterioration NAAQS = National Ambient Air Quality Standards					
** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments					
Subject, Rule, Part, & Subpart	Date of Action	Type of Action & Link to Document**	Summary of Action	Additional Info/Actions	Additional Links
Particulate Matter Less Than 2.5 Micrometers (PM2.5) -- Increments, Significant Impact Levels (SILs) and Significant Monitoring Concentration NSR & PSD 40 CFR Part 51 & 52 Subpart I & A	10/20/10	Final Rule	EPA is amending the requirements for particulate matter less than 2.5 micrometers (PM2.5) under the PSD program by adding maximum allowable increases in ambient pollutant concentrations ("increments") and two screening tools, known as the Significant Impact Levels (SILs) and a Significant Monitoring Concentration (SMC) for PM2.5. The SILs for PM2.5 are also being added to two other New Source Review (NSR) rules that regulate the construction and modification of any major stationary source locating in an attainment or unclassifiable area, where the source's emissions may cause or contribute to a violation of the national ambient air quality standards. This final rule supplements the final implementation rule for PM2.5, promulgated on April 25, 2007 (72 FR 20586), and the PM2.5 NSR Implementation Rule promulgated on May 16, 2008 (73 FR 28321).		EPA's NSR Website
Sewage Sludge Incineration Units NSPS 40 CFR Part 60 Subpart LLLL & MMMM	10/14/10	Proposed Rule	This action proposes to establish new source performance standards for new units and emission guidelines for existing units for specific categories of solid waste incineration units. In previous actions, EPA has promulgated new source performance standards and emission guidelines for large municipal waste combustion units, small municipal waste combustion units, commercial and industrial solid waste incineration units, and other solid waste incineration units. These actions did not establish emission standards for sewage sludge incineration units. Comments are due 11/15/10, unless a public hearing is held then comments are due by 11/29/10.		EPA's Sewage Sludge Incinerator Website
Fuel Economy Standards Mobile Sources 40 CFR Part 85, 86, & 600	10/13/10	Advanced Notice of Proposed Rulemaking	This Notice of Intent to issue a proposed rule that announces plans for setting stringent fuel economy and greenhouse gas emissions standards for light-duty vehicles of model year 2017 and beyond. This joint Notice describes the agencies' initial assessment of potential levels of stringency for a National Program for model years 2017-2025, and describes additional work that the agencies will undertake over the next two months to refine this assessment further. This Notice fulfills that request and discusses the agencies' plans to issue a Supplemental Notice of Intent by November 30, 2010 that will describe plans for the National Program, including an updated analysis of potential GHG and fuel economy standards for model years 2017-2025. This joint Notice also announces the plans by the two agencies to propose such a coordinated National Program by the fall of 2011.		
Sulfur Dioxide & Nitrogen Oxide Standards NAAQS 40 CFR Part 50	10/5/10	Notice of Availability	EPA recently made available a draft report, Policy Assessment for the Review of the Secondary NAAQS for Oxides of Nitrogen and Oxides of Sulfur: Second External Review Draft (9/21/10). The four supplementary materials being released at this time are: an errata sheet for Chapter 5; an addendum for Chapter 5; an additional Table 7-1 (summary of key uncertainties); and an additional table for Chapter 9 (summary of options for elements of the nitrogen oxides (NOX) and sulfur oxides (SOX) standard).	10/25/10 - Notice of teleconferences to be held 11/9/10, 11/10/10 (if needed), and 12/6/10.	EPA's NAAQS Website

Federal Regulatory Air Actions 2010

NESHAP = National Emission Standards for Hazardous Air Pollutants NSPS = New Source Performance Standards NSR = New Source Review PSD = Prevention of Significant Deterioration NAAQS = National Ambient Air Quality Standards					
** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments					
Subject, Rule, Part, & Subpart	Date of Action	Type of Action & Link to Document**	Summary of Action	Additional Info/Actions	Additional Links
Renewable Fuel Standard Program Regulation of Fuels and Fuel Additives 40 CFR Part 80	9/28/10	Final Rule	This supplemental final rule (to 3/26/10 final rule) describes a final GHG analysis for canola oil biodiesel. It also finalizes the regulatory determination that canola oil biodiesel meets the biomass-based diesel and advanced biofuel GHG reduction thresholds of 50% as compared to the baseline petroleum fuel it will replace, petroleum diesel. This final rules will allow producers or importers of canola oil biodiesel fuel to generate biomass-based diesel Renewable Identification Numbers (RINs), providing that the fuel meets other definitional criteria for renewable fuel (e.g., produced from renewable biomass as defined in the RFS2 regulations, and used to reduce or replace petroleum-based transportation fuel, heating oil or jet fuel). In addition, this rule includes a new regulatory provision establishing a temporary and limited means for producers or importers of canola oil biodiesel to generate RINs for qualifying biofuel produced or imported between 7/1/10, and the effective date of this rule.		
Motor Vehicle Fuel Economy Label Mobile Sources 40 CFR Part 85, 86, & 600	9/23/10	Proposed Rule	EPA and the National Highway Traffic Safety Administration (NHTSA) are conducting a joint rulemaking to redesign and add information to the current fuel economy label that is posted on the window sticker of all new cars and light-duty trucks sold in the U.S. The redesigned label will provide new information to American consumers about the fuel economy and consumption, fuel costs, and environmental impacts associated with purchasing new vehicles beginning with model year 2012 cars and trucks. This action will also develop new labels for certain advanced technology vehicles, which are poised to enter the U.S. market, in particular plug-in hybrid electric vehicles and electric vehicles. This proposal is also consistent with the recent joint rulemaking by EPA and NHTSA that established harmonized federal greenhouse gas (GHG) emissions and corporate average fuel economy (CAFE) standards for new cars, sport utility vehicles, minivans, and pickup trucks for model years 2012-2016. Comments are due 11/22/10.	9/28/10 - Public Hearings Scheduled - 10/14/10 in Chicago, IL and 10/21/10 in Los Angeles, CA 11/1/10 - Public hearings scheduled - 11/15/10 & 11/18/10	
Mandatory Reporting of Greenhouse Gases Administrative Practice & Procedure 40 CFR Part 98	9/22/10	Final Rule	This action amends the Final Mandatory Reporting of Greenhouse Gases Rule to require reporters subject to the rule to provide: The name, address, and percentage ownership of their U.S. parent company(s); their primary North American Industry Classification System code(s) as well as all additional applicable North American Industry Classification System code(s); and an indication of whether or not any of their reported emissions are from a cogeneration unit. This final action also corrects an editorial error in revisions made to the General Provisions published earlier this year.		EPA Climate Change Website

Federal Regulatory Air Actions 2010

NESHAP = National Emission Standards for Hazardous Air Pollutants NSPS = New Source Performance Standards NSR = New Source Review PSD = Prevention of Significant Deterioration NAAQS = National Ambient Air Quality Standards					
** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments					
Subject, Rule, Part, & Subpart	Date of Action	Type of Action & Link to Document**	Summary of Action	Additional Info/Actions	Additional Links
Sulfur Dioxide & Nitrogen Oxide Standards NAAQS 40 CFR Part 50	9/21/10	Notice of Availability	EPA is making available a draft report, Policy Assessment for the Review of the Secondary National Ambient Air Quality Standards for Oxides of Nitrogen and Oxides of Sulfur: Second External Review Draft. The EPA is releasing this preliminary draft document to seek early consultation with the Clean Air Scientific Advisory Committee (CASAC) and to solicit public comment on the overall structure, framing of key issues and conclusions regarding options for key elements of the standards. Comments are due 11/12/10.		EPA's NAAQS Website
Clean Air Transport Rule NSR & Acid Rain 40 CFR Part 51, 52, 72, 78, & 97	9/14/10	Proposed Rule	The preamble to the proposed Transport Rule contains minor, technical errors that EPA is correcting in this action. In the portion of the preamble discussing in detail the proposed trading programs, EPA states clearly that it is proposing provisions that allow units to opt into these trading programs. Moreover, the proposed rule text for the Transport Rule includes detailed opt-in provisions for each proposed trading program. However, two sentences in other portions of the Transport Rule preamble erroneously state that the proposed trading programs do not allow units to opt in. In this proposed rule, EPA is correcting these technical errors.		EPA's Clean Air Transport Rule Website
General Provisions & Test Methods Non-attainment NSR, NSPS, & NESHAP 40 CFR Part 51, 60, 61, & 63 Subpart Appendix M, Subpart A, & Appendix A	9/13/10	Final Rule	EPA is taking final action to promulgate amendments to the General Provisions to allow accredited providers to supply stationary source audit samples and to require sources to obtain and use these samples from the accredited providers instead of from EPA, as is the current practice. All requirements pertaining to the audit samples have been moved to the General Provisions and have been removed from the test methods because the current language in the test methods regarding audit samples is inconsistent from method to method. Under this final rule, the requirement to use an audit sample during a compliance test will apply to all test methods for which a commercially available audit exists. Proposed 6/16/09.		
Portland Cement Mfg. NSPS & NESHAP 40 CFR Part 60 & 63 Subpart F & LLL	9/9/10	Final Rule	The final amendments to the NSPS add or revise, as applicable, emission limits for PM, opacity, nitrogen oxides (NOX), and sulfur dioxide (SO2) for facilities that commence construction, modification, or reconstruction after June 16, 2008. The final rule also includes additional testing and monitoring requirements for affected sources. The final amendments to the NESHAP add or revise, as applicable, emission limits for mercury, total hydrocarbons (THC), and particulate matter (PM) from new and existing kilns located at major and area sources, and for hydrochloric acid (HCl) from new and existing kilns located at major sources. The standards for new kilns apply to facilities that commence construction, modification, or reconstruction after May 6, 2009. The rule was proposed May 6, 2009.		NDEQ Air Toxics Notebook Page

