

flexibility analysis of any rule subject to notice and comment rulemaking requirements, unless the agency certifies that the rule will not have a significant economic impact on a substantial number of small entities. HUD's rulemaking for the Section 232 program, which commenced with a May 3, 2012, proposed rule and concluded with a September 7, 2012, final rule did not result in a significant economic impact on a substantial number of small entities, and the lack of such impact was addressed in the two prior published rules. Because this rule is issued as a final rule amendment, without prior public comment, the Regulatory Flexibility Act is not applicable.

Environmental Impact

A Finding of No Significant Impact with respect to the environment was made, in accordance with HUD regulations at 24 CFR part 50, which implement section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)) at issuance of the May 3, 2012, proposed rule. That finding remains applicable to this final rule amendment, and is available for public inspection as provided in the September 7, 2012, final rule.

Executive Order 13132, Federalism

Executive Order 13132 (entitled "Federalism") prohibits an agency from publishing any rule that has federalism implications if the rule either: (1) Imposes substantial direct compliance costs on state and local governments and is not required by statute, or (2) preempts state law, unless the agency meets the consultation and funding requirements of section 6 of the Executive Order. This rule does not have federalism implications and does not impose substantial direct compliance costs on state and local governments or preempt state law within the meaning of the Executive Order.

Unfunded Mandates Reform Act

Title II of the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) (UMRA) establishes requirements for federal agencies to assess the effects of their regulatory actions on state, local, and tribal governments, and on the private sector. This rule does not impose any federal mandates on any state, local, or tribal governments, or on the private sector, within the meaning of UMRA.

List of Subjects in 24 CFR Part 232

Fire prevention, Health facilities, Loan programs—health, Loan programs—housing and community

development, Mortgage insurance, Nursing homes, Reporting and recordkeeping requirements.

Accordingly, part 232 of title 24 of the Code of Federal Regulations is amended as follows:

PART 232—MORTGAGE INSURANCE FOR NURSING HOMES, INTERMEDIATE CARE FACILITIES, BOARD AND CARE HOMES, AND ASSISTED LIVING FACILITIES

■ 1. The authority citation for 24 CFR part 232 continues to read as follows:

Authority: 12 U.S.C. 1715b, 1715w; 42 U.S.C. 3535(d).

§ 232.1 [Amended].

■ 2. In § 232.1, amend paragraph (b) by removing "April 9, 2013" and adding in its place "July 12, 2013".

Dated: April 24, 2013.

Carol J. Galante,

Assistant Secretary for Housing—Federal Housing Commissioner.

[FR Doc. 2013–10060 Filed 4–29–13; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 60 and 61

[EPA–R09–OAR–2011–0981; FRL–9806–3]

Delegation of New Source Performance Standards and National Emission Standards for Hazardous Air Pollutants for the States of Arizona, California, and Nevada

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is finalizing updates to the Code of Federal Regulations delegation tables to reflect the current delegation status of New Source Performance Standards and National Emission Standards for Hazardous Air Pollutants in Arizona, California, and Nevada.

DATES: This rule is effective on July 1, 2013 without further notice, unless EPA receives adverse comments by May 30, 2013. If we receive such comments, we will publish a timely withdrawal in the **Federal Register** to notify the public that this direct final rule will not take effect.

ADDRESSES: Submit comments, identified by docket number EPA–R09–OAR–2011–0981, by one of the following methods:

1. **Federal eRulemaking Portal:** www.regulations.gov. Follow the on-line instructions.

2. **Email:** steckel.andrew@epa.gov.

3. **Mail or deliver:** Andrew Steckel (Air-4), U.S. Environmental Protection Agency Region IX, 75 Hawthorne Street, San Francisco, CA 94105–3901.

Instructions: All comments will be included in the public docket without change and may be made available online at www.regulations.gov, including any personal information provided, unless the comment includes Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Information that you consider CBI or otherwise protected should be clearly identified as such and should not be submitted through www.regulations.gov or email. www.regulations.gov is an "anonymous access" system, and EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send email directly to EPA, your email address will be automatically captured and included as part of the public comment. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

Docket: The index to the docket for this action is available electronically at www.regulations.gov and in hard copy at EPA Region IX, 75 Hawthorne Street, San Francisco, California. While all documents in the docket are listed in the index, some information may be publicly available only at the hard copy location (e.g., copyrighted material), and some may not be publicly available in either location (e.g., CBI). To inspect the hard copy materials, please schedule an appointment during normal business hours with the contact listed in the **FOR FURTHER INFORMATION CONTACT** section.

FOR FURTHER INFORMATION CONTACT: Adrienne Borgia at (415) 972–3576, borgia.adrienne@epa.gov.

SUPPLEMENTARY INFORMATION:

Throughout this document, "we", "us," and "our" refer to EPA.

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I. Background

A. What is the purpose of this document?

Through this document, EPA is accomplishing the following objectives:

(1) Update the delegations tables in the Code of Federal Regulations, Title 40 (40 CFR), Parts 60 and 61, to provide an accurate listing of the delegated New Source Performance Standards (NSPS) and National Emission Standards for

Hazardous Air Pollutants (NESHAP); and

(2) Clarify those authorities that EPA retains and are not granted to state or local agencies as part of NSPS or NESHAP delegation.

Update of Tables in the CFR

Today's action will update the delegation tables in 40 CFR Parts 60 and 61, to allow easier access by the public to the status of delegations in various state or local jurisdictions.

The updated delegation tables will include the delegations approved in response to recent requests, as well as those previously granted. The tables are shown at the end of this document.

Recent requests for delegation that will be incorporated into the updated 40 CFR Parts 60 and 61 tables are identified below. Each individual submittal identifies the specific NSPS and NESHAP for which delegation was requested. The requests have already been approved by letter and simply need to be included in the CFR tables.

Agency	Date of request	Date of approval
Maricopa County Air Quality Department	March 11, 2009; March 5, 2010; April 5, 2010; October 7, 2010; and November 16, 2011.	May 27, 2009; June 23, 2010; November 4, 2010; and January 10, 2012.
Antelope Valley Air Quality Management District.	April 22, 2011	June 7, 2011.
Mojave Desert Air Quality Management District	May 10, 2011	June 14, 2011.
San Diego County Air Pollution Control District	April 30, 2009	June 1, 2009.
Santa Barbara County Air Pollution Control District.	February 15, 2011	March 7, 2011.
South Coast Air Quality Management District ...	July 3, 2009; June 25, 2010; and April 5, 2011.	August 27, 2009; July 14, 2010; and May 31, 2011.
Nevada Division of Environmental Protection	August 19, 2011; and July 20, 2012	September 27, 2011; and August 13, 2012.
Clark County Department of Air Quality and Environmental Management.	August 9, 2010; and May 14, 2012	September 2, 2010; and July 5, 2012.
Washoe County Health District, Air Quality Management Division.	January 15, 2009	July 20, 2009.

B. Who is authorized to delegate these authorities?

Sections 111(c)(1) and 112(l) of the Clean Air Act, as amended in 1990, authorize the Administrator to delegate his or her authority for implementing and enforcing standards in 40 CFR Parts 60 and 61.

C. What does delegation accomplish?

Delegation grants a state or local agency the primary authority to implement and enforce federal standards. All required notifications and reports should be sent to the delegated state or local agency, as appropriate, with a copy to EPA Region IX. Acceptance of delegation constitutes agreement by the state or local agency to follow 40 CFR Parts 60 and 61, and EPA's test methods and continuous monitoring procedures.

D. What authorities are not delegated by EPA?

In general, EPA does not delegate to state or local agencies the authority to make decisions that are likely to be nationally significant, or alter the stringency of the underlying standards. For a more detailed description of the authorities in 40 CFR Parts 60 and 61 that are retained by EPA, please see the proposed rule published on January 14, 2002 (67 FR 1676).

As additional assurance of national consistency, state and local agencies must send to EPA Region IX Enforcement Division's Air Section Chief a copy of any written decisions made pursuant to the following delegated authorities:

- Applicability determinations that state a source is not subject to a rule or requirement;
- approvals or determination of construction, reconstruction, or modification;
- minor or intermediate site-specific changes to test methods or monitoring requirements; or
- site-specific changes or waivers of performance testing requirements.

For decisions that require EPA review and approval (for example, major changes to monitoring requirements), EPA intends to make determinations in a timely manner.

In some cases, the standards themselves specify that specific provisions cannot be delegated. State and local agencies should review each individual standard for this information.

E. Does EPA keep some authority?

EPA retains independent authority to enforce the standards and regulations of 40 CFR Parts 60 and 61.

II. EPA Action

Today's document serves to notify the public that EPA is updating the 40 CFR Parts 60 and 61 tables for Arizona, California, and Nevada to codify recent delegations of NSPS and NESHAPS as authorized under Sections 111(c)(1) and 112(l) of the Clean Air Act.

III. Statutory and Executive Order Reviews

Under the Clean Air Act (CAA), the Administrator is required to approve delegation requests that comply with the provisions of the CAA and applicable Federal regulations. 42 U.S.C. Sections 7411(c) and 7412(l). Thus, in reviewing delegation submissions, EPA's role is to approve State choices, provided that they meet the criteria of the CAA. 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 Order 12866 (58 FR 51735, October 4, 1993);
- does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. Section 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. Section 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 (2 U.S.C. Section 1501 et seq.);
- 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. Section 272 note) because application of those requirements would be inconsistent with the CAA; and
- does not provide EPA with the discretionary authority to address disproportionate human health or environmental effects with practical, appropriate, and legally permissible methods under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, this rule does not have tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), because the delegations are not approved to apply in Indian country located in the State, and EPA notes that it will not impose

substantial direct costs on tribal governments or preempt tribal law.

The Congressional Review Act, 5 U.S.C. Section 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. 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. Section 804(2).

Under Section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by July 1, 2013. 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. Parties with objections to this direct final rule are encouraged to file a comment in response to the parallel notice of proposed rulemaking for this action published in the Proposed Rules section of today's **Federal Register**, rather than file an immediate petition for judicial review of this direct final

rule, so that EPA can withdraw this direct final rule and address the comment in the proposed rulemaking. This action may not be challenged later in proceedings to enforce its requirements (see Section 307(b)(2)).

