

Attainment year ozone season means the full ozone season immediately preceding a nonattainment area's maximum attainment date.

CAA means the Clean Air Act as codified at 42 U.S.C. 7401–7671q (2010).

Former attainment date means any attainment date associated with the classification under subpart 2 of part D of title I of the CAA preceding reclassification from a lower classification to a higher classification.

Former classification means any classification under subpart 2 of part D of title I of the CAA preceding reclassification from a lower classification to a higher classification.

Higher classification/lower classification means for purposes of determining which classifications are higher or lower, the classifications are ranked from lowest to highest as follows: Marginal; Moderate; Serious; Severe-15; Severe-17; and Extreme.

I/M refers to the inspection and maintenance programs for in-use vehicles required under the 1990 CAA Amendments and defined by subpart S of 40 CFR part 51.

Initially classified means the first nonattainment classification that becomes effective for an area for a specific ozone NAAQS and does not include reclassification to another classification for that specific NAAQS.

Initially designated means the first designation to nonattainment that becomes effective for an area for a specific ozone NAAQS.

Ozone season means for each state (or portion of a state), the ozone monitoring season as defined in 40 CFR part 58, appendix D, section 4.1(i) for that state (or portion of a state).

§ 51.1401 Applicability of part 51.

The provisions in subparts A through Y, AA, and CC of this part apply to reclassified nonattainment areas for purposes of the ozone NAAQS to the extent they are not inconsistent with the provisions of this subpart.

§ 51.1402 SIP submission and control measure implementation deadlines for reclassified ozone nonattainment areas.

(a) Deadlines for applicable requirements pursuant to a reclassification as Moderate, Serious, or Severe that are 18 months or more after the effective date of reclassification will apply to such reclassified area as though the area were initially designated at that classification.

(b) Deadlines for applicable requirements pursuant to a reclassification as Moderate, Serious, or Severe, where the deadline that would

have applied had the area been initially classified at the new classification level at the time of initial nonattainment area designations is less than 18 months after the effective date of reclassification.

(1) *SIP submission deadlines.* (i) For all SIP revisions required pursuant to reclassification (except SIPs addressing CAA section 185 fee programs), the SIP revision deadline is 18 months after the effective date of the relevant reclassification or January 1 of the attainment year, whichever is earlier, unless the Administrator establishes a different deadline in a separate action.

(ii) For SIP revisions addressing CAA section 185 fee programs required pursuant to reclassification, the SIP revision deadline is 36 months after the effective date of the relevant reclassification or January 1 of the attainment year, whichever is earlier, unless the Administrator establishes a different deadline in a separate action.

(2) *Control measure implementation deadlines.* (i) For RACT required pursuant to reclassification, the state shall provide for implementation of such RACT as expeditiously as practicable, but no later than 18 months after the RACT SIP submittal deadline or the beginning of the attainment year ozone season associated with the area's new attainment deadline, whichever is earlier, unless the Administrator establishes a different deadline in a separate action.

(ii) For the required I/M program pursuant to reclassification, the state shall provide for full implementation of such I/M program as expeditiously as practicable, but no later than 4 years after the effective date of the relevant reclassification, unless the I/M program is needed for attainment by the attainment date or RFP, in which case the state shall provide for full implementation of such I/M program no later than the beginning of the attainment year ozone season.

§ 51.1403 Applicability of ozone SIP requirements for former classification after reclassification.

(a) Upon the effective date of reclassification, the requirements of any subpart of this part with respect to ozone nonattainment planning applicable to the area for the former classification shall apply as follows:

(1) Unless specified in paragraph (a)(2) or (3) of this section, the requirement is unaffected by reclassification and continues to be required for the former classification.

(2) The following requirements are no longer applicable with respect to the former attainment date:

(i) A SIP revision to demonstrate attainment by such date.

(ii) A SIP revision demonstrating adoption of all RACM necessary to demonstrate attainment with respect to such date.

(3) If the reclassification became effective prior to the former attainment date pursuant to CAA section 181(b)(3), the plan requirement for contingency measures for failure to attain by such date is no longer applicable with respect to the former attainment date.

(b) Nothing in this section shall affect the requirements applicable to the nonattainment area under its currently applicable classification and attainment date.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R10–OAR–2024–0511; FRL–12384–01–R10]

Air Plan Approval; AK; Updates to Materials Incorporated by Reference

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; administrative change.

SUMMARY: The Environmental Protection Agency (EPA) is updating the materials that are incorporated by reference (IBR) into the Alaska State Implementation Plan (SIP). The regulations affected by this update have been previously submitted by the State of Alaska and approved by the EPA. In this final rule, the EPA is also notifying the public of corrections and clarifying changes in the Code of Federal Regulations tables that identify the materials incorporated by reference into the Alaska SIP. This update affects the materials that are available for public inspection at the National Archives and Records Administration and the EPA Regional Office.

DATES: Effective January 17, 2025.

ADDRESSES: The SIP materials for which incorporation by reference into 40 CFR part 52 is finalized through this action are available for inspection at the following locations: Environmental Protection Agency, Region 10, 1200 Sixth Avenue, Suite 155, Seattle, WA 98101; and www.regulations.gov. To view the materials at the Region 10 Office, the EPA requests that you email the contact listed in the **FOR FURTHER INFORMATION CONTACT** section to schedule your inspection. The Regional

Office's official hours of business are Monday through Friday 8:30 a.m. to 4:30 p.m., excluding Federal holidays.

FOR FURTHER INFORMATION CONTACT: Kristin Hall, EPA Region 10, 1200 Sixth Avenue—Suite 155, Seattle, WA 98101, at (206) 553-6357, or hall.kristin@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Background

Each State has a SIP containing the control measures and strategies used to attain and maintain the national ambient air quality standards (NAAQS). The SIP is extensive, containing such elements as air pollution control regulations, emission inventories, monitoring networks, attainment demonstrations, and enforcement mechanisms.

Each State must formally adopt the control measures and strategies in the SIP after the public has had an opportunity to comment on them and then submit the proposed SIP revisions to the EPA. Once these control measures and strategies are approved by EPA, and after notice and comment, they are incorporated into the federally approved SIP and are identified in part 52, "Approval and Promulgation of Implementation Plans," of title 40 of the Code of Federal Regulations (40 CFR part 52). The full text of the State regulation approved by the EPA is not reproduced in its entirety in 40 CFR part 52 but is "incorporated by reference." This means that the EPA has approved a given State regulation or specified changes to the given regulation with a specific effective date. The public is referred to the location of the full text version should they want to know which measures are contained in a given SIP. The information provided allows the EPA and the public to monitor the extent to which a State implements a SIP to attain and maintain the NAAQS and to take enforcement action for violations of the SIP.

The SIP is a living document which the State can revise as necessary to address the unique air pollution problems in the State. Therefore, the EPA from time to time must take action on proposed revisions containing new or revised State regulations. A submission from a State can revise one or more rules in their entirety, or portions of rules. The State indicates the changes in the submission (such as by using redline/strikethrough text) and the EPA then takes action on the requested changes. The EPA establishes a docket for its actions using a unique Docket Identification Number, which is listed in each action. These dockets and the

complete submission are available for viewing on www.regulations.gov.

On May 22, 1997 (62 FR 27968), the EPA revised the procedures for incorporating by reference, into the CFR, materials approved by the EPA into each SIP. These changes revised the format for the identification of the SIP in 40 CFR part 52, streamlined the mechanisms for announcing the EPA approval of revisions to a SIP, and streamlined the mechanisms for the EPA's updating of the IBR information contained for each SIP in 40 CFR part 52. The revised procedures also called for the EPA to maintain "SIP Compilations" that contain the federally approved regulations and source-specific permits submitted by each State agency.

The EPA generally updates these SIP Compilations every few years. Under the revised procedures, the EPA must periodically publish an informational document in the rules section of the **Federal Register** notifying the public that updates have been made to a SIP Compilation for a particular State. The EPA began applying the 1997 revised procedures to the Alaska SIP on April 10, 2014 (79 FR 19820). The EPA subsequently published updates to the IBR materials for Alaska on December 8, 2017 (82 FR 57836) and December 12, 2022 (87 FR 75932).

