

EPA has no authority to disapprove a SIP submission for failure to use VCS. It would thus be inconsistent with applicable law for USEPA, when it reviews a SIP submission, to use VCS in place of a SIP submission that otherwise satisfies the provisions of the Clean Air Act. Thus, the requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) do not apply.

#### *Paperwork Reduction Act*

This rule does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

#### *Congressional Review Act*

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. USEPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a "major rule" as defined by 5 U.S.C. 804(2). This rule will be effective January 26, 2004.

#### *Petitions for Judicial Review*

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by February 9, 2004. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

#### **List of Subjects in 40 CFR Part 52**

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Nitrogen oxides, Ozone, Reporting and recordkeeping requirements.

Dated: December 2, 2003.

**Bharat Mathur,**

*Acting Regional Administrator, Region 5.*

■ For the reasons stated in the preamble, part 52, chapter I, title 40 of the Code of Federal Regulations is amended as follows:

#### **PART 52— [AMENDED]**

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

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

#### **Subpart P—Indiana**

■ 2. Section 52.770 is amended by adding paragraph (c)(163) to read as follows:

#### **§ 52.770 Identification of plan.**

\* \* \* \* \*

(c) \* \* \*

(163) On June 26, 2003, the Indiana Department of Environmental Management (IDEM) submitted revisions to 326 IAC 10-3 (NO<sub>x</sub> Reduction Program for Specific Source Categories) and 326 IAC 10-4 (NO<sub>x</sub> Budget Trading Program) of the Indiana Administrative Code (IAC). Also, on August 4, 2003, IDEM submitted a letter containing the Legislative Service Agency Document #00-54(F) as published in the Indiana Register on August 1, 2003, 26 IR 3550, containing the legal and approving signatures. The revised rules change the Indiana Phase I NO<sub>x</sub> budget to 233,548 tons per ozone season for 2007.

(i) Incorporation by reference.

(A) Indiana Pollution Control Board rules: 326 IAC 10-3-1 and 326 IAC 10-4-1, 10-4-2, 10-4-9, 10-4-10, 10-4-13, 10-4-14 and 10-4-15. Adopted by the Indiana Pollution Control Board on May 7, 2003. Filed with the Secretary on July 7, 2003. Published at Indiana Register Volume 26, Number 11, August 1, 2003 (26 IR 3550). Effective August 6, 2003.

[FR Doc. 03-30696 Filed 12-10-03; 8:45 am]

**BILLING CODE 6560-50-P**

## **ENVIRONMENTAL PROTECTION AGENCY**

### **40 CFR Parts 60, 61, and 63**

[FRL-7598-4]

#### **Delegation of Authority to the States of Iowa; Kansas; Missouri; Nebraska; Lincoln-Lancaster County, NE; and City of Omaha, NE, for New Source Performance Standards (NSPS), National Emission Standards for Hazardous Air Pollutants (NESHAP); and Maximum Achievable Control Technology (MACT) Sources**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of delegation of authority.

**SUMMARY:** The states of Iowa, Kansas, Missouri, Nebraska, and the local agencies of Lincoln-Lancaster County, Nebraska, and city of Omaha, Nebraska, have submitted updated regulations for delegation of EPA authority for implementation and enforcement of NSPS, NESHAP, and MACT. The submissions cover new EPA standards and, in some instances, revisions to standards previously delegated. EPA's review of the pertinent regulations shows that they contain adequate and effective procedures for the implementation and enforcement of these Federal standards. This action informs the public of delegations to the above-mentioned agencies.

**DATES:** This document is effective on December 11, 2003. The dates of delegation can be found in the **SUPPLEMENTARY INFORMATION** section of this document.

**ADDRESSES:** Copies of documents relative to this action are available for public inspection during normal business hours at the Environmental Protection Agency, Air Planning and Development Branch, 901 North 5th Street, Kansas City, Kansas 66101. The interested persons wanting to examine these documents should make an appointment with the office at least 24 hours in advance.

Effective immediately, all notifications, applications, reports, and other correspondence required pursuant to the newly delegated standards and revisions identified in this document should be submitted to the Region 7 office, and, with respect to sources located in the jurisdictions identified in this document, to the following addresses:

Iowa Department of Natural Resources,  
Air Quality Bureau, 7900 Hickman  
Road, Urbandale, Iowa 50322.

Kansas Department of Health and Environment, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka, Kansas 66612.  
 Missouri Department of Natural Resources, Air Pollution Control Program, Jefferson State Office Building, P.O. Box 176, Jefferson City, Missouri 65102.  
 Nebraska Department of Environmental Quality, Air and Waste Management Division, P.O. Box 98922, Statehouse Station, Lincoln, Nebraska 68509.  
 Lincoln-Lancaster County Division of Environmental Health, Air Pollution Control Agency, 3140 "N" Street, Lincoln, Nebraska 68510.  
 City of Omaha, Public Works Department, Air Quality Control Division, 5600 South 10th Street, Omaha, Nebraska 68107.

