

combination of segments. The Captain of the Port Lake Michigan may suspend the enforcement of any segment of this safety zone for which notice of enforcement had been given.

During the enforcement periods, as reflected in § 165.930 (d), entry into, transiting, mooring, laying up, or anchoring within any enforced segment of the safety zone is prohibited unless authorized by the Captain of the Port Lake Michigan, or a designated representative. This notice of enforcement is issued under authority of 33 CFR 165.930 and 5 U.S.C. 552(a). In addition to this notice in the **Federal Register**, the Coast Guard will provide the maritime community with advance notification of the above-specified enforcement periods of this safety zone via Broadcast Notice to Mariners and Local Notice to Mariners. The Captain of the Port Lake Michigan or a designated on-scene representative may be contacted via Channel 16, VHF-FM or at (414) 747-7182.

Dated: July 28, 2021.

Donald P. Montoro,

Captain, U.S. Coast Guard, Captain of the Port, Lake Michigan.

[FR Doc. 2021-16457 Filed 8-2-21; 8:45 am]

BILLING CODE 9110-04-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R10-OAR-2021-0319; FRL-8742-02-R10]

Air Plan Approval; WA; Update to Materials Incorporated by Reference

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; administrative change.

SUMMARY: The Environmental Protection Agency (EPA) is updating the regulatory materials incorporated by reference into the Washington State Implementation Plan (SIP). The regulations addressed in this action were previously submitted by the Washington Department of Ecology and approved by the EPA in prior rulemakings. This action is an administrative change that updates the SIP materials available for public inspection at the National Archives and Records Administration and the EPA Regional Office.

DATES: This action is effective August 3, 2021.

ADDRESSES: SIP materials which are incorporated by reference into 40 CFR part 52 are available for inspection at

the following locations: Online at <https://www.regulations.gov> in the docket for this action, by appointment at the Environmental Protection Agency, Region 10, 1200 Sixth Avenue, Suite 155, Seattle, WA 98101, and by appointment at the National Archives and Records Administration (NARA). For information on the availability of this material at the EPA Regional Office, please contact the person in the **FOR FURTHER INFORMATION CONTACT** section of this document. 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.html>.

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:

I. Background

The SIP is a living document revised by the state to address its unique and changing air pollution problems. As such, the state submits SIP revisions to the EPA and the EPA acts on those revisions and incorporates new and revised State regulations by reference into the Code of Federal Regulations (CFR).

On May 22, 1997, the EPA and the Office of the Federal Register (OFR) streamlined the incorporation by reference (IBR) procedures for SIPs (62 FR 27968). For a detailed description of the revised IBR procedures, please see the May 22, 1997 publication (62 FR 27968).

On March 20, 2013, the EPA published a **Federal Register** beginning the new IBR procedure for Washington (78 FR 17108). The EPA subsequently published updates to the IBR material for Washington on December 8, 2014 (79 FR 72548), April 12, 2016 (70 FR 21470), and February 8, 2019 (84 FR 2738).

A. Approved and Incorporated by Reference Regulatory Materials

Since the last IBR update, the EPA approved and incorporated by reference the following regulatory materials into the Washington SIP:

Table 1—Regulations Approved Statewide

- Washington Administrative Code, Chapter 173-405, Kraft Pulp Mills, sections 021 (Definitions), 072 (Monitoring Requirements), 086 (New Source Review (NSR)), and 087 (Prevention of Significant Deterioration (PSD)). For more information, see 85 FR 10983 (February 26, 2020).

- Washington Administrative Code, Chapter 173-410, Sulfite Pulp Mills, sections 021 (Definitions), 062 (Monitoring Requirements), 086 (New Source Review (NSR)), and 087 (Prevention of Significant Deterioration (PSD)). For more information, see 85 FR 10983 (February 26, 2020).

- Washington Administrative Code, Chapter 173-415, Primary Aluminum Plants, sections 015 (Applicability), 020 (Definitions), and 060 (Monitoring and Reporting). For more information, see 85 FR 10983 (February 26, 2020).

Table 2—Additional Regulations Approved for Washington Department of Ecology (Ecology) Direct Jurisdiction

- Washington Administrative Code, Chapter 173-400, General Regulations for Air Pollution Sources, sections 025 (Adoption of Federal Rules), 030 (Definitions), 040 (General Standards for Maximum Emissions), 050 (Emission Standards for Combustion and Incineration Units), 060 (Emission Standards for General Process Units), 105 (Records, Monitoring, and Reporting), 171 (Public Notice and Opportunity for Public Comment), and 740 (PSD Permitting Public Involvement Requirements). For more information, see 85 FR 10301 (February 24, 2020).

Table 3—Additional Regulations Approved for the Energy Facilities Site Evaluation Council (EFSEC) Jurisdiction

- Washington Administrative Code, Chapter 463-78, General and Operating Permit Regulations for Air Pollution Sources, section 005 (Adoption by Reference). For more information, see 85 FR 4233 (January 24, 2020).

- Washington Administrative Code, Chapter 173-400, General Regulations for Air Pollution Sources, sections 025 (Adoption of Federal Rules), 030 (Definitions), 040 (General Standards for Maximum Emissions), 050 (Emission Standards for Combustion and Incineration Units), 060 (Emission Standards for General Process Units), 105 (Records, Monitoring, and Reporting), 111 (Processing Notice of Construction Applications for Sources, Stationary Sources and Portable Sources), 116 (Increment Protection), 171 (Public Notice and Opportunity for Public Comment), 710 (Definitions), 720 (Prevention of Significant Deterioration (PSD)), 730 (Prevention of Significant Deterioration Application Processing Procedures), 740 (PSD Permitting Public Involvement Requirements), 810 (Major Stationary Source and Major Modification Definitions), 830 (Permitting Requirements), 840 (Emission Offset Requirements), and 850 (Actual Emissions Plantwide).

Applicability Limitation (PAL). For more information, see 85 FR 4233 (January 24, 2020).

Table 4—Additional Regulations Approved for the Benton Clean Air Agency (BCAA) Jurisdiction

- Washington Administrative Code, Chapter 173–400, General Regulations for Air Pollution Sources, sections 025 (Adoption of Federal Rules), 030 (Definitions), 040 (General Standards for Maximum Emissions), 050 (Emission Standards for Combustion and Incineration Units), 060 (Emission Standards for General Process Units), 105 (Records, Monitoring, and Reporting), and 171 (Public Notice and Opportunity for Public Comment). For more information, see 85 FR 10301 (February 24, 2020).

Table 5—Additional Regulations Approved for the Northwest Clean Air Agency (NWCAA) Jurisdiction

- Regulation of the Northwest Clean Air Agency, sections 100 (Name of Agency), 101 (Short Title), 102 (Policy), 200 (Definitions), 300 (New Source Review), 305 (Public Involvement), 320 (Registration Program), and 321 (Exemptions from Registration). For more information, see 85 FR 36154 (June 15, 2020).
- Washington Administrative Code, Chapter 173–400, General Regulations for Air Pollution Sources, sections 020 (Applicability), 025 (Adoption of Federal Rules), 030 (Definitions), 050 (Emission Standards for Combustion and Incineration Units), 060 (Emission Standards for General Process Units), 091 (Voluntary Limits on Emissions), 111 (Processing Notice of Construction Applications for Sources, Stationary Sources and Portable Sources), 112 (Requirements for New Sources in Nonattainment Areas—Review for Compliance with Regulations), 113 (New Sources in Attainment or Unclassifiable Areas—Review for Compliance with Regulations), 117 (Special Protection Requirements for Federal Class I Areas), 118 (Designation of Class I, II, and III Areas), 131 (Issuance of Emission Reduction Credits), 136 (Use of Emission Reduction Credits (ERC)), 151 (Retrofit Requirements for Visibility Protection), 171 (Public Notice and Opportunity for Public Comment), 200 (Creditable Stack Height and Dispersion Techniques), 800 (Major Stationary Source and Major Modification in a nonattainment Area), 810 (Major Stationary Source and Major Modification Definitions), 820 (Determining if a New Stationary Source or Modification to a Stationary Source is Subject to these Requirements), 830

(Permitting Requirements), 840 (Emission Offset Requirements), 173–400–850 (Actual Emissions Plantwide Applicability Limitation (PAL)), and 860 (Public Involvement Procedures). For more information, see 85 FR 36154 (June 15, 2020).

Table 7—Additional Regulations Approved for the Puget Sound Clean Air Agency (PSCAA) Jurisdiction

- Puget Sound Clean Air Agency Regulation I, sections 1.01 (Policy), 1.07 (Definitions), 3.03(f) (General Regulatory Orders), 3.04 (Reasonably Available Control Technology), 3.25 (Federal Regulation Reference Date), 5.03 (Applicability of Registration Program), 5.05 (Registration Requirements), 6.01 (Components of New Source Review Program), 6.03 (Notice of Construction), 6.09 (Notice of Completion), 6.10 (Work Done without an Approval), 7.09 (General Reporting Requirements for Operating Permits), 9.03 (Emission of Air Contaminant: Visual Standard), 9.04 (Opacity Standards for Equipment with Continuous Opacity Monitoring Systems), 9.07 (Sulfur Dioxide Emission Standard), 9.08 (Fuel Oil Standards), 9.09 (Particulate Matter Emission Standards), 9.11(a) (Emission of Air Contaminant: Detriment to Person or Property), 9.13 (Emission of Air Contaminant: Concealment and Masking Restricted), 9.15 (Fugitive Dust Control Measures), 9.16 (Spray-Coating Operations), 9.18 (Crushing Operations), and 12.03 (Continuous Emission Monitoring Systems). For more information, see 85 FR 22355 (April 22, 2020).
- Washington Administrative Code, Chapter 173–400 Regulations Incorporated by Reference in Regulation I, sections 030 (Definitions), 081 (Startup and Shutdown), 110 (New Source Review (NSR) for Sources and Portable Sources), 111 (Processing Notice of Construction Applications for Sources, Stationary Sources and Portable Sources), 112 (Requirements for New Sources in Nonattainment Areas), 113 (Requirements for New Sources in Attainment or Unclassifiable Areas), 117 (Special Protection Requirements for Federal Class I Areas), 171 (Public Notice and Opportunity for Public Comment), 200 (Creditable Stack Height and Dispersion Techniques), 560 (General Order of Approval), 800 (Major Stationary Source and Major Modification in a Nonattainment Area), 810 (Major Stationary Source and Major Modification Definitions), 820 (Determining if a New Stationary Source or Modification to a Stationary Source is Subject to these Requirements), 830 (Permitting Requirements), 840

(Emission Offset Requirements), 850 (Actual Emissions Plantwide Applicability Limitation (PAL)), and 860 (Public Involvement Procedures). For more information, see 85 FR 22355 (April 22, 2020).

- Washington Administrative Code, Chapter 173–400, General Regulations for Air Pollution Sources, sections 020 (Applicability), 040 (General Standards for Maximum Emissions), 070 (Emission Standards for Certain Source Categories), 091 (Voluntary Limits on Emissions), 105 (Records, Monitoring and Reporting), 118 (Designation of Class I, II, and III Areas), 131 (Issuance of Emission Reduction Credits), 136 (Use of Emission Reduction Credits (ERC)), 151 (Retrofit Requirements for Visibility Protection), and 175 (Public Information). For more information, see 85 FR 22355 (April 22, 2020).

Table 9—Additional Regulations Approved for the Spokane Regional Clean Air Agency (SRCAA) Jurisdiction

- Spokane Regional Clean Air Agency Regulation I, sections 1.01 (Policy), 1.02 (Name of Agency), 1.03 (Short Title), 1.04 (General Definitions), 1.05 (Acronym Index), 2.08 (Falsification of Statements or Documents, and Treatment of Documents), 2.09 (Source Tests), 2.13 (Federal and State Regulation Reference Date), 2.14 (Washington Administrative Codes (WACS)), 4.03 (Registration Exemptions), 4.04 (Stationary Sources and Source Categories Subject to Registration), 4.05 (Closure of a Stationary Source or Emissions Unit(s)), 5.02 (New Source Review—Applicability and when Required), 5.03 (NOC and PSP Fees), 5.04 (Information Required), 5.05 (Public Involvement), 5.06 (Application Completeness Determination), 5.07 (Processing NOC Applications for Stationary Sources), 5.08 (Portable Sources), 5.09 (Operating Requirements for Order of Approval and Permission to Operate), 5.10 (Changes to an Order of Approval or Permission to Operate), 5.11 (Notice of Startup of a Stationary Source or a Portable Source), 5.12 (Work Done Without an Approval), 5.13 (Order of Approval Construction Time Limits), 5.14 (Appeals), 5.15 (Obligation to Comply), 6.04 (Emission of Air Contaminant: Detriment to Person or Property), 6.05 (Particulate Matter & Preventing Particulate Matter from Becoming Airborne), 6.07 (Emission of Air Contaminant Concealment and Masking Restricted), 6.14 (Standards for Control of Particulate Matter on Paved Surfaces), and 6.15 (Standards for Control of Particulate Matter on Unpaved Roads). For more information, see 86 FR 24718 (May 10, 2021).

- Washington Administrative Code, Chapter 173–400, General Regulations for Air Pollution Sources, sections 020 (Applicability), 030 (Definitions), 040 (General Standards for Maximum Emissions), 050 (Emission Standards for Combustion and Incineration Units), 060 (Emission Standards for General Process Units), 091 (Voluntary Limits on Emissions), 105 (Records, Monitoring and Reporting), 112 (Requirements for New Sources in Nonattainment Areas), 113 (Requirements for New Sources in Attainment or Unclassifiable Areas), 117 (Special Protection Requirements for Federal Class I Areas), 118 (Designation of Class I, II, and III Areas), 131 (Issuance of Emission Reduction Credits), 136 (Use of Emission Reduction Credits (ERC)), 151 (Retrofit Requirements for Visibility Protection), 175 (Public Information), 200 (Creditable Stack Height and Dispersion Techniques), 560 (General Order of Approval), 800 (Major Stationary Source and Major Modification in a Nonattainment Area), 810 (Major Stationary Source and Major Modification Definitions), 820 (Determining if a New Stationary Source or Modification to a Stationary Source is Subject to these Requirements), 830 (Permitting Requirements), 840 (Emission Offset Requirements), 850 (Actual Emissions Plantwide Applicability Limitation (PAL)), and 860 (Public Involvement Procedures). For more information, see 86 FR 24718 (May 10, 2021).

EPA-Approved State of Washington Source-Specific Requirements

- Tyson Fresh Meats, Inc., Order No. 13AQ–E526, state effective April 16, 2014. For more information, see 85 FR 25303 (May 1, 2020).
- Packaging Corporation of America (Wallula Mill), Permit No. 0003697, state effective April 1, 2018. For more information, see 85 FR 25303 (May 1, 2020).
- Simplot Feeders Limited Partnership, Fugitive Dust Control Plan, state effective March 1, 2018. For more information, see 85 FR 25303 (May 1, 2020).
- TransAlta Centralia BART—Second Revision, Order No. 6426, state effective July 29, 2020. For more information, see 86 FR 24502 (May 7, 2021).

B. Regulatory Materials Removed From Incorporation by Reference in the SIP

Table 1—Regulations Approved Statewide

- Washington Administrative Code, Chapter 173–422, Motor Vehicle Emission Inspection, sections 010

(Purpose), 020 (Definitions), 030 (Vehicle Emission Inspection Requirement), 031 (Vehicle Emission Inspection Schedules), 035 (Registration Requirements), 040 (Noncompliance Areas), 050 (Emission Contributing Areas), 060 (Gasoline Vehicle Emission Standards), 065 (Diesel Vehicle Exhaust Emission Standards), 070 (Gasoline Vehicle Exhaust Emission Testing Procedures), 075 (Diesel Vehicle Inspection Procedure), 090 (Exhaust Gas Analyzer Specifications), 095 (Exhaust Opacity Testing Equipment), 100 (Testing Equipment Maintenance and Calibration), 120 (Quality Assurance), 145 (Fraudulent Certificates of Compliance/Acceptance), 160 (Fleet and Diesel Owner Vehicle Testing Requirements), 170 (Exemptions), 175 (Fraudulent Exemptions), 190 (Emission Specialist Authorization), and 195 (Listing of Authorized Emission Specialists). For more information, see 86 FR 10026 (February 18, 2021) and 86 FR 13658 (March 10, 2021).

Table 9—Additional Regulations Approved for the Spokane Regional Clean Air Agency (SRCAA) Jurisdiction

- Spokane Regional Clean Air Agency Regulation II, sections 4.01 (Particulate Emissions—Grain Loading Restrictions). For more information, see 86 FR 24718 (May 10, 2021).
- Washington Administrative Code, Chapter 173–400, General Regulations for Air Pollution Sources, section 100 (Registration) and any formerly approved Chapter 173–400 WAC provisions which are replaced by local agency corollaries. For more information, see 86 FR 24718 (May 10, 2021).

EPA-Approved State of Washington Source-Specific Requirements

- IBP (now known as Tyson Foods, Inc.) Order, Order No. 02AQER–5074, state effective December 6, 2002. For more information, see 85 FR 25303 (May 1, 2020).
- Boise White Paper LLC Permit, Permit No. 000369–7, state effective May 2, 2005. For more information, see 85 FR 25303 (May 1, 2020).
- Fugitive Dust Control Plan for Simplot Feeders Limited Partnership, state effective December 1, 2003. For more information, see 85 FR 25303 (May 1, 2020).
- TransAlta Centralia BART, Order No. 6426, state effective December 13, 2011. For more information, see 86 FR 24502 (May 7, 2021).

II. EPA Action

In this action, the EPA is updating the regulatory materials incorporated by

reference into the Washington SIP at 40 CFR 52.2470(c) and (d) as of May 31, 2021. The EPA has determined that this rule falls under the “good cause” exemption in section 553(b)(3)(B) of the Administrative Procedures 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 a rule effective immediately (thereby avoiding the 30-day delayed effective date otherwise provided for in the APA). This rule simply codifies provisions which are already in effect as a matter of law in Federal and approved State programs. Under section 553 of the APA, an agency may find good cause where procedures are “impractical, unnecessary, or contrary to the public interest.” Public comment is “unnecessary” and “contrary to the public interest” since the codification only reflects existing law. Immediate notice in the CFR benefits the public by removing outdated citations and incorrect table entries.

III. Incorporation by Reference

In this document, EPA is finalizing regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, EPA is finalizing the incorporation by reference of Washington State provisions and source-specific requirements as set forth in the amendments to § 52.2470 as set forth below. 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).

IV. 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 approves State law as meeting Federal requirements and does not impose additional requirements beyond those imposed by State law. For that reason, this action:

- Is not a “significant regulatory action” subject to review by the Office of Management and Budget under Executive Orders 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011);

- 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 an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
- Is not subject to requirements of Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the Clean Air Act; and
- Does not provide the EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

The SIP is not approved to apply on any Indian reservation land in Washington except as specifically noted below and is also not approved to apply 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 as specified by Executive Order 13175 (65 FR 67249, November 9, 2000). Washington's SIP is approved to apply on non-trust land within the exterior boundaries of the Puyallup Indian Reservation, also known as the 1873 Survey Area. Under the Puyallup Tribe of Indians Settlement Act of 1989, 25 U.S.C. 1773, Congress explicitly provided state and local agencies in Washington authority over activities on non-trust lands within the 1873 Survey Area.

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 has also determined that the provisions of section 307(b)(1) of the CAA pertaining to petitions for judicial review are not applicable to this action. Prior EPA rulemaking actions for each individual component of the Washington SIP compilations had 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 sees no need in this action to reopen the 60-day period for filing such petitions for judicial review for this “Identification of plan” update action for Washington.

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: July 20, 2021.

Michelle L. Pirzadeh,
Acting 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 WW—Washington

- 2. Amend § 52.2470 by revising paragraphs (b), (c), and (d) to read as follows:

§ 52.2470 Identification of plan.

* * * * *

(b) *Incorporation by reference.* (1) Material listed as incorporated by reference in paragraphs (c) and (d) of this section 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. The material incorporated is as it exists on the date of the approval, and notice of any change in the material will be published in the **Federal Register**. Entries in paragraphs (c) and (d) of this section with EPA approval dates on or after May 31, 2021, will be incorporated by reference in the next update to the SIP compilation.