A. Approved and Incorporated by Reference Regulatory Materials

Since the last IBR update, the EPA approved and incorporated by reference regulatory materials into the Alaska SIP at 40 CFR 52.70(c):

1. Action on March 22, 2023 (88 FR 2873):

- 18 AAC 50.035 (documents, procedures, and methods adopted by reference), except (a)(6), (a)(9), and (b)(4) (State effective 4/16/2022);
- 18 AAC 50.040 (Federal standards adopted by reference), except (a), (b), (c), (d), (e), (g), (j), and (k) (State effective 4/16/2022);
- 18 AAC 50.270 (electronic submission requirements) (State effective 9/7/2022);
- 18 AAC 50.275 (consistency of reporting methodologies) (State effective 9/7/2022); and
- 18 AAC 50.400 (permit administration fees), except (a), (b), (c), and (i) (State effective 9/7/2022).

2. Action on August 9, 2023 (88 FR 53793):

- 18 AAC 50.025 (establishing geographic areas that may need additional pollution control because of

special circumstances) (State effective 4/16/2022);

- 18 AAC 50.502 (establishing which types of stationary sources must obtain minor construction and/or operating permits) (State effective 4/14/2022);
- 18 AAC 50.540 (outlining the required contents of an application for a minor construction and/or operating permit) (State effective 4/14/2022); and
- 18 AAC 50.542 (establishing the process the state uses to review permit applications from sources, conduct public notice and comment, and issue permits) (State effective 4/14/2022).

3. Action on December 5, 2023 (88 FR 84626):

- 18 AAC 50.075 (solid fuel-fired heating device visible emission standards), except (d)(2) (State effective 11/18/2020).

B. Regulatory Materials Removed From Incorporation by Reference

Since the last IBR update, the EPA also removed the following regulatory materials from the Alaska SIP at 40 CFR 52.70(c):

1. Action on August 9, 2023 (88 FR 53793):

- 18 AAC 50.080 (regulating water vapor emissions from industrial sources that may form ice fog) (State effective 1/18/1997).

II. EPA Action

In this action, the EPA is providing notification of an update to the materials incorporated by reference into the Alaska SIP as of October 1, 2024, and identified in 40 CFR 52.70(c). This update includes SIP materials submitted by Alaska and approved by the EPA since the last IBR update. *See* 87 FR 75932 (December 12, 2022).

III. Good Cause Exemption

The EPA has determined that this action falls under the "good cause" exemption in section 553(b)(3)(B) of the Administrative Procedure Act (APA) which, upon finding "good cause," authorizes agencies to dispense with public participation and section 553(d)(3) which allows an agency to make an action effective immediately (thereby avoiding the 30-day delayed effective date otherwise provided for in the APA). This administrative action simply codifies provisions which are already in effect as a matter of law in Federal and approved State programs, makes corrections and clarifying changes to the tables in the CFR, and makes ministerial changes to the prefatory heading to the tables in the CFR. Under section 553 of the APA, an

agency may find good cause where procedures are “impracticable, unnecessary, or contrary to the public interest.” Public comment for this administrative action is “unnecessary” and “contrary to the public interest” since the codification (and corrections) only reflect existing law. Immediate notice of this action in the **Federal Register** benefits the public by providing the public notification of the updated Alaska SIP Compilation and notification of corrections to the Alaska “Identification of Plan” portion of the CFR. Further, pursuant to section 553(d)(3), making this action immediately effective benefits the public by immediately updating both the SIP Compilation and the CFR “Identification of plan” section (which includes table entry corrections).

IV. 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 of regulations promulgated by Alaska, previously approved by the EPA and federally effective before October 1, 2024, contained in 40 CFR 52.70(c), *EPA approved laws and regulations*, described in section II. 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 10 Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information).

V. Statutory and Executive Order Reviews

Under the Clean Air Act (CAA), the Administrator is required to approve a SIP submission that complies with the provisions of the CAA 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 CAA. Accordingly, this action merely addresses administrative requirements related to previously approved State law found to meet Federal requirements and does not impose additional requirements beyond those previously 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 14094 (88 FR 21879, April 11, 2023);

- 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, as 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 subject to Executive Order 13045 (62 FR 19885, April 23, 1997) because it is an administrative action related to State program approval;
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001); and
- 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 Clean Air Act.

In addition, the SIP is not approved to apply on any Indian reservation land or in any other area where the 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 it 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).

Executive Order 12898 (Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations, 59 FR 7629, February 16, 1994) directs Federal agencies to identify and address “disproportionately high and adverse human health or environmental effects” of their actions on communities with environmental justice (EJ) concerns to the greatest extent practicable and permitted by law. Executive Order 14096 (Revitalizing Our Nation’s Commitment to Environmental Justice for All, 88 FR 25251, April 26, 2023) builds on and supplements Executive Order 12898 and defines EJ as, among other things, the just treatment and meaningful involvement of all people, regardless of income, race, color, national origin, or Tribal affiliation, or disability in agency decision-making and other Federal activities that affect human health and the environment.” The CAA and applicable implementing regulations neither prohibit nor require an EJ evaluation. This CAA

administrative action to update the incorporation by reference of previously submitted and approved State regulatory materials, the EPA did not consider EJ in this action.

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).

The EPA also believes that the provisions of section 307(b)(1) of the CAA pertaining to petitions for judicial review are not applicable to this action. This is because prior EPA rulemaking actions for each individual component of the Alaska SIP Compilation previously afforded interested parties the opportunity to file a petition for judicial review in the United States Court of Appeals for the appropriate circuit within 60 days of such rulemaking action. Thus, the EPA believes judicial review of this action under section 307(b)(1) is not available.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

Dated: January 13, 2025.

Casey Sixkiller,

Regional Administrator, Region 10.

For the reasons set forth in the preamble, 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 C—Alaska

■ 2. Section 52.70 is amended by revising paragraphs (b) through (e) to read as follows:

§ 52.70 Identification of plan.

* * * * *

(b) *Incorporation by reference.* (1) Material listed in paragraph (c) of this section with an EPA approval date prior to October 1, 2024, was approved for incorporation by reference by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Material is incorporated as it exists on the date of the approval and

notification of any change in the material will be published in the **Federal Register**. Entries in paragraph (c) of this section with EPA approval dates after October 1, 2024, will be incorporated by reference in the next update to the SIP compilation.

(2) EPA Region 10 certifies that the rules/regulations provided by the EPA in the SIP compilation at the addresses in paragraph (b)(3) of this section are an exact duplicate of the officially promulgated State rules/regulations which have been approved as part of the State Implementation Plan as of the dates referenced in paragraph (b)(1) of this section.

(3) Copies of the materials incorporated by reference may be inspected at the Region 10 EPA Office at 1200 Sixth Avenue, Suite 155, Seattle, WA 98101. To obtain the material, please call (206) 553-6357. You may inspect the material with an EPA approval date prior to October 1, 2024, for Alaska at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA email fedreg.legal@nara.gov or go to <https://www.archives.gov/federal-register/cfr/ibr-locations>.