Federal Regulatory Air Actions 2010

NESHAP = National Emission Standards for Hazardous Air Pollutants NSPS = New Source Performance Standards NSR = New Source Review PSD = Prevention of Significant Deterioration NAAQS = National Ambient Air Quality Standards					
** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments					
Subject, Rule, Part, & Subpart	Date of Action	Type of Action & Link to Document**	Summary of Action	Additional Info/Actions	Additional Links
Method 16C - Total Reduced Sulfur Measurement NSPS 40 CFR Part 60 Subpart Appendix A	9/2/10	Proposed Rule	This action proposes a method for measuring total reduced sulfur (TRS) emissions from stationary sources. The EPA is making this method available for general use as requested by a number of source testing companies since it has been allowed for use in the past on a case-by-case basis for kraft pulp mills and refineries. This proposed method would offer advantages over current methods in that real-time data are acquired and testers are allowed to use analyzers and procedures for measuring TRS that are commonly used to measure sulfur dioxide (SO ₂). The proposed method would offer an alternative to methods that are currently required.		
Greenhouse Gas Tailoring Rule PSD 40 CFR Part 52	9/2/10	Proposed Rule	EPA is proposing to find that 13 States with EPA-approved State implementation plan (SIP) NSR PSD programs are substantially inadequate to meet Clean Air Act requirements because they do not appear to apply PSD requirements to GHG-emitting sources. For each of these States, EPA proposes to require the State (through a "SIP Call") to revise its SIP as necessary to correct such inadequacies. EPA proposes an expedited schedule for States to submit their corrective SIP revision, in light of the fact that as of 1/2/11, certain GHG-emitting sources will become subject to the PSD requirements and may not be able to obtain a PSD permit in order to construct or modify. As for the rest of the States with approved SIP PSD programs, EPA solicits comment on whether their PSD programs do or do not apply to GHG-emitting sources. Nebraska is one of the 13 states on the SIP call.		EPA's NSR Website
Greenhouse Gas Tailoring Rule PSD 40 CFR Part 52	9/2/10	Proposed Rule	EPA is proposing a Federal implementation plan to apply in any State that is unable to submit, by its deadline, a corrective State implementation plan (SIP) revision to ensure that the State has authority to issue permits under the NSR PSD program for sources of greenhouse gases (GHGs). This proposal is a companion rulemaking to "Action to Ensure Authority to Issue Permits Under the Prevention of Significant Deterioration Program to Sources of Greenhouse Gas Emissions: Finding of Substantial Inadequacy and SIP Call."		EPA's NSR Website

Federal Regulatory Air Actions 2010

NESHAP = National Emission Standards for Hazardous Air Pollutants NSPS = New Source Performance Standards NSR = New Source Review PSD = Prevention of Significant Deterioration NAAQS = National Ambient Air Quality Standards					
** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments					
Subject, Rule, Part, & Subpart	Date of Action	Type of Action & Link to Document**	Summary of Action	Additional Info/Actions	Additional Links
1997 Ozone 8-Hour NAAQS NSR 40 CFR Part 51	8/24/10	Proposed Rule	This proposed action would clarify the obligation to retain 1-hour nonattainment NSR program requirements for certain areas designated nonattainment for the 1997 8-hour ozone NAAQS. EPA proposes to revise the rule for implementing the 1997 8-hour ozone NAAQS to address how NSR requirements that applied by virtue of the area's 1-hour ozone NAAQS classification should apply under the anti-backsliding provisions of the 1997 8-hour implementation rule. This proposed rule responds to the ruling by the U.S. Court of Appeals for the DC Circuit that the 1-hour major NSR program, as it applies to areas that were designated 1-hour nonattainment on the date of designation for the 1997 8-hour NAAQS, is a required control to prevent backsliding. EPA has separately proposed to remove the vacated provisions of the rule that allowed States to remove (or not include, if not yet adopted) 1-hour major NSR for nonattainment areas from their State implementation plans.	9/20/10 - Notice of Public Hearing for 10/12/10 in Washington DC	EPA's NSR Website
Reciprocating Internal Combustion Engines NESHAP 40 CFR Part 63 Subpart ZZZZ	8/20/10	Final Rule	EPA is promulgating national emission standards for hazardous air pollutants for existing stationary spark ignition reciprocating internal combustion engines that either are located at area sources of hazardous air pollutant emissions or that have a site rating of less than or equal to 500 brake horsepower and are located at major sources of hazardous air pollutant emissions.		NDEQ Air Toxics Notebook Page
New Reference Methods Ambient Monitoring 40 CFR Part 53	8/18/10	Notice of Availability	EPA has designated, in accordance with 40 CFR Part 53, two new equivalent methods for measuring concentrations of PM10 and sulfur dioxide (SO2) in the ambient air.		
Transportation Conformity Rule Administrative Practice & Procedure 40 CFR Part 93	8/13/10	Proposed Rule	EPA is proposing to restructure several sections of the transportation conformity rule so that they would apply to any new or revised NAAQS that are established in the future for transportation-related criteria pollutants. This proposal should reduce the need to amend the rule in the future for the sole purpose of referencing specific new or revised NAAQS. EPA is also proposing in this action that a near-term year would have to be analyzed when using the budget test when an area's attainment date has passed, or when an area's attainment date has not yet been established. This action also includes several administrative proposals and clarifications to improve implementation of the rule.		

Federal Regulatory Air Actions 2010

NESHAP = National Emission Standards for Hazardous Air Pollutants NSPS = New Source Performance Standards NSR = New Source Review PSD = Prevention of Significant Deterioration NAAQS = National Ambient Air Quality Standards					
** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments					
Subject, Rule, Part, & Subpart	Date of Action	Type of Action & Link to Document**	Summary of Action	Additional Info/Actions	Additional Links
Denial of the Petitions To Reconsider the Endangerment and Cause or Contribute Findings for Greenhouse Gases Under Section 202(a) of the Clean Air Act General 40 CFR Part 1 Subpart A	8/13/10	Notice	EPA is denying the petitions to reconsider the Endangerment and Cause or Contribute Findings for Greenhouse Gases under Section 202(a) of the Clean Air Act. The Findings were signed by the Administrator on December 7, 2009. EPA has carefully reviewed all of the petitions and revisited both the scientific record and the Administrator's decision process underlying the Findings in light of these petitions.		EPA Climate Change Website
Implementation Plans and Operating Permits Program PSD & Title V 40 CFR Part 52 & 70	8/11/10	Direct Final and Proposal	EPA is taking direct final action to approve revisions to the State Implementation Plan and Operating Permits Program to revise the state definition of volatile organic compounds; clarify language and incorporate rules related to construction permits to incorporate application fees and include a mechanism to use construction permits to accomplish other permitting needs; and clarify language related to open fires and explicitly include an exemption for fires used for religious activities. Approval of these revisions will ensure consistency between the state and Federally-approved rules.		
Mandatory Reporting of Greenhouse Gases Administrative Practice & Procedure 40 CFR Part 98	8/11/10	Proposed Rule	EPA is proposing to amend specific provisions in the GHG reporting rule to clarify certain provisions, to correct technical and editorial errors, and to address certain questions and issues that have arisen since promulgation. These proposed changes include providing additional information and clarity on existing requirements, allowing greater flexibility or simplified calculation methods for certain sources in a facility, amending data reporting requirements to provide additional clarity on when different types of GHG emissions need to be calculated and reported, clarifying terms and definitions in certain equations, and technical corrections. Comments due 9/27/10.		EPA Climate Change Website
New Reference Method Ambient Monitoring 40 CFR Part 53	8/3/10	Notice of Availability	EPA is providing notice of one new equivalent method for measuring concentrations of lead (Pb) in total suspended particulate matter (TSP) in the ambient air.		

