

over credit unions; however, it oversees the activities for corporate credit unions and of natural person credit unions with assets totaling \$10 billion or more, in accordance with established policies. The Director's duties include directing insurance, examination, and supervision programs to promote and assure safety and soundness; managing office resources to meet program objectives in the most economical and practical manner; and maintaining good public relations with public, private and governmental organizations, credit union officials, credit union organizations, and other groups which have an interest in credit union matters in the assigned office. The Director maintains liaison and cooperation with other regional offices of federal departments and agencies, state agencies, and other governmental units that affect credit unions. The Director is aided by a Deputy Director. Staff working in the office report to the Director of Supervision, who in turn reports to the Deputy Director. Field staff is divided into examiner districts, each assigned to a National Field Supervisor, each of whom in turn reports directly to the Deputy Director.

PART 791—RULES OF NCUA BOARD PROCEDURE; PROMULGATION OF NCUA RULES AND REGULATIONS; PUBLIC OBSERVATION OF NCUA BOARD MEETINGS

■ 81. The authority citation for part 791 continues to read as follows:

Authority: 12 U.S.C. 1766, 1789 and 5 U.S.C. 552b.

§ 791.8 [Amended]

■ 82. In § 791.8(b)(4), revise “state-chartered federally-insured credit union” to read “federally insured state-chartered credit union”.

PART 792—REQUESTS FOR INFORMATION UNDER THE FREEDOM OF INFORMATION ACT AND PRIVACY ACT, AND BY SUBPOENA; SECURITY PROCEDURES FOR CLASSIFIED INFORMATION

■ 83. The authority citation for part 792 continues to read as follows:

Authority: 12 U.S.C. 1766, 1789 and 5 U.S.C. 552b.

§ 792.30 [Amended]

■ 84. In § 792.30, revise “federally-insured” to read “federally insured”.

[FR Doc. 2018-27472 Filed 2-4-19; 8:45 am]

BILLING CODE 7535-01-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R08-OAR-2018-0616; FRL-9988-35-Region 8]

Approval and Promulgation of Implementation Plans; North Dakota; Revisions to Infrastructure Requirements for All National Ambient Air Quality Standards; Carbon Monoxide (CO); Lead (Pb); Nitrogen Dioxide (NO₂); Ozone (O₃); Particle Pollution (PM_{2.5}, PM₁₀); Sulfur Dioxide (SO₂); Recodification

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is approving revisions to the North Dakota State Implementation Plan (SIP) for all National Ambient Air Quality Standards (NAAQS) for the purposes of transferring authority from the North Dakota Department of Health (NDDH) to the North Dakota Department of Environmental Quality (NDDEQ). We are approving the related recodification of the portions of North Dakota's Air Pollution Rules that have been previously approved into the SIP. The EPA is taking this action pursuant to section 110 of the Clean Air Act (CAA).

DATES: This rule is effective on March 15, 2019.

ADDRESSES: The EPA has established a docket for this action under Docket ID No. EPA-R08-OAR-2018-0616. All documents in the docket are listed on the <http://www.regulations.gov> website. Although listed in the index, some information is not publicly available, e.g., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only in hard copy form. Publicly available docket materials are available through <http://www.regulations.gov>, or please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section for additional availability information.

FOR FURTHER INFORMATION CONTACT: Kate Gregory, Air Program, EPA, Region 8, Mailcode 8P-AR, 1595 Wynkoop Street, Denver, Colorado 80202-1129, (303) 312-6175, gregory.kate@epa.gov.

SUPPLEMENTARY INFORMATION: Throughout this document “we,” “us,” and “our” means the EPA.

I. Background

The background for this action is discussed in detail in our October 10,

2018 proposal (83 FR 50865). In that document we proposed to approve revisions to the North Dakota SIP for all NAAQS for the purposes of transferring authority from the NDDH to the NDDEQ. We also proposed to approve the related recodification of the portions of North Dakota's Air Pollution Rules that have been previously approved into the SIP.