(2)(i) EPA Region 10 certifies that the rules and regulations provided by EPA at the addresses in paragraph (b)(3) of this section are an exact duplicate of the officially promulgated State rules and regulations which have been approved as part of the State implementation plan as of May 31, 2021.

(ii) EPA Region 10 certifies that the source-specific requirements provided by EPA at the addresses in paragraph (b)(3) of this section are an exact duplicate of the officially promulgated source-specific requirements which have been approved in the notebook “40 CFR 52.2470(d)—Source Specific Requirements” as part of the State implementation plan as of May 31, 2021.

(3) Copies of the materials incorporated by reference may be inspected at the Environmental Protection Agency, Region 10, Air and Radiation Division, 1200 Sixth Avenue Suite 155, Seattle, Washington 98101; or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call (202) 741–6030, or go to: <https://www.archives.gov/federal-register/cfr/ibr-locations.html>.

(c) *EPA approved regulations.*

TABLE 1—REGULATIONS APPROVED STATEWIDE

[Not applicable in Indian reservations (excluding non-trust land within the exterior boundaries of the Puyallup Indian Reservation) and any other area where the EPA or an Indian tribe has demonstrated that a tribe has jurisdiction.]

| State citation | Title/subject | State effective date | EPA approval date | Explanations |
|---|---|--|--|--|
| Washington Administrative Code, Chapter 173-405—Kraft Pulping Mills | | | | |
| 173-405-012 173-405-021 173-405-040 | Statement of Purpose Definitions Emissions Standards | 3/22/91 5/24/19 3/22/91 | 1/15/93, 58 FR 4578. 2/26/20, 85 FR 10984. 1/15/93, 58 FR 4578 | Except sections (1)(b), (1)(c), (3)(b), (3)(c), (4), (7), (8) & (9). |
| 173-405-045 173-405-061 173-405-072 173-405-077 | Creditable Stack Height & Dispersion Techniques. More Restrictive Emission Standards Monitoring Requirements Report of Startup, Shutdown, Breakdown or Upset Conditions. | 3/22/91 3/22/91 5/24/19 3/22/91 | 1/15/93, 58 FR 4578. 1/15/93, 58 FR 4578. 2/26/20, 85 FR 10984 1/15/93, 58 FR 4578. | |
| 173-405-078 173-405-086 | Emission Inventory New Source Review (NSR) | 3/22/91 5/24/19 | 1/15/93, 58 FR 4578. 2/26/20, 85 FR 10984 | Except provisions related to WAC 173-400-114 and provisions excluded from our approval of WAC 173-400-110 through 173-400-113. |
| 173-405-087 173-405-091 | Prevention of Significant Deterioration (PSD) Special Studies | 5/24/19 3/22/91 | 2/26/20, 85 FR 10984 1/15/93, 58 FR 4578. | |
| Washington Administrative Code, Chapter 173-410—Sulfite Pulping Mills | | | | |
| 173-410-012 173-410-021 173-410-040 | Statement of Purpose Definitions Emissions Standards | 3/22/91 3/22/91 3/22/91 | 1/15/93, 58 FR 4578. 1/15/93, 58 FR 4578. 1/15/93, 58 FR 4578 | Except the exception provision in (3) & section (5). |
| 173-410-045 173-410-062 173-410-067 | Creditable Stack Height & Dispersion Techniques. Monitoring Requirements Report of Startup, Shutdown, Breakdown or Upset Conditions. | 3/22/91 5/24/19 3/22/91 | 1/15/93, 58 FR 4578. 2/26/20, 85 FR 10984. 1/15/93, 58 FR 4578. | |
| 173-410-071 173-410-086 | Emission Inventory New Source Review (NSR) | 3/22/91 5/24/19 | 1/15/93, 58 FR 4578. 2/26/20, 85 FR 10984 | Except 173-400-720(4)(a)(i through iv), 173-400-720(4)(b)(iii)(C), and 173-400-750(2) second sentence. |
| 173-410-087 173-410-100 | Prevention of Significant Deterioration (PSD) Special Studies | 5/24/19 3/22/91 | 2/26/20, 85 FR 10984 1/15/93, 58 FR 4578 | |
| Washington Administrative Code, Chapter 173-415—Primary Aluminum Plants | | | | |
| 173-415-010 173-415-015 173-415-020 173-415-030 173-415-060 173-415-070 | Statement of Purpose Applicability Definitions Emissions Standards Monitoring and Reporting Report of Startup, Shutdown, Breakdown or Upset Conditions. | 3/22/91 5/24/19 5/24/19 3/22/91 5/24/19 3/22/91 | 1/15/93, 58 FR 4578. 2/26/20, 85 FR 10984 2/26/20, 85 FR 10984 1/15/93, 58 FR 4578 2/26/20, 85 FR 10984 1/15/93, 58 FR 4578. | Except 173-415-015(3). Except 173-415-020(6). Except sections (1) & (3)(b). Except 173-415-060(1)(b). |
| | | | | |
| Washington Administrative Code, Chapter 173-425—Open Burning | | | | |
| 173-425-010 173-425-020 173-425-030 173-425-036 173-425-045 173-425-055 173-425-065 173-425-075 173-425-085 173-425-095 173-425-100 173-425-115 173-425-120 173-425-130 173-425-140 | Purpose Applicability Definitions Curtaiment During Episodes or Impaired Air Quality. Prohibited Materials Exceptions Residential Open Burning Commercial Open Burning Agricultural Open Burning No Burn Area Designation Delegation of Agricultural Open Burning Program. Land Clearing Projects Department of Natural Resources Smoke Management Plan. Notice of Violation Remedies | 10/18/90 10/18/90 10/18/90 10/18/90 1/3/89 10/18/90 10/18/90 10/18/90 10/18/90 10/18/90 10/18/90 10/18/90 10/18/90 10/18/90 10/18/90 | 1/15/93, 58 FR 4578. 1/15/93, 58 FR 4578. 1/15/93, 58 FR 4578. 1/15/93, 58 FR 4578. 1/15/93, 58 FR 4578. 1/15/93, 58 FR 4578. 1/15/93, 58 FR 4578. 1/15/93, 58 FR 4578. 1/15/93, 58 FR 4578. 1/15/93, 58 FR 4578. 1/15/93, 58 FR 4578. 1/15/93, 58 FR 4578. 1/15/93, 58 FR 4578. 1/15/93, 58 FR 4578. 1/15/93, 58 FR 4578. | |
| Washington Administrative Code, Chapter 173-430—Burning of Field and Forage and Turf Grasses Grown for Seed Open Burning | | | | |
| 173-430-010 173-430-020 173-430-030 173-430-040 | Purpose Definitions Permits, Conditions, and Restrictions Mobile Field Burners | 10/18/90 10/18/90 10/18/90 10/18/90 | 1/15/93, 58 FR 4578. 1/15/93, 58 FR 4578. 1/15/93, 58 FR 4578. 1/15/93, 58 FR 4578. | |

TABLE 1—REGULATIONS APPROVED STATEWIDE—Continued

[Not applicable in Indian reservations (excluding non-trust land within the exterior boundaries of the Puyallup Indian Reservation) and any other area where the EPA or an Indian tribe has demonstrated that a tribe has jurisdiction.]

| State citation | Title/subject | State effective date | EPA approval date | Explanations |
|--|---|----------------------|---------------------------|------------------------|
| 173-430-050 | Other Approvals | 10/18/90 | 1/15/93, 58 FR 4578. | |
| 173-430-060 | Study of Alternatives | 10/18/90 | 1/15/93, 58 FR 4578. | |
| 173-430-070 | Fees | 10/18/90 | 1/15/93, 58 FR 4578. | |
| 173-430-080 | Certification of Alternatives | 10/18/90 | 1/15/93, 58 FR 4578. | |
| Washington Administrative Code, Chapter 173-433—Solid Fuel Burning Device Standards | | | | |
| 173-433-010 | Purpose | 2/23/14 | 5/9/14, 79 FR 26628. | |
| 173-433-020 | Applicability | 12/16/87 | 1/15/93, 58 FR 4578. | |
| 173-433-030 | Definitions | 2/23/14 | 5/9/14, 79 FR 26628. | |
| 173-433-100 | Emission Performance Standards | 2/23/14 | 5/9/14, 79 FR 26628. | |
| 173-433-110 | Opacity Standards | 2/23/14 | 5/9/14, 79 FR 26628. | |
| 173-433-120 | Prohibited Fuel Types | 2/23/14 | 5/9/14, 79 FR 26628. | |
| 173-433-130 | General Emission Standards | 10/18/90 | 1/15/93, 58 FR 4578. | |
| 173-433-140 | Criteria for Impaired Air Quality Burn Bans | 2/23/14 | 5/9/14, 79 FR 26628. | |
| 173-433-150 | Restrictions on Operation of Solid Fuel Burning Devices. | 2/23/14 | 5/9/14, 79 FR 26628. | |
| 173-433-155 | Criteria for Prohibiting Solid Fuel Burning Devices That Are Not Certified. | 2/23/14 | 5/9/14, 79 FR 26628. | |
| Washington Administrative Code, Chapter 173-434—Solid Waste Incinerator Facilities | | | | |
| 173-434-010 | Purpose | 10/18/90 | 1/15/93, 58 FR 4578. | |
| 173-434-020 | Applicability and Compliance | 1/22/04 | 8/4/05, 70 FR 44855. | |
| 173-434-030 | Definitions | 1/22/04 | 8/4/05, 70 FR 44855. | |
| 173-434-090 | Operation and Maintenance Plan | 10/18/90 | 1/15/93, 58 FR 4578. | |
| 173-434-110 | Standards of Performance | 1/22/04 | 8/4/05, 70 FR 44855 | Except section (1)(a). |
| 173-434-130 | Emission Standards | 1/22/04 | 8/4/05, 70 FR 44855 | Except section (2). |
| 173-434-160 | Design and Operation | 1/22/04 | 8/4/05, 70 FR 44855. | |
| 173-434-170 | Monitoring and Reporting | 1/22/04 | 8/4/05, 70 FR 44855. | |
| 173-434-190 | Changes in Operation | 1/22/04 | 8/4/05, 70 FR 44855. | |
| 173-434-200 | Emission Inventory | 1/22/04 | 8/4/05, 70 FR 44855. | |
| 173-434-210 | Special Studies | 10/18/90 | 1/15/93, 58 FR 4578. | |
| Washington Administrative Code, Chapter 173-435—Emergency Episode Plan | | | | |
| 173-435-010 | Purpose | 1/3/89 | 1/15/93, 58 FR 4578. | |
| 173-435-015 | Significant Harm Levels | 1/3/89 | 1/15/93, 58 FR 4578. | |
| 173-435-020 | Definitions | 1/3/89 | 1/15/93, 58 FR 4578. | |
| 173-435-030 | Episode Stage Criteria | 1/3/89 | 1/15/93, 58 FR 4578. | |
| 173-435-040 | Source Emission Reduction Plans | 1/3/89 | 1/15/93, 58 FR 4578. | |
| 173-435-050 | Action Procedures | 1/3/89 | 1/15/93, 58 FR 4578. | |
| 173-435-060 | Enforcement | 1/3/89 | 1/15/93, 58 FR 4578. | |
| 173-435-070 | Sampling Sites, Equipment and Methods | 1/3/89 | 1/15/93, 58 FR 4578 | Except section (1). |
| Washington Administrative Code, Chapter 173-476—Ambient Air Quality Standards | | | | |
| 173-476-010 | Purpose | 12/22/13 | 3/4/14, 79 FR 12077. | |
| 173-476-020 | Applicability | 07/01/16 | 10/6/16, 81 FR 69386. | |
| 173-476-030 | Definitions | 12/22/13 | 3/4/14, 79 FR 12077. | |
| 173-476-100 | Ambient Air Quality Standard for PM-10 | 12/22/13 | 3/4/14, 79 FR 12077. | |
| 173-476-110 | Ambient Air Quality Standards for PM-2.5 | 12/22/13 | 3/4/14, 79 FR 12077. | |
| 173-476-120 | Ambient Air Quality Standard for Lead (Pb) | 12/22/13 | 3/4/14, 79 FR 12077. | |
| 173-476-130 | Ambient Air Quality Standards for Sulfur Oxides (Sulfur Dioxide). | 12/22/13 | 3/4/14, 79 FR 12077. | |
| 173-476-140 | Ambient Air Quality Standards for Nitrogen Oxides (Nitrogen Dioxide). | 12/22/13 | 3/4/14, 79 FR 12077. | |
| 173-476-150 | Ambient Air Quality Standard for Ozone | 07/01/16 | 10/6/16, 81 FR 69386. | |
| 173-476-160 | Ambient Air Quality Standards for Carbon Monoxide. | 12/22/13 | 3/4/14, 79 FR 12077. | |
| 173-476-170 | Monitor Siting Criteria | 12/22/13 | 3/4/14, 79 FR 12077. | |
| 173-476-180 | Reference Conditions | 12/22/13 | 3/4/14, 79 FR 12077. | |
| 173-476-900 | Table of Standards | 07/01/16 | 10/6/16, 81 FR 69386. | |
| Washington Administrative Code, Chapter 173-490—Emission Standards and Controls for Sources Emitting Volatile Organic Compounds | | | | |
| 173-490-010 | Policy and Purpose | 3/22/91 | 7/12/93, 58 FR 37426. | |
| 173-490-020 | Definitions | 3/22/91 | 7/12/93, 58 FR 37426. | |
| 173-490-025 | General Applicability | 3/22/91 | 7/12/93, 58 FR 37426. | |
| 173-490-030 | Registration and Reporting | 3/22/91 | 7/12/93, 58 FR 37426. | |
| 173-490-040 | Requirements | 3/22/91 | 7/12/93, 58 FR 37426. | |
| 173-490-080 | Exceptions and Alternative Methods | 3/22/91 | 7/12/93, 58 FR 37426. | |
| 173-490-090 | New Source Review (NSR) | 3/22/91 | 7/12/93, 58 FR 37426. | |
| 173-490-200 | Petroleum Refinery Equipment Leaks | 3/22/91 | 7/12/93, 58 FR 37426. | |
| 173-490-201 | Petroleum Liquid Storage in External Floating Roof Tanks. | 3/22/91 | 7/12/93, 58 FR 37426. | |
| 173-490-202 | Leaks from Gasoline Transport Tanks and Vapor Collection System. | 3/22/91 | 7/12/93, 58 FR 37426. | |

TABLE 1—REGULATIONS APPROVED STATEWIDE—Continued

[Not applicable in Indian reservations (excluding non-trust land within the exterior boundaries of the Puyallup Indian Reservation) and any other area where the EPA or an Indian tribe has demonstrated that a tribe has jurisdiction.]

| State citation | Title/subject | State effective date | EPA approval date | Explanations |
|-------------------|--|----------------------|-----------------------|--------------|
| 173-490-203 | Perchloroethylene Dry Cleaning Systems | 3/22/91 | 7/12/93, 58 FR 37426. | |
| 173-490-204 | Graphic Arts System | 3/22/91 | 7/12/93, 58 FR 37426. | |
| 173-490-205 | Surface Coating of Miscellaneous Metal Parts and Products. | 3/22/91 | 7/12/93, 58 FR 37426. | |
| 173-490-207 | Surface Coating of Flatwood Paneling | 3/22/91 | 7/12/93, 58 FR 37426. | |
| 173-490-208 | Aerospace Assembly and Component Coating Operations. | 3/22/91 | 7/12/93, 58 FR 37426. | |

Washington Administrative Code, Chapter 173-492—Motor Fuel Specifications for Oxygenated Gasoline

| | | | | |
|-------------------|---|----------|-----------------------|--|
| 173-492-010 | Policy and Purpose | 10/19/96 | 4/30/97, 62 FR 23363. | |
| 173-492-020 | Applicability | 12/1/92 | 4/30/97, 62 FR 23363. | |
| 173-492-030 | Definitions | 12/1/92 | 4/30/97, 62 FR 23363. | |
| 173-492-040 | Compliance Requirements | 12/1/92 | 4/30/97, 62 FR 23363. | |
| 173-492-050 | Registration Requirements | 10/19/96 | 4/30/97, 62 FR 23363. | |
| 173-492-060 | Labeling Requirements | 12/1/92 | 4/30/97, 62 FR 23363. | |
| 173-492-070 | Control Areas and Control Periods | 10/19/96 | 4/30/97, 62 FR 23363. | |
| 173-492-080 | Enforcement and Compliance | 12/1/92 | 4/30/97, 62 FR 23363. | |
| 173-492-090 | Unplanned Conditions | 12/1/92 | 4/30/97, 62 FR 23363. | |
| 173-492-100 | Severability | 12/1/92 | 4/30/97, 62 FR 23363. | |

TABLE 2—ADDITIONAL REGULATIONS APPROVED FOR WASHINGTON DEPARTMENT OF ECOLOGY (ECOLGY) DIRECT JURISDICTION

[Applicable in Adams, Asotin, Chelan, Columbia, Douglas, Ferry, Franklin, Garfield, Grant, Kittitas, Klickitat, Lincoln, Okanogan, Pend Oreille, San Juan, Stevens, Walla Walla, and Whitman counties, excluding facilities subject to Energy Facilities Site Evaluation Council (EFSEC) jurisdiction, Indian reservations (excluding non-trust land within the exterior boundaries of the Puyallup Indian Reservation), and any other area where the EPA or an Indian tribe has demonstrated that a tribe has jurisdiction. These regulations also apply statewide for facilities subject to the applicability sections of WAC 173-400-700, 173-405-012, 173-410-012, and 173-415-012.]

| State citation | Title/subject | State effective date | EPA approval date | Explanations |
|--|---|----------------------|----------------------------|--|
| Washington Administrative Code, Chapter 173-400—General Regulations for Air Pollution Sources | | | | |
| 173-400-010 | Policy and Purpose | 3/22/91 | 6/2/95, 60 FR 28726. | |
| 173-400-020 | Applicability | 12/29/12 | 10/3/14, 79 FR 59653. | |
| 173-400-025 | Adoption of Federal Rules | 9/16/18 | 2/24/20, 85 FR 10302. | |
| 173-400-030 | Definitions | 9/16/18 | 2/24/20, 85 FR 10302 | Except: 173-400-030(6); 173-400-030(32); 173-400-030(38); 173-400-030(45); 173-400-030(83); 173-400-030(89); 173-400-030(96); 173-400-030(97); 173-400-030(100); 173-400-030(103); 173-400-030(104). |
| 173-400-030 (30) and (36). | Definitions | 12/29/12 | 10/3/14, 79 FR 59653. | |
| 173-400-036 | Relocation of Portable Sources | 12/29/12 | 4/29/15, 80 FR 23721. | |
| 173-400-040 | General Standards for Maximum Emissions | 9/16/18 | 2/24/20, 85 FR 10302 | Except: 173-400-040(2); 173-400-040(3); 173-400-040(5). |
| 173-400-040(2) | General Standards for Maximum Emissions | 07/01/16 | 10/6/16, 81 FR 69385 | Except: 173-400-040(2)(c); 173-400-040(2)(d). |
| 173-400-050 | Emission Standards for Combustion and Incineration Units. | 9/16/18 | 2/24/20, 85 FR 10302 | Except: 173-400-050(2); 173-400-050(4); 173-400-050(5); 173-400-050(6). |
| 173-400-060 | Emission Standards for General Process Units .. | 11/25/18 | 2/24/20, 85 FR 10302. | |
| 173-400-070 | Emission Standards for Certain Source Categories. | 07/01/16 | 10/6/16, 81 FR 69386 | Except: 173-400-070(7); 173-400-070(8). |
| 173-400-081 | Startup and Shutdown | 4/1/11 | 10/3/14, 79 FR 59653. | |
| 173-400-091 | Voluntary Limits on Emissions | 4/1/11 | 10/3/14, 79 FR 59653 | 9/20/93 version continues to be approved under the authority of CAA Section 112(l) with respect to Section 112 hazardous air pollutants. See the Federal Register of June 2, 1995. |
| 173-400-105 | Records, Monitoring, and Reporting | 11/25/18 | 2/24/20, 85 FR 10302. | |
| 173-400-107 | Excess Emissions | 9/20/93 | 6/2/95, 60 FR 28726. | |