**FOR FURTHER INFORMATION CONTACT:** Wayne Kaiser at (913) 551-7603, or by e-mail at *kaiser.wayne@epa.gov*.

**SUPPLEMENTARY INFORMATION:** The supplementary information is organized in the following order:

- What does this action do?
- What is the authority for delegation?
- What does delegation accomplish?
- What has been delegated?
- What has not been delegated?

**List of Delegation Tables**

- Table I—NSPS, 40 CFR part 60
- Table II—NESHAP, 40 CFR part 61
- Table III—NESHAP, 40 CFR part 63

**What Does This Action Do?**

The EPA is providing notice that it has delegated authority for implementation and enforcement of the Federal standards shown in the tables below to the state and local air agencies in Region 7. This rule updates the

delegation tables previously published at 67 FR 70170 (November 21, 2003). The EPA has established procedures by which these agencies are automatically delegated the authority to implement the standards when they adopt regulations which are identical to the Federal standards. We then periodically provide notice of the new and revised standards for which delegation has been given.

**What Is the Authority for Delegation?**

1. Section 111(c)(1) of the Clean Air Act (CAA) authorizes EPA to delegate authority to any state agency which submits adequate regulatory procedures for implementation and enforcement of the NSPS program. The NSPS are codified at 40 CFR part 60.

2. Section 112(l) of the CAA and 40 CFR part 63, subpart E, authorizes the EPA to delegate authority to any state or local agency which submits adequate regulatory procedures for implementation and enforcement of emission standards for hazardous air pollutants. The hazardous air pollutant standards are codified at 40 CFR parts 61 and 63, respectively.

**What Does Delegation Accomplish?**

Delegation confers primary responsibility for implementation and enforcement of the listed standards to the respective state and local air agencies. However, EPA also retains the authority to enforce the standards if it so desires.

**What Has Been Delegated?**

Tables I, II, and III below list the delegated standards. The first date in each block is the reference date to the CFR contained in the state rule. In

general, the state or local agency has adopted the applicable standard through this date as noted in the table. The second date is the most recent effective date of the state agency rule for which the EPA has granted the delegation.

**What Has Not Been Delegated?**

1. The EPA regulations effective after the first date specified in each block have not been delegated, and authority for implementation of these regulations is retained solely by EPA.

2. In some cases, the standards themselves specify that specific provisions cannot be delegated. You should review the applicable standard for this information.

3. In some cases, the agency rules do not adopt the Federal standard in its entirety. Each agency rule (available from the respective agency) should be consulted for specific information.

4. In some cases, existing delegation agreements between the EPA and the agencies limit the scope of the delegated standards. Copies of delegation agreements are available from the state agencies, or from this office.

5. With respect to 40 CFR part 63, subpart A, General Provisions (see Table III), the EPA has determined that §§ 63.6(g), 63.6(h)(9), 63.7(e)(2)(ii) and (f), 63.8(f), and 63.10(f) cannot be delegated. Additional information is contained in an EPA memorandum titled "Delegation of 40 CFR Part 63 General Provisions Authorities to State and Local Air Pollution Control Agencies" from John Seitz, Director, Office of Air Quality Planning and Standards, dated July 10, 1998.

**List of Delegation Tables**

TABLE I.—DELEGATION OF AUTHORITY—PART 60 NSPS—REGION 7

Subpart	Source category	State of Iowa	State of Kansas	State of Missouri	State of Nebraska
A .....	General Provisions .....	12/31/01 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02
D .....	Fossil-Fuel Fired Steam Generators for Which Construction Is Commenced After August 17, 1971.	12/31/01 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02
Da .....	Electric Utility Steam Generating Units for Which Construction Is Commenced After September 18, 1978.	12/31/01 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02
Db .....	Industrial-Commercial-Institutional Steam Generating Units .....	12/31/01 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02
Dc .....	Small Industrial-Commercial-Institutional Steam Generating Units .....	12/31/01 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02
E .....	Municipal Incinerators .....	12/31/01 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02
Ea .....	Municipal Waste Combustors Constructed After December 20, 1989, and On or Before September 20 1994.	12/31/01 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02
Eb .....	Municipal Waste Combustors for Which Construction Is Commenced After September 20, 1994.	12/31/01 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02
Ec .....	Hospital/Medical/Infectious Waste Incinerators for Which Construction Commenced After June 20, 1996.	12/31/01 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02
F .....	Portland Cement Plants .....	12/31/01 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02

