

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: October 30, 2015.  
**Mark Hague,**  
*Acting Regional Administrator, Region 7.*  
For the reasons stated in the preamble, EPA amends 40 CFR part 52 as set forth below:

**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 AA—Missouri**

■ 2. In § 52.1320(c) the table is amended by revising the entry for “10–5.220” to read as follows:

\* \* \* \* \*  
(c) \* \* \*

EPA-APPROVED MISSOURI REGULATIONS

Missouri citation	Title	State effective date	EPA Approval date	Explanation
Missouri Department of Natural Resources				
* * * * *	Chapter 5-Air Quality Standards and Air Pollution Control Regulations for the St. Louis Metropolitan Area			
10–5.220	Control of Petroleum Liquid Storage, Loading and Transfer.	11/30/14	11/10/15 and [Insert <b>Federal Register</b> citation].	*
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**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

**[EPA–R05–OAR–2015–0637; FRL–9933–71–Region 5]**

**Air Plan Approval; Ohio; Revised Format for Materials Being Incorporated by Reference**

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

**ACTION:** Final rule; administrative change.

**SUMMARY:** The Environmental Protection Agency (EPA) is revising the format for materials that are incorporated by reference (IBR) into the Ohio State Implementation Plan (SIP). The regulations and other materials affected by this format change have all been previously submitted by Ohio and approved by EPA.

**DATES:** This final rule is effective on November 10, 2015.

**ADDRESSES:** EPA has established a docket for this action under Docket ID No. EPA–R05–OAR–2015–0637. SIP

materials which are incorporated by reference into 40 CFR part 52 are available for inspection at the following locations: Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604 and the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call (202) 741–6030, or go to: <http://www.archives.gov/federal-register/cfr/ibr-locations.html>.

**FOR FURTHER INFORMATION CONTACT:** Matt Rau, Environmental Engineer, Control Strategies Section, Air Programs Branch (AR–18J), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886–6524, [rau.matthew@epa.gov](mailto:rau.matthew@epa.gov).

**SUPPLEMENTARY INFORMATION:** Throughout this document whenever “we”, “us”, or “our” is used, we mean EPA. This supplementary information section is arranged as follows:

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**I. Background**

This format revision will primarily affect the “Identification of plan” section, as well as the format of the SIP materials that will be available for public inspection at NARA and the EPA Region 5 Office. EPA is also adding a table in the “Identification of plan” section which summarizes the approval actions that EPA has taken on the nonregulatory and quasi-regulatory portions of the Ohio SIP.

**A. Description of a SIP**

Each state has a SIP containing the control measures and strategies to attain and maintain the National Ambient Air Quality Standards (NAAQS) along with other Clean Air Act (CAA) requirements. The SIP is extensive, containing such elements as air pollution control regulations, emission inventories, monitoring networks, attainment demonstrations, and enforcement mechanisms.

### *B. How EPA Enforces SIPs*

Each state must formally adopt the control measures and strategies in the SIP after the public has had an opportunity to comment on them. The states then submit them to EPA as requested SIP revisions on which EPA must formally act.

EPA evaluates submitted SIPs to determine if they meet CAA requirements. If and when these control measures and strategies are approved by EPA, after notice and comment rulemaking, they are incorporated into the Federally approved SIP and identified in part 52 (Approval and Promulgation of Implementation Plans), title 40 of the Code of Federal Regulations (40 CFR part 52). The actual state regulations approved by EPA are not reproduced in their entirety in 40 CFR part 52, but are “incorporated by reference”, which means that EPA has approved a given state regulation with a specific effective date. This format allows the public to know which measures are contained in a given SIP and to help determine whether the state is enforcing the regulations. It also assists EPA and the public to take enforcement action should a state not enforce its SIP-approved regulations.

### *C. How the State and EPA Update the SIP*

The SIP is a dynamic document that the state can revise as necessary to address the unique air pollution problems in the state. Therefore, EPA must periodically take action on SIP revisions containing new and/or revised regulations in order to make them part of the SIP. On May 22, 1997 (62 FR 27968), EPA revised the procedures for incorporating by reference Federally approved SIPs.