TABLE 2—ADDITIONAL REGULATIONS APPROVED FOR WASHINGTON DEPARTMENT OF ECOLOGY (ECOLGY) DIRECT JURISDICTION—Continued

[Applicable in Adams, Asotin, Chelan, Columbia, Douglas, Ferry, Franklin, Garfield, Grant, Kittitas, Klickitat, Lincoln, Okanogan, Pend Oreille, San Juan, Stevens, Walla Walla, and Whitman counties, excluding facilities subject to Energy Facilities Site Evaluation Council (EFSEC) jurisdiction, Indian reservations (excluding non-trust land within the exterior boundaries of the Puyallup Indian Reservation), and any other area where the EPA or an Indian tribe has demonstrated that a tribe has jurisdiction. These regulations also apply statewide for facilities subject to the applicability sections of WAC 173–400–700, 173–405–012, 173–410–012, and 173–415–012.]

| State citation | Title/subject | State effective date | EPA approval date | Explanations |
|-------------------|--|----------------------|----------------------------|---|
| 173–400–110 | New Source Review (NSR) for Sources and Portable Sources. | 12/29/12 | 9/29/16, 81 FR 66825 | Except: 173–400–110(1)(c)(ii)(C); 173–400–110(1)(e); 173–400–110(2)(d); The part of WAC 173–400–110(4)(b)(vi) that says, • “not for use with materials containing toxic air pollutants, as listed in chapter 173–460 WAC,”; The part of 400–110 (4)(e)(iii) that says, • “where toxic air pollutants as defined in chapter 173–460 WAC are not emitted”; The part of 400–110(4)(f)(i) that says, • “that are not toxic air pollutants listed in chapter 173–460 WAC”; The part of 400–110(4)(h)(xviii) that says, • “, to the extent that toxic air pollutant gases as defined in chapter 173–460 WAC are not emitted”; The part of 400–110(4)(h)(xxxiii) that says, • “where no toxic air pollutants as listed under chapter 173–460 WAC are emitted”; The part of 400–110(4)(h)(xxxiv) that says, • “, or ≤1% (by weight) toxic air pollutants as listed in chapter 173–460 WAC”; The part of 400–110(4)(h)(xxxv) that says, • “or ≤1% (by weight) toxic air pollutants”; The part of 400–110(4)(h)(xxxvi) that says, • “or ≤1% (by weight) toxic air pollutants as listed in chapter 173–460 WAC”; 400–110(4)(h)(xl), second sentence; The last row of the table in 173–400–110(5)(b) regarding exemption levels for Toxic Air Pollutants. |
| 173–400–111 | Processing Notice of Construction Applications for Sources, Stationary Sources and Portable Sources. | 07/01/16 | 10/6/16, 81 FR 69386 | Except: 173–400–111(3)(h); The part of 173–400–111(8)(a)(v) that says, • “and 173–460–040,”; 173–400–111(9). |
| 173–400–112 | Requirements for New Sources in Nonattainment Areas—Review for Compliance with Regulations. | 12/29/12 | 9/29/16, 81 FR 66825. | |
| 173–400–113 | New Sources in Attainment or Unclassifiable Areas—Review for Compliance with Regulations. | 12/29/12 | 4/29/15, 80 FR 23721 | Except: 173–400–113(3), second sentence. |
| 173–400–116 | Increment Protection | 07/01/16 | 10/6/16, 81 FR 69386. | |
| 173–400–117 | Special Protection Requirements for Federal Class I Areas. | 12/29/12 | 4/29/15, 80 FR 23721. | |
| 173–400–118 | Designation of Class I, II, and III Areas | 12/29/12 | 10/3/14, 79 FR 59653. | |
| 173–400–131 | Issuance of Emission Reduction Credits | 4/1/11 | 11/7/14, 79 FR 66291. | |
| 173–400–136 | Use of Emission Reduction Credits (ERC) | 12/29/12 | 11/7/14, 79 FR 66291. | |
| 173–400–151 | Retrofit Requirements for Visibility Protection | 2/10/05 | 10/3/14, 79 FR 59653. | |
| 173–400–161 | Compliance Schedules | 3/22/91 | 6/2/95, 60 FR 28726. | |
| 173–400–171 | Public Notice and Opportunity for Public Comment. | 9/16/18 | 2/24/20, 85 FR 10302 | Except: The part of 173–400–171(3)(b) that says, • “or any increase in emissions of a toxic air pollutant above the acceptable source impact level for that toxic air pollutant as regulated under chapter 173–460 WAC”; 173–400–171(3)(o); 173–400–171(12). |
| 173–400–175 | Public Information | 2/10/05 | 10/3/14, 79 FR 59653. | |
| 173–400–190 | Requirements for Nonattainment Areas | 3/22/91 | 6/2/95, 60 FR 28726. | |
| 173–400–200 | Creditable Stack Height and Dispersion Techniques. | 2/10/05 | 10/3/14, 79 FR 59653. | |
| 173–400–205 | Adjustment for Atmospheric Conditions | 3/22/91 | 6/2/95, 60 FR 28726. | |
| 173–400–210 | Emission Requirements of Prior Jurisdictions | 3/22/91 | 6/2/95, 60 FR 28726. | |
| 173–400–560 | General Order of Approval | 12/29/12 | 4/29/15, 80 FR 23721 | Except: The part of 173–400–560(1)(f) that says, “173–460 WAC”. |
| 173–400–700 | Review of Major Stationary Sources of Air Pollution. | 4/1/11 | 4/29/15, 80 FR 23721. | |
| 173–400–710 | Definitions | 07/01/16 | 10/6/16, 81 FR 69386. | |
| 173–400–720 | Prevention of Significant Deterioration (PSD) | 07/01/16 | 10/6/16, 81 FR 69386 | Except: 173–400–720(4)(a)(i through iv) and 173–400–720(4)(b)(iii)(C). |
| 173–400–730 | Prevention of Significant Deterioration Application Processing Procedures. | 07/01/16 | 10/6/16, 81 FR 69386. | |

TABLE 2—ADDITIONAL REGULATIONS APPROVED FOR WASHINGTON DEPARTMENT OF ECOLOGY (ECOLOGY) DIRECT JURISDICTION—Continued

[Applicable in Adams, Asotin, Chelan, Columbia, Douglas, Ferry, Franklin, Garfield, Grant, Kittitas, Klickitat, Lincoln, Okanogan, Pend Oreille, San Juan, Stevens, Walla Walla, and Whitman counties, excluding facilities subject to Energy Facilities Site Evaluation Council (EFSEC) jurisdiction, Indian reservations (excluding non-trust land within the exterior boundaries of the Puyallup Indian Reservation), and any other area where the EPA or an Indian tribe has demonstrated that a tribe has jurisdiction. These regulations also apply statewide for facilities subject to the applicability sections of WAC 173–400–700, 173–405–012, 173–410–012, and 173–415–012.]

| State citation | Title/subject | State effective date | EPA approval date | Explanations |
|-------------------|---|----------------------|----------------------------|---|
| 173–400–740 | PSD Permitting Public Involvement Requirements. | 9/16/18 | 2/24/20, 85 FR 10302. | Except: 173–400–750(2) second sentence. |
| 173–400–750 | Revisions to PSD Permits | 12/29/12 | 4/29/15, 80 FR 23721 | |
| 173–400–800 | Major Stationary Source and Major Modification in a Nonattainment Area. | 4/1/11 | 11/7/14, 79 FR 66291. | |
| 173–400–810 | Major Stationary Source and Major Modification Definitions. | 07/01/16 | 10/6/16, 81 FR 69386. | |
| 173–400–820 | Determining if a New Stationary Source or Modification to a Stationary Source is Subject to these Requirements. | 12/29/12 | 11/7/14, 79 FR 66291. | |
| 173–400–830 | Permitting Requirements | 07/01/16 | 10/6/16, 81 FR 69386. | |
| 173–400–840 | Emission Offset Requirements | 07/01/16 | 10/6/16, 81 FR 69386. | |
| 173–400–850 | Actual Emissions Plantwide Applicability Limitation (PAL). | 07/01/16 | 10/6/16, 81 FR 69386. | |
| 173–400–860 | Public Involvement Procedures | 4/1/11 | 11/7/14, 79 FR 66291. | |

TABLE 3—ADDITIONAL REGULATIONS APPROVED FOR THE ENERGY FACILITIES SITE EVALUATION COUNCIL (EFSEC) JURISDICTION

[See the SIP-approved provisions of WAC 463–78–020 for jurisdictional applicability.]

| State citation | Title/subject | State effective date | EPA approval date | Explanations |
|--|-------------------------------------|----------------------|----------------------------|--|
| Washington Administrative Code, Chapter 463–78—General and Operating Permit Regulations for Air Pollution Sources | | | | |
| 78–005 | Adoption by Reference | 8/26/19 | 1/24/20, 85 FR 4235 | Subsection (1) only. See this table 3 for the updated Chapter 173–400 WAC provisions adopted by reference and submitted to the EPA for approval. |
| 78–010 | Purpose | 8/27/15 | 5/30/17, 82 FR 24533. | |
| 78–020 | Applicability | 11/11/04 | 5/30/17, 82 FR 24533. | Except references to 173–401–200 and 173–406–101. |
| 78–030 | Additional Definitions | 8/27/15 | 5/30/17, 82 FR 24533 | |
| 78–095 | Permit Issuance | 8/27/15 | 5/30/17, 82 FR 24533. | |
| 78–120 | Monitoring and Special Report | 11/11/04 | 5/30/17, 82 FR 24533. | |

Washington Administrative Code, Chapter 173–400 Regulations Incorporated by Reference in WAC 463–78–005

| | | | | |
|-------------------------|---|----------|----------------------------|--|
| 173–400–025 | Adoption of Federal Rules | 9/16/18 | 1/24/20, 85 FR 4235. | Except: 173–400–030(6); 173–400–030(32); 173–400–030(38); 173–400–030(45); 173–400–030(83); 173–400–030(89); 173–400–030(96); 173–400–030(97); 173–400–030(100); 173–400–030(103); 173–400–030(104). |
| 173–400–030 | Definitions | 9/16/18 | 1/24/20, 85 FR 4235 | |
| 173–400–030(30) & (36). | Definitions | 12/29/12 | 5/30/17, 82 FR 24533. | Except: 173–400–040(2); 173–400–040(3); 173–400–040(5). |
| 173–400–036 | Relocation of Portable Sources | 12/29/12 | 5/30/17, 82 FR 24533. | |
| 173–400–040 | General Standards for Maximum Emissions | 9/16/18 | 1/24/20, 85 FR 4235 | |
| 173–400–040(2) | General Standards for Maximum Emissions | 4/1/11 | 5/30/17, 82 FR 24533 | Except: 173–400–040(2)(c); 173–400–040(2)(d). |
| 173–400–050 | Emission Standards for Combustion and Incineration Units. | 9/16/18 | 1/24/20, 85 FR 4235 | |
| 173–400–060 | Emission Standards for General Process Units .. | 11/25/18 | 1/24/20, 85 FR 4235. | Except: 173–400–070(1); 173–400–070(2); 173–400–070(3); 173–400–070(4); 173–400–070(6); 173–400–070(7); 173–400–070(8). |
| 173–400–070 | Emission Standards for Certain Source Categories. | 12/29/12 | 5/30/17, 82 FR 24533 | |
| 173–400–081 | Startup and Shutdown | 4/1/11 | 5/30/17, 82 FR 24533. | Except: 173–400–070(1); 173–400–070(2); 173–400–070(3); 173–400–070(4); 173–400–070(6); 173–400–070(7); 173–400–070(8). |
| 173–400–091 | Voluntary Limits on Emissions | 4/1/11 | 5/30/17, 82 FR 24533. | |
| 173–400–105 | Records, Monitoring, and Reporting | 11/25/18 | 1/24/20, 85 FR 4235. | |
| 173–400–107 | Excess Emissions | 9/20/93 | 6/2/95, 60 FR 28726. | |

TABLE 3—ADDITIONAL REGULATIONS APPROVED FOR THE ENERGY FACILITIES SITE EVALUATION COUNCIL (EFSEC)
JURISDICTION—Continued

[See the SIP-approved provisions of WAC 463–78–020 for jurisdictional applicability.]

| State citation | Title/subject | State effective date | EPA approval date | Explanations |
|-------------------|---|----------------------|----------------------------|---|
| 173–400–110 | New Source Review (NSR) for Sources and Portable Sources. | 12/29/12 | 5/30/17, 82 FR 24533 | Except: 173–400–110(1)(c)(ii)(C); 173–400–110(1)(e); 173–400–110(2)(d); The part of WAC 173–400–110(4)(b)(vi) that says, “not for use with materials containing toxic air pollutants, as listed in chapter 173–460 WAC,”; The part of 400–110 (4)(e)(iii) that says, “where toxic air pollutants as defined in chapter 173–460 WAC are not emitted”; The part of 400–110(4)(f)(i) that says, “that are not toxic air pollutants listed in chapter 173–460 WAC”; The part of 400–110 (4)(h)(xviii) that says, “, to the extent that toxic air pollutant gases as defined in chapter 173–460 WAC are not emitted”; The part of 400–110 (4)(h)(xxxiii) that says, “where no toxic air pollutants as listed under chapter 173–460 WAC are emitted”; The part of 400–110(4)(h)(xxxiv) that says, “, or ≤1% (by weight) toxic air pollutants as listed in chapter 173–460 WAC”; The part of 400–110(4)(h)(xxxv) that says, “or ≤1% (by weight) toxic air pollutants”; The part of 400–110(4)(h)(xxxvi) that says, “or ≤1% (by weight) toxic air pollutants as listed in chapter 173–460 WAC”; 400–110(4)(h)(xi), second sentence; The last row of the table in 173–400–110(5)(b) regarding exemption levels for Toxic Air Pollutants. |
| 173–400–111 | Processing Notice of Construction Applications for Sources, Stationary Sources and Portable Sources. | 07/01/16 | 1/24/20, 85 FR 4235 | Except: 173–400–111(3)(h); The part of 173–400–111(8)(a)(v) that says, • “and 173–460–040,”; 173–400–111(9). |
| 173–400–112 | Requirements for New Sources in Nonattainment Areas—Review for Compliance with Regulations. | 12/29/12 | 5/30/17, 82 FR 24533. | |
| 173–400–113 | New Sources in Attainment or Unclassifiable Areas—Review for Compliance with Regulations. | 12/29/12 | 5/30/17, 82 FR 24533 | Except: 173–400–113(3), second sentence. |
| 173–400–116 | Increment Protection | 07/01/16 | 1/24/20, 85 FR 4235. | |
| 173–400–117 | Special Protection Requirements for Federal Class I Areas. | 12/29/12 | 5/30/17, 82 FR 24533. | |
| 173–400–131 | Issuance of Emission Reduction Credits | 4/1/11 | 5/30/17, 82 FR 24533. | |
| 173–400–136 | Use of Emission Reduction Credits (ERC) | 4/1/11 | 5/30/17, 82 FR 24533. | |
| 173–400–161 | Compliance Schedules | 3/22/91 | 6/2/95, 60 FR 28726. | |
| 173–400–171 | Public Notice and Opportunity for Public Comment. | 9/16/18 | 1/24/20, 85 FR 4235 | Except: The part of 173–400–171(3)(b) that says, • “or any increase in emissions of a toxic air pollutant above the acceptable source impact level for that toxic air pollutant as regulated under chapter 173–460 WAC”; 173–400–171(3)(o); 173–400–171(12). |
| 173–400–175 | Public Information | 2/10/05 | 5/30/17, 82 FR 24533. | |
| 173–400–190 | Requirements for Nonattainment Areas | 3/22/91 | 6/2/95, 60 FR 28726. | |
| 173–400–200 | Creditable Stack Height and Dispersion Techniques. | 2/10/05 | 5/30/17, 82 FR 24533. | |
| 173–400–205 | Adjustment for Atmospheric Conditions | 3/22/91 | 6/2/95, 60 FR 28726. | |
| 173–400–700 | Review of Major Stationary Sources of Air Pollution. | 4/1/11 | 5/30/17, 82 FR 24533. | |
| 173–400–710 | Definitions | 07/01/16 | 1/24/20, 85 FR 4235. | |
| 173–400–720 | Prevention of Significant Deterioration (PSD) | 07/01/16 | 1/24/20, 85 FR 4235 | Except: 173–400–720(4)(a)(i through iv) and 173–400–720(4)(b)(iii)(C). |
| 173–400–730 | Prevention of Significant Deterioration Application Processing Procedures. | 07/01/16 | 1/24/20, 85 FR 4235. | |
| 173–400–740 | PSD Permitting Public Involvement Requirements. | 9/16/18 | 1/24/20, 85 FR 4235. | |
| 173–400–750 | Revisions to PSD Permits | 12/29/12 | 5/30/17, 82 FR 24533 | Except: 173–400–750(2) second sentence. |
| 173–400–800 | Major Stationary Source and Major Modification in a Nonattainment Area. | 4/1/11 | 5/30/17, 82 FR 24533. | |
| 173–400–810 | Major Stationary Source and Major Modification Definitions. | 07/01/16 | 1/24/20, 85 FR 4235. | |
| 173–400–820 | Determining if a New Stationary Source or Modification to a Stationary Source is Subject to these Requirements. | 12/29/12 | 5/30/17, 82 FR 24533. | |

TABLE 3—ADDITIONAL REGULATIONS APPROVED FOR THE ENERGY FACILITIES SITE EVALUATION COUNCIL (EFSEC)
JURISDICTION—Continued

[See the SIP-approved provisions of WAC 463–78–020 for jurisdictional applicability.]

| State citation | Title/subject | State effective date | EPA approval date | Explanations |
|-------------------|--|----------------------|-----------------------|--------------|
| 173–400–830 | Permitting Requirements | 07/01/16 | 1/24/20, 85 FR 4235. | |
| 173–400–840 | Emission Offset Requirements | 07/01/16 | 1/24/20, 85 FR 4235. | |
| 173–400–850 | Actual Emissions Plantwide Applicability Limitation (PAL). | 07/01/16 | 1/24/20, 85 FR 4235. | |
| 173–400–860 | Public Involvement Procedures | 4/1/11 | 5/30/17, 82 FR 24533. | |

TABLE 4—ADDITIONAL REGULATIONS APPROVED FOR THE BENTON CLEAN AIR AGENCY (BCAA) JURISDICTION

[Applicable in Benton County, excluding facilities subject to Energy Facilities Site Evaluation Council (EFSEC) jurisdiction, Indian reservations and any other area where the EPA or an Indian tribe has demonstrated that a tribe has jurisdiction, and facilities subject to the applicability sections of WAC 173–400–700, 173–405–012, ;173–410–012, and 173–415–012.]

| State/local citation | Title/subject | State/local effective date | EPA approval date | Explanations |
|---|--|----------------------------|-----------------------------|---------------------------------|
| Benton Clean Air Agency (BCAA) Regulations | | | | |
| Regulation 1 | | | | |
| 1.01 | Name of Agency | 12/11/14 | 11/17/15, 80 FR 71695. | |
| 1.02 | Policy and Purpose | 12/11/14 | 11/17/15, 80 FR 71695 | Replaces WAC 173–400–010. |
| 1.03 | Applicability | 12/11/14 | 11/17/15, 80 FR 71695 | Replaces WAC 173–400–020. |
| 4.01(A) | Definitions—Fugitive Dust | 12/11/14 | 2/24/20, 85 FR 10302 | Replaces WAC 173–400–030(40). |
| 4.01(B) | Definitions—Fugitive Emissions | 12/11/14 | 2/24/20, 85 FR 10302 | Replaces WAC 173–400–030(41). |
| 4.02(B) | Particulate Matter Emissions—Fugitive Emissions. | 12/11/14 | 11/17/15, 80 FR 71695 | Replaces WAC 173–400–040(4). |
| 4.02(C)(1) | Particulate Matter Emissions—Fugitive Dust | 12/11/14 | 11/17/15, 80 FR 71695 | Replaces WAC 173–400–040(9)(a). |
| 4.02(C)(3) | Particulate Matter Emissions—Fugitive Dust | 12/11/14 | 11/17/15, 80 FR 71695 | Replaces WAC 173–400–040(9)(b). |