Federal Regulatory Air Actions 2010

NESHAP = National Emission Standards for Hazardous Air Pollutants NSPS = New Source Performance Standards NSR = New Source Review PSD = Prevention of Significant Deterioration NAAQS = National Ambient Air Quality Standards					
** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments					
Subject, Rule, Part, & Subpart	Date of Action	Type of Action & Link to Document**	Summary of Action	Additional Info/Actions	Additional Links
Clean Air Transport Rule NSR & Acid Rain 40 CFR Part 51, 52, 72, 78, & 97	8/2/10	Proposed Rule	EPA is proposing to limit the interstate transport of emissions of NOX and SO2. In this action, EPA is proposing to both identify and limit emissions within 32 states in the eastern US that affect the ability of downwind states to attain and maintain compliance with the 1997 and 2006 fine particulate matter (PM2.5) national ambient air quality standards (NAAQS) and the 1997 ozone NAAQS. EPA is proposing to limit these emissions through Federal Implementation Plans (FIPs) that regulate electric generating units (EGUs) in the 32 states. This action will substantially reduce the impact of transported emissions on downwind states. In conjunction with other federal and state actions, it helps assure that all but a handful of areas in the eastern part of the country will be in compliance with the current ozone and PM2.5 NAAQS by 2014 or earlier. Comments due 10/1/10.	8/2/10 - Three public hearings announced 9/1/10 - Notice of Data availability - power sector modeling platform	EPA's Clean Air Transport Rule Website
Mandatory Reporting of Greenhouse Gases Administrative Practice & Procedure 40 CFR Part 2 Subpart B	7/27/10	Supplemental Proposal	This action supplements EPA's 7/7/10 proposal. In this action, EPA is proposing confidentiality determinations for the data elements proposed to be added or revised in the "Proposed Rulemaking: Revision of Certain Provisions of the Mandatory Reporting of Greenhouse Gases Rule," signed 7/27/10. This action addresses only the confidentiality of the new and revised data elements proposed in the concurrent notice.	8/27/10 - Public Comment Period Extended to 9/7/10.	EPA Climate Change Website
Prepared Feeds Mfg. NESHAP 40 CFR Part 63 Subpart DDDDDDD	7/20/10	Direct Final and Proposal	This action corrects the date for new sources to submit a Notification of Compliance Status form. Second, this action corrects information that needs to be included in the Notification of Compliance Report for those small facilities that are not required to install cyclones on their pelleting operations. Third, this action adds language to the regulatory text that was inadvertently left out of the final rule requiring submittal of the annual compliance certification report. These corrections and clarifications will not change the standards established by the rule and not result in the imposition of any costs beyond those included in the final rule.		NDEQ Air Toxics Notebook Page
Renewable Fuel Standard Program Regulation of Fuels and Fuel Additives 40 CFR Part 80	7/20/10	Advanced Notice of Proposed Rulemaking	This action proposes annual standards for cellulosic biofuel, biomass-based diesel, advanced biofuel, and renewable fuels that apply to all gasoline and diesel produced or imported in year 2011. This action also presents two proposed changes to the RFS2 regulations. The first would create a temporary and limited means for certain renewable fuel producers to generate delayed RINs after they have produced and sold renewable fuel. This proposed provision would apply only to those producers who use canola oil, grain sorghum, pulpwood, or palm oil to produce renewable fuel. The second proposed regulatory provision would establish criteria for foreign countries to adopt an aggregate approach to compliance with the renewable biomass provision akin to that applicable to the U.S.		

Federal Regulatory Air Actions 2010

NESHAP = National Emission Standards for Hazardous Air Pollutants NSPS = New Source Performance Standards NSR = New Source Review PSD = Prevention of Significant Deterioration NAAQS = National Ambient Air Quality Standards					
** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments					
Subject, Rule, Part, & Subpart	Date of Action	Type of Action & Link to Document**	Summary of Action	Additional Info/Actions	Additional Links
Residual Risk Review NESHAP 40 CFR Part 63	7/14/10	Proposed Consent Decree	On 1/13/09, Sierra Club filed a complaint alleging that EPA failed to meet its obligations under sections 112(d)(6) and 112(f)(2) of the CAA to take actions relative to the review/revision of the NESHAPs with respect to 28 source categories identified in the complaint. The proposed consent decree establishes deadlines for EPA's proposed and final actions for meeting these obligations.		
Mandatory Reporting of Greenhouse Gases Administrative Practice & Procedure 40 CFR Part 98	7/12/10	Final Rule	EPA is promulgating a regulation to require monitoring and reporting of greenhouse gas emissions from magnesium production, underground coal mines, industrial wastewater treatment, and industrial waste landfills. This action adds these four source categories to the list of source categories already required to report greenhouse gas emissions. This action requires monitoring and reporting of greenhouse gases for these source categories only for sources with carbon dioxide equivalent emissions above certain threshold levels as described in this regulation. This action does not require control of greenhouse gases. Proposed 4/10/09.		EPA Climate Change Website
Particulate Matter Standards NAAQS 40 CFR Part 50	7/8/10	Notice of Availability	EPA is making available for public comment a draft document: Policy Assessment for the Review of the Particulate Matter National Ambient Air Quality Standards--Second External Review Draft. This draft document will serve to "bridge the gap" between the scientific information and the judgments required of the Administrator in determining whether it is appropriate to retain or revise the standards as part of the review of the national ambient air quality standards for particulate matter.	7/29/10 - Extension of public comment period to 8/30/10.	EPA's Particulate Matter Website
Particulate Matter Standards NAAQS 40 CFR Part 50	7/8/10	Notice of Availability	EPA is announcing the availability of two final documents titled, Quantitative Health Risk Assessment for Particulate Matter and Particulate Matter Urban-Focused Visibility Assessment. These two documents describe the quantitative analyses that have been conducted as part of the review of the national ambient air quality standards for particulate matter.		EPA's Particulate Matter Website
Mandatory Reporting of Greenhouse Gases Administrative Practice & Procedure 40 CFR Part 2 Subpart B	7/7/10	Proposed Rule	EPA proposes to determine the confidentiality status of data required to be reported under the Mandatory Greenhouse Gas Reporting Rule. This action describes the data categories EPA has developed for the Rule data elements and EPA's proposed confidentiality determination for each category. In addition, EPA has proposed amendments to Special rules governing certain information obtained under the Clean Air Act. This action also solicits comments on several key issues related to the proposed confidentiality determinations and amendment.		EPA Climate Change Website