List of Subjects in 40 CFR Parts 60 and 61

Environmental protection, Administrative practice and procedure, Air pollution control, Hazardous substances, Intergovernmental relations, Reporting and recordkeeping requirements.

Dated: April 12, 2013.

Deborah Jordan,
Director, Air Division, Region IX.

For the reasons set out in the preamble, title 40, chapter I, of the Code of Federal Regulations is amended as follows:

PART 60—[AMENDED]

■ 1. The authority citation for part 60 continues to read as follows:

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

Subpart A—General Provisions

■ 2. Section 60.4 is amended by revising the tables in paragraphs (d)(1), (d)(2)(vii), (d)(2)(viii), and (d)(4), and by revising paragraphs (d)(2)(i) and (d)(2)(v) to read as follows:

§ 60.4 Address.

* * * * *

(d) * * *

(1) * * *

DELEGATION STATUS FOR NEW SOURCE PERFORMANCE STANDARDS FOR ARIZONA

	Subpart	Air pollution control agency			
		Arizona DEQ	Maricopa County	Pima County	Pinal County
A	General Provisions	X	X	X	X
D	Fossil-Fuel Fired Steam Generators Constructed After August 17, 1971.	X	X	X	X
Da	Electric Utility Steam Generating Units Constructed After September 18, 1978.	X	X	X	X
Db	Industrial-Commercial-Institutional Steam Generating Units.	X	X	X	X
Dc	Small Industrial-Commercial-Institutional Steam Generating Units.	X	X	X	X
E	Incinerators	X	X	X	X
Ea	Municipal Waste Combustors Constructed After December 20, 1989 and On or Before September 20, 1994.	X	X	X	X
Eb	Large Municipal Waste Combustors Constructed After September 20, 1994.	X	X	X	.....
Ec	Hospital/Medical/Infectious Waste Incinerators for Which Construction is Commenced After June 20, 1996.	X	X	X	.....
F	Portland Cement Plants	X	X	X	X
G	Nitric Acid Plants	X	X	X	X

DELEGATION STATUS FOR NEW SOURCE PERFORMANCE STANDARDS FOR ARIZONA—Continued

	Subpart	Air pollution control agency			
		Arizona DEQ	Maricopa County	Pima County	Pinal County
Ga	Nitric Acid Plants For Which Construction, Reconstruction or Modification Commenced After October 14, 2011.	.....	.....	.....	.....
H	Sulfuric Acid Plant	X	X	X	X
I	Hot Mix Asphalt Facilities	X	X	X	X
J	Petroleum Refineries	X	X	X	X
Ja	Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After May 14, 2007.	.....	X	.....	.....
K	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978.	X	X	X	X
Ka	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984.	X	X	X	X
Kb	Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984.	X	X	X	X
L	Secondary Lead Smelters	X	X	X	X
M	Secondary Brass and Bronze Production Plants	X	X	X	X
N	Primary Emissions from Basic Oxygen Process Furnaces for Which Construction is Commenced After June 11, 1973.	X	X	X	X
Na	Secondary Emissions from Basic Oxygen Process Steelmaking Facilities for Which Construction is Commenced After January 20, 1983.	X	X	X	X
O	Sewage Treatment Plants	X	X	X	X
P	Primary Copper Smelters	X	X	X	X
Q	Primary Zinc Smelters	X	X	X	X
R	Primary Lead Smelters	X	X	X	X
S	Primary Aluminum Reduction Plants	X	X	X	X
T	Phosphate Fertilizer Industry: Wet Process Phosphoric Acid Plants.	X	X	X	X
U	Phosphate Fertilizer Industry: Superphosphoric Acid Plants.	X	X	X	X
V	Phosphate Fertilizer Industry: Diammonium Phosphate Plants.	X	X	X	X
W	Phosphate Fertilizer Industry: Triple Superphosphate Plants.	X	X	X	X
X	Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities.	X	X	X	X
Y	Coal Preparation and Processing Plants	X	X	X	X
Z	Ferroalloy Production Facilities	X	X	X	X
AA	Steel Plants: Electric Arc Furnaces Constructed After October 21, 1974 and On or Before August 17, 1983.	X	X	X	X
AAa	Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After August 7, 1983.	X	X	X	X
BB	Kraft Pulp Mills	X	X	X	X
CC	Glass Manufacturing Plants	X	X	X	X
DD	Grain Elevators	X	X	X	X
EE	Surface Coating of Metal Furniture	X	X	X	X
FF	(Reserved) .....	.....	.....	.....	.....
GG	Stationary Gas Turbines	X	X	X	X
HH	Lime Manufacturing Plants	X	X	X	X
KK	Lead-Acid Battery Manufacturing Plants	X	X	X	X
LL	Metallic Mineral Processing Plants	X	X	X	X
MM	Automobile and Light Duty Trucks Surface Coating Operations.	X	X	X	X
NN	Phosphate Rock Plants	X	X	X	X
PP	Ammonium Sulfate Manufacture	X	X	X	X
QQ	Graphic Arts Industry: Publication Rotogravure Printing.	X	X	X	X
RR	Pressure Sensitive Tape and Label Surface Coating Operations.	X	X	X	X

DELEGATION STATUS FOR NEW SOURCE PERFORMANCE STANDARDS FOR ARIZONA—Continued

	Subpart	Air pollution control agency			
		Arizona DEQ	Maricopa County	Pima County	Pinal County
SS	Industrial Surface Coating: Large Appliances	X	X	X	X
TT	Metal Coil Surface Coating	X	X	X	X
UU	Asphalt Processing and Asphalt Roofing Manufac- ture.	X	X	X	X
VV	Equipment Leaks of VOC in the Synthetic Organic Industry Chemicals Manufacturing.	X	X	X	X
VVa	Equipment Leaks of VOC in the Synthetic Organic Industry for Which Construction, Reconstruction, or Chemicals Manufacturing Modification Com- menced After November 7, 2006.	X	X	.....	.....
WW	Beverage Can Surface Coating Industry	X	X	X	X
XX	Bulk Gasoline Terminals	X	X	X	X
AAA	New Residential Wood Heaters	X	X	X	X
BBB	Rubber Tire Manufacturing Industry	X	X	X	X
CCC	(Reserved) .....	.....	.....	.....	.....
DDD	Volatile Organic Compounds (VOC) Emissions from the Polymer Manufacturing Industry.	X	X	X	X
EEE	(Reserved) .....	.....	.....	.....	.....
FFF	Flexible Vinyl and Urethane Coating and Printing ...	X	X	X	X
GGG	Equipment Leaks of VOC in Petroleum Refineries ...	X	X	X	X
GGGa	Equipment Leaks of VOC in Petroleum Refineries for Which Construction, Reconstruction, or Modi- fication Commenced After November 7, 2006.	X	X	.....	.....
HHH	Synthetic Fiber Production Facilities	X	X	X	X
III	Volatile Organic Compound (VOC) Emissions From the Synthetic Organic Chemical Manufacturing In- dustry (SOCMI) Air Oxidation Unit Processes.	X	X	X	X
JJJ	Petroleum Dry Cleaners	X	X	X	X
KKK	Equipment Leaks of VOC From Onshore Natural Gas Processing Plants.	X	X	X	X
LLL	Onshore Natural Gas Processing: SO ₂ Emissions ...	X	X	X	X
MMM	(Reserved) .....	.....	.....	.....	.....
NNN	Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Indus- try (SOCMI) Distillation Operations.	X	X	X	X
OOO	Nonmetallic Mineral Processing Plants	X	X	X	X
PPP	Wool Fiberglass Insulation Manufacturing Plants	X	X	X	X
QQQ	VOC Emissions From Petroleum Refinery Waste- water Systems.	X	X	X	X
RRR	Volatile Organic Compound Emissions from Syn- thetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes.	X	X	.....	.....
SSS	Magnetic Tape Coating Facilities	X	X	X	X
TTT	Industrial Surface Coating: Surface Coating of Plas- tic Parts for Business Machines.	X	X	X	X
UUU	Calciners and Dryers in Mineral Industries	X	X	X	.....
VVV	Polymeric Coating of Supporting Substrates Facili- ties.	X	X	X	X
WWW	Municipal Solid Waste Landfills	X	X	X	.....
AAAA	Small Municipal Waste Combustion Units for Which Construction is Commenced After August 30, 1999 or for Which Modification or Reconstruction is Commenced After June 6, 2001.	X	X	X	.....
CCCC	Commercial and Industrial Solid Waste Incineration Units for Which Construction Is Commenced After November 30, 1999 or for Which Modification or Reconstruction Is Commenced on or After June 1, 2001.	X	X	X	.....
EEEE	Other Solid Waste Incineration Units for Which Con- struction is Commenced After December 9, 2004, or for Which Modification or Reconstruction is Commenced on or After June 16, 2006.	X	X	.....	.....
GGGG	(Reserved) .....	.....	.....	.....	.....
HHHH	(Reserved) .....	.....	.....	.....	.....
IIII	Stationary Compression Ignition Internal Combus- tion Engines.	X	X	.....	.....
JJJJ	Stationary Spark Ignition Internal Combustion En- gines.	.....	X	.....	.....
KKKK	Stationary Combustion Turbines	X	X	.....	.....

DELEGATION STATUS FOR NEW SOURCE PERFORMANCE STANDARDS FOR ARIZONA—Continued

	Subpart	Air pollution control agency			
		Arizona DEQ	Maricopa County	Pima County	Pinal County
LLLL	New Sewage Sludge Incineration Units .....	.....	.....	.....	.....
OOOO	Crude Oil and Natural Gas Production, Transmission, and Distribution.	.....	.....	.....	.....