EPA has been developing the following: (1) A revised SIP document for each state that would be incorporated by reference under the provisions of title 1 CFR part 51; (2) a revised mechanism for announcing EPA approval of revisions to an applicable SIP and updating both the IBR document and the CFR; and (3) a revised format of the “Identification of plan” sections for each applicable subpart to reflect these revised IBR procedures

### *D. How EPA Compiles the SIP*

The Federally approved regulations, source-specific permits, and nonregulatory provisions (entirely or portions of) submitted by each state agency and approved by EPA have been organized into a “SIP compilation”. The SIP compilation contains the updated

regulations, source-specific permits, and nonregulatory provisions approved by EPA through previous rulemaking actions in the **Federal Register**.

### *E. How EPA Organizes the SIP Compilation*

Each SIP compilation contains three parts. Part one contains regulations, part two contains source-specific requirements, and part three contains nonregulatory provisions that have been EPA approved. Each part consists of a table of identifying information for each SIP-approved regulation, each SIP-approved permit, and each nonregulatory SIP provision. In this action, EPA is publishing the tables summarizing the applicable SIP requirements for Ohio. The state effective dates in the tables indicate the date of the most recent revision to a particular approved regulation. The EPA Regional Offices have the primary responsibility for updating the compilations and ensuring their accuracy.

### *F. Where You Can Find a Copy of the SIP Compilation*

EPA’s Region 5 Office developed and will maintain the compilation for Ohio. A copy of the full text of Ohio’s regulatory and source-specific compilations will also be maintained at NARA.

### *G. The Format of the New Identification of Plan Section*

In order to better serve the public, EPA revised the organization of the “Identification of plan” section and included additional information to clarify the enforceable elements of the SIP.

The revised Ohio Identification of plan section contains five subsections:

1. Purpose and scope
2. Incorporation by reference
3. EPA-approved regulations
4. EPA-approved source-specific requirements
5. EPA-approved nonregulatory and quasi-regulatory provisions

### *H. When a SIP Revision Becomes Federally Enforceable*

All revisions to the applicable SIP become Federally enforceable as of the effective date of the revisions to paragraphs (c), (d), or (e) of the applicable Identification of plan section found in each subpart of 40 CFR part 52.

### *I. The Historical Record of SIP Revision Approvals*

To facilitate enforcement of previously approved SIP provisions and provide a smooth transition to the new

SIP processing system, EPA retains the original Identification of plan section, previously appearing in the CFR as the first or second section of part 52 for each state subpart. After an initial two-year period, EPA will review its experience with the new system and enforceability of previously approved SIP measures and will decide whether or not to retain the Identification of plan appendices for some further period.

Although EPA is retaining the original Identification of Plan section, other sections of part 52 are duplicative of the new Identification of Plan section. EPA is therefore removing §§ 52.1881(b) “Regulations for the control of sulfur dioxide in the State of Ohio”, 52.1890 “Removed control measures”, 52.1891 “Section 110(a)(2) infrastructure requirements”, and 52.1919 “Identification of plan-conditional approval” as part of the general “housekeeping” discussed below.

## **II. What is EPA doing in this action?**

This action constitutes a “housekeeping” exercise to ensure that all revisions to the state programs that have occurred are accurately reflected in 40 CFR part 52. State SIP revisions are controlled by EPA regulations at 40 CFR part 51.

EPA has determined that this action 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) allows an agency to make a rule effective immediately (thereby avoiding the 30-day delayed effective date otherwise provided for in the APA). This action 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” since the codification only reflects existing law. Likewise, there is no purpose served by delaying the effective date of this action. Immediate notice in the CFR benefits the public by removing outdated citations.

In this rule, 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 the Ohio Regulations described in the amendments to 40 CFR part 52 set forth below. EPA has made, and will continue to make, these documents generally available electronically through

[www.regulations.gov](http://www.regulations.gov) and/or in hard copy at the appropriate EPA office (see the **ADDRESSES** section of this preamble for more information).