Federal Regulatory Air Actions 2010

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

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

Subject, Rule, Part, & Subpart	Date of Action	Type of Action & Link to Document**	Summary of Action	Additional Info/Actions	Additional Links
<p style="text-align: center;">Renewable Fuel Standard Program</p> <p style="text-align: center;">Regulation of Fuels and Fuel Additives</p> <p style="text-align: center;">40 CFR Part 80</p>	6/30/10	Withdrawal of Direct Final Rule	EPA published a direct final rule to amend the Renewable Fuel Standard program requirements on 5/10/10. Because EPA received adverse comment, we are withdrawing several provisions of the direct final rule. Effective June 30, 2010, EPA withdraws the definitions of "actual peak capacity," "baseline volume," and "permitted capacity" from 40 CFR 80.1401, and the amendments to 40 CFR 80.1403(a), 80.1425 introductory text and paragraph (i), 80.1426(d)(1) introductory text, 80.1426 Table 2, 80.1426(f)(3)(iv), 80.1426(f)(3)(v), 80.1426(f)(12), 80.1452(b) introductory text, (b)(2), (b)(4), (b)(6), (b)(9), (b)(13), and (b)(15), and 80.1452(c) introductory text, (c)(4), (c)(5), and (c)(7).		
<p style="text-align: center;">Reciprocating Internal Combustion Engines</p> <p style="text-align: center;">NESHAP</p> <p style="text-align: center;">40 CFR Part 63</p> <p style="text-align: center;">Subpart ZZZZ</p>	6/30/10	Final Rule	EPA published on 3/3/10, a final standards for existing stationary compression ignition reciprocating internal combustion engines. The amendments inadvertently removed paragraphs (b)(1)(i) and (ii) of section 63.6590(b)(1) from the regulation.		NDEQ Air Toxics Notebook Page
<p style="text-align: center;">Petroleum Refineries</p> <p style="text-align: center;">NESHAP</p> <p style="text-align: center;">40 CFR Part 63</p> <p style="text-align: center;">Subpart CC</p>	6/30/10	Final Rule	EPA promulgated general control requirements to control emissions of from heat exchange systems at petroleum refineries on 10/28/09. EPA is correcting typographical errors and inadvertent errors in section references.		NDEQ Air Toxics Notebook Page
<p style="text-align: center;">Sulfur Dioxide Standards</p> <p style="text-align: center;">NAAQS & Ambient Monitoring</p> <p style="text-align: center;">40 CFR Part 50, 53, & 58</p>	6/22/10	Final Rule	EPA is establishing a new 1-hour SO ₂ standard at a level of 75 parts per billion (ppb), based on the 3-year average of the annual 99th percentile of 1-hour daily maximum concentrations. The EPA is also revoking both the existing 24-hour and annual primary SO ₂ standards. Proposed 12/8/09.		EPA's Sulfur Dioxide Website
<p style="text-align: center;">Significant New Alternatives Policy Program</p> <p style="text-align: center;">Protection of Stratospheric Ozone</p> <p style="text-align: center;">40 CFR Part 82</p>	6/16/10	Determination of Acceptability	Expands the list of acceptable substitutes for ozone-depleting substances. The substitutes are for use in the following sectors: Refrigeration and air-conditioning, foam blowing, aerosols, and sterilants. The majority of the acceptability decisions find substitutes acceptable as alternatives to the class II ozone depleting substances hydrochlorofluorocarbon (HCFC)-22, HCFC-142b and blends containing one or both of these substances. EPA is also finding one of the alternatives, HFO-1234ze, acceptable as a substitute for CFC-113 in the heat transfer end use and as a substitute for CFC-11 in the aerosol propellant end use. The listing of additional refrigerant alternatives as acceptable will provide users in the refrigeration and air-conditioning sector with more options for replacing HCFC-22 and HCFC-142b, which, pursuant to EPA's phaseout regulations, may generally be used only as a refrigerant to service equipment manufactured before 1/1/10.		EPA's Stratospheric Ozone Website

Federal Regulatory Air Actions 2010

NESHAP = National Emission Standards for Hazardous Air Pollutants NSPS = New Source Performance Standards NSR = New Source Review PSD = Prevention of Significant Deterioration NAAQS = National Ambient Air Quality Standards					
** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments					
Subject, Rule, Part, & Subpart	Date of Action	Type of Action & Link to Document**	Summary of Action	Additional Info/Actions	Additional Links
Mandatory Reporting of Greenhouse Gases Administrative Practice & Procedure 40 CFR Part 98	6/15/10	Proposed Rule	EPA is proposing to amend specific provisions in the 2009 Final Mandatory Greenhouse Gas Reporting rule to correct certain technical and editorial errors that have been identified since promulgation and to clarify or propose minor updates to certain provisions that have been the subject of questions from reporting entities. These proposed changes include additional information to better or more fully understand compliance obligations, corrections to data reporting elements so they more closely conform to the information used to perform emission calculations and other corrections and amendments.		EPA Climate Change Website
Protocol Gas Verification Program and Minimum Competency Requirements for Air Emission Testing Acid Rain 40 CFR Part 72 & 75	6/11/10	Proposed Rule	EPA is proposing to amend its Protocol Gas Verification Program (PGVP) and the minimum competency requirements for air emission testing to improve the accuracy of emissions data. EPA is also proposing to amend other sections of the Acid Rain Program continuous emission monitoring system regulations by adding and clarifying certain recordkeeping and reporting requirements, removing the provisions pertaining to mercury monitoring and reporting, removing certain requirements associated with a class-approved alternative monitoring system, disallowing the use of a particular quality assurance option in EPA Reference Method 7E, adding an incorporation by reference that was inadvertently left out of the 1/24/08 final rule, and clarifying the language and applicability of certain provisions.		EPA's Acid Rain Website
Failure To Submit State Implementation Plans for Interstate Transport for the 2006 NAAQS for Fine Particulate Matter PSD 40 CFR Part 52	6/9/10	Final Rule	On 9/21/06, EPA promulgated a final rule establishing new standards for the 24-hour PM2.5 NAAQS. At present, 29 states or territories have not yet submitted complete SIPs to satisfy the section 110(a) nonattainment and maintenance transport requirements. Through this action, EPA is making a finding of failure to submit these SIPs which creates a 2-year deadline for the promulgation of a Federal Implementation Plan by EPA unless, prior to that deadline, a state makes a submission to meet these two requirements of the CAA and EPA approves such submission.	9/14/10 - Minor corrections & technical errors	EPA's Particulate Matter Website

Federal Regulatory Air Actions 2010

NESHAP = National Emission Standards for Hazardous Air Pollutants NSPS = New Source Performance Standards NSR = New Source Review PSD = Prevention of Significant Deterioration NAAQS = National Ambient Air Quality Standards					
** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments					
Subject, Rule, Part, & Subpart	Date of Action	Type of Action & Link to Document**	Summary of Action	Additional Info/Actions	Additional Links
Stationary Compression Ignition and Spark Ignition Internal Combustion Engines NSPS & Mobile Sources 40 CFR Part 60, 1039, 1042, 1065, & 1068 Subpart JJJJ	6/8/10	Proposed Rule	EPA is proposing revisions to the standards for new stationary compression ignition internal combustion engines. The proposed rule would implement more stringent standards for stationary compression ignition engines with displacement greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder, consistent with recent revisions to standards for similar mobile source marine engines. The action also proposes to provide additional flexibility to owners and operators of affected engines, and would correct minor mistakes in the initial standards of performance. In addition, the action proposes revisions to the requirements for engines with displacement at or above 30 liters per cylinder to align more closely with recent standards for similar mobile source marine engines. Finally, the proposal would make minor revisions to the standards to mirror certain revisions proposed for compression ignition engines, which would provide consistency where appropriate for the regulation of stationary internal combustion engines.	8/6/10 - Extension of Public Comment to 9/8/10.	
Carbon Monoxide Standards NAAQS 40 CFR Part 50	6/7/10	Notice of Availability	EPA is announcing the availability of a final document titled, Quantitative Risk and Exposure Assessment for Carbon Monoxide (REA). The REA describes quantitative analyses that have been conducted as part of the review of the NAAQS for carbon monoxide.		EPA's CO Website
Identification of Non-Hazardous Secondary Materials That Are Solid Waste Solid Waste 40 CFR Part 241	6/4/10	Proposed Rule	The meaning of "solid waste" as defined under RCRA is of particular importance since it will determine whether a combustion unit is required to meet air emissions standards for solid waste incineration units or for commercial, industrial, and institutional boilers. The Clean Air Act states that the term "solid waste" shall have the meaning "established by the Administrator pursuant to [RCRA]." EPA is proposing a definition of non-hazardous solid waste that would be used to identify whether non-hazardous secondary materials burned as fuels or used as ingredients in combustion units are solid waste. EPA is also proposing that non-hazardous secondary materials that have been discarded, and are therefore solid wastes, may be rendered products after they have been processed (altered chemically or physically) into a fuel or ingredient product. This proposed rule is necessary to identify units for the purpose of developing certain standards under the Clean Air Act. Proposed 1/2/09.	6/9/10 - Extension of Public Comment to 8/3/10 & notice of public hearings	EPA's Non-Hazardous Solid Waste Definition Website