(2) * * * Valley Air Quality Management District, Management District are shown in the following table:
 (i) Delegations for Amador County Air Bay Area Air Quality Management
 Pollution Control District, Antelope District, and Butte County Air Quality

DELEGATION STATUS FOR NEW SOURCE PERFORMANCE STANDARDS FOR AMADOR COUNTY APCD, ANTELOPE VALLEY AQMD, BAY AREA AQMD, AND BUTTE COUNTY AQMD

	Subpart	Air pollution control agency			
		Amador County APCD	Antelope Valley AQMD	Bay Area AQMD	Butte County AQMD
A	General Provisions .....	.....	X	.....	.....
D	Fossil-Fuel Fired Steam Generators Constructed After August 17, 1971.	.....	X	X	.....
Da	Electric Utility Steam Generating Units Constructed After September 18, 1978.	.....	X	X	.....
Db	Industrial-Commercial-Institutional Steam Generating Units ....	.....	X	X	.....
Dc	Small Industrial-Commercial-Institutional Steam Generating Units.	.....	X	X	.....
E	Incinerators .....	.....	X	X	.....
Ea	Municipal Waste Combustors Constructed After December 20, 1989 and On or Before September 20, 1994.	.....	X	X	.....
Eb	Large Municipal Waste Combustors Constructed After September 20, 1994.	.....	X	.....	.....
Ec	Hospital/Medical/Infectious Waste Incinerators for Which Construction is Commenced After June 20, 1996.	.....	X	.....	.....
F	Portland Cement Plants .....	.....	X	X	.....
G	Nitric Acid Plants .....	.....	X	X	.....
Ga	Nitric Acid Plants For Which Construction, Reconstruction or Modification Commenced After October 14, 2011.	.....	.....	.....	.....
H	Sulfuric Acid Plant .....	.....	X	X	.....
I	Hot Mix Asphalt Facilities .....	.....	X	X	.....
J	Petroleum Refineries .....	.....	X	X	.....
Ja	Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After May 14, 2007.	.....	X	.....	.....
K	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978.	.....	X	X	.....
Ka	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984.	.....	X	X	.....
Kb	Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984.	.....	X	X	.....
L	Secondary Lead Smelters .....	.....	X	X	.....
M	Secondary Brass and Bronze Production Plants .....	.....	X	X	.....
N	Primary Emissions from Basic Oxygen Process Furnaces for Which Construction is Commenced After June 11, 1973.	.....	X	X	.....
Na	Secondary Emissions from Basic Oxygen Process Steelmaking Facilities for Which Construction is Commenced After January 20, 1983.	.....	X	X	.....
O	Sewage Treatment Plants .....	.....	X	X	.....
P	Primary Copper Smelters .....	.....	X	X	.....
Q	Primary Zinc Smelters .....	.....	X	X	.....
R	Primary Lead Smelters .....	.....	X	X	.....
S	Primary Aluminum Reduction Plants .....	.....	X	X	.....
T	Phosphate Fertilizer Industry: Wet Process Phosphoric Acid Plants.	.....	X	.....	.....
U	Phosphate Fertilizer Industry: Superphosphoric Acid Plants ...	.....	X	X	.....
V	Phosphate Fertilizer Industry: Diammonium Phosphate Plants	.....	X	X	.....
W	Phosphate Fertilizer Industry: Triple Superphosphate Plants ..	.....	X	X	.....

DELEGATION STATUS FOR NEW SOURCE PERFORMANCE STANDARDS FOR AMADOR COUNTY APCD, ANTELOPE VALLEY AQMD, BAY AREA AQMD, AND BUTTE COUNTY AQMD—Continued

	Subpart	Air pollution control agency			
		Amador County APCD	Antelope Valley AQMD	Bay Area AQMD	Butte County AQMD
X	Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities.	.....	X	X	.....
Y	Coal Preparation and Processing Plants .....	.....	X	X	.....
Z	Ferroalloy Production Facilities .....	.....	X	X	.....
AA	Steel Plants: Electric Arc Furnaces Constructed After October 21, 1974 and On or Before August 17, 1983.	.....	X	X	.....
AAa	Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After August 7, 1983.	.....	X	X	.....
BB	Kraft Pulp Mills .....	.....	X	X	.....
CC	Glass Manufacturing Plants .....	.....	X	X	.....
DD	Grain Elevators .....	.....	X	X	.....
EE	Surface Coating of Metal Furniture .....	.....	X	X	.....
FF	(Reserved) .....	.....	.....	.....	.....
GG	Stationary Gas Turbines .....	.....	X	X	.....
HH	Lime Manufacturing Plants .....	.....	X	X	.....
KK	Lead-Acid Battery Manufacturing Plants .....	.....	X	X	.....
LL	Metallic Mineral Processing Plants .....	.....	X	X	.....
MM	Automobile and Light Duty Trucks Surface Coating Operations.	.....	X	X	.....
NN	Phosphate Rock Plants .....	.....	X	X	.....
PP	Ammonium Sulfate Manufacture .....	.....	X	X	.....
QQ	Graphic Arts Industry: Publication Rotogravure Printing .....	.....	X	X	.....
RR	Pressure Sensitive Tape and Label Surface Coating Operations.	.....	X	X	.....
SS	Industrial Surface Coating: Large Appliances .....	.....	X	X	.....
TT	Metal Coil Surface Coating .....	.....	X	X	.....
UU	Asphalt Processing and Asphalt Roofing Manufacture .....	.....	X	X	.....
VV	Equipment Leaks of VOC in the Synthetic Organic Industry Chemicals Manufacturing.	.....	X	X	.....
VVa	Equipment Leaks of VOC in the Synthetic Organic Industry for Which Construction, Reconstruction, or Chemicals Manufacturing Modification Commenced After November 7, 2006.	.....	X	.....	.....
WW	Beverage Can Surface Coating Industry .....	.....	X	X	.....
XX	Bulk Gasoline Terminals .....	.....	.....	.....	.....
AAA	New Residential Wood Heaters .....	.....	X	X	.....
BBB	Rubber Tire Manufacturing Industry .....	.....	X	X	.....
CCC	(Reserved) .....	.....	.....	.....	.....
DDD	Volatile Organic Compounds (VOC) Emissions from the Polymer Manufacturing Industry.	.....	X	X	.....
EEE	(Reserved) .....	.....	.....	.....	.....
FFF	Flexible Vinyl and Urethane Coating and Printing .....	.....	X	X	.....
GGG	Equipment Leaks of VOC in Petroleum Refineries .....	.....	X	X	.....
GGGa	Equipment Leaks of VOC in Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006.	.....	X	.....	.....
HHH	Synthetic Fiber Production Facilities .....	.....	X	X	.....
III	Volatile Organic Compound (VOC) Emissions From the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes.	.....	X	.....	.....
JJJ	Petroleum Dry Cleaners .....	.....	X	X	.....
KKK	Equipment Leaks of VOC From Onshore Natural Gas Processing Plants.	.....	X	X	.....
LLL	Onshore Natural Gas Processing: SO ₂ Emissions .....	.....	X	.....	.....
MMM	(Reserved) .....	.....	.....	.....	.....
NNN	Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations.	.....	X	X	.....
OOO	Nonmetallic Mineral Processing Plants .....	.....	X	X	.....
PPP	Wool Fiberglass Insulation Manufacturing Plants .....	.....	X	X	.....
QQQ	VOC Emissions From Petroleum Refinery Wastewater Systems.	.....	X	.....	.....
RRR	Volatile Organic Compound Emissions from Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes.	.....	X	.....	.....
SSS	Magnetic Tape Coating Facilities .....	.....	X	X	.....
TTT	Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines.	.....	X	X	.....

DELEGATION STATUS FOR NEW SOURCE PERFORMANCE STANDARDS FOR AMADOR COUNTY APCD, ANTELOPE VALLEY AQMD, BAY AREA AQMD, AND BUTTE COUNTY AQMD—Continued

	Subpart	Air pollution control agency			
		Amador County APCD	Antelope Valley AQMD	Bay Area AQMD	Butte County AQMD
UUU	Calciners and Dryers in Mineral Industries .....	.....	X	X	.....
VVV	Polymeric Coating of Supporting Substrates Facilities .....	.....	X	X	.....
WWW	Municipal Solid Waste Landfills .....	.....	X	.....	.....
AAAA	Small Municipal Waste Combustion Units for Which Construction is Commenced After August 30, 1999 or for Which Modification or Reconstruction is Commenced After June 6, 2001.	.....	X	.....	.....
CCCC	Commercial and Industrial Solid Waste Incineration Units for Which Construction Is Commenced After November 30, 1999 or for Which Modification or Reconstruction Is Commenced on or After June 1, 2001.	.....	X	.....	.....
EEEE	Other Solid Waste Incineration Units for Which Construction is Commenced After December 9, 2004, or for Which Modification or Reconstruction is Commenced on or After June 16, 2006.	.....	X	.....	.....
GGGG	(Reserved) .....	.....	.....	.....	.....
HHHH	(Reserved) .....	.....	.....	.....	.....
IIII	Stationary Compression Ignition Internal Combustion Engines .....	.....	X	.....	.....
JJJJ	Stationary Spark Ignition Internal Combustion Engines .....	.....	X	.....	.....
KKKK	Stationary Combustion Turbines .....	.....	X	.....	.....
LLLL	New Sewage Sludge Incineration Units .....	.....	.....	.....	.....
OOOO	Crude Oil and Natural Gas Production, Transmission, and Distribution.