TABLE I.—DELEGATION OF AUTHORITY—PART 60 NSPS—REGION 7—Continued

Subpart	Source category	State of Iowa	State of Kansas	State of Missouri	State of Nebraska
G	Nitric Acid Plants	12/31/01 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02
H	Sulfuric Acid Plants	12/31/01 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02
I	Asphaltic Concrete Plants	12/31/01 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02
J	Petroleum Refineries	12/31/01 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02
K	Storage Vessels for Petroleum Liquid for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978.	12/31/01 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02
Ka	Storage Vessels for Petroleum Liquid for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984.	12/31/01 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02
Kb	Volatile Organic Liquid Storage Vessels for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984.	12/31/01 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02
L	Secondary Lead Smelters	12/31/01 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02
M	Brass & Bronze Production Plants	12/31/01 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02
N	Basic Oxygen Process Furnaces for Which Construction Is Commenced After June 11, 1973.	12/31/01 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02
Na	Basic Oxygen Process Steelmaking Facilities for Which Construction Is Commenced After January 20, 1983.	12/31/01 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02
O	Sewage Treatment Plants	12/31/01 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02
P	Primary Copper Smelters	12/31/01 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02
Q	Primary Zinc Smelters	12/31/01 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02
R	Primary Lead Smelters	12/31/01 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02
S	Primary Aluminum Reduction Plants	12/31/01 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02
T	Wet Process Phosphoric Acid Plants	12/31/01 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02
U	Superphosphoric Acid Plants	12/31/01 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02
V	Diammonium Phosphate Plants	12/31/01 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02
W	Triple Superphosphate Plants	12/31/01 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02
X	Granular Triple Superphosphate Storage Facilities	12/31/01 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02
Y	Coal Preparation Plants	12/31/01 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02
Z	Ferroalloy Production Facilities	12/31/01 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02
AA	Steel Plant Electric Arc Furnaces Constructed After October 21, 1974, and On or Before August 17, 1983.	12/31/01 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02
AAa	Steel Plant Electric Arc Furnaces & Argon-Oxygen Decarburization Vessels Constructed After August 17, 1983.	12/31/01 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02
BB	Kraft Pulp Mills	12/31/01 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	.....
CC	Glass Manufacturing Plants	12/31/01 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02
DD	Grain Elevators	12/31/01 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02
EE	Surface Coating of Metal Furniture	12/31/01 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02
GG	Stationary Gas Turbines	12/31/01 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02
HH	Lime Manufacturing Plants	12/31/01 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02
KK	Lead-Acid Battery Manufacturing Plants	12/31/01 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02
LL	Metallic Mineral Processing Plants	12/31/01 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02
MM	Auto & Light-Duty Truck Surface Coating Operations	12/31/01 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02