Washington Department of Ecology Regulations

Washington Administrative Code, Chapter 173–400—General Regulations for Air Pollution Sources

| | | | | |
|----------------------------|---|----------|----------------------------|--|
| 173–400–025 | Adoption of Federal Rules | 9/16/18 | 2/24/20, 85 FR 10302. | |
| 173–400–030 | Definitions | 9/16/18 | 2/24/20, 85 FR 10302 | Except: 173–400–030(6); 173–400–030(32); 173–400–030(38); 173–400–030(40); 173–400–030(41); 173–400–030(45); 173–400–030(83); 173–400–030(89); 173–400–030(96); 173–400–030(97); 173–400–030(100); 173–400–030(103); 173–400–030(104). |
| 173–400–030 (30) and (36). | Definitions | 12/29/12 | 10/3/14, 79 FR 59653. | |
| 173–400–036 | Relocation of Portable Sources | 12/29/12 | 11/17/15, 80 FR 71695. | |
| 173–400–040 | General Standards for Maximum Emissions | 9/16/18 | 2/24/20, 85 FR 10302 | Except: 173–400–040(2); 173–400–040(3); 173–400–040(4); 173–400–040(5); 173–400–040(9). |
| 173–400–040(2) | General Standards for Maximum Emissions | 07/01/16 | 10/6/16, 81 FR 69385 | Except: 173–400–040(2)(c); 173–400–040(2)(d). |
| 173–400–050 | Emission Standards for Combustion and Incineration Units. | 9/16/18 | 2/24/20, 85 FR 10302 | Except: 173–400–050(2); 173–400–050(4); 173–400–050(5); 173–400–050(6). |
| 173–400–060 | Emission Standards for General Process Units .. | 11/25/18 | 2/24/20, 85 FR 10302. | |
| 173–400–070 | Emission Standards for Certain Source Categories. | 07/01/16 | 10/6/16, 81 FR 69386 | Except: 173–400–070(7); 173–400–070(8). |
| 173–400–081 | Startup and Shutdown | 4/1/11 | 11/17/15, 80 FR 71695. | |
| 173–400–091 | Voluntary Limits on Emissions | 4/1/11 | 11/17/15, 80 FR 71695. | |
| 173–400–105 | Records, Monitoring and Reporting | 11/25/18 | 2/24/20, 85 FR 10302. | |
| 173–400–107 | Excess Emissions | 9/20/93 | 6/2/95, 60 FR 28726. | |

TABLE 4—ADDITIONAL REGULATIONS APPROVED FOR THE BENTON CLEAN AIR AGENCY (BCAA) JURISDICTION—
Continued

[Applicable in Benton County, excluding facilities subject to Energy Facilities Site Evaluation Council (EFSEC) jurisdiction, Indian reservations and any other area where the EPA or an Indian tribe has demonstrated that a tribe has jurisdiction, and facilities subject to the applicability sections of WAC 173–400–700, 173–405–012, ;173–410–012, and 173–415–012.]

| State/local citation | Title/subject | State/local effective date | EPA approval date | Explanations |
|----------------------|---|----------------------------|-----------------------------|--|
| 173–400–110 | New Source Review (NSR) for Sources and Portable Sources. | 12/29/12 | 9/29/16, 81 FR 66825 | Except: 173–400–110(1)(c)(ii)(C); 173–400–110(1)(e); 173–400–110(2)(d); —The part of WAC 173–400–110(4)(b)(vi) that says, “not for use with materials containing toxic air pollutants, as listed in chapter 173–460 WAC.”; —The part of 400–110(4)(e)(iii) that says, “where toxic air pollutants as defined in chapter 173–460 WAC are not emitted”; The part of 400–110(4)(f)(i) that says, “that are not toxic air pollutants listed in chapter 173–460 WAC”; —The part of 400–110(4)(h)(xviii) that says, “, to the extent that toxic air pollutant gases as defined in chapter 173–460 WAC are not emitted”; —The part of 400–110(4)(h)(xxxiii) that says, “where no toxic air pollutants as listed under chapter 173–460 WAC are emitted”; —The part of 400–110(4)(h)(xxxiv) that says, “or ≤1% (by weight) toxic air pollutants as listed in chapter 173–460 WAC”; The part of 400–110(4)(h)(xxxv) that says, “or ≤1% (by weight) toxic air pollutants”; —The part of 400–110(4)(h)(xxxvi) that says, “or ≤1% (by weight) toxic air pollutants as listed in chapter 173–460 WAC”; 400–110(4)(h)(xl), second sentence; —The last row of the table in 173–400–110(5)(b) regarding exemption levels for Toxic Air Pollutants. |
| 173–400–111 | Processing Notice of Construction Applications for Sources, Stationary Sources and Portable Sources. | 07/01/16 | 10/6/16, 81 FR 69386 | Except: 173–400–111(3)(h); —The part of 173–400–111(8)(a)(v) that says, “and 173–460–040,”; 173–400–111(9). |
| 173–400–112 | Requirements for New Sources in Nonattainment Areas—Review for Compliance with Regulations. | 12/29/12 | 9/29/16, 81 FR 66825. | |
| 173–400–113 | New Sources in Attainment or Unclassifiable Areas—Review for Compliance with Regulations. | 12/29/12 | 11/17/15, 80 FR 71695 | Except: 173–400–113(3), second sentence. |
| 173–400–117 | Special Protection Requirements for Federal Class I Areas. | 12/29/12 | 11/17/15, 80 FR 71695 | Except facilities subject to the applicability provisions of WAC 173–400–700. |
| 173–400–118 | Designation of Class I, II, and III Areas | 12/29/12 | 11/17/15, 80 FR 71695. | |
| 173–400–131 | Issuance of Emission Reduction Credits | 4/1/11 | 11/17/15, 80 FR 71695. | |
| 173–400–136 | Use of Emission Reduction Credits (ERC) | 12/29/12 | 11/17/15, 80 FR 71695. | |
| 173–400–151 | Retrofit Requirements for Visibility Protection | 2/10/05 | 11/17/15, 80 FR 71695. | |
| 173–400–161 | Compliance Schedules | 3/22/91 | 6/2/95, 60 FR 28726. | |
| 173–400–171 | Public Notice and Opportunity for Public Comment. | 9/16/18 | 2/24/20, 85 FR 10302 | Except: — The part of 173–400–171(3)(b) that says, “or any increase in emissions of a toxic air pollutant above the acceptable source impact level for that toxic air pollutant as regulated under chapter 173–460 WAC”; 173–400–171(3)(o); 173–400–171(12). |
| 173–400–175 | Public Information | 2/10/05 | 11/17/15, 80 FR 71695. | |
| 173–400–190 | Requirements for Nonattainment Areas | 3/22/91 | 6/2/95, 60 FR 28726. | |
| 173–400–200 | Creditable Stack Height & Dispersion Techniques. | 2/10/05 | 11/17/15, 80 FR 71695. | |
| 173–400–205 | Adjustment for Atmospheric Conditions | 3/22/91 | 6/2/95, 60 FR 28726. | |
| 173–400–210 | Emission Requirements of Prior Jurisdictions | 3/22/91 | 6/2/95, 60 FR 28726. | |
| 173–400–560 | General Order of Approval | 12/29/12 | 11/17/15, 80 FR 71695 | Except: — The part of 173–400–560(1)(f) that says, “173–460 WAC”. |
| 173–400–800 | Major Stationary Source and Major Modification in a Nonattainment Area. | 4/1/11 | 11/17/15, 80 FR 71695. | |
| 173–400–810 | Major Stationary Source and Major Modification Definitions. | 07/01/16 | 10/6/16, 81 FR 69386. | |
| 173–400–820 | Determining if a New Stationary Source or Modification to a Stationary Source is Subject to these Requirements. | 12/29/12 | 11/17/15, 80 FR 71695. | |
| 173–400–830 | Permitting Requirements | 07/01/16 | 10/6/16, 81 FR 69386. | |
| 173–400–840 | Emission Offset Requirements | 07/01/16 | 10/6/16, 81 FR 69386. | |
| 173–400–850 | Actual Emissions Plantwide Applicability Limitation (PAL). | 07/01/16 | 10/6/16, 81 FR 69386. | |

TABLE 4—ADDITIONAL REGULATIONS APPROVED FOR THE BENTON CLEAN AIR AGENCY (BCAA) JURISDICTION—
Continued

[Applicable in Benton County, excluding facilities subject to Energy Facilities Site Evaluation Council (EFSEC) jurisdiction, Indian reservations and any other area where the EPA or an Indian tribe has demonstrated that a tribe has jurisdiction, and facilities subject to the applicability sections of WAC 173–400–700, 173–405–012, ;173–410–012, and 173–415–012.]

| State/local citation | Title/subject | State/local effective date | EPA approval date | Explanations |
|----------------------|-------------------------------------|----------------------------|------------------------|--------------|
| 173–400–860 | Public Involvement Procedures | 4/1/11 | 11/17/15, 80 FR 71695. | |

TABLE 5—ADDITIONAL REGULATIONS APPROVED FOR THE NORTHWEST CLEAN AIR AGENCY (NWCAA) JURISDICTION

[Applicable in Island, Skagit and Whatcom counties, excluding facilities subject to Energy Facilities Site Evaluation Council (EFSEC) jurisdiction; facilities subject to the Washington Department of Ecology's direct jurisdiction under Chapters 173–405, 173–410, and 173–415 Washington Administrative Code (WAC); Indian reservations; any other area where the EPA or an Indian tribe has demonstrated that a tribe has jurisdiction; and the Prevention of Significant Deterioration (PSD) permitting of facilities subject to the applicability sections of WAC 173–400–700.]

| State/local citation | Title/subject | State/local effective date | EPA approval date | Explanations | |
|---|--|---|---|---|---|
| Northwest Clean Air Agency Regulations General Provisions | | | | | |
| 100 101 102 | Name of Agency Short Title Policy | 8/21/05 8/21/05 8/21/05 | 6/15/20, 85 FR 36156. 6/15/20, 85 FR 36156. 6/15/20, 85 FR 36156 | Except provisions outside the scope of CAA section 110. Replaces WAC 173–400–010. | |
| 121 150 180 | Orders Pollutant Disclosure—Reporting by Air Containment Sources. Sampling and Analytical Methods/References | 9/8/93 9/8/93 9/8/93 | 2/22/95, 60 FR 9778. 2/22/95, 60 FR 9778. 2/22/95, 60 FR 9778. | | |
| Definitions | | | | | |
| 200 | Definitions | 5/12/19 | 6/15/20, 85 FR 36156 | | Except the definitions Toxic Air Pollutant, Odor, and Odor Source. Generally replaces WAC 173–400–030. However, for definitions not included in section 200, the WAC 173–400–030 definitions in this table 5 shall apply. |
| Control Procedures | | | | | |
| 300 305 320 | New Source Review Public Involvement Registration Program | 5/12/19 5/12/19 5/12/19 | 6/15/20, 85 FR 36156 6/15/20, 85 FR 36156 6/15/20, 85 FR 36156 | Except subsections 300.8(C), 300.25, or any provisions related to the regulation of Toxic Air Pollutants. Replaces WAC 173–400–036, 173–400–110, 173–400–111, 173–400–113, and 173–400–560, except certain subsections of WAC 173–400–111 and 173–400–113 listed in this table 5. Except provisions related to the regulation of Toxic Air Pollutants. Replaces WAC 173–400–171 and WAC 173–400–175, except subsection 173–400–171(6)(b). Except subsection 320.3 and provisions related to the regulation of Toxic Air Pollutants or odor. | |
| 321 324 325 340 341 342 360 365 366 | Exemptions from Registration Fees Transfer Report of Breakdown and Upset Schedule Report of Shutdown or Start-Up Operation and Maintenance Testing and Sampling Monitoring Instrument Calibration | 5/12/19 11/13/94 9/8/93 11/13/94 9/8/93 9/8/93 9/8/93 9/8/93 9/8/93 | 6/15/20, 85 FR 36156 10/24/95, 60 FR 54439 2/22/95, 60 FR 9778. 10/24/95, 60 FR 54439. 2/22/95, 60 FR 9778. 2/22/95, 60 FR 9778. 2/22/95, 60 FR 9778. 2/22/95, 60 FR 9778. 2/22/95, 60 FR 9778. | Except subsection 321.3. Except section 324.121. | |
| Standards | | | | | |
| 450 451 452 455 458 460 462 466 | Emission Standards—Forward Emission of Air Contaminant—Visual Standards Motor Vehicle Visual Standards Emission of Particulate Matter Incinerators—Wood Waste Burners Weight/Heat Rate Standard—Emission of Sulfur Compounds. Emission of Sulfur Compounds Portland Cement Plants | 9/8/93 11/13/94 9/8/93 9/8/93 9/8/93 9/8/93 11/13/94 9/8/93 | 2/22/95, 60 FR 9778. 10/24/95, 60 FR 54439. 2/22/95, 60 FR 9778 2/22/95, 60 FR 9778. 2/22/95, 60 FR 9778. 2/22/95, 60 FR 9778. 10/24/95, 60 FR 54439. 2/22/95, 60 FR 9778. | Except section 452.5. | |

TABLE 5—ADDITIONAL REGULATIONS APPROVED FOR THE NORTHWEST CLEAN AIR AGENCY (NWCAA) JURISDICTION—
Continued

[Applicable in Island, Skagit and Whatcom counties, excluding facilities subject to Energy Facilities Site Evaluation Council (EFSEC) jurisdiction; facilities subject to the Washington Department of Ecology's direct jurisdiction under Chapters 173–405, 173–410, and 173–415 Washington Administrative Code (WAC); Indian reservations; any other area where the EPA or an Indian tribe has demonstrated that a tribe has jurisdiction; and the Prevention of Significant Deterioration (PSD) permitting of facilities subject to the applicability sections of WAC 173–400–700.]

| State/local citation | Title/subject | State/local effective date | EPA approval date | Explanations |
|--|---|----------------------------|----------------------------|--|
| Regulated Activities and Prohibitions | | | | |
| 510 | Incinerator Burning | 9/8/93 | 2/22/95, 60 FR 9778. | |
| 520 | Sulfur Compounds in Fuel | 9/8/93 | 2/22/95, 60 FR 9778. | |
| 550 | Particulate Matter from Becoming Airborne | 9/8/93 | 2/22/95, 60 FR 9778. | |
| 560 | Storage of Organic Liquids | 9/8/93 | 2/22/95, 60 FR 9778. | |
| 580 | Volatile Organic Compound Control (VOC) | 11/13/94 | 10/24/95, 60 FR 54439. | |
| Washington Department of Ecology Regulations | | | | |
| Washington Administrative Code, Chapter 173–400—General Regulations for Air Pollution Sources | | | | |
| 173–400–020 | Applicability | 12/29/12 | 6/15/20, 85 FR 36156. | |
| 173–400–025 | Adoption of Federal Rules | 9/16/18 | 6/15/20, 85 FR 36156 | Only as it applies to cross references in the WAC. |
| 173–400–030 | Definitions | 9/16/18 | 6/15/20, 85 FR 36156 | Except: 173–400–030(6); 173–400–030(32); 173–400–030(38); 173–400–030(45); 173–400–030(83); 173–400–030(89); 173–400–030(96); 173–400–030(97); 173–400–030(100); 173–400–030(103); 173–400–030(104); or any definition included in NWCAA section 200. |
| 173–400–040 | General Standards for Maximum Emissions | 3/22/91 | 6/2/95, 60 FR 28726 | Except (1)(c), and (1)(d), (2), (4), and the 2nd paragraph of (6). |
| 173–400–050 | Emission Standards for Combustion and Incineration Units. | 9/16/18 | 6/15/20, 85 FR 36156 | Except: 173–400–050(2); 173–400–050(4); 173–400–050(5); 173–400–050(6). |
| 173–400–060 | Emission Standards for General Process Units | 11/25/18 | 6/15/20, 85 FR 36156. | |
| 173–400–070 | Emission Standards for Certain Source Categories .. | 3/22/91 | 6/2/95, 60 FR 28726 | Except (7). |
| 173–400–081 | Startup and Shutdown | 9/20/93 | 6/2/95, 60 FR 28726. | |
| 173–400–091 | Voluntary Limits on Emissions | 4/1/11 | 6/15/20, 85 FR 36156 | 9/20/93 version continues to be approved under the authority of CAA Section 112(l) with respect to Section 112 hazardous air pollutants. See the Federal Register of June 2, 1995. |
| 173–400–105 | Records, Monitoring and Reporting | 9/20/93 | 6/2/95, 60 FR 28726. | |
| 173–400–107 | Excess Emissions | 9/20/93 | 6/2/95, 60 FR 28726. | |
| 173–400–111 | Processing Notice of Construction Applications for Sources, Stationary Sources and Portable Sources. | 7/1/16 | 6/15/20, 85 FR 36156 | Only subsections (1)(c), (1)(d), (5)(b), and (7)(b), otherwise NWCAA section 300 applies. |
| 173–400–112 | Requirements for New Sources in Nonattainment Areas—Review for Compliance with Regulations. | 12/29/12 | 6/15/20, 85 FR 36156 | The cross reference to WAC 173–400–113(3) is interpreted to be NWCAA section 300.9(B)(3). |
| 173–400–113 | New Sources in Attainment or Unclassifiable Areas—Review for Compliance with Regulations. | 12/29/12 | 6/15/20, 85 FR 36156 | Only subsection (4), otherwise NWCAA section 300 applies. |
| 173–400–117 | Special Protection Requirements for Federal Class I Areas. | 12/29/12 | 6/15/20, 85 FR 36156. | |
| 173–400–118 | Designation of Class I, II, and III Areas | 12/29/12 | 6/15/20, 85 FR 36156. | |
| 173–400–131 | Issuance of Emission Reduction Credits | 4/1/11 | 6/15/20, 85 FR 36156. | |
| 173–400–136 | Use of Emission Reduction Credits (ERC) | 4/1/11 | 6/15/20, 85 FR 36156. | |
| 173–400–151 | Retrofit Requirements for Visibility Protection | 2/10/05 | 6/15/20, 85 FR 36156. | |
| 173–400–161 | Compliance Schedules | 3/22/91 | 6/2/95, 60 FR 28726. | |
| 173–400–171 | Public Notice and Opportunity for Public Comment ... | 9/16/18 | 6/15/20, 85 FR 36156 | Only subsection (6)(b), otherwise NWCAA section 305 applies. |
| 173–400–190 | Requirements for Nonattainment Areas | 3/22/91 | 6/2/95, 60 FR 28726. | |
| 173–400–200 | Creditable Stack Height and Dispersion Techniques | 2/10/05 | 6/15/20, 85 FR 36156. | |
| 173–400–205 | Adjustment for Atmospheric Conditions | 3/22/91 | 6/2/95, 60 FR 28726. | |
| 173–400–210 | Emission Requirements of Prior Jurisdictions | 3/22/91 | 6/2/95, 60 FR 28726. | |
| 173–400–800 | Major Stationary Source and Major Modification in a Nonattainment Area. | 4/1/11 | 6/15/20, 85 FR 36156 | EPA did not review WAC 173–400–800 through 860 for consistency with the August 24, 2016 PM _{2.5} implementation rule (see the Federal Register of August 24, 2016); nor does NWCAA have an obligation to submit rule revisions to address the 2016 PM _{2.5} implementation rule at this time. |
| 173–400–810 | Major Stationary Source and Major Modification Definitions. | 7/1/16 | 6/15/20, 85 FR 36156. | |
| 173–400–820 | Determining if a New Stationary Source or Modification to a Stationary Source is Subject to these Requirements. | 12/29/12 | 6/15/20, 85 FR 36156. | |
| 173–400–830 | Permitting Requirements | 7/1/16 | 6/15/20, 85 FR 36156. | |
| 173–400–840 | Emission Offset Requirements | 7/1/16 | 6/15/20, 85 FR 36156. | |
| 173–400–850 | Actual Emissions Plantwide Applicability Limitation (PAL) | 7/1/16 | 6/15/20, 85 FR 36156. | |

TABLE 5—ADDITIONAL REGULATIONS APPROVED FOR THE NORTHWEST CLEAN AIR AGENCY (NWCAA) JURISDICTION—
Continued

[Applicable in Island, Skagit and Whatcom counties, excluding facilities subject to Energy Facilities Site Evaluation Council (EFSEC) jurisdiction; facilities subject to the Washington Department of Ecology's direct jurisdiction under Chapters 173–405, 173–410, and 173–415 Washington Administrative Code (WAC); Indian reservations; any other area where the EPA or an Indian tribe has demonstrated that a tribe has jurisdiction; and the Prevention of Significant Deterioration (PSD) permitting of facilities subject to the applicability sections of WAC 173–400–700.]