(c) *EPA approved laws and regulations.*

TABLE 1 TO PARAGRAPH (c)—EPA-APPROVED ALASKA REGULATIONS

State citation	Title/subject	State effective date	EPA approval date	Explanations
Alaska Administrative Code Title 18—Environmental Conservation, Chapter 50—Air Quality Control (18 AAC 50)				
18 AAC 50—Article 1. Ambient Air Quality Management				
18 AAC 50.005	Purpose and Applicability of Chapter	10/1/2004	8/14/2007, 72 FR 45378	
18 AAC 50.007	Local Government Powers or Obligations Under a Local Air Quality Control Program.	2/28/2015	9/8/2017, 82 FR 42457	
18 AAC 50.010	Ambient Air Quality Standards	8/20/2016	8/28/2017, 82 FR 40712	Except (8).
18 AAC 50.015	Air Quality Designations, Classifications, and Control Regions.	11/7/2020	2/10/2022, 87 FR 7722	
18 AAC 50.020	Baseline Dates and Maximum Allowable Increases.	8/20/2016	8/28/2017, 82 FR 40712	
18 AAC 50.025	Visibility and Other Special Protection Areas.	5/16/2022	8/9/2023, 88 FR 53793	
18 AAC 50.030	State Air Quality Control Plan	11/7/2020	2/10/2022, 87 FR 7722	Except (a).
18 AAC 50.035	Documents, Procedures and Methods Adopted by Reference.	4/16/2022	3/22/2023, 88 FR 17159	Except (a)(6), (a)(9), and (b)(4).
18 AAC 50.040	Federal Standards Adopted by Reference	4/16/2022	3/22/2023, 88 FR 17159	Except (a), (b), (c), (d), (e), (g), (j) and (k).
18 AAC 50.045	Prohibitions	10/1/2004	8/14/2007, 72 FR 45378	
18 AAC 50.050	Incinerator Emission Standards	7/25/2008	9/19/2014, 79 FR 56268	
18 AAC 50.055	Industrial Processes and Fuel-Burning Equipment.	9/15/2018	8/29/2019, 84 FR 45419	Except (d)(2)(B).
18 AAC 50.065	Open Burning	3/2/2016	9/8/2017, 82 FR 42457	
18 AAC 50.070	Marine Vessel Visible Emission Standards.	6/21/1998	8/14/2007, 72 FR 45378	
18 AAC 50.075	Solid Fuel-Fired Heating Device Visible Emission Standards.	1/8/2020	9/24/2021, 86 FR 52997	Except (d)(2).
18 AAC 50.076	Solid Fuel-Fired Heating Device Fuel Requirements; Requirements for Wood Sellers.	1/8/2020	9/24/2021, 86 FR 52997	Except (g)(11).
18 AAC 50.077	Standards for Wood-Fired Heating Devices.	11/7/2020	2/10/2022, 87 FR 7722	Except (g).
18 AAC 50.078	Additional Control Measures for a Serious PM-2.5 Nonattainment Area.	1/8/2020	9/24/2021, 86 FR 52997	Except (c) and (d).
18 AAC 50.079	Provisions for Coal-Fired Heating Devices	1/8/2020	9/24/2021, 86 FR 52997	Except (e).
18 AAC 50.100	Nonroad Engines	10/1/2004	8/14/2007, 72 FR 45378	
18 AAC 50.110	Air Pollution Prohibited	5/26/1972	5/31/1972, 37 FR 10842	
18 AAC 50—Article 2. Program Administration				
18 AAC 50.200	Information Requests	10/1/2004	8/14/2007, 72 FR 45378	
18 AAC 50.201	Ambient Air Quality Investigation	10/1/2004	8/14/2007, 72 FR 45378	
18 AAC 50.205	Certification	11/7/2020	2/10/2022, 87 FR 7722	
18 AAC 50.215	Ambient Air Quality Analysis Methods	9/15/2018	8/29/2019, 84 FR 45419	Except (a)(4).
18 AAC 50.220	Enforceable Test Methods	9/15/2018	8/29/2019, 84 FR 45419	Except (c)(1)(A), (B), (C), and (c)(2).
18 AAC 50.225	Owner-Requested Limits	9/15/2018	8/29/2019, 84 FR 45419	
18 AAC 50.230	Preapproved Emission Limits	11/7/2020	2/10/2022, 87 FR 7722	Except (d).
18 AAC 50.245	Air Quality Episodes and Advisories for Air Pollutants Other than PM-2.5.	2/28/2015	9/8/2017, 82 FR 42457	

TABLE 1 TO PARAGRAPH (c)—EPA-APPROVED ALASKA REGULATIONS—Continued

State citation	Title/subject	State effective date	EPA approval date	Explanations
18 AAC 50.246	Air Quality Episodes and Advisories for PM–2.5.	2/28/2015	9/8/2017, 82 FR 42457	
18 AAC 50.250	Procedures and Criteria for Revising Air Quality Classifications.	11/7/2020	2/10/2022, 87 FR 7722	
18 AAC 50.260	Guidelines for Best Available Retrofit Technology under the Regional Haze Rule.	9/15/2018	8/29/2019, 84 FR 45419	
18 AAC 50.270	Electronic Submission Requirements	9/7/2022	3/22/2023, 88 FR 17159	
18 AAC 50.275	Consistency of Reporting Methodologies	9/7/2022	3/22/2023, 88 FR 17159	
18 AAC 50—Article 3. Major Stationary Source Permits				
18 AAC 50.301	Permit Continuity	10/1/2004	8/14/2007, 72 FR 45378	Except (a)(3).
18 AAC 50.302	Construction Permits	9/14/2012	9/19/2014, 79 FR 56268	
18 AAC 50.306	Prevention of Significant Deterioration (PSD) Permits.	1/4/2013	9/19/2014, 79 FR 56268	
18 AAC 50.311	Nonattainment Area Major Stationary Source Permits.	11/7/2020	2/10/2022, 87 FR 7722	
18 AAC 50.345	Construction, Minor and Operating Permits: Standard Permit Conditions.	9/15/2018	8/29/2019, 84 FR 45419	Except (b), (c)(3), and (l).
18 AAC 50—Article 4. User Fees				
18 AAC 50.400	Permit Administration Fees	9/7/2022	3/22/2023, 88 FR 45419	Except (a), (b), (c), and (i).
18 AAC 50—Article 5. Minor Permits				
18 AAC 50.502	Minor Permits for Air Quality Protection ...	5/16/2022	8/9/2023, 88 FR 53793	Except (b).
18 AAC 50.508	Minor Permits Requested by the Owner or Operator.	12/9/2010	9/19/2014, 79 FR 56268	
18 AAC 50.510	Minor Permit—Title V Permit Interface	12/9/2010	9/19/2014, 79 FR 56268	
18 AAC 50.540	Minor Permit: Application	5/16/2022	8/9/2023, 88 FR 53793	
18 AAC 50.542	Minor Permit: Review and Issuance	5/16/2022	8/9/2023, 88 FR 53793	
18 AAC 50.544	Minor Permits: Content	12/9/2010	9/19/2014, 79 FR 56268	
18 AAC 50.546	Minor Permits: Revisions	7/15/2008	9/19/2014, 79 FR 56268	
18 AAC 50.560	General Minor Permits	9/15/2018	8/29/2019, 84 FR 45419	
18 AAC 50—Article 7. Transportation Conformity				
18 AAC 50.700	Purpose	4/17/2015	9/8/2015; 80 FR 53735	
18 AAC 50.705	Applicability	4/17/2015	9/8/2015; 80 FR 53735	
18 AAC 50.712	Agency Responsibilities	4/17/2015	9/8/2015; 80 FR 53735	
18 AAC 50.715	Interagency Consultation Procedures	3/2/2016	8/28/2017, 82 FR 40712	
18 AAC 50.720	Public Involvement	3/2/2016	8/28/2017, 82 FR 40712	
18 AAC 50.740	Written Comments	4/17/2015	9/8/2015, 80 FR 53735	
18 AAC 50.745	Resolving Conflicts	4/17/2015	9/8/2015, 80 FR 53735	
18 AAC 50.750	Exempt Projects	4/17/2015	9/8/2015, 80 FR 53735	
18 AAC 50—Article 9. General Provisions				
18 AAC 50.900	Small Business Assistance Program	10/1/2004	8/14/2007, 72 FR 45378	
18 AAC 50.990	Definitions	11/7/2020	2/10/2022, 87 FR 7722	
Alaska Administrative Code Title 18—Environmental Conservation, Chapter 52 Emissions Inspection and Maintenance Requirements (18 AAC 52)				
18 AAC 52—Article 1. Emissions Inspection and Maintenance Requirements				
18 AAC 52.005	Applicability and General Requirements ..	5/17/2008	3/22/2010, 75 FR 13436	
18 AAC 52.007	Suspension and Reestablishment of I/M Requirements.	5/17/2008	3/22/2010, 75 FR 13436	
18 AAC 52.010	I/M Program Administration Office	2/18/2006	3/22/2010, 75 FR 13436	
18 AAC 52.015	Motor Vehicle Maintenance Requirements	2/18/2006	3/22/2010, 75 FR 13436	
18 AAC 52.020	Certificate of Inspection Requirements	2/18/2006	3/22/2010, 75 FR 13436	
18 AAC 52.025	Visual Identification of Certificate of Inspection, Waivers, and Exempt Vehicles.	2/18/2006	3/22/2010, 75 FR 13436	
18 AAC 52.030	Department-Administered I/M Program	2/1/1994	4/5/1995, 60 FR 17232	
18 AAC 52.035	I/M Program Administered by an Implementing Agency.	3/27/2002	3/22/2010, 75 FR 13436	