Table 1 shows the North Dakota air pollution rules that have been recodified in the North Dakota Administrative Code (NDAC) and indicates their old and new references in the SIP.

TABLE 1—NDAC REFERENCES: PRE/POST RECODIFICATION

Old reference	New reference
33-15-01	33.1-15-01
33-15-02	33.1-15-02
33-15-03	33.1-15-03
33-15-04	33.1-15-04
33-15-05	33.1-15-05
33-15-06	33.1-15-06
33-15-07	33.1-15-07
33-15-08	33.1-15-08
33-15-10	33.1-15-10
33-15-11	33.1-15-11
33-15-14	33.1-15-14
33-15-15	33.1-15-15
33-15-17	33.1-15-17
33-15-18	33.1-15-18
33-15-19	33.1-15-19
33-15-20	33.1-15-20
33-15-23	33.1-15-23
33-15-25	33.1-15-25

We received no comments on our proposal and this rule will be finalized as proposed without revisions.

II. Final Action

We are approving the August 18, 2018 revisions to the North Dakota infrastructure SIP, for all NAAQS, for the purposes of the transfer of authority from NDDH to the NDDEQ. We are also approving the corresponding recodification of the entire SIP. For the basis of our approval, please refer to the October 10, 2018 proposal (83 FR 50865).

All revisions to the SIP program will be federally enforceable as of the effective date of today's approval of the respective revision and recodification of that program. Based on the process outlined in our proposal and our subsequent conversations with the State, we have determined that our approval of the SIP program should become fully effective under federal law on March 15, 2019. The State plans to rely on the date when the EPA signs the final notice for purposes of notifying the state legislature that the EPA has approved these revisions, which will

provide for the transfer authority from NDDH to NDDEQ to be effective under State law. Prior to the effective date of this approval, the State intends to take the necessary additional steps as specified in S.L. 2017, ch. 199, Section 1, to ensure that NDDEQ rules and the NDDEQ would become federally enforceable on the effective date of the EPA's approval. Unless and until the NDDEQ rules and agency become fully effective under federal law, for purposes of federal law the EPA recognizes the State's program as currently approved under the North Dakota Department of Health.

III. Incorporation by Reference

In this document, the EPA is finalizing regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, the EPA is finalizing the incorporation by reference the NDDEQ rules regarding definitions and permitting requirements discussed in section I of this preamble. The EPA has made, and will continue to make, these materials generally available through www.regulations.gov and at the EPA Region 8 Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information). Therefore, these materials have been approved by the EPA for inclusion in the SIP, have been incorporated by reference by the EPA into that plan, are fully federally enforceable under sections 110 and 113 of the CAA as of the effective date of the final rulemaking of the EPA's approval, and will be incorporated by reference in the next update to the SIP compilation.¹

IV. Statutory and Executive Order Reviews

Under the Clean Air Act, the Administrator is required to approve a SIP submission that complies with the provisions of the Act and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, the EPA's role is to approve state choices, provided that they meet the criteria of the Clean Air Act. Accordingly, this action merely approves state law as meeting Federal requirements and does not impose additional requirements beyond those imposed by state law. For that reason, this action:

- Is not a "significant regulatory action" subject to review by the Office of Management and Budget under Executive Orders 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011);
- Is not an Executive Order 13771 (82 FR 9339, February 2, 2017) regulatory action because SIP approvals are exempted under Executive Order 12866;
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4);
- Does not have Federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
- Is not subject to requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA; and
- Does not provide EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, the SIP is not approved to apply on any Indian reservation land or in any other area where EPA or an Indian tribe has demonstrated that a tribe has jurisdiction. In those areas of Indian country, the rule does not have tribal implications and will not impose substantial direct costs on tribal governments or preempt tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

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. The EPA will submit a report containing this action 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).

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 April 8, 2019. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action 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, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Greenhouse gases, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

Dated: December 20, 2018.

Douglas Benevento,

Regional Administrator, Region 8.

40 CFR part 52 is amended as follows:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

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

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

Subpart JJ—North Dakota

- 2. In § 52.1820, paragraph (c), the table is revised to read as follows:

§ 52.1820 Identification of plan.