TABLE I.—DELEGATION OF AUTHORITY—PART 60 NSPS—REGION 7—Continued

Subpart	Source category	State of Iowa	State of Kansas	State of Missouri	State of Nebraska
NN	Phosphate Rock Plants	12/31/01	07/01/98	06/30/02	07/01/01
		10/23/03	06/11/99	10/30/03	07/10/02
PP	Ammonium Sulfate Manufacture	12/31/01	07/01/98	06/30/02	07/01/01
		10/23/03	06/11/99	10/30/03	07/10/02
QQ	Graphic Arts Industry: Publication Rotogravure Printing	12/31/01	07/01/98	06/30/02	07/01/01
		10/23/03	06/11/99	10/30/03	07/10/02
RR	Pressure Sensitive Tape & Label Surface Coating Operations	12/31/01	07/01/98	06/30/02	07/01/01
		10/23/03	06/11/99	10/30/03	07/10/02
SS	Industrial Surface Coating: Large Appliances	12/31/01	07/01/98	06/30/02	07/01/01
		10/23/03	06/11/99	10/30/03	07/10/02
TT	Metal Coil Surface Coating	12/31/01	07/01/98	06/30/02	07/01/01
		10/23/03	06/11/99	10/30/03	07/10/02
UU	Asphalt Processing & Asphalt Roofing Manufacture	12/31/01	07/01/98	06/30/02	07/01/01
		10/23/03	06/11/99	10/30/03	07/10/02
VV	SOCMI Equipment Leaks (VOC)	12/31/01	07/01/98	06/30/02	07/01/01
		10/23/03	06/11/99	10/30/03	07/10/02
WW	Beverage Can Surface Coating Industry	12/31/01	07/01/98	06/30/02	07/01/01
		10/23/03	06/11/99	10/30/03	07/10/02
XX	Bulk Gasoline Terminals	12/31/01	07/01/98	06/30/02	07/01/01
		10/23/03	06/11/99	10/30/03	07/10/02
AAA	New Residential Wood Heaters	12/31/01	07/01/98	06/30/02	07/01/01
		10/23/03	06/11/99	10/30/03	07/10/02
BBB	Rubber Tire Manufacturing Industry	12/31/01	07/01/98	06/30/02	07/01/01
		10/23/03	06/11/99	10/30/03	07/10/02
DDD	Polymer Manufacturing Industry (VOC)	12/31/01	07/01/98	06/30/02	07/01/01
		10/23/03	06/11/99	10/30/03	07/10/02
FFF	Flexible Vinyl and Urethane Coating and Printing	12/31/01	07/01/98	06/30/02	07/01/01
		10/23/03	06/11/99	10/30/03	07/10/02
GGG	Equipment Leaks of VOC in Petroleum Refineries	12/31/01	07/01/98	06/30/02	07/01/01
		10/23/03	06/11/99	10/30/03	07/10/02
HHH	Synthetic Fiber Production Facilities	12/31/01	07/01/98	06/30/02	07/01/01
		10/23/03	06/11/99	10/30/03	07/10/02
III	SOCMI AIR Oxidation Unit Processes	12/31/01	07/01/98	06/30/02	07/01/01
		10/23/03	06/11/99	10/30/03	07/10/02
JJJ	Petroleum Dry Cleaners	12/31/01	07/01/98	06/30/02	07/01/01
		10/23/03	06/11/99	10/30/03	07/10/02
KKK	VOC Leaks from Onshore Natural Gas Processing Plants	12/31/01	07/01/98	06/30/02	07/01/01
		10/23/03	06/11/99	10/30/03	07/10/02
LLL	Onshore Natural Gas Processing: SO <sub>2</sub> Emissions	12/31/01	07/01/98	06/30/02	07/01/01
		10/23/03	06/11/99	10/30/03	07/10/02
NNN	VOC Emissions from SOCMI Distillation Operations	12/31/01	07/01/98	06/30/02	07/01/01
		10/23/03	06/11/99	10/30/03	07/10/02
OOO	Nonmetallic Mineral Processing Plants	12/31/01	07/01/98	06/30/02	07/01/01
		10/23/03	06/11/99	10/30/03	07/10/02
PPP	Wool Fiberglass Insulation Manufacturing Plants	12/31/01	07/01/98	06/30/02	07/01/01
		10/23/03	06/11/99	10/30/03	07/10/02
QQQ	VOC Emissions from Petroleum Refinery Wastewater Systems	12/31/01	07/01/98	06/30/02	07/01/01
		10/23/03	06/11/99	10/30/03	07/10/02
RRR	VOC Emissions from SOCMI Reactor Processes	12/31/01	07/01/98	06/30/02	07/01/01
		10/23/03	06/11/99	10/30/03	07/10/02
SSS	Magnetic Tape Coating Facilities	12/31/01	07/01/98	06/30/02	07/01/01
		10/23/03	06/11/99	10/30/03	07/10/02
TTT	Surface Coating of Plastic Parts for Business Machines	12/31/01	07/01/98	06/30/02	07/01/01
		10/23/03	06/11/99	10/30/03	07/10/02
UUU	Calciners & Dryers in Mineral Industries	12/31/01	07/01/98	06/30/02	07/01/01
		10/23/03	06/11/99	10/30/03	07/10/02
VVV	Polymeric Coating of Supporting Substrates Facilities	12/31/01	07/01/98	06/30/02	07/01/01
		10/23/03	06/11/99	10/30/03	07/10/02
WWW	New Municipal Solid Waste Landfills Accepting Waste On or After May 30, 1991.	12/31/01	07/01/98	06/30/02	07/01/01
		10/23/03	06/11/99	10/30/03	07/10/02
AAAA	New Small Municipal Waste Combustion Units	12/31/01	.....	06/30/02	07/01/01
CCCC	New Commercial and Industrial Solid Waste Incineration Units	12/31/01	.....	10/30/03	07/10/02
		10/23/03	.....	06/30/02	07/01/01