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(v) Delegations for Modoc Air Pollution Control District, Mojave

Desert Air Quality Management District, Monterey Bay Unified Air Pollution Control District and North Coast Unified

Air Quality Management District are shown in the following table:

DELEGATION STATUS FOR NEW SOURCE PERFORMANCE STANDARDS FOR MODOC COUNTY APCD, MOJAVE DESERT AQMD, MONTEREY BAY UNIFIED APCD, AND NORTH COAST UNIFIED AQMD

	Subpart	Air pollution control agency			
		Modoc County APCD	Mojave Desert AQMD	Monterey Bay Unified APCD	North Coast Unified AQMD
A	General Provisions	X	X	X	X
D	Fossil-Fuel Fired Steam Generators Constructed After August 17, 1971.	X	X	X	X
Da	Electric Utility Steam Generating Units Constructed After September 18, 1978.	X	X	X	X
Db	Industrial-Commercial-Institutional Steam Generating Units	X	X	X	X
Dc	Small Industrial-Commercial-Institutional Steam Generating Units.	.....	X	X	.....
E	Incinerators	X	X	X	X
Ea	Municipal Waste Combustors Constructed After December 20, 1989 and On or Before September 20, 1994.	.....	X	.....	.....
Eb	Large Municipal Waste Combustors Constructed After September 20, 1994.	.....	X	.....	.....
Ec	Hospital/Medical/Infectious Waste Incinerators for Which Construction is Commenced After June 20, 1996.	.....	X	.....	.....
F	Portland Cement Plants	X	X	X	X
G	Nitric Acid Plants	X	X	X	X
Ga	Nitric Acid Plants For Which Construction, Reconstruction or Modification Commenced After October 14, 2011.	.....	.....	.....	.....
H	Sulfuric Acid Plant	X	X	X	X
I	Hot Mix Asphalt Facilities	X	X	X	X
J	Petroleum Refineries	X	X	X	X
Ja	Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After May 14, 2007.	.....	X	.....	.....
K	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978.	X	X	X	X
Ka	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984.	X	X	X	X

DELEGATION STATUS FOR NEW SOURCE PERFORMANCE STANDARDS FOR MODOC COUNTY APCD, MOJAVE DESERT AQMD, MONTEREY BAY UNIFIED APCD, AND NORTH COAST UNIFIED AQMD—Continued

	Subpart	Air pollution control agency			
		Modoc County APCD	Mojave Desert AQMD	Monterey Bay Unified APCD	North Coast Unified AQMD
Kb	Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984.	X	X	X	X
L	Secondary Lead Smelters	X	X	X	X
M	Secondary Brass and Bronze Production Plants	X	X	X	X
N	Primary Emissions from Basic Oxygen Process Furnaces for Which Construction is Commenced After June 11, 1973.	X	X	X	X
Na	Secondary Emissions from Basic Oxygen Process Steelmaking Facilities for Which Construction is Commenced After January 20, 1983.	X	X	X	X
O	Sewage Treatment Plants	X	X	X	X
P	Primary Copper Smelters	X	X	X	X
Q	Primary Zinc Smelters	X	X	X	X
R	Primary Lead Smelters	X	X	X	X
S	Primary Aluminum Reduction Plants	X	X	X	X
T	Phosphate Fertilizer Industry: Wet Process Phosphoric Acid Plants.	X	X	X	X
U	Phosphate Fertilizer Industry: Superphosphoric Acid Plants ...	X	X	X	X
V	Phosphate Fertilizer Industry: Diammonium Phosphate Plants	X	X	X	X
W	Phosphate Fertilizer Industry: Triple Superphosphate Plants ..	X	X	X	X
X	Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities.	X	X	X	X
Y	Coal Preparation and Processing Plants	X	X	X	X
Z	Ferroalloy Production Facilities	X	X	X	X
AA	Steel Plants: Electric Arc Furnaces Constructed After October 21, 1974 and On or Before August 17, 1983.	X	X	X	X
AAa	Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After August 7, 1983.	X	X	X	X
BB	Kraft Pulp Mills	X	X	X	X
CC	Glass Manufacturing Plants	X	X	X	X
DD	Grain Elevators	X	X	X	X
EE	Surface Coating of Metal Furniture	X	X	X	X
FF	(Reserved) .....	.....	.....	.....	.....
GG	Stationary Gas Turbines	X	X	X	X
HH	Lime Manufacturing Plants	X	X	X	X
KK	Lead-Acid Battery Manufacturing Plants	X	X	X	X
LL	Metallic Mineral Processing Plants	X	X	X	X
MM	Automobile and Light Duty Trucks Surface Coating Operations.	X	X	X	X
NN	Phosphate Rock Plants	X	X	X	X
PP	Ammonium Sulfate Manufacture	X	X	X	X
QQ	Graphic Arts Industry: Publication Rotogravure Printing	X	X	X	X
RR	Pressure Sensitive Tape and Label Surface Coating Operations.	X	X	X	X
SS	Industrial Surface Coating: Large Appliances	X	X	X	X
TT	Metal Coil Surface Coating	X	X	X	X
UU	Asphalt Processing and Asphalt Roofing Manufacture	X	X	X	X
VV	Equipment Leaks of VOC in the Synthetic Organic Industry Chemicals Manufacturing.	X	X	X	X
VVa	Equipment Leaks of VOC in the Synthetic Organic Industry for Which Construction, Reconstruction, or Chemicals Manufacturing Modification Commenced After November 7, 2006.	.....	X	.....	.....
WW	Beverage Can Surface Coating Industry	X	X	X	X
XX	Bulk Gasoline Terminals .....	.....	.....	.....	.....
AAA	New Residential Wood Heaters	X	X	X	X
BBB	Rubber Tire Manufacturing Industry	X	X	X	X
CCC	(Reserved) .....	.....	.....	.....	.....
DDD	Volatile Organic Compounds (VOC) Emissions from the Polymer Manufacturing Industry.	X	X	X	.....
EEE	(Reserved) .....	.....	.....	.....	.....
FFF	Flexible Vinyl and Urethane Coating and Printing	X	X	X	X
GGG	Equipment Leaks of VOC in Petroleum Refineries	X	X	X	X
GGGa	Equipment Leaks of VOC in Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006.	.....	X	.....	.....
HHH	Synthetic Fiber Production Facilities	X	X	X	X

DELEGATION STATUS FOR NEW SOURCE PERFORMANCE STANDARDS FOR MODOC COUNTY APCD, MOJAVE DESERT AQMD, MONTEREY BAY UNIFIED APCD, AND NORTH COAST UNIFIED AQMD—Continued

	Subpart	Air pollution control agency			
		Modoc County APCD	Mojave Desert AQMD	Monterey Bay Unified APCD	North Coast Unified AQMD
III	Volatile Organic Compound (VOC) Emissions From the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes.	.....	X	.....	.....
JJJ	Petroleum Dry Cleaners	X	X	X	X
KKK	Equipment Leaks of VOC From Onshore Natural Gas Processing Plants.	X	X	X	X
LLL	Onshore Natural Gas Processing: SO ₂ Emissions	X	X	X	X
MMM	(Reserved) .....	.....	.....	.....	.....
NNN	Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations.	X	X	X	.....
OOO	Nonmetallic Mineral Processing Plants	X	X	X	X
PPP	Wool Fiberglass Insulation Manufacturing Plants	X	X	X	X
QQQ	VOC Emissions From Petroleum Refinery Wastewater Systems.	X	X	X	X
RRR	Volatile Organic Compound Emissions from Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes.	.....	X	.....	.....
SSS	Magnetic Tape Coating Facilities	X	X	X	X
TTT	Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines.	X	X	X	X
UUU	Calciners and Dryers in Mineral Industries .....	.....	X	X	.....
VVV	Polymeric Coating of Supporting Substrates Facilities .....	.....	X	X	X
WWW	Municipal Solid Waste Landfills .....	.....	X	.....	.....
AAAA	Small Municipal Waste Combustion Units for Which Construction is Commenced After August 30, 1999 or for Which Modification or Reconstruction is Commenced After June 6, 2001.	.....	X	.....	.....
CCCC	Commercial and Industrial Solid Waste Incineration Units for Which Construction Is Commenced After November 30, 1999 or for Which Modification or Reconstruction Is Commenced on or After June 1, 2001.	.....	X	.....	.....
EEEE	Other Solid Waste Incineration Units for Which Construction is Commenced After December 9, 2004, or for Which Modification or Reconstruction is Commenced on or After June 16, 2006.	.....	X	.....	.....
GGGG	(Reserved) .....	.....	.....	.....	.....
HHHH	(Reserved) .....	.....	.....	.....	.....
IIII	Stationary Compression Ignition Internal Combustion Engines .....	.....	X	.....	.....
JJJJ	Stationary Spark Ignition Internal Combustion Engines .....	.....	X	.....	.....
KKKK	Stationary Combustion Turbines .....	.....	X	.....	.....
LLLL	New Sewage Sludge Incineration Units .....	.....	.....	.....	.....
OOOO	Crude Oil and Natural Gas Production, Transmission, and Distribution.

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DELEGATION STATUS FOR NEW SOURCE PERFORMANCE STANDARDS FOR SAN DIEGO COUNTY APCD, SAN JOAQUIN VALLEY UNIFIED APCD, SAN LUIS OBISPO COUNTY APCD, AND SANTA BARBARA COUNTY APCD

	Subpart	Air pollution control agency			
		San Diego County APCD	San Joaquin Valley Unified APCD	San Luis Obispo County APCD	Santa Barbara County APCD
A	General Provisions	X	X	X	X
D	Fossil-Fuel Fired Steam Generators Constructed After August 17, 1971.	X	X	X	X
Da	Electric Utility Steam Generating Units Constructed After September 18, 1978.	X	X	X	X
Db	Industrial-Commercial-Institutional Steam Generating Units	X	X	X	X
Dc	Small Industrial-Commercial-Institutional Steam Generating Units.	X	X	X	X
E	Incinerators	X	X	X	X

DELEGATION STATUS FOR NEW SOURCE PERFORMANCE STANDARDS FOR SAN DIEGO COUNTY APCD, SAN JOAQUIN VALLEY UNIFIED APCD, SAN LUIS OBISPO COUNTY APCD, AND SANTA BARBARA COUNTY APCD—Continued