* * * * *

(c) * * *

¹ 62 FR 27968 (May 22, 1997).

Rule No.	Rule title	State effective date	EPA effective date	Final rule citation/date	Comments
33.1–15–01. General Provisions					
33.1–15–01–01	Purpose	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–01–01 on 5/12/1989, 54 FR 20574.
33.1–15–01–02	Scope	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–01–02 on 5/12/1989, 54 FR 20574.
33.1–15–01–03	Authority	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–01–03 on 4/2/2004, 69 FR 17302.
33.1–15–01–04	Definitions	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–01–04 on 10/21/2016, 81 FR 72718.
33.1–15–01–05	Abbreviations	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–01–05 on 10/21/2016, 81 FR 72718.
33.1–15–01–06	Entry onto Premises—Authority.	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–01–06 on 5/12/1989, 54 FR 20574.
33.1–15–01–07	Variances	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–01–07 on 6/26/1992, 57 FR 28619.
33.1–15–01–08	Circumvention	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–01–08 on 6/26/1992, 57 FR 28619.
33.1–15–01–09	Severability	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–01–09 on 5/12/1989, 54 FR 20574.
33.1–15–01–10	Land use plans and zoning regulations.	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–01–10 on 5/12/1989, 54 FR 20574.
33.1–15–01–12	Measurement of emissions of air contaminants.	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–01–12 on 2/28/2003, 68 FR 9565.
33.1–15–01–13	Shutdown and malfunction of an installation—Requirement for notification.	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–01–13 on 10/21/2016, 81 FR 72718.
33.1–15–01–14	Time schedule for compliance.	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–01–14 on 5/12/1989, 54 FR 20574.
33.1–15–01–15	Prohibition of air pollution	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–01–15 on 2/28/2003, 68 FR 9565.
33.1–15–01–16	Confidentiality of records	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–01–16 on 5/12/1989, 54 FR 20574.
33.1–15–01–17	Enforcement	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–01–17 on 10/21/2004, 69 FR 61762.
33.1–15–01–18	Compliance Certifications	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–01–18 on 10/21/2004, 69 FR 61762.
33.1–15–02. Ambient Air Quality Standards					
33.1–15–02–01	Scope	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–02–01 on 5/12/1989, 54 FR 20574.
33.1–15–02–02	Purpose	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–02–02 on 5/12/1989, 54 FR 20574.
33.1–15–02–03	Air quality guidelines	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–02–03 on 5/12/1989, 54 FR 20574.
33.1–15–02–04	Ambient air quality standards.	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–02–04 on 5/2/2014, 79 FR 25021.
33.1–15–02–05	Method of sampling and analysis.	1/1/2019	3/15/2019	[Insert Federal Register citation], [Insert date of publication in the Federal Register].	Originally approved as 33–15–02–05 on 10/8/1996, 61 FR 52865.
33.1–15–02–06	Reference conditions	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–02–06 on 5/12/1989, 54 FR 20574.
33.1–15–02–07	Concentration of air contaminants in the ambient air restricted.	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–02–07 on 5/2/2014, 79 FR 25021.
Table 1	Ambient Air Quality Standards.	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as Table 1 on 10/21/2016, 81 FR 72718.
Table 2	National Ambient Air Quality Standards.	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as Table 2 on 5/2/2014, 79 FR 25021.
33.1–15–03. Restriction of Emission of Visible Air Contaminants					
33.1–15–03–01	Restrictions applicable to existing installations.	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–03–01 on 5/12/1989, 54 FR 20574.
33.1–15–03–02	Restrictions applicable to new installations and all incinerators.	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–03–02 on 5/12/1989, 54 FR 20574.
33.1–15–03–03	Restrictions applicable to fugitive emissions.	1/1/2019	3/15/2019	[Insert Federal Register citation], [Insert date of publication in the Federal Register].	Originally approved as 33–15–03–03 on 5/12/1989, 54 FR 20574.
33.1–15–03–03.1	Restrictions applicable to flares.	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–03–03.1 on 5/12/1989, 54 FR 20574.
33.1–15–03–04	Exceptions	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–03–04 on 10/21/2016, 81 FR 72718.
33.1–15–03–05	Method of measurement	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–03–05 on 10/10/2017, 82 FR 46919.