TABLE II.—DELEGATION OF AUTHORITY—PART 61 NESHAP—REGION 7

Subpart	Source category	State of Iowa	State of Kansas	State of Missouri	State of Nebraska	Lincoln-Lancaster County	City of Omaha
A	General Provisions	10/14/97 05/13/98	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02	07/01/92 07/31/01	07/01/01 04/18/03
B	Radon Emissions From Underground Uranium Mines.		07/01/98 06/11/99				
C	Beryllium	10/14/97 05/13/98	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02	07/01/92 07/31/01	07/01/01 04/18/03
D	Beryllium Rocket Motor Firing	10/14/97 12/23/98	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02	07/01/92 07/31/01	07/01/01 04/18/03
E	Mercury	10/14/97 05/13/98	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02	07/01/92 07/31/01	07/01/01 04/18/03
F	Vinyl Chloride	10/14/97 05/13/98	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02	07/01/92 07/31/01	07/01/01 04/18/03
J	Equipment Leaks (Fugitive Emission Sources) of Benzene.	10/14/97 05/13/98	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02	07/01/92 07/31/01	07/01/01 04/18/03
L	Benzene Emissions From Coke By-Product Recovery Plants.	10/14/97 05/13/98	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02	07/01/92 07/31/01	07/01/01 04/18/03
M	Asbestos	10/14/97 05/13/98	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02	07/01/92 07/31/01	07/01/01 04/18/03
N	Inorganic Arsenic Emissions From Glass Manufacturing Plants.	10/14/97 05/13/98	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02	07/01/92 07/31/01	07/01/01 04/18/03
O	Inorganic Arsenic Emissions From Primary Copper Smelters.	10/14/97 05/13/98	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02	07/01/92 07/31/01	07/01/01 04/18/03
P	Inorganic Arsenic Emissions From Arsenic Trioxide and Metallic Arsenic Production Facilities.	10/14/97 05/13/98	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02	07/01/92 07/31/01	07/01/01 04/18/03
Q	Radon Emissions From Department of Energy Facilities.		07/01/98 06/11/99				
R	Radon Emissions From Phosphogypsum Stacks.		07/01/98 06/11/99				
T	Radon Emissions From the Disposal of Uranium Mill Tailings.		07/01/98 06/11/99				
V	Equipment Leaks (Fugitive Emission Sources).	10/14/97 05/13/98	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02	07/01/92 07/31/01	07/01/01 04/18/03
W	Radon Emissions From Operating Mill Tailings.		07/01/98 06/11/99				
Y	Benzene Emissions From Benzene Storage Vessels.	10/14/97 05/13/98	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02	07/01/92 07/31/01	07/01/01 04/18/03
BB	Benzene Emissions From Benzene Transfer Operations.	10/14/97 05/13/98	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02	07/01/92 07/31/01	07/01/01 04/18/03
FF	Benzene Waste Operations	10/14/97 05/13/98	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02	07/01/92 07/31/01	07/01/01 04/18/03

TABLE III.—DELEGATION OF AUTHORITY—PART 63 NESHAP—REGION 7

Subpart	Source category	State of Iowa	State of Kansas	State of Missouri	State of Nebraska	Lincoln-Lancaster County	City of Omaha
A	General Provisions	04/29/03 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02	07/01/00 07/31/01	07/01/01 04/18/03
B	Requirements for Control Technology Determinations for Major Sources in Accordance With Clean Air Act Section 112(g) & (j).	04/29/03 10/23/03	07/01/98 06/11/99	12/31/00 11/20/02	04/05/02 11/20/02		04/05/02 04/18/03 (112 (g) only)
D	Compliance Extensions for Early Reductions of Hazardous Air Pollutants.	04/29/03 10/23/03	07/01/98 06/11/99	12/31/00 09/30/02	12/29/92 11/20/02	11/21/94 07/31/01	12/29/92 04/18/03
F	Organic Hazardous Air Pollutants From the Synthetic Organic Chemical Manufacturing Industry for Tetrahydrobenzaldehyde Manufacturing.	04/29/03 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02	07/01/00 07/31/01	07/01/01 04/18/03
G	Organic Hazardous Air Pollutants From the Synthetic Organic Chemical Manufacturing Industry for Process Vents, Storage Vessels, Transfer Operations, and Wastewater.	04/29/03 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02	07/01/00 07/31/01	07/01/01 04/18/03
H	Organic Hazardous Air Pollutants for Equipment Leaks.	04/29/03 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02	07/01/00 07/31/01	07/01/01 04/18/03