### III. Statutory and Executive Order Reviews

#### A. General Requirements

Under Executive Orders 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011), this action is not a “significant regulatory action” and is therefore not subject to review by the Office of Management and Budget. This rule is not subject to Executive Order 13211, “Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use” (66 FR 28355, May 22, 2001) because it is not a significant regulatory action under Executive Order 12866. Because the agency has made a “good cause” finding that this action is not subject to notice-and-comment requirements under the Administrative Procedure Act or any other statute as indicated in the **SUPPLEMENTARY INFORMATION** section above, it is not subject to the regulatory flexibility provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), or to sections 202 and 205 of the Unfunded Mandates Reform Act of 1995 (UMRA) (Pub. L. 104–4). In addition, this action does not significantly or uniquely affect small governments or impose a significant intergovernmental mandate, as described in sections 203 and 204 of UMRA. This rule also does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal government and Indian tribes, or on the distribution of power and responsibilities between the Federal government and Indian tribes, as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), nor will it have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999). This rule also is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997), because it is not economically significant. This rule does not involve technical standards; thus the requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) do not apply. The rule also does not involve special consideration of environmental justice related issues as required by Executive Order 12898 (59 FR 7629, February 16, 1994). In issuing this rule, EPA has taken the necessary steps to eliminate drafting

errors and ambiguity, minimize potential litigation, and provide a clear legal standard for affected conduct, as required by section 3 of Executive Order 12988 (61 FR 4729, February 7, 1996). EPA has complied with Executive Order 12630 (53 FR 8859, March 15, 1998) by examining the takings implications of the rule in accordance with the “Attorney General’s Supplemental Guidelines for the Evaluation of Risk and Avoidance of Unanticipated Takings” issued under the executive order. This rule does not impose an information collection burden under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). EPA’s compliance with these statutes and Executive Orders for the underlying rules is discussed in previous actions taken on the State’s rules.

#### B. Submission to Congress and the Comptroller General

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. Section 808 allows the issuing agency to make a rule effective sooner than otherwise provided by the CRA if the agency makes a good cause finding that notice and public procedure is impracticable, unnecessary or contrary to the public interest. This action simply codifies provisions which are already in effect as a matter of law in Federal and approved State programs. 5 U.S.C. 808(2). As stated previously, EPA has made such a good cause finding, including the reasons therefore, and established an effective date of November 10, 2015. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. The changes in format to the “Identification of plan” section for Ohio are not a “major rule” as defined by 5 U.S.C. 804(2).

#### C. Petitions for Judicial Review

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 Ohio 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, EPA sees no need in this action to reopen the 60-day period for filing such petitions for judicial review for these “Identification of plan” reorganization actions for Ohio.

#### 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: August 28, 2015.

**Susan Hedman,**

*Regional Administrator, Region 5.*

Part 52 of chapter I, title 40, Code of Federal Regulations, is amended as follows:

### PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

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

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

#### Subpart KK—Ohio

##### § 52.1870 [Redesignated as § 52.1894]

■ 2. Section 52.1870 is redesignated as § 52.1894 and a new § 52.1870 is added to read as follows:

##### § 52.1870 Identification of plan.

(a) *Purpose and scope.* This section sets forth the applicable State Implementation Plan (SIP) for Ohio under Section 110 of the Clean Air Act, 42 U.S.C. 7401 *et seq.*, and 40 CFR part 51 to meet National Ambient Air Quality Standards.

(b) *Incorporation by reference.* (1) Material listed in paragraphs (c) and (d) of this section with an EPA approval date prior to September 1, 2015, was approved for incorporation by reference by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Material is incorporated as it exists on the date of the approval, and notice of any change in the material will be published in the **Federal Register**. Entries in paragraphs (c) and (d) of this section with an EPA approval date after September 1, 2015, will be incorporated by reference in the next update to the SIP compilation.

(2) EPA Region 5 certifies that the rules/regulations provided by EPA in the SIP compilation at the addresses in paragraph (b)(3) of this section are an exact duplicate of the officially

promulgated state rules/regulations which have been approved as part of the SIP as of September 1, 2015.