TABLE 1 TO PARAGRAPH (c)—EPA-APPROVED ALASKA REGULATIONS—Continued

State citation	Title/subject	State effective date	EPA approval date	Explanations
18 AAC 52.037	Reporting Requirements for an I/M Program Administered by an Implementing Agency.	2/18/2006	3/22/2010, 75 FR 13436	
18 AAC 52.040	Centralized Inspection Program	2/1/1994	4/5/1995, 60 FR 17232	
18 AAC 52.045	Decentralized Inspection Program	2/1/1994	4/5/1995, 60 FR 17232	
18 AAC 52.050	Emissions Standards	3/27/2002	3/22/2010, 75 FR 13436	
18 AAC 52.055	Alternative Requirements, Standards and Test Procedures.	1/1/2000	1/8/2002, 67 FR 822	
18 AAC 52.060	Waivers	5/17/2008	3/22/2010, 75 FR 13436	
18 AAC 52.065	Emissions-Related Repair Cost Minimum	1/1/2000	1/8/2002, 67 FR 822	
18 AAC 52.070	Referee Facility	3/27/2002	3/22/2010, 75 FR 13436	
18 AAC 52.075	Kit Cars and Custom-Manufactured Vehicles.	2/1/1994	4/5/1995, 60 FR 17232	
18 AAC 52.080	Grey Market Vehicles	3/27/2002	3/22/2010, 75 FR 13436	
18 AAC 52.085	Vehicle Modifications	2/18/2006	3/22/2010, 75 FR 13436	
18 AAC 52.090	Repair of Nonconforming Vehicles	1/1/1998	12/29/1999, 64 FR 72940	
18 AAC 52.095	Minimum Certification Requirements	1/1/1998	12/29/1999, 64 FR 72940	
18 AAC 52.100	Enforcement Procedures for Violations by Motorists.	12/14/2006	3/22/2010, 75 FR 13436	
18 AAC 52.105	Enforcement Procedures for Violations by Certified Mechanics or Stations.	1/1/2000	1/8/2002, 67 FR 822	
18 AAC 52—Article 4. Certification Requirements				
18 AAC 52.400	Mechanic Certification	1/1/1998	12/29/1999, 64 FR 72940	
18 AAC 52.405	Certified Mechanic Examinations	3/27/2002	3/22/2010, 75 FR 13436	
18 AAC 52.410	Training Course Certification	2/18/2006	3/22/2010, 75 FR 13436	
18 AAC 52.415	I/M Station Certification	1/1/2000	1/8/2002, 67 FR 822	
18 AAC 52.420	Equipment Certification	1/1/2000	1/8/2002, 67 FR 822	
18 AAC 52.425	Renewal of Certification	1/1/1998	12/29/1999, 64 FR 72940	
18 AAC 52.430	Duty to Report Change in Status	2/1/1994	4/5/1995, 60 FR 17232	
18 AAC 52.440	Monitoring of Certified Mechanics and Stations.	1/1/2000	1/8/2002, 67 FR 822	
18 AAC 52.445	Suspension or Revocation of Certification	2/1/1994	4/5/1995, 60 FR 17232	
18 AAC 52—Article 5. Certified Station Requirements				
18 AAC 52.500	General Operating Requirements	1/1/2000	1/8/2002, 67 FR 822	
18 AAC 52.505	Display of Certified Station Sign	2/1/1994	4/5/1995, 60 FR 17232	
18 AAC 52.510	Display of Certificates	2/18/2006	3/22/2010, 75 FR 13436	
18 AAC 52.515	Inspection Charges	2/18/2006	3/22/2010, 75 FR 13436	
18 AAC 52.520	Required Tools and Equipment	2/18/2006	3/22/2010, 75 FR 13436	
18 AAC 52.525	Remote Station Operation	1/1/2000	1/8/2002, 67 FR 822	
18 AAC 52.527	Prescreening Prohibited	1/1/2000	1/8/2002, 67 FR 822	
18 AAC 52.530	Preliminary Inspection	1/1/2000	1/8/2002, 67 FR 822	
18 AAC 52.535	Test Abort Conditions	3/27/2002	3/22/2010, 75 FR 13436	
18 AAC 52.540	Official I/M Testing	3/27/2002	3/22/2010, 75 FR 13436	
18 AAC 52.545	Parts on Order	1/1/1998	12/29/1999, 64 FR 72940	
18 AAC 52.546	Unavailable Parts	1/1/1998	12/29/1999, 64 FR 72940	
18 AAC 52.550	Recordkeeping Requirements	2/1/1994	4/5/1995, 60 FR 17232	
18 AAC 52—Article 9. General Provisions				
18 AAC 52.990	Definitions	2/18/2006	3/22/2010, 75 FR 13436	
Alaska Administrative Code Title 18—Environmental Conservation, Chapter 53 Fuel Requirements for Motor Vehicles (18 AAC 53)				
18 AAC 53—Article 1. Oxygenated Gasoline Requirements				
18 AAC 53.005	Purpose and Applicability; General Requirements.	10/31/1997	12/29/1999, 64 FR 72940	
18 AAC 53.007	Dispenser Labeling	10/31/1997	12/29/1999, 64 FR 72940	
18 AAC 53.010	Control Periods and Control Areas	2/20/2004	6/23/2004, 69 FR 34935	
18 AAC 53.020	Required Oxygen Content	10/31/1997	12/29/1999, 64 FR 72940	
18 AAC 53.030	Sampling, Testing and Oxygen Content Calculations.	10/31/1997	12/29/1999, 64 FR 72940	
18 AAC 53.035	Per Gallon Method of Compliance	10/31/1997	12/29/1999, 64 FR 72940	
18 AAC 53.040	Averaging Oxygen Content Method of Compliance.	10/31/1997	12/29/1999, 64 FR 72940	
18 AAC 53.045	Oxygen Credits and Debits	10/31/1997	12/29/1999, 64 FR 72940	
18 AAC 53.060	Oxygenated Gasoline Blending	10/31/1997	12/29/1999, 64 FR 72940	
18 AAC 53.070	Registration and Permit	10/31/1997	12/29/1999, 64 FR 72940	

TABLE 1 TO PARAGRAPH (c)—EPA-APPROVED ALASKA REGULATIONS—Continued

State citation	Title/subject	State effective date	EPA approval date	Explanations
18 AAC 53.080	Car Fees	12/30/2000	1/08/2002, 67 FR 822	
18 AAC 53.090	Recordkeeping	10/31/1997	12/29/1999, 64 FR 72940	
18 AAC 53.100	Reporting	10/31/1997	12/29/1999, 64 FR 72940	
18 AAC 53.105	Product Transfer Document	10/31/1997	12/29/1999, 64 FR 72940	
18 AAC 53.120	Inspection and Sampling	10/31/1997	12/29/1999, 64 FR 72940	
18 AAC 53.130	Liability for Violation	10/31/1997	12/29/1999, 64 FR 72940	
18 AAC 53.140	Defenses for Violation	10/31/1997	12/29/1999, 64 FR 72940	
18 AAC 53.150	Temporary Variances	10/31/1997	12/29/1999, 64 FR 72940	
18 AAC 53.160	Quality Assurance Program	10/31/1997	12/29/1999, 64 FR 72940	
18 AAC 53.170	Attest Engagements	10/31/1997	12/29/1999, 64 FR 72940	
18 AAC 53.190	Suspension and Reestablishment of Control Period.	2/20/2004	6/23/2004, 69 FR 34935	
18 AAC 53—Article 9. General Provisions				
18 AAC 53.990	Definitions	10/31/1997	12/29/1999, 64 FR 72940	

TABLE 2 TO PARAGRAPH (c)—ALASKA STATE STATUTES

State citation	Title/subject	State effective date	EPA approval date	Explanations
Title 45—Trade and Commerce, Chapter 45.45. Trade Practices				
Sec. 45.45.400	Prohibited Transfer of Used Cars	6/25/1993	11/18/1998, 63 FR 63983	Except (b).
Title 46—Water, Air, Energy, and Environmental Conservation, Chapter 46.14. Air Quality Control				
Sec. 46.14.550	Responsibilities of Owner and Operator; Agent for Service.	1/4/2013	9/19/2014, 79 FR 56268	
Sec. 46.14.560	Unavoidable Malfunctions and Emergencies.	6/25/1993	11/18/1998, 63 FR 63983	
Sec. 46.14.990	Definitions	1/4/2013	9/19/2014, 79 FR 56268	Except (1) through (3), (6), (7), (9) through (14), (19) through (26), and (28).