Rule No.	Rule title	State effective date	EPA effective date	Final rule citation/date	Comments
33.1–15–04. Open Burning Restrictions					
33.1–15–04–01	Refuse burning restrictions.	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–04–01 on 5/27/2008, 73 FR 30308.
33.1–15–04–02	Permissible open burning	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–04–02 on 10/21/2016, 81 FR 72718.
33.1–15–05. Emissions of Particulate Matter Restricted					
33.1–15–05–01	Restriction of emission of particulate matter from industrial processes.	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–05–01 on 11/21/2014, 79 FR 63045.
33.1–15–05–02	Maximum allowable emission of particulate matter from fuel burning equipment used for indirect heating.	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–05–02 on 10/21/2004, 69 FR 61762.
33.1–15–05–03.2	Refuse incinerators	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–05–03.2 on 11/4/2011, 76 FR 68317.
33.1–15–05–03.3	Other waste incinerators ..	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–05–03.3 on 10/21/2004, 69 FR 61762.
33.1–15–05–04	Methods of measurement	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–05–04 on 10/21/2016, 81 FR 72718.
33.1–15–06. Emissions of Sulfur Compounds Restricted					
33.1–15–06–01	Restriction of emissions of sulfur dioxide from use of fuel.	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–06–01 on 10/21/2004, 69 FR 61762 See 63 FR 45722 (8/27/98) for additional material.
33.1–15–06–02	Restriction of emissions of sulfur oxides from industrial processes.	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–06–02 on 10/20/1993, 58 FR 54041.
33.1–15–06–03	Methods of measurement	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–06–03 on 10/21/2004, 69 FR 61762.
33.1–15–06–04	Continuous emission monitoring requirements.	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–06–04 on 10/20/1993, 58 FR 54041.
33.1–15–06–05	Reporting and record-keeping requirements.	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–06–05 on 10/21/2016, 81 FR 72718.
33.1–15–07. Control of Organic Compounds Emissions					
33.1–15–07–01	Requirements for construction of organic compounds facilities.	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–07–01 on 8/31/1999, 64 FR 47395.
33.1–15–07–02	Requirements for organic compounds gas disposal.	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–07–02 on 8/21/1995, 60 FR 43396.
33.1–15–08. Control of Air Pollution From Vehicles and Other Internal Combustion Engines					
33.1–15–08–01	Internal combustion engine emissions restricted.	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–08–01 on 11/2/1979, 44 FR 63102.
33.1–15–08–02	Removal and/or disabling of motor vehicle pollution control devices prohibited.	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–08–02 on 11/2/1979, 44 FR 63102.
33.1–15–10. Control of Pesticides					
33.1–15–10–01	Pesticide use restricted	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–10–01 on 8/9/1990, 55 FR 32403.
33.1–15–10–02	Restrictions on the disposal of surplus pesticides and empty pesticide containers.	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–10–02 on 6/26/1992, 57 FR 28619.
33.1–15–11. Prevention of Air Pollution Emergency Episodes					
33.1–15–11–01	Air pollution emergency ...	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–11–01 on 5/12/1989, 54 FR 20574.
33.1–15–11–02	Air pollution episode criteria.	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–11–02 on 5/12/1989, 54 FR 20574.
33.1–15–11–03	Abatement strategies emission reduction plans.	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–11–03 on 5/12/1989, 54 FR 20574.
33.1–15–11–04	Preplanned abatement strategies plans.	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–11–04 on 8/9/1990, 55 FR 32403.
Table 6	Air pollution episode criteria.	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as Table 6 on 4/21/1997, 62 FR 19224.