(3) Copies of the materials incorporated by reference may be inspected at the Environmental

Protection Agency, Region 5, Air Programs Branch, 77 West Jackson Boulevard, Chicago, IL 60604 or the National Archives and Records Administration (NARA). For

information on the availability of this material at NARA, call (202) 741-6030, or go to: <http://www.archives.gov/federal-register/cfr/ibr-locations.html>.

(c) EPA approved regulations.

### EPA-APPROVED OHIO REGULATIONS

Ohio citation	Title/Subject	Ohio effective date	EPA Approval date	Notes
Chapter 3745–14 Nitrogen Oxides—Reasonably Available Control Technology				
3745–14–01 .....	Definitions and General Provi- sions.	10/18/2010	11/14/2013, 78 FR 68367 .....	
3745–14–02 .....	The NO <sub>x</sub> Authorized Account Representative.	7/18/2002	8/5/2003, 68 FR 46089 .....	
3745–14–03 .....	The NO <sub>x</sub> Budget Permit .....	5/25/2004	6/27/2005, 70 FR 36845 .....	
3745–14–04 .....	Compliance Certification .....	7/18/2002	8/5/2003, 68 FR 46089 .....	
3745–14–05 .....	NO <sub>x</sub> Allowance Allocations .....	7/17/2006	2/13/2008, 73 FR 8197 .....	
3745–14–06 .....	The NO <sub>x</sub> Allowance Tracking System.	10/18/2010	11/14/2013, 78 FR 68367 .....	
3745–14–07 .....	NO <sub>x</sub> Allowance Transfers .....	7/18/2002	8/5/2003, 68 FR 46089 .....	
3745–14–08 .....	Monitoring and Reporting .....	7/18/2002	8/5/2003, 68 FR 46089 .....	
3745–14–09 .....	NO <sub>x</sub> Budget Opt-in Units .....	7/18/2002	8/5/2003, 68 FR 46089 .....	
3745–14–10 .....	Alternative Compliance Plans ..	7/18/2002	8/5/2003, 68 FR 46089 .....	
3745–14–11 .....	Portland Cement Kilns .....	7/18/2002	8/5/2003, 68 FR 46089 .....	
3745–14–12 .....	Stationary Internal Combustion Engines.	5/7/2005	2/4/2008, 73 FR 6427 .....	
Chapter 3745–15 General Provisions on Air Pollution Control				
3745–15–01 .....	Definitions .....	1/22/2009	5/10/2010, 75 FR 25770 .....	Only (A).
3745–15–02 .....	Purpose .....	1/25/1980	10/1/1982, 47 FR 43375 .....	
3745–15–03 .....	Submission of Emission Infor- mation.	6/30/2008	2/20/2013, 78 FR 11748 .....	
3745–15–04 .....	Measurement of Emissions of Air Contaminants.	1/25/1980	10/1/1982, 47 FR 43375 .....	
3745–15–05 .....	De Minimis Air Contaminant Source Exemption.	1/22/2009	5/10/2010, 75 FR 25770 .....	
3745–15–06 .....	Malfunction of Equipment; Scheduled Maintenance; Re- porting.	1/25/1980	10/1/1982, 47 FR 43375 .....	
3745–15–07 .....	Air Pollution Nuisances Prohib- ited.	5/17/1982	8/13/1984, 49 FR 32182 .....	
3745–15–08 .....	Circumvention .....	1/25/1980	10/1/1982, 47 FR 43375 .....	
3745–15–09 .....	Severability .....	1/25/1980	10/1/1982, 47 FR 43375 .....	
Chapter 3745–16 Stack Height Requirements				
3745–16–01 .....	Definitions .....	3/5/1986	8/25/1988, 53 FR 32392 .....	
3745–16–02 .....	Good Engineering Practice Stack Height Requirements.	3/5/1986	8/25/1988, 53 FR 32392 .....	
Chapter 3745–17 Particulate Matter Standards				
3745–17–01 .....	Definitions .....	2/1/2008	10/26/2010, 75 FR 65567 .....	Includes Ohio EPA Engi- neering Guide 13, re- vised 6/27/1980, and En- gineering Guide 15, re- vised 7/15/1980.
3745–17–02 .....	Ambient Air Quality Standards	2/1/2008	10/26/2010, 75 FR 65567 .....	
3745–17–03 .....	Measurement Methods and Procedures.	4/18/2009	4/3/2013, 78 FR 19990 .....	
3745–17–04 .....	Compliance Time Schedules ...	2/1/2008	12/27/2008, 75 FR 65567 .....	
3745–17–07 .....	Control of Visible Particulate Emissions from Stationary Sources.	2/1/2008	10/26/2010, 75 FR 65567 .....	
3745–17–08 .....	Restriction of Emission of Fugi- tive Dust.	2/1/2008	10/26/2010, 75 FR 65567 .....	
3745–17–09 .....	Restrictions on Particulate Emissions and Odors from Incinerators.	2/1/2008	10/26/2010, 75 FR 65567 .....	
3745–17–10 .....	Restrictions on Particulate Emissions from Fuel Burning Equipment.	2/1/2008	10/26/2010, 75 FR 65567 .....	