Federal Regulatory Air Actions 2010

NESHAP = National Emission Standards for Hazardous Air Pollutants NSPS = New Source Performance Standards NSR = New Source Review PSD = Prevention of Significant Deterioration NAAQS = National Ambient Air Quality Standards					
** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments					
Subject, Rule, Part, & Subpart	Date of Action	Type of Action & Link to Document**	Summary of Action	Additional Info/Actions	Additional Links
Commercial and Industrial Solid Waste Incineration Units NSPS 40 CFR Part 60 Subpart CCCC & DDDD	6/4/10	Proposed Rule	On 12/1/00, EPA adopted new source performance standards and emission guidelines for commercial and industrial solid waste incineration units. In 2001, the US Court of Appeals for the DC Circuit granted EPA's voluntary remand, without vacatur, of the 2000 rule. In 2005, EPA proposed and finalized the commercial and industrial solid waste incineration definition rule which revised the definition of "solid waste," "commercial and industrial waste," and "commercial and industrial waste incineration unit." In 2007, the US Court of Appeals for the DC Circuit vacated and remanded the 2005 definition rule. This action provides EPA's response to the 2001 voluntary remand of the 2000 rule and the vacatur and remand in 2007. In addition, this action includes the five-year technology review of the new source performance standards and emission guidelines required under Section 129.	6/9/10 - Extension of Public Comment to 8/3/10 & notice of public hearings 7/22/10 - Extension of Public Comment to 8/23/10	EPA's CISWI Website
Industrial, Commercial, and Institutional Boilers & Process Heaters - Major Sources NESHAP 40 CFR Part 63 Subpart DDDDD	6/4/10	Proposed Rule	On 9/13/04, EPA promulgated standards for new and existing industrial/commercial/institutional boilers and process heaters. On 6/19/07, the US Court of Appeals for the DC Circuit vacated and remanded the standards. In response to the court's vacatur and remand, this action would require all major sources to meet hazardous air pollutants emissions standards reflecting the application of the maximum achievable control technology. EPA is also proposing that existing major source facilities with an affected boiler undergo an energy assessment on the boiler system to identify cost-effective energy conservation measures.	6/9/10 - Extension of Public Comment to 8/3/10 & notice of public hearings 7/22/10 - Extension of Public Comment to 8/23/10	NDEQ Air Toxics Notebook Page
Industrial, Commercial, and Institutional Boilers - Area Sources NESHAP 40 CFR Part 63 Subpart JJJJJ	6/4/10	Proposed Rule	EPA is proposing standards for industrial boilers and commercial and institutional boilers. The proposed emission standards for control of mercury emissions from coal-fired area source boilers and the proposed emission standards for control of polycyclic organic matter emissions from all area source boilers are based on the maximum achievable control technology. The proposed emission standards for control of mercury emissions from biomass-fired and oil-fired area source boilers and for other hazardous air pollutants are based on generally available control technology or management practices. Gas-fired area source boilers are not subject to this rule as proposed. EPA is also proposing that existing area source facilities with an affected boiler with a designed heat input capacity of 10 million Btu per hour or greater undergo an energy assessment on the boiler system to identify cost-effective energy conservation measures.	6/9/10 - Extension of Public Comment to 8/3/10 & notice of public hearings 7/22/10 - Extension of Public Comment to 8/23/10	NDEQ Air Toxics Notebook Page

Federal Regulatory Air Actions 2010

NESHAP = National Emission Standards for Hazardous Air Pollutants NSPS = New Source Performance Standards NSR = New Source Review PSD = Prevention of Significant Deterioration NAAQS = National Ambient Air Quality Standards					
** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments					
Subject, Rule, Part, & Subpart	Date of Action	Type of Action & Link to Document**	Summary of Action	Additional Info/Actions	Additional Links
Greenhouse Gas Tailoring Rule NSR, & Operating Permits 40 CFR Part 51, 52, 70, & 71	6/3/10	Final Rule	EPA is tailoring the applicability criteria that determine which stationary sources and modification projects become subject to permitting requirements for greenhouse gas (GHG) emissions under the NSR and title V programs of the Clean Air Act. This rulemaking is necessary because without it NSR and title V requirements would apply, as of 1/2/11, at the 100 or 250 tons per year levels, greatly increasing the number of required permits, imposing undue costs on small sources, overwhelming the resources of permitting authorities, and severely impairing the functioning of the programs. EPA is relieving these resource burdens by phasing in the applicability of these programs to GHG sources, starting with the largest GHG emitters. This rule establishes two initial steps of the phase-in. The rule also commits the agency to take certain actions on future steps addressing smaller sources, but excludes certain smaller sources from PSD and title V permitting for GHG emissions until at least 4/30/16. Proposed 10/27/09.		
Paints and Allied Products Manufacturing NESHAP 40 CFR Part 63 Subpart CCCCCC	6/3/10	Direct Final and Proposal	EPA is amending the definition of "material containing hazardous air pollutants." It was not EPA's intent to omit the part of this definition that addresses non-carcinogens, and this omission could potentially and erroneously include facilities as applicable to the rule when they should not be covered.		NDEQ Air Toxics Notebook Page
Transportation Conformity Rule Administrative Practice & Procedure 40 CFR Part 93	5/26/10	Notice of Availability	EPA is announcing the availability of a draft transportation conformity guidance document for public comment. Once finalized, this guidance would help state and local agencies complete quantitative PM2.5 and PM10 hot-spot analyses for project-level transportation conformity determinations of certain highway and transit projects.		
Clean Alternative Fuel Vehicle and Engine Conversions Mobile Sources 40 CFR Part 85 & 86	5/26/10	Proposed Rule	EPA is proposing to simplify and streamline the process by which manufacturers of clean alternative fuel conversion systems may demonstrate compliance with vehicle and engine emissions requirements. Specifically, EPA is proposing to revise the regulatory criteria for gaining an exemption from the Clean Air Act prohibition against tampering for the conversion of vehicles and engines to operate on a clean alternative fuel. Under existing EPA regulations, an exemption from the tampering prohibition may only be granted to vehicles and engines covered by a certificate of conformity.		

Federal Regulatory Air Actions 2010

NESHAP = National Emission Standards for Hazardous Air Pollutants NSPS = New Source Performance Standards NSR = New Source Review PSD = Prevention of Significant Deterioration NAAQS = National Ambient Air Quality Standards					
** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments					
Subject, Rule, Part, & Subpart	Date of Action	Type of Action & Link to Document**	Summary of Action	Additional Info/Actions	Additional Links
Hospital, Medical, Infectious Waste Incinerators NSPS 40 CFR Part 60 Subpart Ec	5/14/10	Proposed Rule	This action proposes to amend the new source performance standards finalized 10/6/09 in order to correct inadvertent drafting errors in the emissions limits for nitrogen oxides and sulfur dioxide promulgated for large hospital/medical/infectious waste incinerators, which did not correspond to our description of our standard-setting process. This action will also correct erroneous cross-references in the reporting and recordkeeping requirements.		
Mandatory Reporting of Greenhouse Gases Administrative Practice & Procedure 40 CFR Part 98	5/13/10	Data Availability and Request for Comment	EPA is making available to the public draft default emission factors for semiconductor manufacturing refined process categories. On 4/12/10, EPA published a proposed rule, (75 FR 18652) which included proposed methods for monitoring and reporting greenhouse gases (GHGs) from electronics manufacturing. EPA proposed a range of values differentiated by production technology generation (i.e., wafer size). Based on additional information received since the publication of the proposed rule, EPA has developed draft emission factors for the proposed process categories.		EPA Climate Change Website
Alternative Affirmative Defense Requirements for Ultra-Low Sulfur Diesel and Gasoline Benzene Technical Amendment Regulation of Fuels and Fuel Additives 40 CFR Part 80	5/11/10	Direct Final and Proposal	EPA is issuing a direct final rule to amend the diesel sulfur regulations to allow refiners, importers, distributors, and retailers of highway diesel fuel the option to use an alternative affirmative defense if the Agency finds highway diesel fuel samples above the specified sulfur standard at retail facilities. This rule also amends the gasoline benzene regulations to allow disqualified small refiners the same opportunity to generate gasoline benzene credits as that afforded to non-small refiners. This rule is effective on July 12, 2010 without further notice, unless EPA receives adverse comment by June 10, 2010.		
Renewable Fuel Standard Program Regulation of Fuels and Fuel Additives 40 CFR Part 80	5/10/10	Direct Final and Proposal	EPA is taking direct final action to amend certain of the Renewable Fuel Standard program regulations published on March 26, 2010, that are scheduled to take effect on July 1, 2010 (the "RFS2 regulations"). Following publication of the RFS2 regulations, promulgated in response to the requirements of the Energy Independence and Security Act of 2007, EPA discovered some technical errors and areas within the final RFS2 regulations that could benefit from clarification or modification. This direct final rule amends the RFS2 regulations to make the appropriate corrections, clarifications, and modifications. This direct final rule is effective on July 1, 2010 without further notice, except to the extent that EPA receives adverse comment by June 9, 2010 or receives a request for a public hearing by May 25, 2010.		