	Subpart	Air pollution control agency			
		San Diego County APCD	San Joaquin Valley Unified APCD	San Luis Obispo County APCD	Santa Barbara County APCD
Ea	Municipal Waste Combustors Constructed After December 20, 1989 and On or Before September 20, 1994.	X	X	X	.....
Eb	Large Municipal Waste Combustors Constructed After September 20, 1994.	X	X	.....	X
Ec	Hospital/Medical/Infectious Waste Incinerators for Which Construction is Commenced After June 20, 1996.	X	.....	.....	X
F	Portland Cement Plants	X	X	X	.....
G	Nitric Acid Plants	X	X	X	.....
Ga	Nitric Acid Plants For Which Construction, Reconstruction or Modification Commenced After October 14, 2011.	.....	.....	.....	.....
H	Sulfuric Acid Plant	X	X	X	.....
I	Hot Mix Asphalt Facilities	X	X	X	X
J	Petroleum Refineries	X	X	X	X
Ja	Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After May 14, 2007.	.....	.....	.....	X
K	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978.	X	X	X	X
Ka	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984.	X	X	X	X
Kb	Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984.	X	X	X	X
L	Secondary Lead Smelters	X	X	X	X
M	Secondary Brass and Bronze Production Plants	X	X	X	X
N	Primary Emissions from Basic Oxygen Process Furnaces for Which Construction is Commenced After June 11, 1973.	X	X	X	.....
Na	Secondary Emissions from Basic Oxygen Process Steelmaking Facilities for Which Construction is Commenced After January 20, 1983.	X	X	X	.....
O	Sewage Treatment Plants	X	X	X	X
P	Primary Copper Smelters	X	X	X	.....
Q	Primary Zinc Smelters	X	X	X	.....
R	Primary Lead Smelters	X	X	X	.....
S	Primary Aluminum Reduction Plants	X	X	X	.....
T	Phosphate Fertilizer Industry: Wet Process Phosphoric Acid Plants.	X	X	X	.....
U	Phosphate Fertilizer Industry: Superphosphoric Acid Plants ...	X	X	X	.....
V	Phosphate Fertilizer Industry: Diammonium Phosphate Plants	X	X	X	.....
W	Phosphate Fertilizer Industry: Triple Superphosphate Plants ..	X	X	X	.....
X	Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities.	X	X	X	.....
Y	Coal Preparation and Processing Plants	X	X	X	.....
Z	Ferroalloy Production Facilities	X	X	X	.....
AA	Steel Plants: Electric Arc Furnaces Constructed After October 21, 1974 and On or Before August 17, 1983.	X	X	X	.....
AAa	Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After August 7, 1983.	X	X	X	.....
BB	Kraft Pulp Mills	X	X	X	.....
CC	Glass Manufacturing Plants	X	X	X	X
DD	Grain Elevators	X	X	X	X
EE	Surface Coating of Metal Furniture	X	X	X	.....
FF	(Reserved) .....	.....	.....	.....	.....
GG	Stationary Gas Turbines	X	X	X	X
HH	Lime Manufacturing Plants	X	X	X	.....
KK	Lead-Acid Battery Manufacturing Plants	X	X	X	.....
LL	Metallic Mineral Processing Plants	X	X	X	.....
MM	Automobile and Light Duty Trucks Surface Coating Operations.	X	X	X	.....
NN	Phosphate Rock Plants	X	X	X	.....
PP	Ammonium Sulfate Manufacture	X	X	X	.....
QQ	Graphic Arts Industry: Publication Rotogravure Printing	X	X	X	.....
RR	Pressure Sensitive Tape and Label Surface Coating Operations.	X	X	X	.....
SS	Industrial Surface Coating: Large Appliances	X	X	X	.....
TT	Metal Coil Surface Coating	X	X	X	.....

DELEGATION STATUS FOR NEW SOURCE PERFORMANCE STANDARDS FOR SAN DIEGO COUNTY APCD, SAN JOAQUIN VALLEY UNIFIED APCD, SAN LUIS OBISPO COUNTY APCD, AND SANTA BARBARA COUNTY APCD—Continued

	Subpart	Air pollution control agency			
		San Diego County APCD	San Joaquin Valley Unified APCD	San Luis Obispo County APCD	Santa Barbara County APCD
UU	Asphalt Processing and Asphalt Roofing Manufacture	X	X	X	.....
VV	Equipment Leaks of VOC in the Synthetic Organic Industry Chemicals Manufacturing.	X	X	X	.....
VVa	Equipment Leaks of VOC in the Synthetic Organic Industry for Which Construction, Reconstruction, or Chemicals Manufacturing Modification Commenced After November 7, 2006.	.....	.....	.....	X
WW	Beverage Can Surface Coating Industry	X	X	X	.....
XX	Bulk Gasoline Terminals .....	.....	.....	.....	.....
AAA	New Residential Wood Heaters	X	X	X	X
BBB	Rubber Tire Manufacturing Industry	X	X	X	.....
CCC	(Reserved) .....	.....	.....	.....	.....
DDD	Volatile Organic Compounds (VOC) Emissions from the Polymer Manufacturing Industry.	X	X	.....	.....
EEE	(Reserved) .....	.....	.....	.....	.....
FFF	Flexible Vinyl and Urethane Coating and Printing	X	X	X	.....
GGG	Equipment Leaks of VOC in Petroleum Refineries	X	X	X	.....
GGGa	Equipment Leaks of VOC in Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006.	.....	.....	.....	X
HHH	Synthetic Fiber Production Facilities	X	X	X	.....
III	Volatile Organic Compound (VOC) Emissions From the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes.	X	X	.....	.....
JJJ	Petroleum Dry Cleaners	X	X	X	.....
KKK	Equipment Leaks of VOC From Onshore Natural Gas Processing Plants.	X	X	X	.....
LLL	Onshore Natural Gas Processing: SO ₂ Emissions	X	X	X	.....
MMM	(Reserved) .....	.....	.....	.....	.....
NNN	Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations.	X	X	.....	.....
OOO	Nonmetallic Mineral Processing Plants	X	X	X	X
PPP	Wool Fiberglass Insulation Manufacturing Plants	X	X	X	.....
QQQ	VOC Emissions From Petroleum Refinery Wastewater Systems.	X	X	X	.....
RRR	Volatile Organic Compound Emissions from Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes.	X	X	X	.....
SSS	Magnetic Tape Coating Facilities	X	X	X	.....
TTT	Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines.	X	X	X	.....
UUU	Calciners and Dryers in Mineral Industries	X	X	X	X
VVV	Polymeric Coating of Supporting Substrates Facilities	X	X	X	X
WWW	Municipal Solid Waste Landfills	X	X	X	X
AAAA	Small Municipal Waste Combustion Units for Which Construction is Commenced After August 30, 1999 or for Which Modification or Reconstruction is Commenced After June 6, 2001.	X	.....	.....	X
CCCC	Commercial and Industrial Solid Waste Incineration Units for Which Construction Is Commenced After November 30, 1999 or for Which Modification or Reconstruction Is Commenced on or After June 1, 2001.	X	.....	.....	X
EEEE	Other Solid Waste Incineration Units for Which Construction is Commenced After December 9, 2004, or for Which Modification or Reconstruction is Commenced on or After June 16, 2006.	X	.....	.....	X
GGGG	(Reserved) .....	.....	.....	.....	.....
HHHH	(Reserved) .....	.....	.....	.....	.....
IIII	Stationary Compression Ignition Internal Combustion Engines	.....	.....	.....	X
JJJJ	Stationary Spark Ignition Internal Combustion Engines	.....	.....	.....	X
KKKK	Stationary Combustion Turbines	X	.....	.....	X
LLLL	New Sewage Sludge Incineration Units .....	.....	.....	.....	.....
OOOO	Crude Oil and Natural Gas Production, Transmission, and Distribution.

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DELEGATION STATUS FOR NEW SOURCE PERFORMANCE STANDARDS FOR SHASTA COUNTY AQMD, SISKIYOU COUNTY APCD, SOUTH COAST AQMD, AND TEHAMA COUNTY APCD

	Subpart	Air pollution control agency			
		Shasta County AQMD	Siskiyou County APCD	South Coast AQMD	Tehama County APCD
A	General Provisions	X	X	X	.....
D	Fossil-Fuel Fired Steam Generators Constructed After August 17, 1971.	X	.....	X	.....
Da	Electric Utility Steam Generating Units Constructed After September 18, 1978.	.....	.....	X	.....
Db	Industrial-Commercial-Institutional Steam Generating Units ....	.....	.....	X	.....
Dc	Small Industrial-Commercial-Institutional Steam Generating Units.	.....	.....	X	.....
E	Incinerators	X	.....	X	.....
Ea	Municipal Waste Combustors Constructed After December 20, 1989 and On or Before September 20, 1994.	.....	.....	X	.....
Eb	Large Municipal Waste Combustors Constructed After September 20, 1994.	.....	.....	X	.....
Ec	Hospital/Medical/Infectious Waste Incinerators for Which Construction is Commenced After June 20, 1996.	.....	.....	X	.....
F	Portland Cement Plants	X	.....	X	.....
G	Nitric Acid Plants	X	.....	X	.....
Ga	Nitric Acid Plants For Which Construction, Reconstruction or Modification Commenced After October 14, 2011.	.....	.....	.....	.....
H	Sulfuric Acid Plant	X	.....	X	.....
I	Hot Mix Asphalt Facilities	X	.....	X	.....
J	Petroleum Refineries	X	.....	X	.....
Ja	Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After May 14, 2007.	.....	.....	X	.....
K	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978.	X	.....	X	.....
Ka	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984.	.....	.....	X	.....
Kb	Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984.	.....	.....	X	.....
L	Secondary Lead Smelters	X	.....	X	.....
M	Secondary Brass and Bronze Production Plants	X	.....	X	.....
N	Primary Emissions from Basic Oxygen Process Furnaces for Which Construction is Commenced After June 11, 1973.	X	.....	X	.....
Na	Secondary Emissions from Basic Oxygen Process Steelmaking Facilities for Which Construction is Commenced After January 20, 1983.	.....	.....	X	.....
O	Sewage Treatment Plants	X	.....	X	.....
P	Primary Copper Smelters	X	.....	X	.....
Q	Primary Zinc Smelters	X	.....	X	.....
R	Primary Lead Smelters	X	.....	X	.....
S	Primary Aluminum Reduction Plants	X	.....	X	.....
T	Phosphate Fertilizer Industry: Wet Process Phosphoric Acid Plants.	X	.....	X	.....
U	Phosphate Fertilizer Industry: Superphosphoric Acid Plants ...	X	.....	X	.....
V	Phosphate Fertilizer Industry: Diammonium Phosphate Plants	X	.....	X	.....
W	Phosphate Fertilizer Industry: Triple Superphosphate Plants ..	X	.....	X	.....
X	Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities.	X	.....	X	.....
Y	Coal Preparation and Processing Plants	X	.....	X	.....
Z	Ferroalloy Production Facilities	X	.....	X	.....
AA	Steel Plants: Electric Arc Furnaces Constructed After October 21, 1974 and On or Before August 17, 1983.	X	.....	X	.....
AAa	Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After August 7, 1983.	.....	.....	X	.....
BB	Kraft Pulp Mills	X	.....	X	.....
CC	Glass Manufacturing Plants .....	.....	.....	X	.....
DD	Grain Elevators	X	.....	X	.....
EE	Surface Coating of Metal Furniture .....	.....	.....	X	.....
FF	(Reserved) .....	.....	.....	.....	.....
GG	Stationary Gas Turbines .....	.....	.....	X	.....
HH	Lime Manufacturing Plants	X	.....	X	.....