## EPA-APPROVED OHIO REGULATIONS—Continued

Ohio citation	Title/Subject	Ohio effective date	EPA Approval date	Notes
3745–17–11 .....	Restrictions on Particulate Emissions from Industrial Processes.	12/13/2011	3/29/2013, 78 FR 19128 .....	
3745–17–12 .....	Additional Restrictions on Particulate Emissions from Specific Air Contaminant Sources in Cuyahoga County.	2/1/2008	10/26/2010, 75 FR 65567 .....	
3745–17–13 .....	Additional Restrictions on Particulate Emissions from Specific Air Contaminant Sources in Jefferson County.	2/1/2008	10/26/2010, 75 FR 65567 .....	
3745–17–14 .....	Contingency Plan Requirements for Cuyahoga and Jefferson Counties.	4/18/2009	10/26/2010, 75 FR 65572 .....	
Chapter 3745–18 Sulfur Dioxide Regulations				
3745–18–01 .....	Definitions and Incorporation by Reference.	4/3/2011	11/19/2013, 78 FR 69299 .....	except (D)(2), (D)(3), (D)(5), (D)(6), (D)(9), (E)(2), (E)(3), and (E)(4).
3745–18–02 .....	Ambient Air Quality Standards; Sulfur Dioxide.	1/23/2006	3/21/2008, ..... 73 FR 15083 .....	
3745–18–03 .....	Attainment Dates and Compliance Time Schedules.	2/17/2011	11/19/2013, 78 FR 69299 .....	
3745–18–04 .....	Measurement Methods and Procedures.	2/17/2011	11/19/2013, 78 FR 69299 .....	
3745–18–05 .....	Ambient and Meteorological Monitoring Requirements.	2/17/2011	11/19/2013, 78 FR 69299 .....	
3745–18–06 .....	General Emission Limit Provisions.	2/17/2011	11/19/2013, 78 FR 69299 .....	
3745–18–07 .....	Adams County Emission Limits	2/17/2011	11/19/2013, 78 FR 69299 .....	
3745–18–08 .....	Allen County Emission Limits ..	2/17/2011	11/19/2013, 78 FR 69299 .....	
3745–18–09 .....	Ashland County Emission Limits.	2/17/2011	11/19/2013, 78 FR 69299 .....	
3745–18–10 .....	Ashtabula County Emissions Limits.	2/17/2011	11/19/2013, 78 FR 69299 .....	
3745–18–11 .....	Athens County Emission Limits	2/17/2011	11/19/2013, 78 FR 69299 .....	
3745–18–12 .....	Auglaize County Emission Limits.	2/17/2011	11/19/2013, 78 FR 69299 .....	
3745–18–13 .....	Belmont County Emission Limits.	2/17/2011	11/19/2013, 78 FR 69299 .....	
3745–18–14 .....	Brown County Emission Limits	2/17/2011	11/19/2013, 78 FR 69299 .....	
3745–18–15 .....	Butler County Emission Limits	2/17/2011	11/19/2013, 78 FR 69299 .....	
3745–18–16 .....	Carroll County Emission Limits	2/17/2011	11/19/2013, 78 FR 69299 .....	
3745–18–17 .....	Champaign County Emission Limits.	2/17/2011	11/19/2013, 78 FR 69299 .....	
3745–18–18 .....	Clark County Emission Limits ..	2/17/2011	11/19/2013, 78 FR 69299 .....	
3745–18–19 .....	Clermont County Emission Limits.	2/17/2011	11/19/2013, 78 FR 69299 .....	
3745–18–20 .....	Clinton County Emission Limits	2/17/2011	11/19/2013, 78 FR 69299 .....	
3745–18–21 .....	Columbiana County Emission Limits.	2/17/2011	11/19/2013, 78 FR 69299 .....	
3745–18–22 .....	Coshocton County Emission Limits.	2/17/2011	11/19/2013, 78 FR 69299 .....	
3745–18–23 .....	Crawford County Emission Limits.	2/17/2011	11/19/2013, 78 FR 69299 .....	
3745–18–24 .....	Cuyahoga County Emission Limits.	2/17/2011	11/19/2013, 78 FR 69299 .....	
3745–18–25 .....	Darke County Emission Limits	2/17/2011	11/19/2013, 78 FR 69299 .....	
3745–18–26 .....	Defiance County Emission Limits.	2/17/2011	11/19/2013, 78 FR 69299 .....	
3745–18–27 .....	Delaware County Emission Limits.	2/17/2011	11/19/2013, 78 FR 69299 .....	
3745–18–28 .....	Erie County Emission Limits ....	2/17/2011	11/19/2013, 78 FR 69299 .....	
3745–18–29 .....	Fairfield County Emission Limits.	2/17/2011	11/19/2013, 78 FR 69299 .....	
3745–18–30 .....	Fayette County Emission Limits	2/17/2011	11/19/2013, 78 FR 69299 .....	
3745–18–31 .....	Franklin County Emission Limits.	2/17/2011	11/19/2013, 78 FR 69299 .....	
3745–18–32 .....	Fulton County Emission Limits	2/17/2011	11/19/2013, 78 FR 69299 .....	