Rule No.	Rule title	State effective date	EPA effective date	Final rule citation/date	Comments
Table 7	Abatement strategies emission reduction plans.	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as Table 7 on 4/21/1997, 62 FR 19224.
33.1–15–14. Designated Air Contaminant Sources, Permit To Construct, Minor Source Permit To Operate, Title V Permit To Operate					
33.1–15–14–01	Designated air contaminant sources.	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–14–01 on 5/2/2014, 79 FR 25021.
33.1–15–14–01.1	Definitions	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–14–01 on 4/21/1997, 62 FR 19224.
33.1–15–14–02	Permit to construct	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–14–02 on 10/10/2017, 82 FR 46919 Excluding subsections 1, 12, 13, 3.c., 13.b.1., 5, 13.c., 13.i(5), 13.o., and 19 (one sentence) which were subsequently revised and approved. See 57 FR 28619 (6/26/92), regarding State’s commitment to meet requirements of EPA’s “Guideline on Air Quality Models (revised).”.
33.1–15–14–03	Minor source permit to operate.	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–14–03 on 5/2/2014, 79 FR 25021.
33.1–15–14–07	Source exclusion from title V permit to operate requirements.	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–14–07 on 2/28/2003, 68 FR 9565.
33.1–15–15. Prevention of Significant Deterioration of Air Quality					
33.1–15–15–01.1	Purpose	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–15–01 on 7/19/2007, 72 FR 39564.
33.1–15–15–01.2	Scope	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–15–01 on 10/21/2016, 81 FR 72718 Except for the revision associated with 40 CFR 52.21(l)(1).
33.1–15–15–02	Reclassification	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–15–02 on 7/19/2007, 72 FR 39564.
33.1–15–17. Restriction of Fugitive Emissions					
33.1–15–17–01	General provisions—applicability and designation of affected facilities.	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–17–01 on 2/28/2003, 68 FR 9565.
33.1–15–17–02	Restriction of fugitive particulate emissions.	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–17–02 on 10/21/2016, 81 FR 72718.
33.1–15–17–03	Reasonable precautions for abating and preventing fugitive particulate emissions.	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–17–03 on 11/2/1979, 44 FR 63102.
33.1–15–17–04	Restriction of fugitive gaseous emissions.	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–17–04 on 11/2/1979, 44 FR 63102.
33.1–15–18. Stack Heights					
33.1–15–18–01	General provisions	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–18–01 on 11/14/1988, 53 FR 45763.
33.1–15–18–02	Good engineering practice demonstrations.	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–18–02 on 11/14/1988, 53 FR 45763.
33.1–15–18–03	Exemptions	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–18–03 on 11/14/1988, 53 FR 45763.
33.1–15–19. Visibility Protection					
33.1–15–19–01	General provisions	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–19–01 on 9/28/88, 53 FR 37757.
33.1–15–19–02	Review of new major stationary sources and major modifications.	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–19–02 on 9/28/88, 53 FR 37757.
33.1–15–19–03	Visibility monitoring	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–19–03 on 9/28/88, 53 FR 37757.
33.1–15–20. Control of Emissions From Oil and Gas Well Production Facilities					
33.1–15–20–01	General provisions	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–20–01 on 8/21/95, 60 FR 43396.
33.1–15–20–02	Registration and reporting requirements.	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–20–02 on 8/21/95, 60 FR 43396.
33.1–15–20–03	Prevention of significant deterioration applicability and source information requirements.	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–20–03 on 8/21/95, 60 FR 43396.
33.1–15–20–04	Requirements for control of production facility emissions.	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–20–04 on 6/26/92, 57 FR 28619.