DELEGATION STATUS FOR NEW SOURCE PERFORMANCE STANDARDS FOR SHASTA COUNTY AQMD, SISKIYOU COUNTY APCD, SOUTH COAST AQMD, AND TEHAMA COUNTY APCD—Continued

	Subpart	Air pollution control agency			
		Shasta County AQMD	Siskiyou County APCD	South Coast AQMD	Tehama County APCD
KK	Lead-Acid Battery Manufacturing Plants .....	.....	.....	X	.....
LL	Metallic Mineral Processing Plants .....	.....	.....	X	.....
MM	Automobile and Light Duty Trucks Surface Coating Operations.	.....	.....	X	.....
NN	Phosphate Rock Plants .....	.....	.....	X	.....
PP	Ammonium Sulfate Manufacture .....	.....	.....	X	.....
QQ	Graphic Arts Industry: Publication Rotogravure Printing .....	.....	.....	X	.....
RR	Pressure Sensitive Tape and Label Surface Coating Operations.	.....	.....	X	.....
SS	Industrial Surface Coating: Large Appliances .....	.....	.....	X	.....
TT	Metal Coil Surface Coating .....	.....	.....	X	.....
UU	Asphalt Processing and Asphalt Roofing Manufacture .....	.....	.....	X	.....
VV	Equipment Leaks of VOC in the Synthetic Organic Industry Chemicals Manufacturing.	.....	.....	X	.....
VVa	Equipment Leaks of VOC in the Synthetic Organic Industry for Which Construction, Reconstruction, or Chemicals Manufacturing Modification Commenced After November 7, 2006.	.....	.....	X	.....
WW	Beverage Can Surface Coating Industry .....	.....	.....	X	.....
XX	Bulk Gasoline Terminals .....	.....	.....	.....	.....
AAA	New Residential Wood Heaters .....	.....	X	X	.....
BBB	Rubber Tire Manufacturing Industry .....	.....	X	X	.....
CCC	(Reserved) .....	.....	.....	.....	.....
DDD	Volatile Organic Compounds (VOC) Emissions from the Polymer Manufacturing Industry.	.....	.....	X	.....
EEE	(Reserved) .....	.....	.....	.....	.....
FFF	Flexible Vinyl and Urethane Coating and Printing .....	.....	.....	X	.....
GGG	Equipment Leaks of VOC in Petroleum Refineries .....	.....	.....	X	.....
GGGa	Equipment Leaks of VOC in Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006.	.....	.....	X	.....
HHH	Synthetic Fiber Production Facilities .....	.....	.....	X	.....
III	Volatile Organic Compound (VOC) Emissions From the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes.	.....	.....	X	.....
JJJ	Petroleum Dry Cleaners .....	.....	.....	X	.....
KKK	Equipment Leaks of VOC From Onshore Natural Gas Processing Plants.	.....	.....	X	.....
LLL	Onshore Natural Gas Processing: SO ₂ Emissions .....	.....	.....	X	.....
MMM	(Reserved) .....	.....	.....	.....	.....
NNN	Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations.	.....	.....	X	.....
OOO	Nonmetallic Mineral Processing Plants .....	.....	.....	X	.....
PPP	Wool Fiberglass Insulation Manufacturing Plants .....	.....	.....	X	.....
QQQ	VOC Emissions From Petroleum Refinery Wastewater Systems.	.....	X	X	.....
RRR	Volatile Organic Compound Emissions from Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes.	.....	.....	X	.....
SSS	Magnetic Tape Coating Facilities .....	.....	X	X	.....
TTT	Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines.	.....	X	X	.....
UUU	Calciners and Dryers in Mineral Industries .....	.....	.....	X	.....
VVV	Polymeric Coating of Supporting Substrates Facilities .....	.....	.....	X	.....
WWW	Municipal Solid Waste Landfills .....	.....	.....	X	.....
AAAA	Small Municipal Waste Combustion Units for Which Construction is Commenced After August 30, 1999 or for Which Modification or Reconstruction is Commenced After June 6, 2001.	X	X	X	.....
CCCC	Commercial and Industrial Solid Waste Incineration Units for Which Construction Is Commenced After November 30, 1999 or for Which Modification or Reconstruction Is Commenced on or After June 1, 2001.	.....	.....	X	.....
EEEE	Other Solid Waste Incineration Units for Which Construction is Commenced After December 9, 2004, or for Which Modification or Reconstruction is Commenced on or After June 16, 2006.	.....	.....	X	.....

DELEGATION STATUS FOR NEW SOURCE PERFORMANCE STANDARDS FOR SHASTA COUNTY AQMD, SISKIYOU COUNTY APCD, SOUTH COAST AQMD, AND TEHAMA COUNTY APCD—Continued

	Subpart	Air pollution control agency			
		Shasta County AQMD	Siskiyou County APCD	South Coast AQMD	Tehama County APCD
GGGG	(Reserved) .....	.....	.....	.....	.....
HHHH	(Reserved) .....	.....	.....	.....	.....
IIII	Stationary Compression Ignition Internal Combustion Engines .....	.....	.....	X	.....
JJJJ	Stationary Spark Ignition Internal Combustion Engines .....	.....	.....	X	.....
KKKK	Stationary Combustion Turbines .....	.....	.....	X	.....
LLLL	New Sewage Sludge Incineration Units .....	.....	.....	.....	.....
OOOO	Crude Oil and Natural Gas Production, Transmission, and Distribution.

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DELEGATION STATUS FOR NEW SOURCE PERFORMANCE STANDARDS FOR NEVADA

	Subpart	Air pollution control agency		
		Nevada DEP	Clark County	Washoe County
A	General Provisions	X	X	X
D	Fossil-Fuel Fired Steam Generators Constructed After August 17, 1971	X	X	X
Da	Electric Utility Steam Generating Units Constructed After September 18, 1978	X	X	.....
Db	Industrial-Commercial-Institutional Steam Generating Units	X	X	.....
Dc	Small Industrial-Commercial-Institutional Steam Generating Units	X	X	.....
E	Incinerators	X	X	X
Ea	Municipal Waste Combustors Constructed After December 20, 1989 and On or Before September 20, 1994.	X	X	.....
Eb	Large Municipal Waste Combustors Constructed After September 20, 1994	X	X	.....
Ec	Hospital/Medical/Infectious Waste Incinerators for Which Construction is Commenced After June 20, 1996.	X	X	.....
F	Portland Cement Plants	X	X	X
G	Nitric Acid Plants	X	X	.....
Ga	Nitric Acid Plants For Which Construction, Reconstruction or Modification Commenced After October 14, 2011.	.....	.....	.....
H	Sulfuric Acid Plant	X	X	.....
I	Hot Mix Asphalt Facilities	X	X	X
J	Petroleum Refineries	X	X	.....
Ja	Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After May 14, 2007.	.....	.....	.....
K	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978.	X	X	X
Ka	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984.	X	X	X
Kb	Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984.	X	X	.....
L	Secondary Lead Smelters	X	X	X
M	Secondary Brass and Bronze Production Plants	X	X	.....
N	Primary Emissions from Basic Oxygen Process Furnaces for Which Construction is Commenced After June 11, 1973.	X	X	.....
Na	Secondary Emissions from Basic Oxygen Process Steelmaking Facilities for Which Construction is Commenced After January 20, 1983.	X	X	.....
O	Sewage Treatment Plants	X	X	X
P	Primary Copper Smelters	X	X	X
Q	Primary Zinc Smelters	X	X	X
R	Primary Lead Smelters	X	X	X
S	Primary Aluminum Reduction Plants	X	X	.....
T	Phosphate Fertilizer Industry: Wet Process Phosphoric Acid Plants	X	X	.....
U	Phosphate Fertilizer Industry: Superphosphoric Acid Plants	X	X	.....
V	Phosphate Fertilizer Industry: Diammonium Phosphate Plants	X	X	.....
W	Phosphate Fertilizer Industry: Triple Superphosphate Plants	X	X	.....
X	Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities.	X	X	.....
Y	Coal Preparation and Processing Plants	X	X	X
Z	Ferroalloy Production Facilities	X	X	.....
AA	Steel Plants: Electric Arc Furnaces Constructed After October 21, 1974 and On or Before August 17, 1983.	X	X	.....