## EPA-APPROVED OHIO REGULATIONS—Continued

Ohio citation	Title/Subject	Ohio effective date	EPA Approval date	Notes
3745–18–33 .....	Gallia County Emission Limits	2/17/2011	11/19/2013, 78 FR 69299 .....	
3745–18–34 .....	Geauga County Emission Limits.	2/17/2011	11/19/2013, 78 FR 69299 .....	
3745–18–35 .....	Greene County Emission Limits	2/17/2011	11/19/2013, 78 FR 69299 .....	
3745–18–36 .....	Guernsey County Emission Limits.	2/17/2011	11/19/2013, 78 FR 69299 .....	
3745–18–37 .....	Hamilton County Emission Limits.	2/17/2011	11/19/2013, 78 FR 69299 .....	
3745–18–38 .....	Hancock County Emission Limits.	2/17/2011	11/19/2013, 78 FR 69299 .....	
3745–18–39 .....	Hardin County Emission Limits	2/17/2011	11/19/2013, 78 FR 69299 .....	
3745–18–40 .....	Harrison County Emission Limits.	2/17/2011	11/19/2013, 78 FR 69299 .....	
3745–18–41 .....	Henry County Emission Limits	2/17/2011	11/19/2013, 78 FR 69299 .....	
3745–18–42 .....	Highland County Emission Limit.	2/17/2011	11/19/2013, 78 FR 69299 .....	
3745–18–43 .....	Hocking County Emission Limits.	2/17/2011	11/19/2013, 78 FR 69299 .....	
3745–18–44 .....	Holmes County Emission Limits.	2/17/2011	11/19/2013, 78 FR 69299 .....	
3745–18–45 .....	Huron County Emission Limits	2/17/2011	11/19/2013, 78 FR 69299 .....	
3745–18–46 .....	Jackson County Emission Limits.	2/17/2011	11/19/2013, 78 FR 69299 .....	
3745–18–47 .....	Jefferson County Emission Limits.	2/17/2011	11/19/2013, 78 FR 69299 .....	
3745–18–48 .....	Knox County Emission Limits ..	2/17/2011	11/19/2013, 78 FR 69299 .....	
3745–18–49 .....	Lake County Emission Limits ...	2/17/2011	11/19/2013, 78 FR 69299 .....	
3745–18–50 .....	Lawrence County Emission Limits.	2/17/2011	11/19/2013, 78 FR 69299 .....	
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3745–21–08 .....	Control of Carbon Monoxide Emissions from Stationary Sources.	8/25/2008	7/28/2009, 74 FR 37171 .....	
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3745–21–10 .....	Compliance Test Methods and Procedures.	8/25/2008	7/28/2009, 74 FR 37171 .....	
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3745–21–15 .....	Control of Volatile Organic Compound Emissions from Wood Furniture Manufacturing Operations.	8/25/2008	7/28/2009, 74 FR 37171 .....	
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3745–21–23 .....	Control of Volatile Organic Compound Emissions from Industrial Solvent Cleaning Operations.	5/12/2011	4/29/2013, 78 FR 24990 .....	
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3745–26–03 .....	Inspection Station Licensing Procedure.	5/15/1990	12/17/1993, 58 FR 65933 .....	
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3745–26–13 .....	Requirements for Certified Inspectors in the Enhanced or Opt-in Enhanced Automobile Inspection and Maintenance Program.	6/13/1994	4/4/1995, 60 FR 16989 .....	
3745–26–14 .....	Enforcement of Program Rules and Regulations for the Enhanced or Opt-in Enhanced Automobile Inspection and Maintenance Program.	6/13/1994	4/4/1995, 60 FR 16989 .....	
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3745–31–02 .....	Applicability, Requirements, and Obligations.	5/29/2014	6/25/2015, 80 FR 36477 .....	
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3745–31–05 .....	Criteria for Decision by the Director.	11/30/2001	1/22/2003, 68 FR 2909 .....	
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3745–31–09 .....	Variances on Operation .....	5/29/2014	6/25/2015, 80 FR 36477 .....	