TABLE 3 TO PARAGRAPH (c)—CITY AND BOROUGH CODES AND ORDINANCES

State citation	Title/subject	State effective date	EPA approval date	Explanations
Anchorage Municipal Code and Ordinances				
Anchorage Municipal Code 21.85.030.	Improvement Requirements by Improvement Area.	1/16/1987 (city effective date)	8/13/1993, 58 FR 43084	Eagle River PM Plan—Contingency Plan.
Anchorage Municipal Code 21.45.080.W.7.	Paving	9/24/1991 (city effective date)	8/13/1993, 58 FR 43084	Section W.7. Eagle River PM Plan—Contingency Plan.
Anchorage Ordinance 2006–13.	An ordinance amending the Anchorage Municipal Code, Chapters 15.80 and 15.85 to comply with State I/M regulations and to comply with DMV Electronic Procedures.	2/14/2006 (city approval date)	3/22/2010, 75 FR 13436	Anchorage Transportation Control Program—Carbon Monoxide.
City and Borough of Juneau Ordinances				
Ordinance of the City and Borough of Juneau, No. 91–53.	An Ordinance amending the wood smoke control fine schedule to increase the fines for violations of the wood smoke control code.	1/6/1992 (city adoption date)	3/24/1994, 59 FR 13884	Mendenhall Valley PM Plan.
Ordinance of the City and Borough of Juneau No. 93–01.	Setting boundaries for regrading and surfacing.	2/8/1993 (city adoption date)	3/24/1994, 59 FR 13884	Mendenhall Valley PM Plan.

TABLE 3 TO PARAGRAPH (c)—CITY AND BOROUGH CODES AND ORDINANCES—Continued

State citation	Title/subject	State effective date	EPA approval date	Explanations
Ordinance of the City and Borough of Juneau, No. 93–06.	Setting boundaries for regrading and surfacing.	4/5/1993 (city adoption date)	3/24/1994, 59 FR 13884	Mendenhall Valley PM Plan.
Ordinance of the City and Borough of Juneau, No. 93–39am.	An Ordinance creating Local Improvement District No. 77 of the City and Borough, setting boundaries for drainage and paving of streets in the Mendenhall Valley.	11/17/1993 (city adoption date)	3/24/1994, 59 FR 13884	Mendenhall Valley PM Plan.
Ordinance of the City and Borough of Juneau, Serial No. 2008–28.	An Ordinance Amending the Woodsmoke Control Program Regarding Solid Fuel-Fired Burning Devices.	9/8/2008 (city adoption date)	5/9/2013, 78 FR 27071	Mendenhall Valley PM Limited Maintenance Plan.

Fairbanks North Star Borough Ordinances and Code

Fairbanks North Star Borough Ordinance No. 2001–17.	Mandating a Fairbanks North Star Borough Motor Vehicle Plug-in Program.	4/12/2001 (borough adoption date)	2/4/2002, 67 FR 5064	Fairbanks Transportation Control Program—Carbon Monoxide.
Fairbanks North Star Borough Ordinance No. 2003–71.	An Ordinance amending the Carbon Monoxide Emergency Episode Prevention Plan including implementing a Woodstove Control Ordinance.	10/30/2003 (borough adoption date)	7/27/2004, 69 FR 44601	Fairbanks Carbon Monoxide Maintenance Plan.

Chapter 21.28—PM^{2.5} Air Quality Control Program

21.28.010	Definitions	3/2/2015 (borough effective date)	9/8/2017, 82 FR 42457	Except H and J.
21.28.020	Borough listed appliances	1/15/2016 (borough effective date)	9/8/2017, 82 FR 42457	
21.28.030	Prohibited acts	10/1/2016 (borough effective date)	9/8/2017, 82 FR 42457	
21.28.050	Forecasting exceedances and restrictions in the air quality control zone during an alert.	6/26/2015 (borough effective date)	9/8/2017, 82 FR 42457	
21.28.060	No other adequate source of heat determination.	8/12/2016 (borough effective date)	9/8/2017, 82 FR 42457	

(d) *EPA approved state source-specific requirements.*

TABLE 4 TO PARAGRAPH (d)—EPA-APPROVED ALASKA SOURCE-SPECIFIC REQUIREMENTS

Name of source	Order/permit number	State effective date	EPA approval date	Explanations
None.				

(e) *EPA approved nonregulatory provisions and quasi-regulatory measures.*

TABLE 5 TO PARAGRAPH (e)—EPA-APPROVED ALASKA NONREGULATORY PROVISIONS AND QUASI-REGULATORY MEASURES

Name of SIP provision	Applicable geographic or nonattainment area	State submittal date	EPA approval date	Explanations
State of Alaska Air Quality Control Plan: Volume II. Analysis of Problems, Control Actions				
Section I. Background				
II.I.A. Introduction	Statewide	1/8/1997	12/29/1999, 64 FR 72940.	
II.I.B. Air Quality Control Regions	Statewide	1/8/1997	12/29/1999, 64 FR 72940.	
II.I.C. Attainment/nonattainment Designations	Statewide	1/8/1997	12/29/1999, 64 FR 72940.	
II.I.D. Prevention of Significant Deterioration Designations	Statewide	1/8/1997	12/29/1999, 64 FR 72940.	
II.I.E. New Source Review	Statewide	1/8/1997	12/29/1999, 64 FR 72940.	
Section II. State Air Quality Control Program				
II.II. State Air Quality Control Program	Statewide	7/9/2012	10/22/2012, 77 FR 64425.	
Section III. Areawide Pollutant Control Program				
II.III.A. Statewide Carbon Monoxide Control Program	Statewide	6/5/2008	3/22/2010, 75 FR 13436.	
II.III.B. Anchorage Transportation Control Program	Anchorage	1/4/2002	9/18/2002, 67 FR 58711.	
II.III.B.11. Anchorage Carbon Monoxide Maintenance Plan	Anchorage	9/20/2011	3/3/2014, 79 FR 11707.	
II.III.B.12. Anchorage Second 10-year Carbon Monoxide Limited Maintenance Plan	Anchorage	4/22/2013	3/3/2014, 79 FR 11707.	
II.III.C. Fairbanks Transportation Control Program	Fairbanks	8/30/2001	2/4/2002, 67 FR 5064.	
II.III.C.11. Fairbanks Carbon Monoxide Redesignation and Maintenance Plan	Fairbanks	9/15/2009	3/22/2010, 75 FR 13436.	
II.III.C.12. Fairbanks Second 10-year Carbon Monoxide Limited Maintenance Plan	Fairbanks	4/22/2013	8/9/2013, 78 FR 48611.	
II.III.D. Particulate Matter	Statewide	10/15/1991	8/13/1993, 58 FR 43084.	
II.III.D.2. Eagle River PM ₁₀ Control Plan	Eagle River	10/15/1991	8/13/1993, 58 FR 43084.	
II.III.D.2.a. Eagle River PM ₁₀ Limited Maintenance Plan	Eagle River	9/29/2010	1/7/2013, 78 FR 900.	
II.III.D.2.b. Second 10-year PM ₁₀ Limited Maintenance Plan	Eagle River	11/10/2020	11/9/2021, 86 FR 62096.	
II.III.D.3. Mendenhall Valley PM ₁₀ Control Plan	Mendenhall Valley	6/22/1993	3/24/1994, 59 FR 13884.	
II.III.D.3.a. Mendenhall Valley PM ₁₀ Limited Maintenance Plan	Mendenhall Valley	5/14/2009	5/9/2013, 78 FR 27071.	
II.III.D.3.b. Mendenhall Valley Second 10-year Limited Maintenance Plan	Mendenhall Valley	11/10/2020	10/25/2021, 86 FR 58807.	
II.III.D.4. Interstate Transport of Particulate Matter	Statewide	2/7/2008	10/15/2008, 73 FR 60955.	
II.III.D.5. Fairbanks North Star Borough PM _{2.5} Control Plan	Fairbanks North Star Borough	11/23/2016	9/8/2017, 82 FR 42457	Fairbanks North Star Borough PM _{2.5} Moderate Area Plan.
II.III.E. Ice Fog	Statewide	1/18/1980	7/5/1983, 48 FR 30623.	
II.III.F. Open Burning	Statewide	4/4/2011	2/14/2013, 78 FR 10546.	
II.III.F.1. In Situ Burning Guidelines for Alaska	Statewide	4/4/2011	2/14/2013, 78 FR 10546.	Revision 1, August 2008.
II.III.G. Wood Smoke Pollution Control	Statewide	11/15/1983	4/24/1984, 49 FR 17497.	
II.III.H. Lead Pollution Control	Statewide	11/15/1983	1/3/1984, 49 FR 67.	
II.III.I. Transportation Conformity	Statewide	4/17/2015	9/8/2015, 80 FR 53735.	
II.III.I.1. Transportation Conformity Supplement	Statewide	7/29/2015	9/8/2015, 80 FR 53735	Clarification re: access to public records: AS 40.25.110, AS 40.25.115, and 2 AAC 96.