| State/local citation | Title/subject | State/local effective date | EPA approval date | Explanations |
|----------------------|-------------------------------------|----------------------------|-----------------------|--------------|
| 173–400–860 | Public Involvement Procedures | 4/1/11 | 6/15/20, 85 FR 36156. | |

TABLE 6—ADDITIONAL REGULATIONS APPROVED FOR THE OLYMPIC REGION CLEAN AIR AGENCY (ORCAA) JURISDICTION
[Applicable in Clallam, Grays Harbor, Jefferson, Mason, Pacific, and Thurston counties, excluding facilities subject to Energy Facilities Site Evaluation Council (EFSEC) jurisdiction, Indian reservations and any other area where the EPA or an Indian tribe has demonstrated that a tribe has jurisdiction, and facilities subject to the applicability sections of WAC 173–400–700, 173–405–012, 173–410–012, and 173–415–012.]

| State/local citation | Title/subject | State/local effective date | EPA approval date | Explanations |
|---|---|----------------------------|----------------------------|---|
| Olympic Region Clean Air Agency Regulations Rule 6.2 Outdoor Burning | | | | |
| 6.2.3 | No Residential or Land Clearing Burning | 2/4/12 | 10/3/13, 78 FR 61188 | Only as it applies to the cities of Olympia, Lacey, and Tumwater. |
| 6.2.6 | Curtailment | 3/18/11 | 10/3/13, 78 FR 61188. | |
| 6.2.7 | Recreational Burning | 3/18/11 | 10/3/13, 78 FR 61188. | |
| Rule 8.1 Wood Heating | | | | |
| 8.1.1 | Definitions | 5/22/10 | 10/3/13, 78 FR 61188. | |
| 8.1.2 (b) and (c) | General Emission Standards | 5/22/10 | 10/3/13, 78 FR 61188. | |
| 8.1.3 | Prohibited Fuel Types | 5/22/10 | 10/3/13, 78 FR 61188. | |
| 8.1.4 | Curtailment | 5/22/10 | 10/3/13, 78 FR 61188. | |
| 8.1.5 | Exceptions | 5/22/10 | 10/3/13, 78 FR 61188. | |
| 8.1.7 | Sale and Installation of Uncertified Woodstoves | 5/22/10 | 10/3/13, 78 FR 61188. | |
| 8.1.8 | Disposal of Uncertified Woodstoves | 5/22/10 | 10/3/13, 78 FR 61188. | |
| Washington Department of Ecology Regulations Washington Administrative Code, Chapter 173–400—General Regulations for Air Pollution Sources | | | | |
| 173–400–010 | Policy and Purpose | 3/22/91 | 6/2/95, 60 FR 28726. | Except (1)(c), and (1)(d), (2), (4), and the 2nd paragraph of (6). Except the exception provision in (3). |
| 173–400–020 | Applicability | 3/22/91 | 6/2/95, 60 FR 28726. | |
| 173–400–030 | Definitions | 3/22/91 | 6/2/95, 60 FR 28726. | |
| 173–400–040 | General Standards for Maximum Emissions | 3/22/91 | 6/2/95, 60 FR 28726 | |
| 173–400–050 | Emission Standards for Combustion and Incineration Units. | 3/22/91 | 6/2/95, 60 FR 28726 | Except (7). |
| 173–400–060 | Emission Standards for General Process Units .. | 3/22/91 | 6/2/95, 60 FR 28726. | |
| 173–400–070 | Emission Standards for Certain Source Categories. | 3/22/91 | 6/2/95, 60 FR 28726 | |
| 173–400–081 | Startup and Shutdown | 9/20/93 | 6/2/95, 60 FR 28726. | 9/20/93 version continues to be approved under the authority of CAA Section 112(l) with respect to Section 112 hazardous air pollutants. See the Federal Register of June 2, 1995. |
| 173–400–091 | Voluntary Limits on Emissions | 9/20/93 | 6/2/95, 60 FR 28726 | |
| 173–400–100 | Registration | 9/20/93 | 6/2/95, 60 FR 28726. | |
| 173–400–105 | Records, Monitoring and Reporting | 9/20/93 | 6/2/95, 60 FR 28726. | |
| 173–400–107 | Excess Emissions | 9/20/93 | 6/2/95, 60 FR 28726. | Except (8). |
| 173–400–110 | New Source Review (NSR) | 9/20/93 | 6/2/95, 60 FR 28726. | |
| 173–400–112 | Requirements for New Sources in Nonattainment Areas. | 9/20/93 | 6/2/95, 60 FR 28726 | Except (5). |
| 173–400–113 | Requirements for New Sources in Attainment or Unclassifiable Areas. | 9/20/93 | 6/2/95, 60 FR 28726 | |
| 173–400–151 | Retrofit Requirements for Visibility Protection | 3/22/91 | 6/2/95, 60 FR 28726. | |
| 173–400–161 | Compliance Schedules | 3/22/91 | 6/2/95, 60 FR 28726. | |
| 173–400–171 | Public Involvement | 9/20/93 | 6/2/95, 60 FR 28726. | |
| 173–400–190 | Requirements for Nonattainment Areas | 3/22/91 | 6/2/95, 60 FR 28726. | |
| 173–400–200 | Creditable Stack Height & Dispersion Techniques. | 3/22/91 | 6/2/95, 60 FR 28726. | |
| 173–400–205 | Adjustment for Atmospheric Conditions | 3/22/91 | 6/2/95, 60 FR 28726. | |
| 173–400–210 | Emission Requirements of Prior Jurisdictions | 3/22/91 | 6/2/95, 60 FR 28726. | |

TABLE 7—ADDITIONAL REGULATIONS APPROVED FOR THE PUGET SOUND CLEAN AIR AGENCY (PSCAA) JURISDICTION

[Applicable in King, Kitsap, Pierce and Snohomish counties, excluding facilities subject to Energy Facilities Site Evaluation Council (EFSEC) jurisdiction; facilities subject to the Washington Department of Ecology's direct jurisdiction under Chapters 173–405, 173–410, and 173–415 Washington Administrative Code (WAC); Indian reservations (excluding non-trust land within the exterior boundaries of the Puyallup Indian Reservation); any other area where the EPA or an Indian tribe has demonstrated that a tribe has jurisdiction; and the Prevention of Significant Deterioration (PSD) permitting of facilities subject to the applicability sections of WAC 173–400–700.]

| State/local citation | Title/subject | State/local effective date | EPA approval date | Explanations |
|---|---|----------------------------|----------------------------|---|
| Puget Sound Clean Air Agency Regulations | | | | |
| Regulation I—Article 1: Policy, Short Title, and Definitions | | | | |
| 1.01 | Policy | 11/01/99 | 4/22/20, 85 FR 22357 | Replaces WAC 173–400–010. |
| 1.03 | Name of Agency | 11/01/99 | 8/31/04, 69 FR 53007. | |
| 1.05 | Short Title | 11/01/99 | 8/31/04, 69 FR 53007. | |
| 1.07 | Definitions | 12/01/18 | 4/22/20, 85 FR 22357 | Except the definition “toxic air pollutant (TAP) or toxic air contaminant.” |
| Regulation I—Article 3: General Provisions | | | | |
| 3.03(f) | General Regulatory Orders | 02/01/12 | 4/22/20, 85 FR 22357. | |
| 3.04 | Reasonably Available Control Technology | 07/01/12 | 4/22/20, 85 FR 22357 | Except 3.04(e). Replaces WAC 173–400–040(1)(c). |
| 3.06 | Credible Evidence | 11/14/98 | 8/31/04, 69 FR 53007. | |
| 3.25 | Federal Regulation Reference Date | 11/01/19 | 4/22/20, 85 FR 22357 | Replaces WAC 173–400–025. |
| Regulation I—Article 5: Registration | | | | |
| 5.03 | Applicability of Registration Program | 11/01/16 | 4/22/20, 85 FR 22357 | Except 5.03(a)(8)(Q) and 5.03(b)(5). |
| 5.05 | Registration Requirements | 02/01/17 | 4/22/20, 85 FR 22357 | Except 5.05(b)(1) and (2). |
| Regulation I—Article 6: New Source Review | | | | |
| 6.01 | Components of New Source Review Program | 8/01/18 | 4/22/20, 85 FR 22357 | Except the parenthetical in 6.01(b) which states “as delegated by agreement with the US Environmental Protection Agency, Region 10.” See subheading in this table 7 for revised Chapter 173–400 WAC provisions incorporated by reference. |
| 6.03 | Notice of Construction | 11/01/15 | 4/22/20, 85 FR 22357 | Except 6.03(b)(10). Section 6.03 replaces WAC 173–400–110, except WAC 173–400–110(1)(c)(i) and (1)(d) which are incorporated by reference. |
| 6.09 | Notice of Completion | 05/01/04 | 4/22/20, 85 FR 22357. | |
| 6.10 | Work Done without an Approval | 09/01/01 | 4/22/20, 85 FR 22357. | |
| Regulation I—Article 7: Operating Permits | | | | |
| 7.09 | General Reporting Requirements for Operating Permits. | 02/01/17 | 4/22/20, 85 FR 22357 | Excluding toxic air pollutants. |
| Regulation I—Article 8: Outdoor Burning | | | | |
| 8.04 | General Conditions for Outdoor Burning | 01/01/01 | 8/31/04, 69 FR 53007. | |
| 8.05 | Agricultural Burning | 01/01/01 | 8/31/04, 69 FR 53007. | |
| 8.06 | Outdoor Burning Ozone Contingency Measure .. | 01/23/03 | 8/05/04, 69 FR 47364. | |
| 8.09 | Description of King County No-Burn Area | 01/01/01 | 8/31/04, 69 FR 53007. | |
| 8.10 | Description of Pierce County No-Burn Area | 01/01/01 | 8/31/04, 69 FR 53007. | |
| 8.11 | Description of Snohomish County No-Burn Area .. | 01/01/01 | 8/31/04, 69 FR 53007. | |
| 8.12 | Description of Kitsap County No-Burn Area | 11/30/02 | 8/31/04, 69 FR 53007. | |
| Regulation I—Article 9: Emission Standards | | | | |
| 9.03 | Emission of Air Contaminant: Visual Standard ... | 05/01/04 | 4/22/20, 85 FR 22357 | Except 9.03(e). Replaces WAC 173–400–040(2). Except 9.04(d)(2) and 9.04(f). |
| 9.04 | Opacity Standards for Equipment with Continuous Opacity Monitoring Systems. | 05/01/04 | 4/22/20, 85 FR 22357 | |
| 9.05 | Refuse Burning | 1/13/94 | 06/29/95, 60 FR 33734. | |
| 9.07 | Sulfur Dioxide Emission Standard | 05/19/94 | 4/22/20, 85 FR 22357 | Replaces WAC 173–400–040(7). |
| 9.08 | Fuel Oil Standards | 05/01/04 | 4/22/20, 85 FR 22357 | Approved only as it applies to the regulation of criteria pollutants. |
| 9.09 | Particulate Matter Emission Standards | 06/01/98 | 4/22/20, 85 FR 22357 | Replaces WAC 173–400–050(1) & (3) and 173–400–060. |
| 9.11(a) | Emission of Air Contaminant: Detriment to Person or Property. | 04/17/99 | 4/22/20, 85 FR 22357 | Replaces WAC 173–400–040(6). |
| 9.13 | Emission of Air Contaminant: Concealment and Masking Restricted. | 06/09/88 | 4/22/20, 85 FR 22357 | Replaces WAC 173–400–040(8). |
| 9.15 | Fugitive Dust Control Measures | 04/17/99 | 4/22/20, 85 FR 22357 | Replaces WAC 173–400–040(9)(a). |
| 9.16 | Spray-Coating Operations | 12/02/10 | 4/22/20, 85 FR 22357. | |
| 9.18 | Crushing Operations | 03/02/12 | 4/22/20, 85 FR 22357. | |
| 9.20 | Maintenance of Equipment | 6/9/88 | 08/29/94, 59 FR 44324. | |

TABLE 7—ADDITIONAL REGULATIONS APPROVED FOR THE PUGET SOUND CLEAN AIR AGENCY (PSCAA) JURISDICTION—
Continued

[Applicable in King, Kitsap, Pierce and Snohomish counties, excluding facilities subject to Energy Facilities Site Evaluation Council (EFSEC) jurisdiction; facilities subject to the Washington Department of Ecology's direct jurisdiction under Chapters 173–405, 173–410, and 173–415 Washington Administrative Code (WAC); Indian reservations (excluding non-trust land within the exterior boundaries of the Puyallup Indian Reservation); any other area where the EPA or an Indian tribe has demonstrated that a tribe has jurisdiction; and the Prevention of Significant Deterioration (PSD) permitting of facilities subject to the applicability sections of WAC 173–400–700.]

| State/local citation | Title/subject | State/local effective date | EPA approval date | Explanations | |
|---|--|----------------------------|----------------------------|---|--|
| Regulation I—Article 12: Standards of Performance for Continuous Emission Monitoring Systems | | | | | |
| 12.01 | Applicability | 06/01/98 | 8/31/04, 69 FR 53007. | Replaces WAC 173–400–105(7). | |
| 12.03 | Continuous Emission Monitoring Systems | 11/01/15 | 4/22/20, 85 FR 22357 | | |
| Regulation I—Article 13: Solid Fuel Burning Device Standards | | | | | |
| 13.01 | Policy and Purpose | 12/01/12 | 5/29/13, 78 FR 32131. | | |
| 13.02 | Definitions | 12/01/12 | 5/29/13, 78 FR 32131. | | |
| 13.03 | Opacity Standards | 12/01/12 | 5/29/13, 78 FR 32131. | | |
| 13.04 | Prohibited Fuel Types | 12/01/12 | 5/29/13, 78 FR 32131. | | |
| 13.05 | Curtailment | 12/01/12 | 5/29/13, 78 FR 32131. | | |
| 13.06 | Emission Performance Standards | 12/01/12 | 5/29/13, 78 FR 32131. | | |
| 13.07 | Prohibition on Wood Stoves that are not Cer- tified Wood Stoves. | 12/01/12 | 5/29/13, 78 FR 32131. | | |
| Regulation II—Article 1: Purpose, Policy, Short Title, and Definitions | | | | | |
| 1.01 | Purpose | 11/01/99 | 08/31/04, 69 FR 53007. | | |
| 1.02 | Policy | 11/01/99 | 08/31/04, 69 FR 53007. | | |
| 1.03 | Short Title | 11/01/99 | 08/31/04, 69 FR 53007. | | |
| 1.04 | General Definitions | 12/11/80 | 02/28/83, 48 FR 8273. | | |
| 1.05 | Special Definitions | 9/1/03 | 09/17/13, 78 FR 57073. | | |
| Regulation II—Article 2: Gasoline Marketing Emission Standards | | | | | |
| 2.01 | Definitions | 08/13/99 | 08/31/04, 69 FR 53007. | | |
| 2.03 | Petroleum Refineries | 07/15/91 | 08/29/94, 59 FR 44324. | | |
| 2.05 | Gasoline Loading Terminals | 01/13/94 | 06/29/95, 60 FR 33734. | | |
| 2.06 | Bulk Gasoline Plants | 07/15/91 | 08/29/94, 59 FR 44324. | | |
| 2.07 | Gasoline Stations | 01/10/00 | 08/31/04, 69 FR 53007. | | |
| 2.08 | Gasoline Transport Tanks | 08/13/99 | 08/31/04, 69 FR 53007. | | |
| 2.09 | Oxygenated Gasoline Carbon Monoxide Contin- gency Measure and Fee Schedule. | 01/23/03 | 08/05/04, 69 FR 47365. | | |
| 2.10 | Gasoline Station Ozone Contingency Measure .. | 01/23/03 | 08/05/04, 69 FR 47365. | | |
| Regulation II—Article 3: Miscellaneous Volatile Organic Compound Emission Standards | | | | | |
| 3.01 | Cutback Asphalt Paving | 7/15/91 | 08/29/94, 59 FR 44324. | | |
| 3.02 | Volatile Organic Compound Storage Tanks | 8/13/99 | 08/31/04, 69 FR 53007. | | |
| 3.03 | Can and Paper Coating Operations | 3/17/94 | 06/29/95, 60 FR 33734. | | |
| 3.04 | Motor Vehicle and Mobile Equipment Coating Operations. | 9/1/03 | 09/17/13, 78 FR 57073. | | |
| 3.05 | Graphic Arts Systems | 1/13/94 | 06/29/95, 60 FR 33734. | | |
| 3.08 | Polyester, Vinyvester, Gelcoat, and Resin Oper- ations. | 1/13/94 | 06/29/95, 60 FR 33734. | | |
| 3.09 | Aerospace Component Coating Operations | 1/13/94 | 6/29/95, 60 FR 33734. | | |
| Washington Administrative Code, Chapter 173–400 Regulations Incorporated by Reference in Regulation I, Section 6.01 | | | | | |
| 173–400–030 | Definitions | 12/29/12 | 4/22/20, 85 FR 22357 | Except: 173–400–030(91). | |
| 173–400–081 | Startup and Shutdown | 04/01/11 | 4/22/20, 85 FR 22357. | 173–400–110(1)(c)(i) and 173–400–110(1)(d) only. Except: 173–400–111(3)(h); —The part of 173–400–111(8)(a)(v) that says, “and 173–460–040,”; 173–400–111(9). | |
| 173–400–110 | New Source Review (NSR) for Sources and Portable Sources. | 12/29/12 | 4/22/20, 85 FR 22357 | | |
| 173–400–111 | Processing Notice of Construction Applications for Sources, Stationary Sources and Portable Sources. | 07/01/16 | 4/22/20, 85 FR 22357 | | |
| 173–400–112 | Requirements for New Sources in Nonattain- ment Areas. | 12/29/12 | 4/22/20, 85 FR 22357. | | |
| 173–400–113 | Requirements for New Sources in Attainment or Unclassifiable Areas. | 12/29/12 | 4/22/20, 85 FR 22357 | | |
| 173–400–117 | Special Protection Requirements for Federal Class I Areas. | 12/29/12 | 4/22/20, 85 FR 22357. | | |
| 173–400–171 | Public Notice and Opportunity for Public Com- ment. | 07/01/16 | 4/22/20, 85 FR 22357 | | |
| 173–400–200 | Creditable Stack Height and Dispersion Tech- niques. | 02/10/05 | 4/22/20, 85 FR 22357. | Except: —The part of 173–400–171(3)(b) that says, “or any increase in emissions of a toxic air pollut- ant above the acceptable source impact level for that toxic air pollutant as regulated under chapter 173–460 WAC”; 173–400–171(12). | |
| 173–400–560 | General Order of Approval | 12/29/12 | 4/22/20, 85 FR 22357 | Except: —The part of 173–400–560(1)(f) that says, “173–460 WAC” | |

TABLE 7—ADDITIONAL REGULATIONS APPROVED FOR THE PUGET SOUND CLEAN AIR AGENCY (PSCAA) JURISDICTION—
Continued

[Applicable in King, Kitsap, Pierce and Snohomish counties, excluding facilities subject to Energy Facilities Site Evaluation Council (EFSEC) jurisdiction; facilities subject to the Washington Department of Ecology's direct jurisdiction under Chapters 173–405, 173–410, and 173–415 Washington Administrative Code (WAC); Indian reservations (excluding non-trust land within the exterior boundaries of the Puyallup Indian Reservation); any other area where the EPA or an Indian tribe has demonstrated that a tribe has jurisdiction; and the Prevention of Significant Deterioration (PSD) permitting of facilities subject to the applicability sections of WAC 173–400–700.]