Federal Regulatory Air Actions 2010

NESHAP = National Emission Standards for Hazardous Air Pollutants NSPS = New Source Performance Standards NSR = New Source Review PSD = Prevention of Significant Deterioration NAAQS = National Ambient Air Quality Standards					
** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments					
Subject, Rule, Part, & Subpart	Date of Action	Type of Action & Link to Document**	Summary of Action	Additional Info/Actions	Additional Links
Significant New Alternatives Policy Program Protection of Stratospheric Ozone 40 CFR Part 82	5/10/10	Proposed Rule	This action proposes to list isobutane, propane, HCR-188C, and HCR-188C1 as "acceptable, subject to use conditions," as substitutes for chlorofluorocarbon (CFC)-12, also referred to as R-12, CCl2F2 and dichlorodifluoromethane and hydrochlorofluorocarbon (HCFC)-22, also referred to as R-22, CHClF2, chlorodifluoromethane and difluorochloromethane, in household refrigerators, freezers, and combination refrigerator and freezers and commercial refrigeration (retail food refrigerators and freezers--stand-alone units only).		EPA's Stratospheric Ozone Website
1997 8-Hour Ozone Standard NAAQS 40 CFR Part 50	5/6/10	Proposed Consent Decree	Notice of a proposed consent decree, to address a lawsuit filed by Sierra Club and WildEarth Guardians in the United States District Court for the District of Columbia: Sierra Club, et al. v. Jackson, No. 1:10-cv-133-(PLF) (D. DC). On January 27, 2010, Plaintiffs filed an amended complaint to compel EPA to take final action on the State Implementation Plan ("SIP") infrastructure submittals for Maine, Rhode Island, Connecticut, New Hampshire, Alabama, Kentucky, Mississippi, South Carolina, Wisconsin, Indiana, Michigan, Ohio, Louisiana, Kansas, Nebraska, Missouri, Colorado, Montana, South Dakota, Utah, and Wyoming with regard to the 1997 8-hour ozone National Ambient Air Quality Standards as required by section 110(k)(2) of the CAA. Under the terms of the proposed consent decree, EPA has agreed to take final action no later than April 29, 2011.		EPA's Ground Level Ozone Website
Critical Use Exemption From the Phase-out of Methyl Bromide Protection of Stratospheric Ozone 40 CFR Part 82	5/3/10	Final Rule	This final rule authorizes uses of methyl bromide that qualify for the 2010 critical use exemption and the amount of methyl bromide that may be produced, imported, or supplied from existing pre-phase-out inventory for those uses in 2010.		EPA's Stratospheric Ozone Website
Mandatory Reporting of Greenhouse Gases Administrative Practice & Procedure 40 CFR Part 98	4/30/10	Withdrawal of Direct Final Rule	Because EPA received comments which could be construed as adverse, they are withdrawing the direct final rule to amend the general provisions for the Mandatory Greenhouse Gas (GHG) Reporting Rule, published on March 16, 2010.		EPA Climate Change Website

Federal Regulatory Air Actions 2010

NESHAP = National Emission Standards for Hazardous Air Pollutants NSPS = New Source Performance Standards NSR = New Source Review PSD = Prevention of Significant Deterioration NAAQS = National Ambient Air Quality Standards					
** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments					
Subject, Rule, Part, & Subpart	Date of Action	Type of Action & Link to Document**	Summary of Action	Additional Info/Actions	Additional Links
Control of Emissions From New Marine Compression-Ignition Engines at or Above 30 Liters per Cylinder Mobile Sources 40 CFR Part 80, 85, 86, 94, 1027, 1033, 1039, 1042, 1043, 1045, 1048, 1051, 1054, 1060, 1065, & 1068	4/30/10	Final Rule	EPA is finalizing emission standards for new marine diesel engines with per-cylinder displacement at or above 30 liters (called Category 3 marine diesel engines) installed on U.S. vessels. The emission standards apply in two stages--near-term standards for newly built engines will apply beginning in 2011; long-term standards requiring an 80 percent reduction in NOX emissions will begin in 2016. EPA is also finalizing a change to the diesel fuel program that will allow for the production and sale of 1,000 ppm sulfur fuel for use in Category 3 marine vessels. In addition, the new fuel requirements will generally forbid the production and sale of other fuels above 1,000 ppm sulfur for use in most U.S. waters. The final regulations also include technical amendments to the motor vehicle and nonroad engine regulations; many of these changes involve minor adjustments or corrections to the rule for new nonroad spark-ignition engines, or adjustment to other regulatory provisions to align with this recent final rule.		
Gold Mine Ore Processing & Production NESHAP 40 CFR Part 63 Subpart A & EEEEEEE	4/28/10	Proposed Rule	EPA is proposing to add the gold mine ore processing and production area source category to the list of source categories subject to regulation under the hazardous air pollutant section of the Clean Air Act (CAA) due to their mercury emissions. EPA is also proposing national mercury emission standards for this category based on the emissions level of the best performing facilities which are well controlled for mercury.	5/20/10 - Extension of Public Comment to 6/28/10	NDEQ Air Toxics Notebook Page
Lead Emissions From Piston-Engine Aircraft Using Leaded Aviation Gasoline Control of Air Pollution from Aircraft 40 CFR Part 87	4/28/10	Advanced Notice of Proposed Rulemaking	EPA is issuing this notice to describe information currently available and information being collected that will be used to issue a subsequent proposal regarding whether aircraft lead emissions from aircraft using leaded aviation gasoline cause or contribute to air pollution which may reasonably be anticipated to endanger public health or welfare. They describe and request comment on the data available for evaluating lead emissions, ambient concentrations and potential exposure to lead from the continued use of leaded avgas in piston-engine powered aircraft.	6/24/10 - Extension of Public Comment to 8/27/10	
Semiannual Regulatory Agenda	4/26/10	Notice	EPA publishes the semiannual regulatory agenda online (the e-Agenda) at www.reginfo.gov to update the public about: Regulations and major policies currently under development, Reviews of existing regulations and major policies, and Rules and major policy makings completed or canceled since the last agenda.		

Federal Regulatory Air Actions 2010

NESHAP = National Emission Standards for Hazardous Air Pollutants NSPS = New Source Performance Standards NSR = New Source Review PSD = Prevention of Significant Deterioration NAAQS = National Ambient Air Quality Standards					
** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments					
Subject, Rule, Part, & Subpart	Date of Action	Type of Action & Link to Document**	Summary of Action	Additional Info/Actions	Additional Links
Aggregation NSR & PSD 40 CFR Part 51 & 52	4/15/10	Proposed Rule	EPA is requesting comment on the New Source Review (NSR) Aggregation Amendments, which was promulgated on January 15, 2009. The NSR Aggregation Amendments established a new interpretation of the existing NSR rules governing the modification of major sources by requiring sources and permitting authorities to combine emissions from nominally-separate activities at a major stationary source only when the activities are "substantially related." This proposed reconsideration is in response to a petition from the Natural Resources Defense Council (NRDC) received on 1/30/09. EPA requests public comment on all issues included in NRDC's petition. In light of the legal and policy issues raised in the petition and in our own review of the rule, EPA's preferred option is to revoke the NSR Aggregation Amendments. EPA is also proposing to extend the effective date of the stay by an additional 6 months, and soliciting comment on a longer extension of the stay.	5/14/10 - Extension of Public Comment Period to 6/16/10. 5/18/10 - Delay of Effective Date 5/20/10 - Correction - Should have appeared in proposed rules section	EPA's NSR Website
Mandatory Reporting of Greenhouse Gases Administrative Practice & Procedure 40 CFR Part 98	4/12/10	Proposed Rule	EPA is proposing a supplemental rule to require reporting of greenhouse gas (GHG) emissions from petroleum and natural gas systems. Specifically, the proposed supplemental rulemaking would require emissions reporting from the following industry segments: Onshore petroleum and natural gas production, offshore petroleum and natural gas production, natural gas processing, natural gas transmission compressor stations, underground natural gas storage, liquefied natural gas (LNG) storage, LNG import and export terminals, and distribution. The proposed supplemental rulemaking does not require control of GHGs, rather it requires only that sources above certain threshold levels monitor and report emissions.		EPA Climate Change Website
Mandatory Reporting of Greenhouse Gases Administrative Practice & Procedure 40 CFR Part 98	4/12/10	Proposed Rule	EPA is proposing a rule to require reporting on carbon dioxide (CO2) injection and geologic sequestration (GS). The proposed rulemaking does not require control of greenhouse gases (GHGs), rather it requires only monitoring and reporting of CO2 injection and geologic sequestration. EPA first proposed that suppliers of CO2 be subject to mandatory GHG reporting requirements in April 2009 and finalized the rule for suppliers of CO2 on October 30, 2009.		EPA Climate Change Website
Mandatory Reporting of Greenhouse Gases Administrative Practice & Procedure 40 CFR Part 98	4/12/10	Proposed Rule	EPA is revising and supplementing its initial proposal to require reporting of fluorinated GHG emissions from electronics manufacturing, production of fluorinated gases, and use of electrical transmission and distribution equipment. EPA is also proposing to require such reporting from manufacture or refurbishment of electrical equipment and import and export of pre-charged equipment and closed cell foams. This proposed rule would not require control of greenhouse gases; rather it would require only that sources above certain threshold levels monitor and report emissions.		EPA Climate Change Website