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3745–31–11 .....	Attainment Provisions—Ambient Air Increments, Ceilings, and Classifications.	5/29/2014	6/25/2015, 80 FR 36477 .....	
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3745–31–22 .....	Nonattainment Provisions—Conditions for Approval.	5/29/2014	6/25/2015, 80 FR 36477 .....	Except for (A)(3)(b).
3745–31–23 .....	Nonattainment provisions—stationary sources locating in designated clean or unclassifiable areas which would cause or contribute to a violation of a national ambient air quality standard.	5/29/2014	6/25/2015, 80 FR 36477 .....	Except for the 1-hour NO <sub>2</sub> Significant Impact Level in the table in paragraph (A).
3745–31–24 .....	Nonattainment Provisions—Baseline for Determining Credit for Emission and Air Quality Offsets.	5/29/2014	6/25/2015, 80 FR 36477 .....	Except for (F).
3745–31–25 .....	Nonattainment provisions—location of offsetting emissions.	5/29/2014	6/25/2015, 80 FR 36477 .....	
3745–31–26 .....	Nonattainment Provisions—Offset Ratio Requirements.	5/29/2014	6/25/2015, 80 FR 36477 .....	Except for (D).
3745–31–27 .....	Nonattainment Provisions—Administrative Procedures for Emission Offsets.	5/29/2014	6/25/2015, 80 FR 36477 .....	Except for (A)(1)(b).
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3745–75–02 .....	Emission Limits .....	3/23/2004	7/5/2007, 72 FR 36605 .....	
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3745–101–05 .....	Content of Transportation Plans.	2/16/1999	5/30/2000, 65 FR 34395 .....	Only (A), (B), and (C) Except (C)(1)(a) and (C)(2)(a).
3745–101–06 .....	Relationship with NEPA and Fiscal Constraints.	2/16/1999	5/30/2000, 65 FR 34395 .....	
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3745–101–08 .....	Criteria and Procedures for Implementation of TCMs, Current Conformity, and Projects from a Plan and TIP.	2/16/1999	5/30/2000, 65 FR 34395 .....	
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3745–101–11 .....	Criteria and Procedures: Emission Reductions in Areas without Motor Vehicle Emissions Budgets.	2/16/1999	5/30/2000, 65 FR 34395 .....	
3745–101–12 .....	Consequences of Control Strategy Implementation Plan Failures.	2/16/1999	5/30/2000, 65 FR 34395 .....	Except for (A)(2).
3745–101–13 .....	Requirements for Adoption or Approval of Projects by Other Recipients of Funds Designated Under Title 23 U.S.C. or the Federal Transit Laws.	2/16/1999	5/30/2000, 65 FR 34395 .....	Except for (A)(1).
3745–101–14 .....	Procedures for Determining Regional Transportation-related Emissions.	2/16/1999	5/30/2000, 65 FR 34395 .....	
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3745–101–17 .....	Enforceability of Design Concept and Scope and Project-level Mitigation and Control Measures.	2/16/1999	5/30/2000, 65 FR 34395 .....	
3745–101–18 .....	Exempt Projects .....	2/16/1999	5/30/2000, 65 FR 34395 .....	
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3745–102–01 .....	Purpose .....	8/21/1995	3/11/1996, 61 FR 9644 .....	
3745–102–02 .....	Definitions .....	8/21/1995	3/11/1996, 61 FR 9644 .....	
3745–102–03 .....	Applicability .....	8/21/1995	3/11/1996, 61 FR 9644 .....	
3745–102–04 .....	Analysis, Other Requirements	8/21/1995	3/11/1996, 61 FR 9644 .....	
3745–102–05 .....	Conformity Determinations .....	8/21/1995	3/11/1996, 61 FR 9644 .....	
3745–102–06 .....	Mitigation of Air Quality Impacts.	8/21/1995	3/11/1996, 61 FR 9644 .....	