TABLE 5 TO PARAGRAPH (e)—EPA-APPROVED ALASKA NONREGULATORY PROVISIONS AND QUASI-REGULATORY MEASURES—Continued

Name of SIP provision	Applicable geographic or nonattainment area	State submittal date	EPA approval date	Explanations
II.III.J. General Conformity	Statewide	12/05/1994	9/27/1995, 60 FR 49765.	
II.III.K. Area Wide Pollutant Control Program for Regional Haze.	Statewide	4/4/2011	2/14/2013, 78 FR 10546.	
Section IV. Point Source Control Program				
II.IV.A. Summary	Statewide	11/15/1983	4/24/1984, 49 FR 17497.	
II.IV.B. State Air Quality Regulations	Statewide	11/15/1983	4/24/1984, 49 FR 17497.	
II.IV.C. Local Programs	Statewide	11/15/1983	4/24/1984, 49 FR 17497.	
II.IV.D. Description of Source Categories and Pollutants.	Statewide	11/15/1983	4/24/1984, 49 FR 17497.	
II.IV.E. Point Source Control	Statewide	11/15/1983	4/24/1984, 49 FR 17497.	
II.IV.F. Facility Review Procedures	Statewide	9/12/1988	7/31/1989, 54 FR 31522.	
II.IV.G. Application Review and Permit Development.	Statewide	11/15/1983	4/24/1984, 49 FR 17497.	
II.IV.H. Permit Issuance Requirements	Statewide	11/15/1983	4/24/1984, 49 FR 17497.	
Section V. Ambient Air Monitoring				
II.V.A. Purpose	Statewide	1/18/1980	4/15/1981, 46 FR 21994.	
II.V.B. Completed Air Monitoring Projects	Statewide	1/18/1980	4/15/1981, 46 FR 21994.	
II.V.C. Air Monitoring Network	Statewide	1/18/1980; 7/11/1994	4/15/1981, 46 FR 21994; 4/5/1995, 60 FR 17237.	
II.V.E. Annual Review	Statewide	1/18/1980	4/15/1981, 46 FR 21994.	
State of Alaska Air Quality Control Plan: Volume III. Appendices				
Section II. State Air Quality Control Program				
III.II.A. State Air Statutes	Statewide	12/11/2006	3/22/2010, 75 FR 13436.	Except 46.03.170.
III.II.A.1. State Attorney General Opinions on Legal Authority.	Statewide	12/11/2006	3/22/2010, 75 FR 13436.	
III.II.B. Municipality of Anchorage and ADEC Agreements.	Anchorage	4/22/2013	3/3/2014, 79 FR 11707.	
III.II.C. Fairbanks North Star Borough and ADEC Agreements.	Fairbanks	12/11/2006	3/22/2010, 75 FR 13436.	
III.II.D. CAA Section 110 Infrastructure Certification Documentation and Supporting Documents.	Statewide	10/25/2018	12/23/2019, 84 FR 70428.	
III.II.D.1. Attachment 1—Public Official Financial Disclosure (2 AAC 50.010 through 2 AAC 50.200).	Statewide	7/9/2012	10/22/2012, 77 FR 64425.	Approved for purposes of CAA section 128.
III.II.D.2. Attachment 2—Executive Branch Code of Ethics (9 AAC 52.010 through 9 AAC 52.990).	Statewide	7/9/2012	10/22/2012, 77 FR 64425.	Approved for purposes of CAA section 128.
Section III. Area Wide Pollutant Control Program				
III.III.A. I/M Program Manual	Statewide	6/5/2008	3/22/2010, 75 FR 13436.	
III.III.B. Municipality of Anchorage	Anchorage	4/22/2013	3/3/2014, 79 FR 11707.	
III.III.C. Fairbanks	Fairbanks	4/22/2013	8/9/2013, 78 FR 48611.	
III.III.D. Particulate Matter	Statewide	10/15/1991	8/13/1993, 58 FR 43084.	
III.III.D.2. Eagle River PM ₁₀ Control Plan	Eagle River	11/10/2020	11/9/2021, 86 FR 62096.	
III.III.D.3. Control Plan for the Mendenhall Valley of Juneau.	Mendenhall Valley	11/10/2020	10/25/2021, 86 FR 58807.	