DELEGATION STATUS FOR NEW SOURCE PERFORMANCE STANDARDS FOR NEVADA—Continued

	Subpart	Air pollution control agency		
		Nevada DEP	Clark County	Washoe County
AAa	Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After August 7, 1983.	X	X	.....
BB	Kraft Pulp Mills	X	X	.....
CC	Glass Manufacturing Plants	X	X	.....
DD	Grain Elevators	X	X	X
EE	Surface Coating of Metal Furniture	X	X	X
FF	(Reserved) .....	.....	.....	.....
GG	Stationary Gas Turbines	X	X	X
HH	Lime Manufacturing Plants	X	X	X
KK	Lead-Acid Battery Manufacturing Plants	X	X	X
LL	Metallic Mineral Processing Plants	X	X	X
MM	Automobile and Light Duty Trucks Surface Coating Operations	X	X	X
NN	Phosphate Rock Plants	X	X	X
PP	Ammonium Sulfate Manufacture	X	X	.....
QQ	Graphic Arts Industry: Publication Rotogravure Printing	X	X	X
RR	Pressure Sensitive Tape and Label Surface Coating Operations	X	X	.....
SS	Industrial Surface Coating: Large Appliances	X	X	X
TT	Metal Coil Surface Coating	X	X	X
UU	Asphalt Processing and Asphalt Roofing Manufacture	X	X	X
VV	Equipment Leaks of VOC in the Synthetic Organic Industry Chemicals Manufacturing.	X	X	X
VVa	Equipment Leaks of VOC in the Synthetic Organic Industry for Which Construction, Reconstruction, or Chemicals Manufacturing Modification Commenced After November 7, 2006.	X	X	.....
WW	Beverage Can Surface Coating Industry	X	X	.....
XX	Bulk Gasoline Terminals	X	X	.....
AAA	New Residential Wood Heaters .....	.....	X	.....
BBB	Rubber Tire Manufacturing Industry	X	X	.....
CCC	(Reserved) .....	.....	.....	.....
DDD	Volatile Organic Compounds (VOC) Emissions from the Polymer Manufacturing Industry.	X	X	.....
EEE	(Reserved) .....	.....	.....	.....
FFF	Flexible Vinyl and Urethane Coating and Printing	X	X	.....
GGG	Equipment Leaks of VOC in Petroleum Refineries	X	X	.....
GGGa	Equipment Leaks of VOC in Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006.	X	X	.....
HHH	Synthetic Fiber Production Facilities	X	X	.....
III	Volatile Organic Compound (VOC) Emissions From the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes.	X	X	.....
JJJ	Petroleum Dry Cleaners	X	X	X
KKK	Equipment Leaks of VOC From Onshore Natural Gas Processing Plants	X	X	.....
LLL	Onshore Natural Gas Processing: SO ₂ Emissions	X	X	.....
MMM	(Reserved) .....	.....	.....	.....
NNN	Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations.	X	X	.....
OOO	Nonmetallic Mineral Processing Plants	X	X	.....
PPP	Wool Fiberglass Insulation Manufacturing Plants	X	X	.....
QQQ	VOC Emissions From Petroleum Refinery Wastewater Systems	X	X	.....
RRR	Volatile Organic Compound Emissions from Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes.	X	X	.....
SSS	Magnetic Tape Coating Facilities	X	X	.....
TTT	Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines.	X	X	X
UUU	Calciners and Dryers in Mineral Industries	X	X	X
VVV	Polymeric Coating of Supporting Substrates Facilities	X	X	X
WWW	Municipal Solid Waste Landfills	X	X	X
AAAA	Small Municipal Waste Combustion Units for Which Construction is Commenced After August 30, 1999 or for Which Modification or Reconstruction is Commenced After June 6, 2001.	X	X	X
CCCC	Commercial and Industrial Solid Waste Incineration Units for Which Construction Is Commenced After November 30, 1999 or for Which Modification or Reconstruction Is Commenced on or After June 1, 2001.	X	X	X
EEEE	Other Solid Waste Incineration Units for Which Construction is Commenced After December 9, 2004, or for Which Modification or Reconstruction is Commenced on or After June 16, 2006.	X	X	X
GGGG	(Reserved) .....	.....	.....	.....
HHHH	(Reserved) .....	.....	.....	.....
III	Stationary Compression Ignition Internal Combustion Engines	X	X	X
JJJJ	Stationary Spark Ignition Internal Combustion Engines	X	X	X

DELEGATION STATUS FOR NEW SOURCE PERFORMANCE STANDARDS FOR NEVADA—Continued

	Subpart	Air pollution control agency		
		Nevada DEP	Clark County	Washoe County
KKKK	Stationary Combustion Turbines	X	X	X
LLLL	New Sewage Sludge Incineration Units		X	
OOOO	Crude Oil and Natural Gas Production, Transmission, and Distribution			

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PART 61—[AMENDED]

■ 1. The authority citation for part 61 continues to read as follows:

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

Subpart A—General Provisions

■ 2. Section 61.04 is amended by revising the table in paragraph (c)(9)(i), and by revising the introductory paragraphs and tables in (c)(9)(ii)(A), (c)(9)(ii)(E), and (c)(9)(iv) to read as follows:

§ 61.04 Address.

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(c) * * *

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(9) * * *

(i) * * *

DELEGATION STATUS FOR NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS FOR ARIZONA

	Subpart	Air pollution control agency			
		Arizona DEQ	Maricopa County	Pima County	Pinal County
A	General Provisions	X	X	X	X
B	Radon Emissions From Underground Uranium Mines				
C	Beryllium	X	X	X	X
D	Beryllium Rocket Motor Firing	X	X	X	X
E	Mercury	X	X	X	X
F	Vinyl Chloride	X	X	X	X
G	(Reserved)				
H	Emissions of Radionuclides Other Than Radon From Department of Energy Facilities.				
I	Radionuclide Emissions From Federal Facilities Other Than Nuclear Regulatory Commission Licensees and Not Covered by Subpart H.				
J	Equipment Leaks (Fugitive Emission Sources) of Benzene	X	X	X	X
K	Radionuclide Emissions From Elemental Phosphorus Plants ..				
L	Benzene Emissions from Coke By-Product Recovery Plants ..	X	X	X	X
M	Asbestos	X	X	X	X
N	Inorganic Arsenic Emissions From Glass Manufacturing Plants.	X	X	X	
O	Inorganic Arsenic Emissions From Primary Copper Smelters ..	X	X	X	
P	Inorganic Arsenic Emissions From Arsenic Trioxide and Metallic Arsenic Production Facilities.	X	X		
Q	Radon Emissions From Department of Energy Facilities				
R	Radon Emissions From Phosphogypsum Stacks				
S	(Reserved)				
T	Radon Emissions From the Disposal of Uranium Mill Tailings ..				
U	(Reserved)				
V	Equipment Leaks (Fugitive Emission Sources)	X	X	X	X
W	Radon Emissions From Operating Mill Tailings				
X	(Reserved)				
Y	Benzene Emissions From Benzene Storage Vessels	X	X	X	X
Z-AA	(Reserved)				
BB	Benzene Emissions From Benzene Transfer Operations	X	X	X	X
CC-EE	(Reserved)				
FF	Benzene Waste Operations	X	X	X	X

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(ii) * * *

(A) Delegations for Amador County Air Pollution Control District, Antelope

Valley Air Quality Management District, Bay Area Air Quality Management District, and Butte County Air Quality

Management District are shown in the following table:

**DELEGATION STATUS FOR NATIONAL EMISSIONS STANDARDS FOR HAZARDOUS AIR POLLUTANTS FOR AMADOR COUNTY
APCD, ANTELOPE VALLEY AQMD, BAY AREA AQMD, AND BUTTE COUNTY AQMD**

	Subpart	Air pollution control agency			
		Amador County APCD	Antelope Valley AQMD	Bay Area AQMD	Butte County AQMD
A	General Provisions .....	.....	X	X	.....
B	Radon Emissions From Underground Uranium Mines .....	.....	.....	.....	.....
C	Beryllium .....	.....	X	X	.....
D	Beryllium Rocket Motor Firing .....	.....	X	X	.....
E	Mercury .....	.....	X	X	.....
F	Vinyl Chloride .....	.....	X	X	.....
G	(Reserved) .....	.....	.....	.....	.....
H	Emissions of Radionuclides Other Than Radon From Depart- ment of Energy Facilities.	.....	.....	.....	.....
I	Radionuclide Emissions From Federal Facilities Other Than Nuclear Regulatory Commission Licensees and Not Cov- ered by Subpart H.	.....	.....	.....	.....
J	Equipment Leaks (Fugitive Emission Sources) of Benzene ....	.....	X	.....	.....
K	Radionuclide Emissions From Elemental Phosphorus Plants ..	.....	.....	.....	.....
L	Benzene Emissions from Coke By-Product Recovery Plants ..	.....	X	X	.....
M	Asbestos .....	.....	X	X	.....
N	Inorganic Arsenic Emissions From Glass Manufacturing Plants.	.....	X	.....	.....
O	Inorganic Arsenic Emissions From Primary Copper Smelters	.....	X	.....	.....
P	Inorganic Arsenic Emissions From Arsenic Trioxide and Me- tallic Arsenic Production Facilities.	.....	X	.....	.....
Q	Radon Emissions From Department of Energy Facilities .....	.....	.....	.....	.....
R	Radon Emissions From Phosphogypsum Stacks .....	.....	.....	.....	.....
S	(Reserved) .....	.....	.....	.....	.....
T	Radon Emissions From the Disposal of Uranium Mill Tailings	.....	.....	.....	.....
U	(Reserved) .....	.....	.....	.....	.....
V	Equipment Leaks (Fugitive Emission Sources) .....	.....	X	.....	.....
W	Radon Emissions From Operating Mill Tailings .....	.....	.....	.....	.....
X	(Reserved) .....	.....	.....	.....	.....
Y	Benzene Emissions From Benzene Storage Vessels .....	.....	X	X	.....
Z-AA	(Reserved) .....	.....	.....	.....	.....
BB	Benzene Emissions From Benzene Transfer Operations	X	X
CC-EE	(Reserved)
FF	Benzene Waste Operations	X	X

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(E) Delegations for Modoc Air
Pollution Control District, Mojave

Desert Air Quality Management District,
Monterey Bay Unified Air Pollution
Control District, and North Coast

Unified Air Quality Management
District are shown in the following
table:

**DELEGATION STATUS FOR NATIONAL EMISSIONS STANDARDS FOR HAZARDOUS AIR POLLUTANTS FOR MODOC COUNTY
APCD, MOJAVE DESERT AQMD, MONTEREY BAY UNIFIED APCD, AND NORTH COAST UNIFIED AQMD**

	Subpart	Air pollution control agency			
		Modoc County APCD	Mojave Desert AQMD	Monterey Bay Unified APCD	North Coast Unified AQMD
A	General Provisions	X	X	X	X
B	Radon Emissions From Underground Uranium Mines .....	.....	.....	.....	.....
C	Beryllium	X	X	X	X
D	Beryllium Rocket Motor Firing	X	X	X	X
E	Mercury	X	X	X	X
F	Vinyl Chloride	X	X	X	X
G	(Reserved) .....	.....	.....	.....	.....
H	Emissions of Radionuclides Other Than Radon From Depart- ment of Energy Facilities.	.....	.....	.....	.....
I	Radionuclide Emissions From Federal Facilities Other Than Nuclear Regulatory Commission Licensees and Not Cov- ered by Subpart H.	.....	.....	.....	.....
J	Equipment Leaks (Fugitive Emission Sources) of Benzene	X	X	X	X
K	Radionuclide Emissions From Elemental Phosphorus Plants ..	.....	.....	.....	.....
L	Benzene Emissions from Coke By-Product Recovery Plants ..	.....	X	X	X
M	Asbestos	X	X	X	X
N	Inorganic Arsenic Emissions From Glass Manufacturing Plants.	.....	X	X	.....
O	Inorganic Arsenic Emissions From Primary Copper Smelters	X	X	X	.....