| State/local citation | Title/subject | State/local effective date | EPA approval date | Explanations |
|----------------------|---|----------------------------|----------------------------|--|
| 173–400–800 | Major Stationary Source and Major Modification in a Nonattainment Area. | 4/01/11 | 4/22/20, 85 FR 22357 | EPA did not review WAC 173–400–800 through 860 for consistency with the August 24, 2016 PM _{2.5} implementation rule (see the Federal Register of August 24, 2016); nor does PSCAA have an obligation to submit rule revisions to address the 2016 PM _{2.5} implementation rule at this time. |
| 173–400–810 | Major Stationary Source and Major Modification Definitions. | 07/01/16 | 4/22/20, 85 FR 22357. | |
| 173–400–820 | Determining if a New Stationary Source or Modification to a Stationary Source is Subject to these Requirements. | 12/29/12 | 4/22/20, 85 FR 22357. | |
| 173–400–830 | Permitting Requirements | 07/01/16 | 4/22/20, 85 FR 22357. | |
| 173–400–840 | Emission Offset Requirements | 07/01/16 | 4/22/20, 85 FR 22357. | |
| 173–400–850 | Actual Emissions Plantwide Applicability Limitation (PAL). | 07/01/16 | 4/22/20, 85 FR 22357. | |
| 173–400–860 | Public Involvement Procedures | 4/01/11 | 4/22/20, 85 FR 22357. | |

Washington Department of Ecology Regulations
Washington Administrative Code, Chapter 173–400—General Regulations for Air Pollution Sources

| | | | | |
|-------------------|---|----------|-----------------------------|---|
| 173–400–020 | Applicability | 12/29/12 | 4/22/20, 85 FR 22357. | |
| 173–400–040 | General Standards for Maximum Emissions | 09/16/18 | 4/22/20, 85 FR 22357 | 173–400–040(1)(a) & (b), 173–400–040(4); and 173–400–040(9)(b) only. |
| 173–400–070 | Emission Standards for Certain Source Categories. | 03/22/91 | 06/02/95, 60 FR 28726 | Except (7). |
| 173–400–091 | Voluntary Limits on Emissions | 4/1/11 | 4/22/20, 85 FR 22357 | 9/20/93 version continues to be approved under the authority of CAA Section 112(l) with respect to Section 112 hazardous air pollutants. See the Federal Register of June 2, 1995. |
| 173–400–105 | Records, Monitoring and Reporting | 11/25/18 | 4/22/20, 85 FR 22357 | Except: 173–400–105(7). |
| 173–400–107 | Excess Emissions | 09/20/93 | 06/02/95, 60 FR 28726. | |
| 173–400–118 | Designation of Class I, II, and III Areas | 12/29/12 | 4/22/20, 85 FR 22357. | |
| 173–400–131 | Issuance of Emission Reduction Credits | 04/1/11 | 4/22/20, 85 FR 22357. | |
| 173–400–136 | Use of Emission Reduction Credits (ERC) | 12/29/12 | 4/22/20, 85 FR 22357. | |
| 173–400–151 | Retrofit Requirements for Visibility Protection | 2/10/05 | 4/22/20, 85 FR 22357. | |
| 173–400–161 | Compliance Schedules | 3/22/91 | 06/02/95, 60 FR 28726. | |
| 173–400–175 | Public Information | 2/10/05 | 4/22/20, 85 FR 22357. | |
| 173–400–190 | Requirements for Nonattainment Areas | 3/22/91 | 06/02/95, 60 FR 28726. | |
| 173–400–205 | Adjustment for Atmospheric Conditions | 3/22/91 | 06/02/95, 60 FR 28726. | |
| 173–400–210 | Emission Requirements of Prior Jurisdictions | 3/22/91 | 06/02/95, 60 FR 28726. | |

TABLE 8—ADDITIONAL REGULATIONS APPROVED FOR THE SOUTHWEST CLEAN AIR AGENCY (SWCAA) JURISDICTION

[Applicable in Clark, Cowlitz, Lewis, Skamania and Wahkiakum counties, excluding facilities subject to Energy Facilities Site Evaluation Council (EFSEC) jurisdiction, Indian reservations and any other area where the EPA or an Indian tribe has demonstrated that a tribe has jurisdiction, and facilities subject to the applicability sections of WAC 173–405–012, 173–410–012, and 173–415–012.]

| State/local citation | Title/subject | State/local effective date | EPA approval date | Explanations |
|---|---|----------------------------|-----------------------------|---|
| Southwest Clean Air Agency Regulations SWCAA 400—General Regulations for Air Pollution Sources | | | | |
| 400–010 | Policy and Purpose | 03/18/01 | 04/10/17, 82 FR 17136. | |
| 400–020 | Applicability | 10/09/16 | 04/10/17, 82 FR 17136. | |
| 400–030 | Definitions | 10/09/16 | 04/10/17, 82 FR 17136 | Except: 400–030(21) and (129). |
| 400–036 | Portable Sources from Other Washington Jurisdictions. | 10/09/16 | 04/10/17, 82 FR 17136. | |
| 400–040(1)(a) | General Standards for Maximum Emissions | 9/21/95 | 2/26/97, 62 FR 8624. | |
| 400–040 | General Standards for Maximum Emissions | 10/09/16 | 04/10/17, 82 FR 17136 | Except: 400–040(1)(a), (c) and (d); 400–040(2); and 400–040(4). |
| 400–050 | Emission Standards for Combustion and Incineration Units. | 10/09/16 | 04/10/17, 82 FR 17136 | Except: 400–050(3); 400–050(5); and 400–050(6). |
| 400–060 | Emission Standards for General Process Units .. | 10/09/16 | 04/10/17, 82 FR 17136. | |
| 400–070(2)(a) | Emission Standards for Certain Source Categories. | 9/21/95 | 2/26/97, 62 FR 8624. | |

TABLE 8—ADDITIONAL REGULATIONS APPROVED FOR THE SOUTHWEST CLEAN AIR AGENCY (SWCAA) JURISDICTION—Continued

[Applicable in Clark, Cowlitz, Lewis, Skamania and Wahkiakum counties, excluding facilities subject to Energy Facilities Site Evaluation Council (EFSEC) jurisdiction, Indian reservations and any other area where the EPA or an Indian tribe has demonstrated that a tribe has jurisdiction, and facilities subject to the applicability sections of WAC 173–405–012, 173–410–012, and 173–415–012.]

| State/local citation | Title/subject | State/local effective date | EPA approval date | Explanations |
|----------------------|---|----------------------------|-----------------------------|--|
| 400–070 | General Requirements for Certain Source Categories. | 10/09/16 | 04/10/17, 82 FR 17136 | Except: 400–070(2)(a); 400–070(3)(b); 400–070(5); 400–070(6); 400–070(7); 400–070(8)(c); 400–070(9); 400–070(10); 400–070(11); 400–070(12); 400–070(14); and 400–070(15)(c). |
| 400–072 | Small Unit Notification for Selected Source Categories. | 10/09/16 | 04/10/17, 82 FR 17136 | Except: 400–072(5)(a)(ii)(B); 400–072(5)(d)(ii)(B); 400–072(5)(d)(iii)(A); 400–072(5)(d)(iii)(B); and all reporting requirements related to toxic air pollutants. |
| 400–074 | Gasoline Transport Tanker Registration | 11/15/09 | 04/10/17, 82 FR 17136 | Except: 400–074(2). |
| 400–081 | Startup and Shutdown | 10/09/16 | 04/10/17, 82 FR 17136. | |
| 400–091 | Voluntary Limits on Emissions | 10/09/16 | 04/10/17, 82 FR 17136. | |
| 400–105 | Records, Monitoring and Reporting | 10/09/16 | 04/10/17, 82 FR 17136 | Except: Reporting requirements related to toxic air pollutants. |
| 400–106 | Emission Testing and Monitoring at Air Contaminant Sources. | 10/09/16 | 04/10/17, 82 FR 17136 | Except: 400–106(1)(d) through (g); and 400–106(2). |
| 400–107 | Excess Emissions | 9/21/95 | 2/26/97, 62 FR 8624. | |
| 400–109 | Air Discharge Permit Applications | 10/09/16 | 04/10/17, 82 FR 17136 | Except: The toxic air pollutant emissions thresholds contained in 400–109(3)(d); 400–109(3)(e)(ii); and 400–109(4). |
| 400–110 | Application Review Process for Stationary Sources (New Source Review). | 10/09/16 | 04/10/17, 82 FR 17136 | Except: 400–110(1)(d). |
| 400–111 | Requirements for New Sources in a Maintenance Plan Area. | 10/09/16 | 04/10/17, 82 FR 17136 | Except: 400–111(7). |
| 400–112 | Requirements for New Sources in Nonattainment Areas. | 10/09/16 | 04/10/17, 82 FR 17136 | Except: 400–112(6). |
| 400–113 | Requirements for New Sources in Attainment or Nonclassifiable Areas. | 10/09/16 | 04/10/17, 82 FR 17136 | Except: 400–113(5). |
| 400–114 | Requirements for Replacement or Substantial Alteration of Emission Control Technology at an Existing Stationary Source. | 11/09/03 | 04/10/17, 82 FR 17136. | |
| 400–116 | Maintenance of Equipment | 11/09/03 | 04/10/17, 82 FR 17136. | |
| 400–130 | Use of Emission Reduction Credits | 10/09/16 | 04/10/17, 82 FR 17136. | |
| 400–131 | Deposit of Emission Reduction Credits Into Bank | 10/09/16 | 04/10/17, 82 FR 17136. | |
| 400–136 | Maintenance of Emission Reduction Credits in Bank. | 10/09/16 | 04/10/17, 82 FR 17136. | |
| 400–151 | Retrofit Requirements for Visibility Protection | 11/09/03 | 04/10/17, 82 FR 17136. | |
| 400–161 | Compliance Schedules | 03/18/01 | 04/10/17, 82 FR 17136. | |
| 400–171 | Public Involvement | 10/09/16 | 04/10/17, 82 FR 17136 | Except: 400–171(2)(a)(xii). |
| 400–190 | Requirements for Nonattainment Areas | 10/09/16 | 04/10/17, 82 FR 17136. | |
| 400–200 | Vertical Dispersion Requirement, Creditable Stack Height and Dispersion Techniques. | 10/09/16 | 04/10/17, 82 FR 17136. | |
| 400–205 | Adjustment for Atmospheric Conditions | 03/18/01 | 04/10/17, 82 FR 17136. | |
| 400–210 | Emission Requirements of Prior Jurisdictions | 03/18/01 | 04/10/17, 82 FR 17136. | |
| 400–800 | Major Stationary Source and Major Modification in a Nonattainment Area. | 10/09/16 | 04/10/17, 82 FR 17136. | |
| 400–810 | Major Stationary Source and Major Modification Definitions. | 10/09/16 | 04/10/17, 82 FR 17136. | |
| 400–820 | Determining If a New Stationary Source or Modification to a Stationary Source is Subject to These Requirements. | 10/09/16 | 04/10/17, 82 FR 17136. | |
| 400–830 | Permitting Requirements | 10/09/16 | 04/10/17, 82 FR 17136. | |
| 400–840 | Emission Offset Requirements | 10/09/16 | 04/10/17, 82 FR 17136. | |
| 400–850 | Actual Emissions—Plantwide Applicability Limitation (PAL). | 10/09/16 | 04/10/17, 82 FR 17136. | |
| 400–860 | Public Involvement Procedures | 10/09/16 | 04/10/17, 82 FR 17136. | |
| Appendix A | SWCAA Method 9 Visual Opacity Determination Method. | 10/09/16 | 04/10/17, 82 FR 17136. | |
| Appendix B | Description of Vancouver Ozone and Carbon Monoxide Maintenance Area Boundary. | 10/09/16 | 04/10/17, 82 FR 17136 | |

Emission Standards and Controls for Sources Emitting Volatile Organic Compounds

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|---------------|---|----------|-----------------------|--|
| 490–010 | Policy and Purpose | 11/21/96 | 5/19/97, 62 FR 27204. | |
| 490–020 | Definitions | 11/21/96 | 5/19/97, 62 FR 27204. | |
| 490–025 | General Applicability | 11/21/96 | 5/19/97, 62 FR 27204. | |
| 490–030 | Registration and Reporting | 11/21/96 | 5/19/97, 62 FR 27204. | |
| 490–040 | Requirements | 11/21/96 | 5/19/97, 62 FR 27204. | |
| 490–080 | Exceptions & Alternative Methods | 11/21/96 | 5/19/97, 62 FR 27204. | |
| 490–090 | New Source Review | 11/21/96 | 5/19/97, 62 FR 27204. | |
| 490–200 | Petroleum Refinery Equipment Leaks | 11/21/96 | 5/19/97, 62 FR 27204. | |
| 490–201 | Petroleum Liquid Storage in External Floating Roof Tanks. | 11/21/96 | 5/19/97, 62 FR 27204. | |
| 490–202 | Leaks from Gasoline Transport Tanks and Vapor Collection Systems. | 11/21/96 | 5/19/97, 62 FR 27204. | |

TABLE 8—ADDITIONAL REGULATIONS APPROVED FOR THE SOUTHWEST CLEAN AIR AGENCY (SWCAA) JURISDICTION—
Continued

[Applicable in Clark, Cowlitz, Lewis, Skamania and Wahkiakum counties, excluding facilities subject to Energy Facilities Site Evaluation Council (EFSEC) jurisdiction, Indian reservations and any other area where the EPA or an Indian tribe has demonstrated that a tribe has jurisdiction, and facilities subject to the applicability sections of WAC 173–405–012, 173–410–012, and 173–415–012.]

| State/local citation | Title/subject | State/local effective date | EPA approval date | Explanations |
|--|---|----------------------------|-----------------------------|---|
| 490–203 | Perchloroethylene Dry Cleaning Systems | 11/21/96 | 5/19/97, 62 FR 27204. | |
| 490–204 | Graphic Arts Systems | 11/21/96 | 5/19/97, 62 FR 27204. | |
| 490–205 | Surface Coating of Miscellaneous Metal Parts and Products. | 11/21/96 | 5/19/97, 62 FR 27204. | |
| 490–207 | Surface Coating of Flatwood Paneling | 11/21/96 | 5/19/97, 62 FR 27204. | |
| 490–208 | Aerospace Assembly & Component Coating Operations. | 11/21/96 | 5/19/97, 62 FR 27204. | |
| Emissions Standards and Controls for Sources Emitting Gasoline Vapors | | | | |
| 491–010 | Policy and Purpose | 11/21/96 | 5/19/97, 62 FR 27204. | |
| 491–015 | Applicability | 11/21/96 | 5/19/97, 62 FR 27204. | |
| 491–020 | Definitions | 11/21/96 | 5/19/97, 62 FR 27204. | |
| 491–030 | Registration | 11/21/96 | 5/19/97, 62 FR 27204. | |
| 491–040 | Gasoline Vapor Control Requirements | 11/21/96 | 5/19/97, 62 FR 27204. | |
| 491–050 | Failures, Certification, Testing & Recordkeeping | 11/21/96 | 5/19/97, 62 FR 27204. | |
| 491–060 | Severability | 11/21/96 | 5/19/97, 62 FR 27204. | |
| Oxygenated Fuels | | | | |
| 492–010 | Policy and Purpose | 11/21/96 | 4/30/97, 62 FR 23363. | |
| 492–020 | Applicability | 11/21/96 | 4/30/97, 62 FR 23363. | |
| 492–030 | Definitions | 11/21/96 | 4/30/97, 62 FR 23363. | |
| 492–040 | Compliance Requirements | 11/21/96 | 4/30/97, 62 FR 23363. | |
| 492–050 | Registration Requirements | 11/21/96 | 4/30/97, 62 FR 23363. | |
| 492–060 | Labeling Requirements | 11/21/96 | 4/30/97, 62 FR 23363. | |
| 492–070 | Control Area and Control Period | 11/21/96 | 4/30/97, 62 FR 23363. | |
| 492–080 | Enforcement and Compliance | 11/21/96 | 4/30/97, 62 FR 23363. | |
| 492–090 | Unplanned Conditions | 11/21/96 | 4/30/97, 62 FR 23363. | |
| 492–100 | Severability | 11/21/96 | 4/30/97, 62 FR 23363. | |
| VOC Area Source Rules | | | | |
| 493–100 | Consumer Products (Reserved) | 05/26/96 | 5/19/97, 62 FR 27204. | |
| 493–200–010 | Applicability | 05/26/96 | 5/19/97, 62 FR 27204. | |
| 493–200–020 | Definitions | 05/26/96 | 5/19/97, 62 FR 27204. | |
| 493–200–030 | Spray Paint Standards & Exemptions | 05/26/96 | 5/19/97, 62 FR 27204. | |
| 493–200–040 | Requirements for Manufacture, Sale and Use of Spray Paint. | 05/26/96 | 5/19/97, 62 FR 27204. | |
| 493–200–050 | Recordkeeping & Reporting Requirements | 05/26/96 | 5/19/97, 62 FR 27204. | |
| 493–200–060 | Inspection and Testing Requirements | 05/26/96 | 5/19/97, 62 FR 27204. | |
| 493–300–010 | Applicability | 5/26/96 | 5/19/97, 62 FR 27204. | |
| 493–300–020 | Definitions | 5/26/96 | 5/19/97, 62 FR 27204. | |
| 493–300–030 | Standards | 5/26/96 | 5/19/97, 62 FR 27204. | |
| 493–300–040 | Requirements for Manufacture, Sale and Use of Architectural Coatings. | 5/26/96 | 5/19/97, 62 FR 27204. | |
| 493–300–050 | Recordkeeping & Reporting Requirements | 5/26/96 | 5/19/97, 62 FR 27204. | |
| 493–300–060 | Inspection and Testing Requirements | 5/26/96 | 5/19/97, 62 FR 27204. | |
| 493–400–010 | Applicability | 05/26/96 | 5/19/97, 62 FR 27204. | |
| 493–400–020 | Definitions | 05/26/96 | 5/19/97, 62 FR 27204. | |
| 493–400–030 | Coating Standards & Exemptions | 05/26/96 | 5/19/97, 62 FR 27204. | |
| 493–400–040 | Requirements for Manufacture & Sale of Coating | 05/26/96 | 5/19/97, 62 FR 27204. | |
| 493–400–050 | Requirements for Motor Vehicle Refinishing in Vancouver AQMA. | 05/26/96 | 5/19/97, 62 FR 27204. | |
| 493–400–060 | Recordkeeping and Reporting Requirements | 05/26/96 | 5/19/97, 62 FR 27204. | |
| 493–400–070 | Inspection & Testing Requirements | 05/26/96 | 5/19/97, 62 FR 27204. | |
| 493–500–010 | Applicability | 05/26/96 | 5/19/97, 62 FR 27204. | |
| 493–500–020 | Compliance Extensions | 05/26/96 | 5/19/97, 62 FR 27204. | |
| 493–500–030 | Exemption from Disclosure to the Public | 05/26/96 | 5/19/97, 62 FR 27204. | |
| 493–500–040 | Future Review | 05/26/96 | 5/19/97, 62 FR 27204. | |
| Washington Department of Ecology Regulations | | | | |
| Washington Administrative Code, Chapter 173–400—General Regulations for Air Pollution Sources | | | | |
| 173–400–117 | Special Protection Requirements for Federal Class I Areas. | 12/29/12 | 04/10/17, 82 FR 17136 | For permits issued under the applicability provisions of WAC 173–400–800. |
| 173–400–118 | Designation of Class I, II, and III Areas | 12/29/12 | 04/10/17, 82 FR 17136. | |
| 173–400–560 | General Order of Approval | 12/29/12 | 04/10/17, 82 FR 17136 | Except: —The part of 173–400–560(1)(f) that says, “173–460 WAC”. |

**TABLE 9—ADDITIONAL REGULATIONS APPROVED FOR THE SPOKANE REGIONAL CLEAN AIR AGENCY (SRCAA)
JURISDICTION**

[Applicable in Spokane county, excluding facilities subject to Energy Facilities Site Evaluation Council (EFSEC) jurisdiction; facilities subject to the Washington Department of Ecology's direct jurisdiction under Chapters 173–405, 173–410, and 173–415 Washington Administrative Code (WAC); Indian reservations; any other area where the EPA or an Indian tribe has demonstrated that a tribe has jurisdiction; and the Prevention of Significant Deterioration (PSD) permitting of facilities subject to the applicability sections of WAC 173–400–700.]