Federal Regulatory Air Actions 2010

NESHAP = National Emission Standards for Hazardous Air Pollutants NSPS = New Source Performance Standards NSR = New Source Review PSD = Prevention of Significant Deterioration NAAQS = National Ambient Air Quality Standards					
** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments					
Subject, Rule, Part, & Subpart	Date of Action	Type of Action & Link to Document**	Summary of Action	Additional Info/Actions	Additional Links
Mandatory Reporting of Greenhouse Gases Administrative Practice & Procedure 40 CFR Part 98	4/12/10	Proposed Rule	<p>The Mandatory GHG Reporting Rule, published on 10/30/09 requires reporting by facilities that emit GHGs and by suppliers of fuels and industrial gases. Facilities and suppliers that meet the applicability criteria in subpart A of 40 CFR part 98 must submit annual GHG reports. A list of the information that all reporters must submit in their annual reports is included in the general provisions of the rule (see 40 CFR 98.3(c)). This list includes owner/operator identification information, but does not currently require reporters to provide information on their U.S. parent company, on their primary and other applicable NAICS code(s), or on whether any of their reported emissions are from a cogeneration unit. In this notice, EPA proposes amendments to the Mandatory GHG Reporting Rule that would require facilities and suppliers subject to the rule to provide this additional information in their annual reports.</p>		EPA Climate Change Website
General Conformity NSR & SIPs 40 CFR Part 51 & 93	4/5/10	Final Rule	<p>The EPA is revising its regulations relating to the requirement that Federal actions conform to the appropriate State, tribal or Federal implementation plan (SIP, TIP, or FIP) for attaining clean air ("General Conformity"). This rule revision will facilitate Federal agency compliance with conforming its activities to the SIPs thereby preventing violations of the NAAQS. This rule revision provides for a timely and effective process for Federal agencies and States and Tribes to ensure Federal activities are incorporated in these SIPs. Where that is not possible, it provides an efficient and effective process for Federal agencies to ensure their actions do not cause or contribute to a violation of the NAAQS or interfere with the purpose of a SIP, TIP or FIP to attain or maintain the NAAQS.</p>		
Regulated Pollutant Interpretation NAAQS, NSR, & Operating Permits 40 CFR Part 50, 51, 70, & 71	4/2/10	Final Rule	<p>A 12/18/08 EPA memo established an interpretation clarifying the scope of the phrase "subject to regulation" found within the definition of the term "regulated NSR pollutant." EPA will continue to interpret it to include each pollutant subject to either a provision in the CAA or regulation adopted by EPA under the CAA that requires actual control of emissions of that pollutant. This action explains that EPA will continue following the interpretation in the 12/18/08 memo with one exception. EPA is refining its interpretation to establish that the PSD permitting requirements will not apply to a newly regulated pollutant until a regulatory requirement to control emissions of that pollutant "takes effect." In addition, this notice addresses several questions regarding the applicability of the PSD and Title V permitting programs to greenhouse gases (GHGs) upon the anticipated promulgation of EPA regulations establishing limitations on emissions of GHGs from vehicles. Collectively, these conclusions result in an EPA determination that PSD and Title V permitting requirements will not apply to C</p>		

Federal Regulatory Air Actions 2010

NESHAP = National Emission Standards for Hazardous Air Pollutants NSPS = New Source Performance Standards NSR = New Source Review PSD = Prevention of Significant Deterioration NAAQS = National Ambient Air Quality Standards					
** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments					
Subject, Rule, Part, & Subpart	Date of Action	Type of Action & Link to Document**	Summary of Action	Additional Info/Actions	Additional Links
Inclusion of Fugitive Emissions NSR & PSD 40 CFR Part 51 & 52	3/31/10	Final Rule	The EPA is proposing to put in place an additional 18-month stay to the existing stay of the inclusion of fugitive emissions requirements in the federal NSR program published in the Federal Register on 2/11/10. This will allow sufficient time for EPA to propose, take public comment on, and issue a final action concerning the inclusion of fugitive emissions in the federal NSR program.		EPA's NSR Website
General Provisions - Case-by-Case MACT NESHAP 40 CFR Part 63 Subpart B	3/30/10	Proposed Rule	EPA is proposing to amend the rule governing case-by-case emission limits for major sources of hazardous air pollutants under section 112(j) of the Clean Air Act. They are proposing revisions to the section 112(j) rule to clarify and streamline the process for establishing case-by-case emission limits in the case of the complete vacatur of a section 112(d) rule applicable to a major source category initially listed pursuant to section 112(c)(1). They are also eliminating provisions of the section 112(j) rule that have become obsolete or are redundant.	Extension of Public Comment to May 27, 2010	NDEQ Air Toxics Notebook Page
Renewable Fuel Standard Program Regulation of Fuels and Fuel Additives 40 CFR Part 80	3/26/10	Final Rule	The revised statutory requirements of the Energy Independence and Security Act of 2007 specify the volumes of cellulosic biofuel, biomass-based diesel, advanced biofuel, and total renewable fuel that must be used in transportation fuel. This action finalizes the regulations that implement the requirements, including the cellulosic, biomass-based diesel, advanced biofuel, and renewable fuel standards that will apply to all gasoline and diesel produced or imported in 2010. This final rule also implements the revised statutory definitions and criteria, including the new greenhouse gas emission thresholds for renewable fuels and new limits on renewable biomass feedstocks.		
Transportation Conformity Rule Administrative Practice & Procedure 40 CFR Part 93	3/24/10	Final Rule	EPA is amending the transportation conformity rule to finalize provisions proposed 5/15/09. These amendments primarily affect conformity's implementation in PM2.5 and PM10 nonattainment and maintenance areas. EPA is updating the transportation conformity regulation in light of an 10/17/06 final rule that strengthened the 24-hour PM2.5 NAAQS and revoked the annual PM10 NAAQS. In addition, EPA is clarifying the regulations concerning hot-spot analyses to address a December 2007 remand from the Court of Appeals for the DC Circuit. This portion of the final rule applies to PM2.5 and PM10 nonattainment and maintenance areas as well as carbon monoxide nonattainment and maintenance areas.		EPA Transportation and Air Quality Website
Mandatory Reporting of Greenhouse Gases Administrative Practice & Procedure 40 CFR Part 98	3/24/10	Correction	Corrections made to rule document 2010-5695 beginning on page 12451 in the issue of March 16, 2010, on pages 12457 and 12458, in Subpart A.		EPA Climate Change Website

Federal Regulatory Air Actions 2010

NESHAP = National Emission Standards for Hazardous Air Pollutants NSPS = New Source Performance Standards NSR = New Source Review PSD = Prevention of Significant Deterioration NAAQS = National Ambient Air Quality Standards					
** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments					
Subject, Rule, Part, & Subpart	Date of Action	Type of Action & Link to Document**	Summary of Action	Additional Info/Actions	Additional Links
Asphalt Processing & Roofing Manufacturing NESHAP 40 CFR Part 63 Subpart AAAAAAA	3/18/10	Final Rule	Following the 12/2/09 final rule, EPA discovered three inadvertent typographical errors in the lettering of paragraphs in section 63.11563, entitled, "What are my Monitoring Requirements?" Those errors are corrected in this action. Also, in section 63.11564, entitled, "What are my Notification, Recordkeeping, and Reporting Requirements?" EPA amended cross references to the revised paragraphs in section 63.11563 to satisfy these cross references. A red line version of the corrected rule language is available in docket EPA-HQ-OAR-2009-0027. Table 1 of the preamble describes the five technical corrections.		NDEQ Air Toxics Notebook Page
Mandatory Reporting of Greenhouse Gases Administrative Practice & Procedure 40 CFR Part 98	3/16/10	Direct Final and Proposal	The amendments do not change the requirements of the regulation for facilities and suppliers covered by the 2009 final rule. Rather, the amendments are minor changes to the format of several sections of the general provisions to accommodate the addition of new subparts in the future in a simple and clear manner. These changes include updating the language for the schedule for submitting reports and calibrating equipment to recognize that subparts that may be added in the future would have later deadlines. These revisions do not change the requirements for subparts included in the 2009 final rule.		EPA Climate Change Website
Paints and Allied Products Manufacturing NESHAP 40 CFR Part 63 Subpart CCCCCC	3/5/10	Final Rule	Amends regulatory text to amend editorial errors and provide clarification. 63.11602(a)(2)(iii) references 63.11601(a)(4) toward the end of the paragraph. Instead it should reference 63.11601(a)(5). 63.11603(c) references paragraph (7). There is no paragraph (7). Instead it should reference paragraph (6). The section that follows 63.11603(c) is 63.11603(e). This should be changed to 63.11603(d). 63.11601(a)(5)(i) should end in "or." Paragraph 63.11601(a)(3) is a carbon copy of (a)(2) and should be deleted. This will change the subsequent numbering for this section. 63.11599(b)(1): An affected source is existing if you commenced construction. * * * before June 1, 2009 [the phrase "on or" is removed].		NDEQ Air Toxics Notebook Page
Ambient Air Monitoring Reference and Equivalent Methods: Designation of One New Equivalent Method Ambient Monitoring 40 CFR Part 58	3/4/10	Notice	EPA is announcing the designation of one new equivalent method for measuring lead (Pb) in total suspended particulate matter (TSP) in the ambient air. This designation is made under the provisions of 40 CFR part 53, as amended on November 12, 2008 (73 FR 67057-67059). The method is identified as follows: EQL-0310-189, "Procedure for Determination of Lead in Ambient Air TSP by Hot Plate Acid Extraction and ICP-MS Analysis."		