DELEGATION STATUS FOR NATIONAL EMISSIONS STANDARDS FOR HAZARDOUS AIR POLLUTANTS FOR MODOC COUNTY
APCD, MOJAVE DESERT AQMD, MONTEREY BAY UNIFIED APCD, AND NORTH COAST UNIFIED AQMD—Continued

	Subpart	Air pollution control agency			
		Modoc County APCD	Mojave Desert AQMD	Monterey Bay Unified APCD	North Coast Unified AQMD
P	Inorganic Arsenic Emissions From Arsenic Trioxide and Me- tallic Arsenic Production Facilities.	X	X	X	.....
Q	Radon Emissions From Department of Energy Facilities .....	.....	.....	.....	.....
R	Radon Emissions From Phosphogypsum Stacks .....	.....	.....	.....	.....
S	(Reserved) .....	.....	.....	.....	.....
T	Radon Emissions From the Disposal of Uranium Mill Tailings (Reserved) .....	.....	.....	.....	.....
U .....	.....	.....	.....	.....	.....
V	Equipment Leaks (Fugitive Emission Sources)	X	X	X	X
W	Radon Emissions From Operating Mill Tailings .....	.....	.....	.....	.....
X	(Reserved) .....	.....	.....	.....	.....
Y	Benzene Emissions From Benzene Storage Vessels .....	.....	X	X	X
Z-AA	(Reserved) .....	.....	.....	.....	.....
BB	Benzene Emissions From Benzene Transfer Operations	X	X
CC-EE	(Reserved)
FF	Benzene Waste Operations	X	X

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(iv) Nevada. The following table
identifies delegations for Nevada:

DELEGATION STATUS FOR NATIONAL EMISSIONS STANDARDS FOR HAZARDOUS AIR POLLUTANTS FOR NEVADA

	Subpart	Air pollution control agency		
		Nevada DEP	Clark County	Washoe County
A	General Provisions	X	X	.....
B	Radon Emissions From Underground Uranium Mines .....	.....	.....	.....
C	Beryllium	X	X	X
D	Beryllium Rocket Motor Firing	X	X	.....
E	Mercury	X	X	.....
F	Vinyl Chloride	X	X	.....
G	(Reserved) .....	.....	.....	.....
H	Emissions of Radionuclides Other Than Radon From Department of Energy Facilities.	X	.....	.....
I	Radionuclide Emissions From Federal Facilities Other Than Nuclear Regu- latory Commission Licensees and Not Covered by Subpart H.	X	.....	.....
J	Equipment Leaks (Fugitive Emission Sources) of Benzene	X	X	.....
K	Radionuclide Emissions From Elemental Phosphorus Plants	X	.....	.....
L	Benzene Emissions from Coke By-Product Recovery Plants	X	X	.....
M	Asbestos .....	.....	X	X
N	Inorganic Arsenic Emissions From Glass Manufacturing Plants	X	X	.....
O	Inorganic Arsenic Emissions From Primary Copper Smelters	X	X	.....
P	Inorganic Arsenic Emissions From Arsenic Trioxide and Metallic Arsenic Pro- duction Facilities.	X	X	.....
Q	Radon Emissions From Department of Energy Facilities .....	.....	.....	.....
R	Radon Emissions From Phosphogypsum Stacks .....	.....	.....	.....
S	(Reserved) .....	.....	.....	.....
T	Radon Emissions From the Disposal of Uranium Mill Tailings .....	.....	.....	.....
U	(Reserved) .....	.....	.....	.....
V	Equipment Leaks (Fugitive Emission Sources)	X	X	.....
W	Radon Emissions From Operating Mill Tailings .....	.....	.....	.....
X	(Reserved) .....	.....	.....	.....
Y	Benzene Emissions From Benzene Storage Vessels	X	X	.....
Z-AA	(Reserved) .....	.....	.....	.....
BB	Benzene Emissions From Benzene Transfer Operations	X	X
CC-EE	(Reserved)
FF	Benzene Waste Operations	X	X

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[FR Doc. 2013-10180 Filed 4-29-13; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Bureau of Land Management

43 CFR Parts 2090 and 2800

[LLWO301000.L13400000]

RIN 1004-AE19

Segregation of Lands—Renewable Energy

AGENCY: Bureau of Land Management, Interior.**ACTION:** Final rule.

SUMMARY: The Bureau of Land Management (BLM) is amending its regulations to add provisions allowing the BLM to temporarily segregate from the operation of the public land laws, by publication of a **Federal Register** notice, public lands included in a pending wind or solar energy generation right-of-way (ROW) application, and public lands that the BLM identifies for potential future wind or solar energy generation right-of-way applications under applicable legal requirements. The purpose of such segregation is to promote the orderly administration of the public lands. Lands segregated under this rule will not be subject to appropriation under the public land laws, including location under the Mining Law of 1872 (Mining Law), for up to two years from the date of publication of notice under this rule, subject to valid existing rights, but would remain open under the Mineral Leasing Act of 1920 (MLA) and the Materials Act of 1947 (Materials Act).

DATES: This rule is effective May 30, 2013.

FOR FURTHER INFORMATION CONTACT: Ray Brady at (202) 912-7312 for information relating to the BLM's renewable energy program or the substance of this final rule or Ian Senio at (202) 912-7440 for information relating to the rulemaking process generally. Persons who use a telecommunication device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339, 24 hours a day, seven days a week to contact the above individuals.

SUPPLEMENTARY INFORMATION:

- I. Background
- II. Discussion of Public Comments
- III. Discussion of the Final Rule
- IV. Procedural Matters

I. Background

On April 26, 2011 (76 FR 23230), the BLM published a proposed rule to amend the regulations found in 43 CFR subpart 2091, Segregation and Opening of Lands, and 43 CFR part 2800, Rights-of-Way Under the Federal Land Policy and Management Act (43 U.S.C. 1701 *et seq.*) (FLPMA), to allow for the temporary segregation of public lands from the operation of the public land laws, including the Mining Law, within the application area of a pending solar or wind renewable energy generation project, or for public lands identified by the BLM under the ROW regulations for potential future wind or solar energy generation projects. Such segregations would be for a period of up to two years, subject to valid existing rights, but the affected public lands would remain open under the MLA and the Materials Act. Concurrently with the proposed rule, the BLM published an interim temporary final rule (ITFR) (76 FR 23198) that was substantively identical to the proposed rule except that the ITFR expires two years after its publication, or after the completion of the notice and comment rulemaking process for the proposed rule, whichever occurs first. As published, the ITFR is effective April 26, 2011 through April 26, 2013. Today's action will replace the ITFR with this final rule on May 30, 2013.

The purpose of the proposed rule, the ITFR, and today's final rule is to allow for the orderly administration of the public lands associated with the BLM's consideration of renewable energy ROWs. As explained below, the BLM seeks to avoid the delays and uncertainty that could result from encumbrances placed on lands after a wind or solar energy generation ROW application has been filed or after the BLM has identified an area for such applications, but before the BLM is able to make a decision on any such ROW. While such situations are not common, they can be disruptive to the processing of a wind or solar energy ROW application. Today's action eliminates the potential for these conflicts and brings a higher level of certainty to the BLM's management of the lands in question. The BLM requested public comments on the proposed and ITFR rulemakings during a 60-day comment period. Those comment periods closed on June 27, 2011. You can find the discussion of comments and the BLM's responses in the Discussion of Public Comments section of this rule.

Segregations under this rule take effect immediately upon the BLM's publication of a notice in the **Federal**

Register announcing the segregation. The rule provides for a segregation period (1) of up to two years, (2) until the BLM makes a final decision on the ROW application, or (3) until the BLM publishes a notice terminating the segregation, whichever occurs first. Under this rule, a BLM State Director may extend the segregation period for up to an additional two years by issuing a **Federal Register** notice explaining the reasons for such extension. The State Director may extend a segregation period for a ROW application only once, for a total segregation of no longer than four years. The rule does not authorize the BLM to continue the segregation after a final decision on a ROW has been made. Segregations under this rule do not affect valid existing rights in mining claims located before any such segregation, and this rule does not allow the BLM to segregate lands covered by ROW applications for purposes other than wind or solar energy generation. Finally, not all wind or solar ROW applications would lead to a segregation under this rule, as the BLM may reject some applications and others may not require segregation because conflicts between uses are not anticipated.

Segregations have been held to be "reasonably related" to the BLM's broad authority to issue rules related to "the orderly administration of the public land laws," *see Byron v. United States*, 259 F. 371, 376 (9th Cir. 1919); *Hopkins v. United States*, 414 F. 2d 464, 472 (9th Cir. 1969), because they allow the BLM to protect an applicant for an interest in such lands from "the assertion by others of rights to the lands while the applicant is prevented from taking any steps to protect" its interests because it has to wait for the BLM to act on its application. *Marian Q. Kaiser*, 65 I.D. 485 (Nov. 25, 1958). It is for this purpose that existing regulations at 43 CFR subpart 2091 provide the BLM with the discretion to segregate lands that are proposed for various types of land disposals, such as land sales, land exchanges, and transfers of public land to local governments and other entities under the Recreation and Public Purposes Act of 1926. These regulatory provisions allowing segregations were put in place over the years to prevent resource conflicts, including conflicts arising from the location of new mining claims that could create encumbrances on the title of public lands identified for transfer out of Federal ownership under the applicable authorities during the BLM's consideration of such transfers prior to their consummation. Segregations under this final rule will serve a similar purpose.