| State/local citation | Title/subject | State/local effective date | EPA approval date | Explanations |
|--|---|----------------------------|----------------------------|---|
| Spokane Regional Clean Air Agency Regulation I | | | | |
| Article I—Policy, Short Title, and Definitions | | | | |
| 1.01 | Policy | 09/01/20 | 5/10/21, 86 FR 24718 | Subsections (A) and (B) replace WAC 173–400–010. |
| 1.02 | Name of Agency | 09/01/20 | 5/10/21, 86 FR 24718. | |
| 1.03 | Short Title | 09/01/20 | 5/10/21, 86 FR 24718. | |
| 1.04 | General Definitions | 09/01/20 | 5/10/21, 86 FR 24718 | Except subsections (17), (41), (52), (60), (74), (101), (112), (119), and (122). Section 1.04 replaces WAC 173–400–030 except the WAC 173–400–030 definitions list in this table 9. |
| 1.05 | Acronym Index | 09/01/20 | 5/10/21, 86 FR 24718. | |
| Article II—General Provisions | | | | |
| 2.08 | Falsification of Statements or Documents, and Treatment of Documents. | 09/01/20 | 5/10/21, 86 FR 24718 | Subsections (E) and (F) only. Subsection (E) replaces WAC 173–400–105(6). Subsection (F) replaces WAC 173–400–105(8). |
| 2.09 | Source Tests | 09/01/20 | 5/10/21, 86 FR 24718 | Section 2.09 replaces WAC 173–400–105(4). |
| 2.13 | Federal and State Regulation Reference Date ... | 09/01/20 | 5/10/21, 86 FR 24718 | Subsection (A) replaces WAC 173–400–025. |
| 2.14 | Washington Administrative Codes (WACS) | 09/01/20 | 5/10/21, 86 FR 24718 | Subsection (A)(1) only, and only with respect to those revised Chapter 173–400 WAC provisions that are identified for incorporation by reference in this table 9. |
| Article IV—Registration | | | | |
| 4.03 | Registration Exemptions | 09/01/20 | 5/10/21, 86 FR 24718 | Subsections (B) and (C) only. |
| 4.04 | Stationary Sources and Source Categories Subject to Registration. | 09/01/20 | 5/10/21, 86 FR 24718 | Except subsections (A)(3)(u), (A)(3)(v), (A)(5)(b), (A)(5)(e)(9), or any other provision as it relates to the regulation of toxic air pollutants or odors. |
| 4.05 | Closure of a Stationary Source or Emissions Unit(s). | 09/01/20 | 5/10/21, 86 FR 24718. | |
| Article V—New Source Review for Stationary Sources and Portable Sources | | | | |
| 5.02 | New Source Review—Applicability and when Required. | 09/01/20 | 5/10/21, 86 FR 24718 | Except subsections (C)(5) and (I). Section 5.02 Replaces WAC 173–400–110. Subsection (F) replaces WAC 173–400–111(2). |
| 5.03 | NOC and PSP Fees | 09/01/20 | 5/10/21, 86 FR 24718. | |
| 5.04 | Information Required | 09/01/20 | 5/10/21, 86 FR 24718 | Except subsection (A)(8). Collectively, sections 5.04, 5.06, 5.07, 5.10, 5.13, and 5.14 replace the permitting procedures in WAC 173–400–111. |
| 5.05 | Public Involvement | 09/01/20 | 5/10/21, 86 FR 24718 | Except subsection (C)(15). Section 5.05 replaces WAC 173–400–171. |
| 5.06 | Application Completeness Determination | 09/01/20 | 5/10/21, 86 FR 24718 | Collectively, sections 5.04, 5.06, 5.07, 5.10, 5.13, and 5.14 replace the permitting procedures in WAC 173–400–111. |
| 5.07 | Processing NOC Applications for Stationary Sources. | 09/01/20 | 5/10/21, 86 FR 24718 | Except subsections (A)(1)(g) and (B). Collectively, sections 5.04, 5.06, 5.07, 5.10, 5.13, and 5.14 replace the permitting procedures in WAC 173–400–111, and subsection 5.07(A)(7) replaces WAC 173–400–110(2)(a). |
| 5.08 | Portable Sources | 09/01/20 | 5/10/21, 86 FR 24718 | Except subsection (A)(6). Section 5.08 replaces WAC 173–400–036. |
| 5.09 | Operating Requirements for Order of Approval and Permission to Operate. | 09/01/20 | 5/10/21, 86 FR 24718 | Except subsection (C). |
| 5.10 | Changes to an Order of Approval or Permission to Operate. | 09/01/20 | 5/10/21, 86 FR 24718 | Collectively, sections 5.04, 5.06, 5.07, 5.10, 5.13, and 5.14 replace the permitting procedures in WAC 173–400–111. |
| 5.11 | Notice of Startup of a Stationary Source or a Portable Source. | 09/01/20 | 5/10/21, 86 FR 24718. | |
| 5.12 | Work Done Without an Approval | 09/01/20 | 5/10/21, 86 FR 24718. | |
| 5.13 | Order of Approval Construction Time Limits | 09/01/20 | 5/10/21, 86 FR 24718 | Collectively, sections 5.04, 5.06, 5.07, 5.10, 5.13, and 5.14 replace the permitting procedures in WAC 173–400–111. |
| 5.14 | Appeals | 09/01/20 | 5/10/21, 86 FR 24718 | Collectively, sections 5.04, 5.06, 5.07, 5.10, 5.13, and 5.14 replace the permitting procedures in WAC 173–400–111. |
| 5.15 | Obligation to Comply | 09/01/20 | 5/10/21, 86 FR 24718. | |

TABLE 9—ADDITIONAL REGULATIONS APPROVED FOR THE SPOKANE REGIONAL CLEAN AIR AGENCY (SRCAA)
JURISDICTION—Continued

[Applicable in Spokane county, excluding facilities subject to Energy Facilities Site Evaluation Council (EFSEC) jurisdiction; facilities subject to the Washington Department of Ecology's direct jurisdiction under Chapters 173–405, 173–410, and 173–415 Washington Administrative Code (WAC); Indian reservations; any other area where the EPA or an Indian tribe has demonstrated that a tribe has jurisdiction; and the Prevention of Significant Deterioration (PSD) permitting of facilities subject to the applicability sections of WAC 173–400–700.]

| State/local citation | Title/subject | State/local effective date | EPA approval date | Explanations | |
|--|--|--------------------------------|---|---|---|
| Article VI—Emissions Prohibited | | | | | |
| 6.04 | Emission of Air Contaminant: Detriment to Person or Property. | 09/01/20 | 5/10/21, 86 FR 24718 | Subsections (A), (B), (C), and (H) only and excepting provisions in RCW 70.94.640 (incorporated by reference) that relate to odor. Subsection (C) replaces WAC 173–400–040(6). | |
| 6.05 | Particulate Matter & Preventing Particulate Matter from Becoming Airborne. | 09/01/20 | 5/10/21, 86 FR 24718 | Except subsection (A). Section 6.05 supplements but does not replace WAC 173–400–040(4) and (9). | |
| 6.07 | Emission of Air Contaminant Concealment and Masking Restricted. | 09/01/20 | 5/10/21, 86 FR 24718 | Section 6.07 replaces WAC 173–400–040(8). | |
| 6.14 | Standards for Control of Particulate Matter on Paved Surfaces. | 09/01/20 | 5/10/21, 86 FR 24718 | Section 6.14 supplements but does not replace WAC 173–400–040(9). | |
| 6.15 | Standards for Control of Particulate Matter on Unpaved Roads. | 09/01/20 | 5/10/21, 86 FR 24718 | Section 6.15 supplements but does not replace WAC 173–400–040(9). | |
| Article VIII—Solid Fuel Burning Device Standards | | | | | |
| 8.01 | Purpose | 9/02/14 | 9/28/15, 80 FR 58216. | Except the incorporation by reference of WAC 173–433–130, 173–433–170, and 173–433–200. | |
| 8.02 | Applicability | 9/02/14 | 9/28/15, 80 FR 58216. | | |
| 8.03 | Definitions | 9/02/14 | 9/28/15, 80 FR 58216. | | |
| 8.04 | Emission Performance Standards | 9/02/14 | 9/28/15, 80 FR 58216 | | |
| 8.05 | Opacity Standards | 9/02/14 | 9/28/15, 80 FR 58216. | | |
| 8.06 | Prohibited Fuel Types | 9/02/14 | 9/28/15, 80 FR 58216. | | |
| 8.07 | Curtailment | 9/02/14 | 9/28/15, 80 FR 58216. | | |
| 8.08 | Exemptions | 9/02/14 | 9/28/15, 80 FR 58216. | | |
| 8.09 | Procedure to Geographically Limit Solid Fuel Burning Devices. | 9/02/14 | 9/28/15, 80 FR 58216. | | |
| 8.10 | Restrictions on Installation of Solid Fuel Burning Devices. | 9/02/14 | 9/28/15, 80 FR 58216. | | |
| Washington Administrative Code, Chapter 173–400—General Regulations for Air Pollution Sources: Adopted by Reference in SRCAA Regulation I, Subsection 2.14(A)(1) | | | | | |
| 173–400–020 173–400–030(24) 173–400–030 | Applicability Definitions Definitions | 12/29/12 3/22/91 9/16/18 | 5/10/21, 86 FR 24718. 6/2/95, 60 FR 28726. 5/10/21, 86 FR 24718 | Only the following definitions: Adverse Impact on Visibility; Capacity Factor; Class I Area; Dispersion Technique; Emission Threshold; Excess Stack Height; Existing Stationary Facility; Federal Class I Area; Federal Land Manager; Fossil Fuel-fired Steam Generator; General Process Unit; Greenhouse Gases; Industrial Furnace; Mandatory Class I Federal Area; Natural Conditions; Projected Width; Reasonably Attributable; Sulfuric Acid Plant; and Wood Waste. | |
| 173–400–040(1)(a) & (b). 173–400–040 | General Standards for Maximum Emissions General Standards for Maximum Emissions | 3/22/91 9/16/18 | 6/2/95, 60 FR 28726. 5/10/21, 86 FR 24718 | | Except: 173–400–040(2); 173–400–040(3); 173–400–040(5); 173–400–040(6); 173–400–040(8). |
| 173–400–050 | Emission Standards for Combustion and Incineration Units. | 9/16/18 | 5/10/21, 86 FR 24718 | | Except: 173–400–050(2); 173–400–050(4); 173–400–050(5); 173–400–050(6). |
| 173–400–060 173–400–070 | Emission Standards for General Process Units .. Emission Standards for Certain Source Categories. | 11/25/18 3/22/91 | 5/10/21, 86 FR 24718. 6/2/95, 60 FR 28726 | Except (7). | |
| 173–400–081 173–400–091 | Startup and Shutdown Voluntary Limits on Emissions | 9/20/93 4/1/11 | 6/2/95, 60 FR 28726. 5/10/21, 86 FR 24718 | 9/20/93 version continues to be approved under the authority of CAA Section 112(l) with respect to Section 112 hazardous air pollutants. See the Federal Register of June 2, 1995). | |
| 173–400–105 | Records, Monitoring and Reporting | 11/25/18 | 5/10/21, 86 FR 24718 | | Except: 173–400–105(3); 173–400–105(4); 173–400–105(6); 173–400–105(8). |
| 173–400–107 173–400–112 | Excess Emissions Requirements for New Sources in Nonattainment Areas. | 9/20/93 12/29/12 | 6/2/95, 60 FR 28726. 5/10/21, 86 FR 24718 | Except (8). | |
| 173–400–113 | Requirements for New Sources in Attainment or Unclassifiable Areas. | 12/29/12 | 5/10/21, 86 FR 24718 | Except: 173–400–113(3), second sentence. | |
| 173–400–117 | Special Protection Requirements for Federal Class I Areas. | 12/29/12 | 5/10/21, 86 FR 24718. | | |
| 173–400–118 | Designation of Class I, II, and III Areas | 12/29/12 | 5/10/21, 86 FR 24718. | | |

TABLE 9—ADDITIONAL REGULATIONS APPROVED FOR THE SPOKANE REGIONAL CLEAN AIR AGENCY (SRCAA)
JURISDICTION—Continued

[Applicable in Spokane county, excluding facilities subject to Energy Facilities Site Evaluation Council (EFSEC) jurisdiction; facilities subject to the Washington Department of Ecology's direct jurisdiction under Chapters 173–405, 173–410, and 173–415 Washington Administrative Code (WAC); Indian reservations; any other area where the EPA or an Indian tribe has demonstrated that a tribe has jurisdiction; and the Prevention of Significant Deterioration (PSD) permitting of facilities subject to the applicability sections of WAC 173–400–700.]

| State/local citation | Title/subject | State/local effective date | EPA approval date | Explanations |
|----------------------|---|----------------------------|----------------------------|---|
| 173–400–131 | Issuance of Emission Reduction Credits | 4/1/11 | 5/10/21, 86 FR 24718. | |
| 173–400–136 | Use of Emission Reduction Credits (ERC) | 12/29/12 | 5/10/21, 86 FR 24718. | |
| 173–400–151 | Retrofit Requirements for Visibility Protection | 2/10/05 | 5/10/21, 86 FR 24718. | |
| 173–400–161 | Compliance Schedules | 3/22/91 | 6/2/95, 60 FR 28726. | |
| 173–400–175 | Public Information | 2/10/05 | 5/10/21, 86 FR 24718. | |
| 173–400–190 | Requirements for Nonattainment Areas | 3/22/91 | 6/2/95, 60 FR 28726. | |
| 173–400–200 | Creditable Stack Height and Dispersion Techniques. | 2/10/05 | 5/10/21, 86 FR 24718. | |
| 173–400–205 | Adjustment for Atmospheric Conditions | 3/22/91 | 6/2/95, 60 FR 28726. | |
| 173–400–210 | Emission Requirements of Prior Jurisdictions | 3/22/91 | 6/2/95, 60 FR 28726. | |
| 173–400–560 | General Order of Approval | 12/29/12 | 5/10/21, 86 FR 24718 | Except: The part of 173–400–560(1)(f) that says, "173–460 WAC". |
| 173–400–800 | Major Stationary Source and Major Modification in a Nonattainment Area. | 4/1/11 | 5/10/21, 86 FR 24718 | EPA did not review WAC 173–400–800 through 860 for consistency with the August 24, 2016 PM _{2.5} implementation rule (see the FEDERAL REGISTER of August 24, 2016); nor does SRCAA have an obligation to submit rule revisions to address the 2016 PM _{2.5} implementation rule at this time. |
| 173–400–810 | Major Stationary Source and Major Modification Definitions. | 7/1/16 | 5/10/21, 86 FR 24718. | |
| 173–400–820 | Determining if a New Stationary Source or Modification to a Stationary Source is Subject to these Requirements. | 12/29/12 | 5/10/21, 86 FR 24718. | |
| 173–400–830 | Permitting Requirements | 7/1/16 | 5/10/21, 86 FR 24718. | |
| 173–400–840 | Emission Offset Requirements | 7/1/16 | 5/10/21, 86 FR 24718. | |
| 173–400–850 | Actual Emissions Plantwide Applicability Limitation (PAL). | 7/1/16 | 5/10/21, 86 FR 24718. | |
| 173–400–860 | Public Involvement Procedures | 4/1/11 | 5/10/21, 86 FR 24718. | |

TABLE 10—ADDITIONAL REGULATIONS APPROVED FOR THE YAKIMA REGIONAL CLEAN AIR AGENCY (YRCAA)
JURISDICTION

[Applicable in Yakima County, excluding facilities subject to Energy Facilities Site Evaluation Council (EFSEC) jurisdiction, Indian reservations and any other area where the EPA or an Indian tribe has demonstrated that a tribe has jurisdiction, and facilities subject to the applicability sections of WAC 173–400–700, 173–405–012, 173–410–012, and 173–415–012.]

| State/local citation | Title/subject | State/local effective date | EPA approval date | Explanations |
|--|--|----------------------------|---------------------|--------------|
| Yakima Regional Clean Air Agency Regulations | | | | |
| Article I—Policy, Short Title and Definitions | | | | |
| 1.01 | Policy | 12/15/95 | 2/2/98, 63 FR 5269. | |
| 1.02 | Short Title | 11/18/93 | 2/2/98, 63 FR 5269. | |
| 1.03 | Definitions | 12/15/95 | 2/2/98, 63 FR 5269. | |
| Article II—General Provisions | | | | |
| 2.02 | Control Officer- Powers & Duties | 11/18/93 | 2/2/98, 63 FR 5269. | |
| 2.03 | Miscellaneous Provisions | 11/18/93 | 2/2/98, 63 FR 5269. | |
| 2.04 | Confidentiality | 11/18/93 | 2/2/98, 63 FR 5269. | |
| 2.05 | Advisory Council | 11/18/93 | 2/2/98, 63 FR 5269. | |
| Article III—Violations—Orders and Hearings | | | | |
| 3.01 | Notice of Violation—Corrective Action Hearings | 11/18/93 | 2/2/98, 63 FR 5269. | |
| 3.02 | Finality of Order | 11/18/93 | 2/2/98, 63 FR 5269. | |
| 3.03 | Stay of Order Pending Appeal | 11/18/93 | 2/2/98, 63 FR 5269. | |
| 3.04 | Voluntary Compliance | 11/18/93 | 2/2/98, 63 FR 5269. | |
| Article IV—Registration and Notice of Construction | | | | |
| 4.01 | Registration | 12/15/95 | 2/2/98, 63 FR 5269. | |
| 4.02 | Notice of Construction | 12/15/95 | 2/2/98, 63 FR 5269. | |
| 4.03 | Exceptions to Article 4 | 11/18/93 | 2/2/98, 63 FR 5269. | |
| Article V—Emissions Standards and Preventative Measures | | | | |
| 5.01 | Outdoor Burning | 12/15/95 | 2/2/98, 63 FR 5269. | |
| 5.02 | Regulations Applicable to all Outdoor Burning | 12/15/95 | 2/2/98, 63 FR 5269. | |

TABLE 10—ADDITIONAL REGULATIONS APPROVED FOR THE YAKIMA REGIONAL CLEAN AIR AGENCY (YRCAA)
JURISDICTION—Continued

[Applicable in Yakima County, excluding facilities subject to Energy Facilities Site Evaluation Council (EFSEC) jurisdiction, Indian reservations and any other area where the EPA or an Indian tribe has demonstrated that a tribe has jurisdiction, and facilities subject to the applicability sections of WAC 173–400–700, 173–405–012, 173–410–012, and 173–415–012.]