Federal Regulatory Air Actions 2010

NESHAP = National Emission Standards for Hazardous Air Pollutants NSPS = New Source Performance Standards NSR = New Source Review PSD = Prevention of Significant Deterioration NAAQS = National Ambient Air Quality Standards					
** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments					
Subject, Rule, Part, & Subpart	Date of Action	Type of Action & Link to Document**	Summary of Action	Additional Info/Actions	Additional Links
Reciprocating Internal Combustion Engines NESHAP 40 CFR Part 63 Subpart ZZZZ	3/3/10	Final Rule	EPA is promulgating national emission standards for hazardous air pollutants for existing stationary compression ignition reciprocating internal combustion engines that either are located at area sources of hazardous air pollutant emissions or that have a site rating of less than or equal to 500 brake horsepower and are located at major sources of HAP emissions. In addition, EPA is promulgating standards for existing non-emergency stationary compression ignition engines greater than 500 brake horsepower located at major sources of HAP. EPA is revising the provisions related to startup, shutdown, and malfunction for the engines that were regulated previously by these standards. EPA will promulgate regulations for existing stationary spark ignition engines by August 10, 2010.		NDEQ Air Toxics Notebook Page
Release of the MOVES2010 Motor Vehicle Emissions Model for Emissions Inventories in SIPs and Transportation Conformity	3/2/10	Notice of Availability	EPA approved the use of MOVES2010 in official State implementation air quality plan (SIP) submissions to EPA and for certain transportation conformity analyses outside of California. This notice starts a two-year grace period before the MOVES2010 emission model is required to be used in new regional emissions analyses for transportation conformity determinations outside of California. EPA is not approving MOVES2010 for project-level transportation conformity hot-spot analyses at this time; the Agency will approve the model for such analyses in the near future in a separate Federal Register notice when guidance is finalized.		
Inclusion of Fugitive Emissions NSR & PSD 40 CFR Part 51 & 52	2/11/10	Proposed Rule	The EPA is proposing to put in place an additional 18-month stay to the existing stay of the inclusion of fugitive emissions requirements in the federal PSD program published in the Federal Register on 12/19/08. The Fugitive Emissions Rule under the federal PSD program requires that fugitive emissions be included in determining whether a physical or operation change results in a major modification only for sources in industries that have been designated through rulemaking under section 302(j) of the Clean Air Act (Act or CAA). The existing stay is in effect for three months; that is, from 12/31/09, until 3/31/10. This action proposes to put in place an additional stay for 18 months.	Proposed again on 2/12/10?	EPA's NSR Website
PM2.5 Implementation PSD 40 CFR Part 52 Subpart A	2/11/10	Proposed Rule	EPA is proposing to repeal the "grandfathering" provision for PM2.5 contained in the Federal PSD program. Second, EPA is proposing to end early the PM10 Surrogate Policy applicable in States that have an approved PSD program in their State Implementation Plan ("SIP-approved States").		EPA's NSR Website

Federal Regulatory Air Actions 2010

NESHAP = National Emission Standards for Hazardous Air Pollutants NSPS = New Source Performance Standards NSR = New Source Review PSD = Prevention of Significant Deterioration NAAQS = National Ambient Air Quality Standards					
** Links to document take you to www.regulations.gov. The link will be to the rule or notice within the regulatory docket. The docket contains all the information, comments					
Subject, Rule, Part, & Subpart	Date of Action	Type of Action & Link to Document**	Summary of Action	Additional Info/Actions	Additional Links
Significant New Alternatives Policy Program Stratospheric Ozone 40 CFR Part 82	2/9/10	Proposed Rule	EPA issued a proposed rule 10/19/09, proposing to find HFO-1234yf acceptable, subject to use conditions as a substitute for CFC-12 in motor vehicle air conditioning. In response to requests from several stakeholders and to allow comments on new supporting materials, this action reopens the public comment period through February 24, 2010.		EPA's Stratospheric Ozone Website
Nitrogen Dioxide Standards NAAQS & Ambient Monitoring 40 CFR Part 50 & 58	2/9/10	Final Rule	EPA is establishing a new 1-hour standard at a level of 100 ppb, based on the 3-year average of the 98th percentile of the yearly distribution of 1-hour daily maximum concentrations, to supplement the existing annual standard. EPA is also establishing requirements for an NO2 monitoring network that will include monitors at locations where maximum NO2 concentrations are expected to occur, including within 50 meters of major roadways, as well as monitors sited to measure the area-wide NO2 concentrations that occur more broadly across communities. Proposed 7/15/09.		EPA's Nitrogen Oxides Website
Particulate Matter Standards NAAQS 40 CFR Part 50	1/26/10	Availability of Draft Documents	EPA is making available for public comment two draft assessment documents titled, Particulate Matter Urban-Focused Visibility Assessment--Second External Review Draft and Quantitative Health Risk Assessment for Particulate Matter--Second External Review Draft. These two draft assessment documents describe the quantitative analyses that are being conducted as part of the review of the national ambient air quality standards (NAAQS) for particulate matter (PM). In addition, on or about February 26, 2010, OAQPS will make available for public comment a third draft document titled, Policy Assessment for the Review of the Particulate Matter National Ambient Air Quality Standards--First External Review Draft.		EPA's Particulate Matter Website
Ozone Standards NAAQS 40 CFR Part 50	1/19/10	Proposed Rule	Based on its reconsideration of the primary and secondary NAAQS for ozone (O3) set in March 2008, EPA proposes to set different primary and secondary standards than those set in 2008 to provide requisite protection of public health and welfare, respectively. With regard to the primary standard for O3, EPA proposes that the level of the 8-hour primary standard, which was set at 0.075 ppm in the 2008 final rule, should instead be set at a lower level within the range of 0.060 to 0.070 parts per million (ppm). EPA proposes that the secondary O3 standard, which was set identical to the revised primary standard in the 2008 final rule, should instead be a new cumulative, seasonal standard expressed as an annual index of the sum of weighted hourly concentrations, cumulated over 12 hours per day (8 am to 8 pm) during the consecutive 3-month period within the O3 season with the maximum index value, set at a level within the range of 7 to 15 ppm-hours.	1/12/10 - Announcement of Public Hearings	EPA's Ground Level Ozone Website

Federal Regulatory Air Actions 2010

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					
** <i>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</i>					
Subject, Rule, Part, & Subpart	Date of Action	Type of Action & Link to Document**	Summary of Action	Additional Info/Actions	Additional Links
Ozone Standards NAAQS 40 CFR Part 50	1/11/10	Notice	EPA Science Advisory Board Staff Office announces a public teleconference and open meetings of the Clean Air Scientific Advisory Committee Ozone Review Panel for the Reconsideration of the 2008 NAAQS to conduct a review of EPA's proposed rule that reconsiders the standards for Ozone set in March 2008.		EPA's Ground Level Ozone Website
Prepared Feeds Mfg. NESHAP 40 CFR Part 63 Subpart DDDDDDD	1/5/10	Final Rule	GACT for prepared feed manufacturers (except for dogs and cats) who add chromium compounds or manganese compounds to the feeds. Proposed 7/27/09.		NDEQ Air Toxics Notebook Page