Rule No.	Rule title	State effective date	EPA effective date	Final rule citation/date	Comments
33.1–15–23. Fees					
33.1–15–23–01	Definitions	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–23–01 on 4/21/97, 62 FR 19224.
33.1–15–23–02	Permit to construct fees ...	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–23–02 on 10/21/16, 81 FR 72718.
33.1–15–23–03	Minor source permit to operate fees.	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–23–03 on 10/21/16, 81 FR 72718.
33.1–15–25. Regional Haze Requirements					
33.1–15–25–01	Definitions	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–25–01 on 4/6/12, 77 FR 20894.
33.1–15–25–02	Best available retrofit technology.	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–25–02 on 4/6/12, 77 FR 20894.
33.1–15–25–03	Guidelines for best available retrofit technology determinations under the regional haze rule.	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–25–03 on 4/6/12, 77 FR 20894.
33.1–15–25–04	Monitoring, recordkeeping, and reporting.	1/1/2019	3/15/2019	[Insert Federal Register citation], 2/5/2019.	Originally approved as 33–15–25–04 on 4/6/12, 77 FR 20894.

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ENVIRONMENTAL PROTECTION AGENCY**40 CFR Parts 52 and 70**

[EPA–R07–OAR–2018–0642; FRL–9988–94–Region 7]

Air Plan Approval; Iowa; State Implementation Plan and Operating Permits Program**AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is approving revisions to the Iowa State Implementation Plan (SIP) and the Operating Permits Program. The revisions include updating definitions, clarifying permit rule exemptions and permit-by-rule regulations, revising methods and procedures for performance test/stack test and continuous monitoring systems, and updating the Prevention of Significant Deterioration (PSD) regulations and Operating Permits Program. In addition, the State has removed its rules that implement the Clean Air Interstate Rule (CAIR) and revised their acid rain rules. These revisions will not impact air quality and will ensure consistency between the state and federally approved rules.

DATES: This final rule is effective on March 7, 2019.**ADDRESSES:** EPA has established a docket for this action under Docket ID No. EPA–R07–OAR–2018–0642. All documents in the docket are listed on the <https://www.regulations.gov>

website. Although listed in the index, some information is not publicly available, *i.e.*, CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only in hard copy form. Publicly available docket materials are available through <https://www.regulations.gov> or please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section for additional information.

FOR FURTHER INFORMATION CONTACT: Stephanie Doolan, Environmental Protection Agency, Air Planning and Development Branch, 11201 Renner Boulevard, Lenexa, Kansas 66219 at (913) 551–7719, or by email at Doolan.Stephanie@epa.gov.

SUPPLEMENTARY INFORMATION: Throughout this document “we,” “us,” and “our” refer to EPA. This section provides additional information by addressing the following:

- I. Background
- II. What is being addressed in this document?
- III. Have the requirements for approval of the SIP and Operating Permit Plan revisions been met?
- IV. The EPA’s Response to Comments
- V. What action is the EPA taking?
- VI. Incorporation by Reference
- VII. Statutory and Executive Order Reviews

I. Background

On October 2, 2018, the EPA proposed to approve in the **Federal Register** revisions to the Iowa State Implementation Plan (SIP) and the Operating Permits Program. *See* 83 FR 49509. The revisions update and clarify rules and make minor revisions and corrections. Approval of these revisions will ensure consistency between the state and federally-approved rules, and

ensure Federal enforceability of the state’s revised air program rules.

The EPA received comments from two sources prior to the close of the comment period. A detailed discussion of Iowa’s SIP revisions and the Operating Permits Program revisions were provided in the proposed rule and will not be restated here, except to the extent relevant to our response to the public comments we received.

II. What is being addressed in this document?

The EPA is taking final action to approve the revisions to the Iowa SIP and the State’s Operating Permits Program. These revisions:

- Update the definition for EPA reference method and volatile organic compounds (VOCs);
- Clarify permit rule exemptions and the State’s permit-by-rule regulation;
- Update methods and procedures for performance test/stack test and continuous monitoring systems.
- Rescind State rules that implement the CAIR;
- Revise the State’s Prevention of Significant Deterioration (PSD) regulations to incorporate the most recent Federal requirements;
- Revise the State’s Operating Permits Program by revising the definition for EPA Reference Method, clarifying insignificant activities as applied to internal combustion engines, revising forms used to submit emission inventories and due dates as well as revising the public participation rules; and
- Revise the State’s acid rain rules to include the most recent EPA Reference Method.

As noted in the proposed rule, the EPA is not acting on Chapter 25.2—Continuous emission monitoring under