TABLE III.—DELEGATION OF AUTHORITY—PART 63 NESHAP—REGION 7—Continued

Subpart	Source category	State of Iowa	State of Kansas	State of Missouri	State of Nebraska	Lincoln-Lancaster County	City of Omaha
I	Organic Hazardous Air Pollutants for Certain Processes Subject to the Negotiated Regulation for Equipment Leaks.	04/29/03 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02	07/01/00 07/31/01	07/01/01 04/18/03
J	Polyvinyl Chloride and Copolymers Production.	04/29/03 10/23/03	.....	.....	.....	.....	.....
L	Coke Ovens	04/29/03 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	.....	.....	.....
M	Dry Cleaning Facilities	04/29/03 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02	07/01/00 07/31/01	07/01/01 04/18/03
N	Chromium Emissions From Hard and Decorative Chromium Electroplating Anodizing Tanks.	04/29/03 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02	07/01/00 07/31/01	07/01/01 04/18/03
O	Ethylene Oxide Sterilization Facilities	04/29/03 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02	07/01/00 07/31/01	07/01/01 04/18/03
Q	Industrial Process Cooling Towers	04/29/03 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02	07/01/00 07/31/01	07/01/01 04/18/03
R	Gasoline Distribution (Stage 1)	04/29/03 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02	07/01/00 07/31/01	07/01/98 04/18/03
S	Pulp and Paper MACT I and MACT III	04/29/03 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02	07/01/00 07/31/01	07/01/01 04/18/03
T	Halogenated Solvent Cleaning	04/29/03 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02	07/01/00 07/31/01	07/01/01 04/18/03
U	Polymers and Resins Group I	04/29/03 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02	07/01/00 07/31/01	07/01/01 04/18/03
W	Polymers & Resins II	04/29/03 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02	07/01/00 07/31/01	07/01/01 04/18/03
X	Secondary Lead Smelting	04/29/03 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02	07/01/00 07/31/01	07/01/01 04/18/03
Y	Marine Tank Vessel Loading Operations	04/29/03 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	.....	.....	.....
AA/BB	Phosphoric Acid/ Phosphate Fertilizers	04/29/03 10/23/03	.....	06/30/02 10/30/03	07/01/01 07/10/02	07/01/00 07/31/01	07/01/01 04/18/03
CC	Petroleum Refineries	04/29/03 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02	07/81/97 07/31/01	07/01/01 04/18/03
DD	Off-Site Waste Recovery Operations	04/29/03 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02	07/01/00 07/31/01	07/01/01 04/18/03
EE	Magnetic Tape Manufacturing	04/29/03 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02	07/01/00 07/31/01	07/01/01 04/18/03
GG	Aerospace Manufacturing and Rework Facilities.	04/29/03 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02	07/01/00 07/31/01	07/01/01 04/18/03
HH	Oil & Natural Gas Production	04/29/03 10/23/03	.....	06/30/02 10/30/03	07/01/01 07/10/02	07/01/00 07/31/01	07/01/01 04/18/03
II	Shipbuilding and Ship Repair	04/29/03 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	.....	.....	.....
JJ	Wood Furniture Manufacturing Operations	04/29/03 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02	07/01/00 07/31/01	07/01/01 04/18/03
KK	Printing and Publishing Industry	04/29/03 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02	07/01/00 07/31/01	07/01/01 04/18/03
LL	Primary Aluminum Production	04/29/03 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02	07/01/00 07/31/01	07/01/01 04/18/03
MM	Combustion Sources at Kraft, Soda, and Sulfite Pulp & Paper Mills.	04/29/03 10/23/03	.....	06/30/02 10/30/03	07/01/01 07/10/02	.....	07/01/01 04/18/03
OO	Tanks—Level 1	.....	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02	07/01/00 07/31/01	07/01/01 04/18/03
PP	Containers	.....	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02	07/01/00 07/31/01	07/01/01 04/18/03
QQ	Surface Impoundments	.....	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02	07/01/00 07/31/01	07/01/01 04/18/03
RR	Individual Drain Systems	.....	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02	07/01/00 07/31/01	07/01/01 04/18/03
SS	Closed Vent Systems, Control Devices, Recovery Devices and Routing to a Fuel Gas System or a Process.	04/29/03 10/23/03	.....	06/30/02 10/30/03	07/01/01 07/10/02	07/01/00 07/31/01	07/01/01 04/18/03
TT	Equipment Leaks—Control Level 1 Standards.	04/29/03 10/23/03	.....	06/30/02 10/30/03	07/01/01 07/10/02	07/01/00 07/31/01	07/01/01 04/18/03
UU	Equipment Leaks—Control Level 2 Standards.	04/29/03 10/23/03	.....	06/30/02 10/30/03	07/01/01 07/10/02	07/01/00 07/31/01	07/01/01 04/18/03
VV	Oil-Water Separators & Organic-Water Separators.	.....	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 07/10/02	07/01/00 07/31/01	07/01/01 04/18/03