TABLE 5 TO PARAGRAPH (e)—EPA-APPROVED ALASKA NONREGULATORY PROVISIONS AND QUASI-REGULATORY MEASURES—Continued

Name of SIP provision	Applicable geographic or nonattainment area	State submittal date	EPA approval date	Explanations
III.III.D.5. Fairbanks North Star Borough PM _{2.5} Control Plan.	Fairbanks North Star Borough.	11/23/2016	9/8/2017, 82 FR 42457	Only with respect to the Fairbanks North Star Borough PM _{2.5} Moderate Area Plan.
III.III.G. Ordinance of the City and Borough of Juneau.	Juneau	11/15/1983	4/24/1984, 49 FR 17497.	
III.III.H. Support Documents for Lead Plan	Statewide	11/15/1983	1/3/1984, 49 FR 67.	
III.III.K. Area wide Pollutant Control Program for Regional Haze.	Statewide	4/4/2011	2/14/2013, 78 FR 10546.	
Section IV. Point Source Control Program				
III.IV. Point Source Control Program	Statewide	11/15/1983	4/24/1984, 49 FR 17497.	
III.IV.1. PSD Area Classification and Reclassification.	Statewide	11/15/1983	4/24/1984, 49 FR 17497.	
III.IV.2. Compliance Assurance	Statewide	11/15/1983	4/24/1984, 49 FR 17497.	
III.IV.3. Testing Procedures	Statewide	11/15/1983	4/24/1984, 49 FR 17497.	
Section V. Ambient Air Monitoring				
III.V. Ambient Air Monitoring	Statewide	11/15/1983	4/24/1984, 49 FR 17497.	
Section VI. Small Business Assistance Program				
III.VI. Small Business Assistance Program	Statewide	4/18/1994	9/5/1995, 60 FR 46021.	
Infrastructure and Interstate Transport				
Interstate Transport Requirements—1997 Ozone and 1997 PM _{2.5} NAAQS.	Statewide	2/7/2008	10/15/2008, 73 FR 60955.	Approved SIP for purposes of CAA section 110(a)(2)(D)(i) for the 1997 Ozone and 1997 PM _{2.5} NAAQS.
Infrastructure Requirements—1997 Ozone NAAQS.	Statewide	7/9/2012	10/22/2012, 77 FR 64425.	Approved SIP for purposes of CAA sections 110(a)(2)(A), (B), (C), (D)(ii), (E), (F), (G), (H), (J), (K), (L), and (M) for the 1997 Ozone NAAQS.
Interstate Transport Requirements—2008 Ozone and 2006 PM _{2.5} NAAQS.	Statewide	3/29/2011	8/4/2014, 79 FR 45103	Approved SIP for purposes of CAA section 110(a)(2)(D)(i)(I) for the 2008 Ozone and 2006 PM _{2.5} NAAQS.
Interstate Transport Requirements—2008 Lead NAAQS.	Statewide	7/9/2012	8/4/2014, 79 FR 45103	Approved SIP for purposes of CAA section 110(a)(2)(D)(i)(I) for the 2008 Lead NAAQS.
Infrastructure Requirements—1997 PM _{2.5} NAAQS.	Statewide	7/9/2012	11/10/2014, 79 FR 66651.	Approved SIP for purposes of CAA section 110(a)(2)(A), (B), (C), (D)(ii), (E), (F), (H), (J), (K), (L), and (M) for the 1997 PM _{2.5} NAAQS.
Infrastructure Requirements—2006 PM _{2.5} NAAQS.	Statewide	7/9/2012, 3/29/2011	11/10/2014, 79 FR 66651.	Approved SIP for purposes of CAA section 110(a)(2)(A), (B), (C), (D)(i)(II), (D)(ii), (E), (F), (H), (J), (K), (L), and (M) for the 2006 PM _{2.5} NAAQS.

TABLE 5 TO PARAGRAPH (e)—EPA-APPROVED ALASKA NONREGULATORY PROVISIONS AND QUASI-REGULATORY MEASURES—Continued

Name of SIP provision	Applicable geographic or nonattainment area	State submittal date	EPA approval date	Explanations
Infrastructure Requirements—2008 Ozone NAAQS.	Statewide	7/9/2012, 3/29/2011	11/10/2014, 79 FR 66651.	Approved SIP for purposes of CAA section 110(a)(2)(A), (B), (C), (D)(i)(II), (D)(ii), (E), (F), (G), (H), (J), (K), (L), and (M) for the 2008 Ozone NAAQS.
Infrastructure Requirements—2010 NO ₂ NAAQS	Statewide	5/12/2015	5/12/2017, 82 FR 22081.	Approved SIP for purposes of CAA section 110(a)(2)(A), (B), (C), (D)(i)(II), (D)(ii), (E), (F), (G), (H), (J), (K), (L), and (M) for the 2010 NO ₂ NAAQS.
Infrastructure Requirements—2010 SO ₂ NAAQS	Statewide	5/12/2015	5/12/2017, 82 FR 22081.	Approved SIP for purposes of CAA section 110(a)(2)(A), (B), (C), (D)(i)(II), (D)(ii), (E), (F), (G), (H), (J), (K), (L), and (M) for the 2010 SO ₂ NAAQS.
Interstate Transport Requirements—2015 Ozone NAAQS.	Statewide	10/25/2018	12/18/2019, 84 FR 69331.	Approved SIP for purposes of CAA section 110(a)(2)(D)(i)(I) for the 2015 Ozone NAAQS.
Infrastructure Requirements—2015 Ozone NAAQS.	Statewide	10/25/2018	12/23/2019, 84 FR 70428.	Approved SIP for purposes of CAA section 110(a)(2)(A), (B), (C), (D)(i)(II), (D)(ii), (E), (F), (G), (H), (J), (K), (L), and (M) for the 2015 Ozone NAAQS.
Regulations Approved but not Incorporated by Reference				
18 AAC 50.076(g)(11) Solid Fuel-fired Heating Device Fuel Requirements; Registration of Commercial Wood Sellers.	Statewide	11/26/2016	9/8/2017, 82 FR 42457.	
21.28.030.J Prohibited Acts. Penalties	Fairbanks North Star Borough.	10/1/2016 (borough effective date)	9/8/2017, 82 FR 42457	FNSB Code Chapter 21.28 PM _{2.5} Air Quality Control Program.
21.28.040 Enhanced voluntary removal, replacement and repair program.	Fairbanks North Star Borough.	1/15/2016 (borough effective date)	9/8/2017, 82 FR 42457	FNSB Code Chapter 21.28 PM _{2.5} Air Quality Control Program.
21.28.070 Voluntary burn cessation program	Fairbanks North Star Borough.	4/24/2015 (borough effective date)	9/8/2017, 82 FR 42457	FNSB Code Chapter 21.28 PM _{2.5} Air Quality Control Program.
Recently Approved Plans				
II.III.D.5.11 Fairbanks Emergency Episode Plan	Fairbanks North Star Borough.	11/28/2018	6/5/2019, 84 FR 26019	Revision to II.III.D.5.
III.III.D.5.12 Appendix to Volume II. Section III.D.5.	Fairbanks North Star Borough.	11/28/2018	6/5/2019, 84 FR 26019	Revision to pages 68 through 84 of III.III.D.5.
II.III.D.7.06 Fairbanks Emissions Inventory Data	Fairbanks North Star Borough.	12/13/2019	9/24/2021, 86 FR 52997.	Approved for purposes of the Fairbanks Serious Plan 2013 base year emissions inventory.
III.III.D.7.06 Appendix to Fairbanks Emissions Inventory Data.	Fairbanks North Star Borough.	12/13/2019	9/24/2021, 86 FR 52997.	Approved for purposes of the Fairbanks Serious Plan 2013 base year emissions inventory.

TABLE 5 TO PARAGRAPH (e)—EPA-APPROVED ALASKA NONREGULATORY PROVISIONS AND QUASI-REGULATORY MEASURES—Continued

Name of SIP provision	Applicable geographic or nonattainment area	State submittal date	EPA approval date	Explanations
II.III.D.7.08 Fairbanks Modeling	Fairbanks North Star Borough.	12/13/2019	9/24/2021, 86 FR 52997.	Approved for purposes of the Fairbanks Serious Plan PM _{2.5} precursor demonstration for NO _x and VOC emissions as it relates to BACM/BACT control measure requirements.
II.III.D.7.12 Fairbanks Emergency Episode Plan	Fairbanks North Star Borough.	12/15/2020	9/24/2021, 86 FR 52997.	
II.III.D.7.01 Executive Summary	Fairbanks North Star Borough.	12/13/2019	12/5/2023; 88 FR 84626.	Approved for purposes of the Fairbanks 189(d) Plan 2019 base year emissions inventory.
II.III.D.7.02 Background and Overview of PM _{2.5} Rule.	Fairbanks North Star Borough.	12/13/2019	12/5/2023; 88 FR 84626.	
III.III.D.7.02 Appendix to Background and Overview of PM _{2.5} Rule.	Fairbanks North Star Borough.	12/13/2019	12/5/2023; 88 FR 84626.	
II.III.D.7.03 Nonattainment Area Boundary and Design Episode Selection.	Fairbanks North Star Borough.	12/13/2019	12/5/2023; 88 FR 84626.	
III.III.D.7.03 Appendix to Nonattainment Area Boundary and Design Episode Selection.	Fairbanks North Star Borough.	12/13/2019	12/5/2023; 88 FR 84626.	
II.III.D.7.04 Ambient Air Quality and Trends	Fairbanks North Star Borough.	12/15/2020	12/5/2023; 88 FR 84626.	
II.III.D.7.05 PM _{2.5} Network and Monitoring Program.	Fairbanks North Star Borough.	12/15/2020	12/5/2023; 88 FR 84626.	
III.III.D.7.05 Appendix to PM _{2.5} Network and Monitoring Program.	Fairbanks North Star Borough.	12/15/2020	12/5/2023; 88 FR 84626.	
II.III.D.7.06 Fairbanks Emissions Inventory Data	Fairbanks North Star Borough.	12/15/2020	12/5/2023; 88 FR 84626.	
III.III.D.7.06 Appendix to Fairbanks Emissions Inventory Data.	Fairbanks North Star Borough.	12/15/2020	12/5/2023; 88 FR 84626.	