| State/local citation | Title/subject | State/local effective date | EPA approval date | Explanations |
|--|--|----------------------------|---------------------------|---|
| 5.03 | Regulations Applicable to all Outdoor Burning within Jurisdiction of the Yakima County Clean Air Authority, Local Cities, Towns, Fire Protection Districts and Conservation Districts. | 12/15/95 | 2/2/98, 63 FR 5269. | |
| 5.04 | Regulations Applicable to Permits Issued by the Yakima County Clean Air Authority for all Other Outdoor Burning. | 12/15/95 | 2/2/98, 63 FR 5269. | |
| 5.05 | Additional Restrictions on Outdoor Burning | 12/15/95 | 2/2/98, 63 FR 5269. | |
| 5.06 | General Standards for Maximum Permissible Emissions. | 12/15/95 | 2/2/98, 63 FR 5269. | |
| 5.07 | Minimum Emission Standards for Combustion and Incineration Sources. | 12/15/95 | 2/2/98, 63 FR 5269. | |
| 5.08 | Minimum Emissions Standards for General Process Sources. | 12/15/95 | 2/2/98, 63 FR 5269. | |
| 5.10 | Sensitive Area Designation | 6/20/94 | 2/2/98, 63 FR 5269. | |
| 5.11 | Monitoring and Special Reporting | 12/15/95 | 2/2/98, 63 FR 5269. | |
| 5.12 | Preventive Measures | 11/18/93 | 2/2/98, 63 FR 5269. | |
| Article VIII—Penalty and Severability | | | | |
| 8.01 | Penalty for Violation | 11/18/93 | 2/2/98, 63 FR 5269. | |
| 8.02 | Additional/Alternative Penalties | 12/15/95 | 2/2/98, 63 FR 5269. | |
| 8.03 | Assurance of Discontinuance | 11/18/93 | 2/2/98, 63 FR 5269. | |
| 8.04 | Restraining Order—Injunctions | 11/18/93 | 2/2/98, 63 FR 5269. | |
| 8.05 | Severability | 12/15/95 | 2/2/98, 63 FR 5269. | |
| Article IX—Woodstoves and Fireplaces | | | | |
| 9.01 | Policy | 11/18/93 | 2/2/98, 63 FR 5269. | |
| 9.02 | Opacity | 11/18/93 | 2/2/98, 63 FR 5269. | |
| 9.03 | Prohibitive Fuel Types | 11/18/93 | 2/2/98, 63 FR 5269. | |
| 9.04 | Limitations of Sales of Solid Fuel Burning Devices. | 11/18/93 | 2/2/98, 63 FR 5269. | |
| 9.05 | Prohibition of Visible Emissions During Air Pollution Episodes. | 12/15/95 | 2/2/98, 63 FR 5269. | |
| Article XII—Adoption of State and Federal Regulations | | | | |
| 12.01 | State Regulations | 12/15/95 | 2/2/98, 63 FR 5269. | |
| Article XIII—Fee Schedules and Other Charges | | | | |
| 13.01 | Registration and Fee Schedule | 1/13/94 | 2/2/98, 63 FR 5269. | |
| 13.02 | Notice of Construction Fee Schedule | 6/20/94 | 2/2/98, 63 FR 5269. | |
| 13.03 | Outdoor Burning Permit Fees | 6/20/94 | 2/2/98, 63 FR 5269. | |
| Washington Department of Ecology Regulations | | | | |
| Washington Administrative Code, Chapter 173–400—General Regulations for Air Pollution Sources | | | | |
| 173–400–010 | Policy and Purpose | 3/22/91 | 6/2/95, 60 FR 28726. | |
| 173–400–020 | Applicability | 3/22/91 | 6/2/95, 60 FR 28726. | |
| 173–400–030 | Definitions | 3/22/91 | 6/2/95, 60 FR 28726. | |
| 173–400–040 | General Standards for Maximum Emissions | 3/22/91 | 6/2/95, 60 FR 28726 | Except (1)(c), and (1)(d), (2), (4), and the 2nd paragraph of (6). |
| 173–400–050 | Emission Standards for Combustion and Incineration Units. | 3/22/91 | 6/2/95, 60 FR 28726 | Except the exception provision in (3). |
| 173–400–060 | Emission Standards for General Process Units .. | 3/22/91 | 6/2/95, 60 FR 28726. | |
| 173–400–070 | Emission Standards for Certain Source Categories. | 3/22/91 | 6/2/95, 60 FR 28726 | Except (7). |
| 173–400–081 | Startup and Shutdown | 9/20/93 | 6/2/95, 60 FR 28726. | |
| 173–400–091 | Voluntary Limits on Emissions | 9/20/93 | 6/2/95, 60 FR 28726 | 9/20/93 version continues to be approved under the authority of CAA Section 112(l) with respect to Section 112 hazardous air pollutants. See the Federal Register of June 2, 1995. |
| 173–400–100 | Registration | 9/20/93 | 6/2/95, 60 FR 28726. | |
| 173–400–105 | Records, Monitoring and Reporting | 9/20/93 | 6/2/95, 60 FR 28726. | |
| 173–400–107 | Excess Emissions | 9/20/93 | 6/2/95, 60 FR 28726. | |
| 173–400–110 | New Source Review (NSR) | 9/20/93 | 6/2/95, 60 FR 28726. | |
| 173–400–112 | Requirements for New Sources in Nonattainment Areas. | 9/20/93 | 6/2/95, 60 FR 28726 | Except (8). |
| 173–400–113 | Requirements for New Sources in Attainment or Unclassifiable Areas. | 9/20/93 | 6/2/95, 60 FR 28726 | Except (5). |
| 173–400–151 | Retrofit Requirements for Visibility Protection | 3/22/91 | 6/2/95, 60 FR 28726. | |
| 173–400–161 | Compliance Schedules | 3/22/91 | 6/2/95, 60 FR 28726. | |
| 173–400–171 | Public Involvement | 9/20/93 | 6/2/95, 60 FR 28726. | |

TABLE 10—ADDITIONAL REGULATIONS APPROVED FOR THE YAKIMA REGIONAL CLEAN AIR AGENCY (YRCAA)
JURISDICTION—Continued

[Applicable in Yakima County, excluding facilities subject to Energy Facilities Site Evaluation Council (EFSEC) jurisdiction, Indian reservations and any other area where the EPA or an Indian tribe has demonstrated that a tribe has jurisdiction, and facilities subject to the applicability sections of WAC 173–400–700, 173–405–012, 173–410–012, and 173–415–012.]

| State/local citation | Title/subject | State/local effective date | EPA approval date | Explanations |
|----------------------|--|----------------------------|----------------------|--------------|
| 173–400–190 | Requirements for Nonattainment Areas | 3/22/91 | 6/2/95, 60 FR 28726. | |
| 173–400–200 | Creditable Stack Height & Dispersion Techniques. | 3/22/91 | 6/2/95, 60 FR 28726. | |
| 173–400–205 | Adjustment for Atmospheric Conditions | 3/22/91 | 6/2/95, 60 FR 28726. | |
| 173–400–210 | Emission Requirements of Prior Jurisdictions | 3/22/91 | 6/2/95, 60 FR 28726. | |

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

EPA-APPROVED STATE OF WASHINGTON SOURCE-SPECIFIC REQUIREMENTS ¹

| Name of source | Order/permit No. | State effective date | EPA approval date | Explanations |
|---|--|----------------------|------------------------|--|
| Boise Cascade, Wallula Mill. | 1614–AQ04 | 9/15/04 | 5/2/05, 70 FR 22597. | Following conditions only: No. 1 (Approval Conditions) & Appendix A. |
| Emission Limits for Significant Stack Sources. | various orders | various dates | 10/26/95, 60 FR 54812. | |
| Honam, Inc., Ideal Division (now known as LaFarge North America, Inc.). | #5183 | 2/9/94 | 8/31/04, 69 FR 53007. | |
| Saint Gobain Containers LLC. | #8244 | 9/9/99 | 8/31/04, 69 FR 53007. | |
| Kaiser Order—Alternate Opacity Limit. | 91–01 | 12/12/91 | 1/27/97, 62 FR 3800. | |
| Kaiser Order—Limiting Potential-to-Emit. | 96–03 | 10/4/00 | 7/1/05, 70 FR 38029. | |
| Kaiser Order—Limiting Potential-to-Emit. | 96–04 | 4/24/96 | 1/27/97, 62 FR 3800. | |
| Kaiser Order—Limiting Potential-to-Emit. | 96–05 | 10/4/00 | 7/1/05, 70 FR 38029. | |
| Kaiser Order—Limiting Potential-to-Emit. | 96–06 | 10/19/00 | 7/1/05, 70 FR 38029. | |
| RACT Limits for Centralia Power Plant. | #97–2057R1 | 2/26/98 | 6/11/03, 68 FR 34821. | |
| BP Cherry Point Refinery. | Administrative Order No. 7836, Revision 2. | 5/13/15 | 2/16/16, 81 FR 7710. | The following conditions: 1.1, 1.1.1, 1.2, 1.2.1, 1.2.2, 2.1, 2.1.1, 2.1.2, 2.1.3, 2.1.4, 2.1.5, 2.2, 2.2.1, 2.2.2, 2.3, 2.3.1, 2.3.2, 2.4, 2.4.1, 2.4.2, 2.4.2.1, 2.5, 2.5.1, 2.5.1.1, 2.5.1.2, 2.5.2, 2.5.3, 2.5.4, 2.6, 2.6.1, 2.6.2, 2.6.3, 2.7, 2.7.1, 2.7.2, 2.7.3, 2.7.4, 2.8, 2.8.1, 2.8.2, 2.8.3, 2.8.4, 2.8.5, 2.8.6, 3, 3.1, 3.1.1, 3.1.2, 3.2, 3.2.1, 3.2.2, 3.2.3, 3.2.4, 4, 4.1, 4.1.1, 4.1.1.1, 4.1.1.2, 4.1.1.3, 4.1.1.4, 5, 5.1, 5.2, 6, 6.1, 6.2, 6.3, 7, 9. |
| Alcoa Intalco Works. | Administrative Order No. 7837, Revision 1. | 11/15/10 | 6/11/14, 79 FR 33438. | |

The following conditions: 1.1, 1.1.1, 1.2, 1.2.1, 1.2.2, 2.1, 2.1.1, 2.1.2, 2.1.3, 2.1.4, 2.1.5, 2.2, 2.2.1, 2.2.2, 2.3, 2.3.1, 2.3.2, 2.4, 2.4.1, 2.4.2, 2.4.2.1, 2.5, 2.5.1, 2.5.1.1, 2.5.1.2, 2.5.2, 2.5.3, 2.5.4, 2.6, 2.6.1, 2.6.2, 2.6.3, 2.7, 2.7.1, 2.7.2, 2.7.3, 2.7.4, 2.8, 2.8.1, 2.8.2, 2.8.3, 2.8.4, 2.8.5, 2.8.6, 3, 3.1, 3.1.1, 3.1.2, 3.2, 3.2.1, 3.2.2, 3.2.3, 3.2.4, 4, 4.1, 4.1.1, 4.1.1.1, 4.1.1.2, 4.1.1.3, 4.1.1.4, 5, 5.1, 5.2, 6, 6.1, 6.2, 6.3, 7, 9.

The following conditions: 1, 2., 2.1, 3., 4., 4.1, Attachment A conditions: A1, A2, A3, A4, A5, A6, A7, A8, A9, A10, A11, A12, A13, A14.

EPA-APPROVED STATE OF WASHINGTON SOURCE-SPECIFIC REQUIREMENTS ¹—Continued

| Name of source | Order/permit No. | State effective date | EPA approval date | Explanations |
|--|--|----------------------|-----------------------|---|
| Tesoro Refining and Marketing Company. | Administrative Order 7838. | 7/7/10 | 6/11/14, 79 FR 33438. | The following conditions: 1., 1.1, 1.1.1, 1.1.2, 1.2, 1.3, 1.4, 1.5, 1.5.1, 1.5.1.1, 1.5.1.2, 1.5.1.3, 1.5.2, 1.5.3, 1.5.4, 1.5.5, 1.5.6, 2., 2.1, 2.1.1, 2.1.1.1, 2.1.2, 2.1.3, 2.2, 2.2.1, 3, 3.1, 3.1.1, 3.1.2, 3.1.2.1, 3.1.2.2, 3.1.2.3, 3.2, 3.2.1, 3.2.1.1, 3.2.1.2, 3.2.1.3, 3.2.1.4, 3.2.1.4.1, 3.2.1.4.2, 3.2.1.4.3, 3.2.1.4.4, 3.2.1.4.5, 3.3, 3.3.1, 3.4, 3.4.1, 3.4.2, 4., 4.1, 5., 5.1, 6., 6.1, 6.1.1, 6.1.2, 6.1.3, 6.1.4, 7., 7.1, 7.1.1, 7.1.2, 7.1.3, 7.1.4, 7.1.5, 7.2, 7.2.1, 7.2.2, 7.2.3, 7.2.4, 8, 8.1, 8.1.1, 8.1.2, 8.2, 8.2.1, 8.2.2, 8.2.3, 8.3, 8.3.1, 8.3.2, 9., 9.1, 9.1.1, 9.1.2, 9.2, 9.2.1, 9.39.3.1, 9.3.2, 9.3.3, 9.4, 9.4.1, 9.4.2, 9.4.3, 9.4.5, 9.4.6, 9.5, 10, 11, 12, 13, 13.1, 13.2, 13.3, 13.4, 13.5, 13.6. The following Conditions: 1, 1.1, 1.2, 1.3, 2, 2.1, 3, 3.1, 4. |
| Port Townsend Paper Corporation. | Administrative Order No. 7839, Revision 1. | 10/20/10 | 6/11/14, 79 FR 33438. | |
| Lafarge North America, Inc. Seattle, Wa. | Administrative Revised Order No. 7841. | 7/28/10 | 6/11/14, 79 FR 33438. | The following Conditions: 1, 1.1, 1.2, 2, 2.1, 2.1.1, 2.1.2, 2.2, 2.3, 3, 3.1, 3.1.1, 3.1.2, 3.1.3, 3.2, 3.3, 4, 4.1, 5, 5.1, 5.1.1, 5.1.2, 5.2, 5.3, 6, 6.1, 7, 7.1, 7.2, 7.3, 7.4, 7.5, 8, 8.1, 8.2, 8.3, 8.4, 8.5, 9, 10, 11, 12. |
| Weyerhaeuser Corporation, Longview, Wa. | Administrative Order No. 7840. | 7/7/10 | 6/11/14, 79 FR 33438. | The following Conditions: 1, 1.1, 1.1.1, 1.1.2, 1.1.3, 1.2, 1.2.1, 1.2.2, 1.2.3, 1.3, 1.3.1, 1.4, 2, 2.1, 3, 3.1, 4, 4.1. |
| Tyson Fresh Meats, Inc. | 13AQ-E526 | 4/16/14 | 5/1/20, 85 FR 25306. | Except: 1. Decontamination Cabinets; 2. Meat Cutting/Packing; 6. Wastewater Floatation; 8. Utility Equipment; 10. Other; References to “WAC 173-460-040” in Determinations”; The portion of Approval Condition 2.a which states, “and consumption of no more than 128 million cubic feet/of natural gas per year. Natural gas consumption records for the dryer shall be maintained for the most recent 24 month period and be available to Ecology for inspection. An increase in natural gas consumption that exceeds the above level may require a Notice of Construction.”; Approval Condition 3; Approval Condition 4; Approval Condition 5; Approval Condition 6.e; Approval Condition 9.a.ii; Approval Condition 9.a.iv; Approval Condition 9.a.v; Approval Condition 9.a.vi; Approval Condition 10.a.ii; Approval Condition 10.b; Approval Condition 11.a; Approval Condition 11.b; Approval Condition 11.e; Approval Condition 12; Approval Condition 15; The section titled “Your Right to Appeal”; and The section titled “Address and Location Information.” Condition P.1 only. |
| Packaging Corporation of America (Wallula Mill). | 0003697 | 4/1/18 | 5/1/20, 85 FR 25306. | |
| Simplot Feeders Limited Partnership. | Fugitive Dust Control Plan. | 3/1/18 | 5/1/20, 85 FR 25306. | |
| TransAlta Centralia BART—Second Revision. | #6426 | 7/29/20 | 5/7/21, 86 FR 24502. | Except the undesignated introductory text, the section titled “Findings,” and the undesignated text following condition 9. |

¹ The EPA does not have the authority to remove these source-specific requirements in the absence of a demonstration that their removal would not interfere with attainment or maintenance of the NAAQS, violate any prevention of significant deterioration increment or result in visibility impairment. Washington Department of Ecology may request removal by submitting such a demonstration to the EPA as a SIP revision.

* * * * *

[FR Doc. 2021-15878 Filed 8-2-21; 8:45 am]

BILLING CODE 6560-50-P

DEPARTMENT OF THE INTERIOR**Fish and Wildlife Service****50 CFR Part 17**[Docket No. FWS-R2-ES-2021-0012;
FF09E21000 FXES111109000000 212]**Endangered and Threatened Wildlife and Plants; 12-Month Determination on a Petition To Revise Critical Habitat for the Mount Graham Red Squirrel****AGENCY:** Fish and Wildlife Service, Interior.**ACTION:** 12-Month determination.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), announce a 12-month determination on a petition to revise critical habitat for the Mount Graham red squirrel (*Tamiasciurus hudsonicus grahamensis*) under the Endangered Species Act of 1973, as amended (Act). The petition requests that the Service expand the subspecies' critical habitat designation to include currently occupied mixed conifer habitat and all historically occupied habitat outside the current critical habitat designation. Our 12-month determination is that we intend to assess revisions to the subspecies' critical habitat after a species status assessment and revised recovery plan for the Mount Graham red squirrel are completed.

DATES: The determination announced in this document was made on August 3, 2021.

ADDRESSES: This determination is available on the internet at <http://www.regulations.gov> at Docket No. FWS-R2-ES-2021-0012. Information and supporting documentation that we received and used in preparing this finding is available for public inspection pursuant to current COVID-19 restrictions. You may contact the U.S. Fish and Wildlife Service, Arizona Ecological Services Field Office, Tucson Sub-Office, 201 N Bonita, Suite 141, Tucson, AZ 85745 for further information about these restrictions. Please submit any new information, materials, comments, or questions concerning this finding to the above mailing address.

FOR FURTHER INFORMATION CONTACT: U.S. Fish and Wildlife Service, Arizona Ecological Services Field Office, Attn: Jeff Humphrey, to the mailing address in **ADDRESSES**, telephone: 602-242-0210,

or email: incomingazcorr@fws.gov. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Relay Service at 800-877-8339.

SUPPLEMENTARY INFORMATION:**Background**

Section 4(b)(3)(D)(ii) of the Act (16 U.S.C. 1531 *et seq.*) states that within 12 months after receiving a petition to revise a critical habitat designation that is found to present substantial information indicating that the requested revision may be warranted, the Secretary will determine how he or she intends to proceed with the requested revision, and will promptly publish notice of such intention in the **Federal Register**.

Previous Federal Actions

On June 3, 1987, we published in the **Federal Register** (52 FR 20994) a final rule listing the Mount Graham red squirrel (red squirrel) as an endangered subspecies of the red squirrel, or pine squirrel (*T. hudsonicus* species account: Steele 1998, p. 1), pursuant to the Act. We concluded that the Mount Graham red squirrel was endangered because its range and habitat had been reduced and its habitat was at risk due to a number of factors, including the proposed construction of an astrophysical observatory, occurrences of forest fires, proposed construction and improvement of roads, and recreational development at high elevations. The rule concluded that red squirrels might also suffer due to resource competition with the introduced Abert's, or tassel-eared, squirrel (*Sciurus aberti*).

On January 5, 1990, we published in the **Federal Register** (55 FR 425) a final rule designating approximately 769 hectares (ha) (1,900 acres (ac)) in three separate units as critical habitat for the Mount Graham red squirrel. Critical habitat encompasses the Mount Graham Red Squirrel Refugium, which resulted from a July 1988 biological opinion and subsequent Arizona-Idaho Conservation Act of 1988 (Pub. L. 100-696, November 18, 1988), on Hawk and Plain View peaks (about 688 ha (1,700 ac)), as well as areas outside the Refugium on Heliograph and Webb Peaks (about 81 ha (200 ac)). The main attribute of critical habitat at that time was existing dense stands of mature (about 300 years old) spruce-fir forest, which has since been damaged by drought, insects, wildfire, and associated wildfire-suppression activities.

On January 11, 2006, we initiated a 5-year review of the Mt. Graham red squirrel (71 FR 1765); that 5-year review was completed on January 15, 2008. On May 27, 2011, we announced the

availability of, and requested public comments on, a draft recovery plan, first revision, for the Mount Graham red squirrel (76 FR 30957).

Petition History

On December 14, 2017, we received a petition from the Center for Biological Diversity, Maricopa Audubon Society, and the Mount Graham Coalition requesting that critical habitat for the Mount Graham red squirrel be revised under the Act, on an emergency basis. The petition requests that the Service expand the subspecies' critical habitat designation to include currently occupied mixed conifer habitat and all historically occupied habitat outside the current critical habitat designation. In general, the petitioners recommend expanding the current designation of critical habitat to include mixed conifer and spruce-fir forest above 7,500 feet (ft) (2,286 meters (m)), including specific areas currently occupied by the Mount Graham red squirrel at Grant Hill, Riggs Lake, Turkey Flat, and Columbine. The petition clearly identified itself as such and included the requisite identification information for the petitioners, required at 50 CFR 424.14(c). Because the Act does not provide for petitions to revise critical habitat in an emergency, we considered it as a petition to revise critical habitat for the red squirrel.

We published our 90-day finding on the petition to revise critical habitat for the Mount Graham red squirrel on September 6, 2019 (84 FR 46927). We determined that the petition presented substantial scientific information indicating that revising critical habitat for the Mount Graham red squirrel under the Act may be warranted, thus initiating the review that led to this 12-month determination.

This 12-month determination addresses the petition's request to revise the Mount Graham red squirrel's currently designated critical habitat.

Species Information

Mount Graham red squirrels are found only in the high-elevation forests of the Pinaleno Mountains in the Safford Ranger District of the Coronado National Forest in southeastern Arizona. The subspecies inhabits upper elevation, mature to old-growth associations in mixed conifer and spruce-fir forests above approximately 7,500 ft (2,286 m).

Mount Graham red squirrels are highly territorial (C.C. Smith 1968, pp. 33-34) and create middens within their territory. The middens in each squirrel's territory consist of piles of cone scales in which squirrels cache live, unopened cones as a food source for overwintering and during times of cone