TABLE III.—DELEGATION OF AUTHORITY—PART 63 NESHAP—REGION 7—Continued

Subpart	Source category	State of Iowa	State of Kansas	State of Missouri	State of Nebraska	Lincoln-Lancaster County	City of Omaha
WW .....	Storage Vessel (Tanks)—Control Level 2	04/29/03 10/23/03	.....	06/30/02 10/30/03	07/01/01 07/10/02	07/01/00 07/31/01	07/01/01 04/18/03
YY .....	Generic MACT+, FR 6/29/99: Acetal Resins, Hydrogen Fluoride, Polycarbonates Prod., Acrylic/Modacrylic Fibers. FR 7/12/02: Carbon Black Prod., Cyanide Chemicals Mfg., Ethylene Proc., Spandex Prod..	04/29/03 10/23/03	.....	06/30/02 10/30/03	07/01/01 07/10/02	07/01/00 07/31/01	07/01/01 04/18/03
XX .....	Ethylene Manuf. Process Units .....	04/29/03 10/23/03	.....	.....	.....	.....	.....
CCC .....	Steel Pickling-HCL Process .....	04/29/03 10/23/03	.....	06/30/02 10/30/03	07/01/01 07/10/02	07/01/00 07/31/01	07/01/01 04/18/03
DDD .....	Mineral Wool Production .....	04/29/03 10/23/03	.....	06/30/02 10/30/03	07/01/01 07/10/02	07/01/00 07/31/01	07/01/01 04/18/03
EEE .....	Hazardous Waste Combustors .....	04/29/03 10/23/03	.....	06/30/02 10/30/03	.....	07/01/00 07/31/01	.....
GGG .....	Pharmaceutical Production .....	04/29/03 10/23/03	.....	06/30/02 10/30/03	07/01/01 07/10/02	07/01/00 07/31/01	07/01/01 04/18/03
HHH .....	Natural Gas Transmission and Storage ...	04/29/03 10/23/03	.....	06/30/02 10/30/03	07/01/01 07/10/02	07/01/00 07/31/01	07/01/01 04/18/03
III .....	Flexible Polyurethane Foam Production ...	04/29/03 10/23/03	.....	06/30/02 10/30/03	07/01/01 07/10/02	07/01/00 07/31/01	07/01/01 04/18/03
JJJ .....	Polymers and Resins Group IV .....	04/29/03 10/23/03	07/01/98 06/11/99	06/30/02 10/30/03	07/01/01 04/18/03	.....	.....
LLL .....	Portland Cement Manufacturing .....	04/29/03 10/23/03	.....	06/30/02 10/30/03	07/01/01 07/10/02	07/01/00 07/31/01	07/01/01 04/18/03
MMM .....	Pesticide Active Ingredient Production .....	04/29/03 10/23/03	.....	06/30/02 10/30/03	07/01/01 07/10/02	07/01/00 07/31/01	07/01/01 04/18/03
NNN .....	Wool Fiberglass Manufacturing .....	04/29/03 10/23/03	.....	06/30/02 10/30/03	07/01/01 07/10/02	07/01/00 07/31/01	07/01/01 04/18/03
OOO .....	Polymers & Resins III, Amino Resins/Phenolic Resins.	04/29/03 10/23/03	.....	06/30/02 10/30/03	07/01/01 07/10/02	07/01/00 07/31/01	07/01/01 04/18/03
PPP .....	Polyether Polyols Production .....	04/29/03 10/23/03	.....	06/30/02 10/30/03	07/01/01 07/10/02	07/01/00 07/31/01	07/01/01 04/18/03
QQQ .....	Primary Copper .....	04/29/03 10/23/03	.....	06/30/02 10/30/03	.....	.....	.....
RRR .....	Secondary Aluminum .....	04/29/03 10/23/03	.....	06/30/02 10/30/03	07/01/01 07/10/02	.....	07/01/01 04/18/03
TTT .....	Primary Lead Smelting .....	04/29/03 10/23/03	.....	06/30/02 10/30/03	07/01/01 07/10/02	07/01/00 07/31/01	07/01/01 04/18/03
UUU .....	Petroleum Refineries .....	04/29/03 10/23/03	.....	06/30/02 10/30/03	07/01/02 11/24/03	.....	.....
VVV .....	Publicly Owned Treatment Works .....	04/29/03 10/23/03	.....	06/30/02 10/30/03	07/01/01 07/10/02	.....	07/01/01 04/18/03
XXX .....	Ferroalloys Production .....	04/29/03 10/23/03	.....	06/30/02 10/30/03	07/01/01 07/10/02	07/01/00 07/31/01	07/01/01 04/18/03
AAAA .....	Municipal Solid Waste Landfills .....	04/29/03 10/23/03	.....	.....	.....	.....	.....
CCCC .....	Manufacturing Nutritional Yeast .....	04/29/03 10/23/03	.....	06/30/02 10/30/03	07/01/01 07/10/02	.....	07/01/01 04/18/03
EEEE .....	Organic Liquids Distribution .....	.....	.....	.....	.....	.....	.....
FFFF .....	Misc. Organic Chemical Prod. & Processes.	.....	.....	.....	.....	.....	.....
GGGG .....	Solvent Extraction for Vegetable Oil Production.	04/29/03 10/23/03	.....	06/30/02 10/30/03	07/01/01 07/10/02	.....	07/01/01 04/18/03
HHHH .....	Wet Formed Fiberglass Mat Production ...	04/29/03 10/23/03	.....	06/30/02 10/30/03	07/01/02 11/24/03	.....	.....
JJJJ .....	Paper & Other Web Surface Coating .....	04/29/03 10/23/03	.....	.....	.....	.....	.....
KKKK .....	Metal Can Surface Coating .....	.....	.....	.....	.....	.....	.....
MMMM .....	Misc. Metal Parts and Products Surface Coating.	.....	.....	.....	.....	.....	.....
NNNN .....	Large Appliance Surface Coating .....	04/29/03 10/23/03	.....	.....	.....	.....	.....
OOOO .....	Fabric Printing, Coating & Dyeing .....	.....	.....	.....	.....	.....	.....
PPPP .....	Plastic Parts Surface Coating .....	.....	.....	.....	.....	.....	.....
QQQQ .....	Wood Building Products Surface Coating .....	.....	.....	.....	.....	.....	.....
RRRR .....	Metal Furniture Surface Coating .....	04/29/03 10/23/03	.....	.....	.....	.....	.....