TABLE 5 TO PARAGRAPH (e)—EPA-APPROVED ALASKA NONREGULATORY PROVISIONS AND QUASI-REGULATORY MEASURES—Continued

Name of SIP provision	Applicable geographic or nonattainment area	State submittal date	EPA approval date	Explanations
II.III.D.7.07 Control Strategies	Fairbanks North Star Borough.	12/15/2020	12/5/2023; 88 FR 84626.	Approved for purposes of the Fairbanks Serious Plan and Fairbanks 189(d) Plan for the following emission source categories: solid fuel home heating device; residential and commercial fuel oil combustion; charbroiler; used oil burner; incinerator; PM _{2.5} and NH ₃ BACT determination for Doyon-Fort Wainwright Central Heating and Power Plant; PM _{2.5} and NH ₃ BACT determination for the University of Alaska Fairbanks Campus Power Plant except for the PM _{2.5} BACT determination for the three small diesel fired engines (EUs 23, 26 and 27); PM _{2.5} and NH ₃ BACT determinations for Golden Valley Electric Association Zehnder Power Plant; PM _{2.5} and NH ₃ BACT Determinations for the Golden Valley Electric Association North Pole Power Plant; and Nonattainment New Source Review Requirements.

TABLE 5 TO PARAGRAPH (e)—EPA-APPROVED ALASKA NONREGULATORY PROVISIONS AND QUASI-REGULATORY MEASURES—Continued

Name of SIP provision	Applicable geographic or nonattainment area	State submittal date	EPA approval date	Explanations
III.III.D.7.07 Appendix to Control Strategies	Fairbanks North Star Borough.	12/15/2020	12/5/2023; 88 FR 84626.	Approved for purposes of the Fairbanks Serious Plan and Fairbanks 189(d) Plan for the following emission source categories: solid fuel home heating device; residential and commercial fuel oil combustion; charbroiler; used oil burner; incinerator; PM _{2.5} and NH ₃ BACT determination for Doyon-Fort Wainwright Central Heating and Power Plant; PM _{2.5} and NH ₃ BACT determination for the University of Alaska Fairbanks Campus Power Plant except for the PM _{2.5} BACT determination for the three small diesel fired engines (EUs 23, 26 and 27); PM _{2.5} and NH ₃ BACT determinations for Golden Valley Electric Association Zehnder Power Plant; PM _{2.5} and NH ₃ BACT Determinations for the Golden Valley Electric Association North Pole Power Plant; and Nonattainment New Source Review Requirements.
II.III.D.7.08 Modeling	Fairbanks North Star Borough.	12/15/2020	12/5/2023; 88 FR 84626.	Approved for purposes of the Fairbanks 189(d) Plan for the PM _{2.5} precursor demonstration for NO _x and VOC emissions as it relates to BACM/BACT control measure requirements and control strategy requirements for areas subject to CAA section 189(d).
III.III.D.7.08 Appendix to Modeling	Fairbanks North Star Borough.	12/15/2020	12/5/2023; 88 FR 84626.	Approved for purposes of the Fairbanks 189(d) Plan for the PM _{2.5} precursor demonstration for NO _x and VOC emissions as it relates to BACM/BACT control measure requirements and control strategy requirements for areas subject to CAA section 189(d).

TABLE 5 TO PARAGRAPH (e)—EPA-APPROVED ALASKA NONREGULATORY PROVISIONS AND QUASI-REGULATORY MEASURES—Continued

Name of SIP provision	Applicable geographic or nonattainment area	State submittal date	EPA approval date	Explanations
II.III.D.7.13 Assurance of Adequacy	Fairbanks North Star Borough.	12/13/2019	12/5/2023; 88 FR 84626.	
III.III.D.7.13 Appendix to Assurance of Adequacy	Fairbanks North Star Borough.	12/13/2019	12/5/2023; 88 FR 84626.	
II.III.D.7.15 Acronyms and Abbreviations	Fairbanks North Star Borough.	12/13/2019	12/5/2023; 88 FR 84626.	

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ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 52****[EPA–R10–OAR–2024–0430, FRL–12243–02–R10]****Air Plan Approval; Washington; Olympic Region Clean Air Agency, Recreational Fires****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is approving a revision to the Washington State Implementation Plan (SIP) that was submitted by the Department of Ecology (Ecology) in coordination with the Olympic Region Clean Air Agency (ORCAA). In 2013, Ecology and ORCAA inadvertently submitted for incorporation into the SIP a ban on small, recreational fires in Thurston County. These fires are defined as having a maximum pile size of three feet in diameter by two feet high using seasoned firewood or charcoal, generally associated with backyard, summer campfires. Ecology and ORCAA provided a review of the historical record to demonstrate that the ban on recreational fires was not relied upon for attainment, maintenance, or reasonable further progress in the Thurston County area. Ecology and ORCAA also provided data to demonstrate that removing the ban on recreational fires would not interfere with maintenance of the national ambient air quality standards. Therefore, we are approving the request by Ecology and ORCAA to remove this provision from the SIP.

DATES: This final rule is effective February 18, 2025.**ADDRESSES:** The EPA has established a docket for this action under Docket ID No. EPA–R10–OAR–2024–0430. 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, e.g., Confidential Business Information or other information the disclosure of which 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 at <https://www.regulations.gov>, or please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section for additional availability information.

FOR FURTHER INFORMATION CONTACT: Jeff Hunt, EPA Region 10, 1200 Sixth Avenue, Suite 155, Seattle, WA 98101, at (206) 553–0256 or hunt.jeff@epa.gov.
SUPPLEMENTARY INFORMATION: Throughout this document, wherever “we” or “our” is used, it means the EPA.

I. Background

On October 24, 2024, the EPA proposed to approve revisions to the Washington SIP to remove a ban on small, recreational fires in Thurston County (89 FR 84842). The reasons for our proposed action are included in the proposal and will not be restated here. The public comment period closed on November 25, 2024. We received two comments from members of the public. The full text of the comments may be found in the docket for this action. We have summarized the comments in the following section II. of this preamble.

II. Comments

The first commenter conveyed overall support for our proposed action. The EPA acknowledges the commenter’s support.

The second commenter expressed concern about air emissions from cannabis plants and stated there is a need to study volatile organic compound (VOC) emissions from the plants and how such emissions may contribute to ozone formation. This comment is outside the scope of this action. The revisions to Washington’s

SIP do not relate to cannabis production in general or VOC emissions from cannabis production in particular. Rather, the revisions to Washington’s SIP remove a ban on small, recreational fires using seasoned firewood or charcoal. In addition, the commenter did not indicate that EPA approval of the SIP submissions is inconsistent with the Clean Air Act.

Therefore, for the reasons stated in this preamble and our proposed action on October 24, 2024, we are finalizing our action as proposed (89 FR 84842).

III. Final Action

The EPA is approving ORCAA regulation 6.2.7, State effective March 6, 2023, and incorporating it by reference into the Washington SIP at 40 CFR 52.2470(c)—*Table 6—Additional Regulations Approved for the Olympic Region Clean Air Agency (ORCAA) Jurisdiction*. This action repeals a ban on recreational fires within the city limits of Lacey, Olympia, and Tumwater, and unincorporated areas of Thurston County lying within or between the municipal boundaries of these cities. Based on the demonstration provided by Ecology and ORCAA, we determined that the revision will not interfere with maintenance of the national ambient air quality standards or other applicable requirements of the Clean Air Act.

IV. 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, we are finalizing the incorporation by reference of ORCAA regulation 6.2.7, State effective March 6, 2023, as described in section III of this preamble and set forth in the amendments to 40 CFR part 52 in this document. The EPA has made, and will continue to make, these materials generally available through <https://www.regulations.gov> and at the EPA Region 10 Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information).