TABLE III.—DELEGATION OF AUTHORITY—PART 63 NESHAP—REGION 7—Continued

Subpart	Source category	State of Iowa	State of Kansas	State of Missouri	State of Nebraska	Lincoln-Lancaster County	City of Omaha
SSSS .....	Metal Coil Surface Coating .....	04/29/03 10/23/03	.....	06/30/02 10/30/03	07/01/02 11/24/03	.....	
TTTT .....	Leather Finishing Operations .....	04/29/03 10/23/03	.....	06/30/02 10/30/03	07/01/02 11/24/03	.....	
UUUU .....	Cellulose Products Manufacturing .....	04/29/03 10/23/03	.....	06/30/02 10/30/03	07/01/02 11/24/03	.....	
VVVV .....	Boat Manufacturing .....	04/29/03 10/23/03	.....	06/30/02 10/30/03	07/01/02 11/24/03	.....	
WWWW ...	Reinforced Plastic Composites .....	04/29/03 10/23/03	.....	.....	.....	.....	
XXXX .....	Rubber Tire Manufacturing .....	04/29/03 10/23/03	.....	.....	.....	.....	
YYYY .....	Combustion Turbines .....	.....	.....	.....	.....	.....	
AAAA .....	Lime Manufacturing .....	.....	.....	.....	.....	.....	
BBBB .....	Semiconductor Manufacturing .....	.....	.....	.....	.....	.....	
CCCC .....	Coke Oven: Pushing, Quenching, & Battery Stacks.	04/29/03 10/23/03	.....	.....	.....	.....	
EEEE .....	Iron and Steel Foundries .....	.....	.....	.....	.....	.....	
FFFF .....	Integrated Iron & Steel .....	.....	.....	.....	.....	.....	
GGGG .....	Site Remediation .....	.....	.....	.....	.....	.....	
HHHH .....	Misc. Coating Manufacturing .....	.....	.....	.....	.....	.....	
IIII .....	Mercury Cell Chlor-Alkali Plants .....	.....	.....	.....	.....	.....	
JJJJ .....	Brick & Structural Clay Prod. Mfg. ....	.....	.....	.....	.....	.....	
KKKK .....	Clay Ceramics Mfg. ....	.....	.....	.....	.....	.....	
LLLL .....	Asphalt Roofing & Processing .....	04/29/03 10/23/03	.....	.....	.....	.....	
MMMM .....	Flexible Polyurethane Foam Fabrication Operation.	04/29/03 10/23/03	.....	.....	.....	.....	
NNNN .....	Hydrochloric Acid Prod. ....	04/29/03 10/23/03	.....	.....	.....	.....	
PPPP .....	Engine Test Cells/Standards .....	04/29/03 10/23/03	.....	.....	.....	.....	
QQQQ .....	Friction Products Manufacturing .....	04/29/03 10/23/03	.....	.....	.....	.....	
RRRR .....	Taconite Iron Ore Processing .....	.....	.....	.....	.....	.....	
SSSS .....	Refractory Products Mfg. ....	04/29/03 10/23/03	.....	.....	.....	.....	
TTTT .....	Primary magnesium Refining .....	.....	.....	.....	.....	.....	

**Summary of This Action**

All sources subject to the requirements of 40 CFR parts 60, 61, and 63 are also subject to the equivalent requirements of the above-mentioned state or local agencies.

This action informs the public of delegations to the above-mentioned agencies of the above-referenced Federal regulations.

**Authority:** This document is issued under the authority of sections 101, 110, 112, and 301 of the CAA, as amended (42 U.S.C. 7401, 7410, 7412, and 7601).

Dated: December 1, 2003.

**James B. Gulliford,**

*Regional Administrator, Region 7.*

[FR Doc. 03-30706 Filed 12-10-03; 8:45 am]

**BILLING CODE 6560-50-P**

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Parts 60, 61, and 63**

[NM-40-2-7445a; FRL-7598-8]

**New Source Performance Standards and National Emission Standards for Hazardous Air Pollutants; Delegation of Authority to New Mexico**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Direct final rule; delegation of authority.

**SUMMARY:** The New Mexico Environment Department (NMED) has submitted updated regulations for receiving delegation of EPA authority for implementation and enforcement of New Source Performance Standards (NSPS) and National Emission Standards for Hazardous Air Pollutants (NESHAPs) for all sources (both part 70 and non-part 70 sources). These regulations apply to certain NSPS

promulgated by EPA, as amended through September 1, 2002, and certain NESHAPs promulgated by EPA, as amended through September 1, 2001 and September 1, 2002. The delegation of authority under this notice does not apply to sources located in Bernalillo County, New Mexico, or sources located in Indian Country. EPA is providing notice that it has approved delegation of certain NSPS to NMED, and taking direct final action to approve the delegation of certain NESHAPs to NMED.

**DATES:** This rule is effective on February 9, 2004 without further notice, unless EPA receives adverse comment by January 12, 2004. If EPA receives such comment, EPA will publish a timely withdrawal in the **Federal Register** informing the public that this rule will not take effect.

**ADDRESSES:** Comments may be submitted electronically, by mail, or through hand delivery/courier. Follow the detailed instructions as provided in