## Chapter 3745–109 Emissions Trading Programs

3745–109–01 .....	CAIR NO <sub>x</sub> Annual, CAIR SO <sub>2</sub> , and CAIR NO <sub>x</sub> Ozone Season Trading Programs Definitions and General Provisions.	7/16/2009	11/24/2009, 74 FR 48857 .....	
3745–109–02 .....	CAIR Designated Representative for CAIR NO <sub>x</sub> Sources.	9/27/2007	9/25/2009, 74 FR 48857 .....	
3745–109–03 .....	Permits .....	9/27/2007	9/25/2009, 74 FR 48857 .....	
3745–109–04 .....	CAIR NO <sub>x</sub> Allowance Allocations.	7/16/2009	9/25/2009, 74 FR 48857 .....	
3745–109–05 .....	CAIR NO <sub>x</sub> Allowance Tracking System.	9/27/2007	9/25/2009, 74 FR 48857 .....	

## EPA-APPROVED OHIO REGULATIONS—Continued

Ohio citation	Title/Subject	Ohio effective date	EPA Approval date	Notes
3745–109–06 .....	CAIR NO <sub>x</sub> Allowance Transfers.	9/27/2007	9/25/2009, 74 FR 48857 .....	
3745–109–07 .....	Monitoring and Reporting .....	7/16/2009	9/25/2009, 74 FR 48857 .....	
3745–109–08 .....	CAIR NO <sub>x</sub> Opt-in Units .....	7/16/2009	9/25/2009, 74 FR 48857 .....	
3745–109–09 .....	CAIR Designated Representative for CAIR SO <sub>2</sub> Sources.	9/27/2007	9/25/2009, 74 FR 48857 .....	
3745–109–10 .....	Permits .....	9/27/2007	9/25/2009, 74 FR 48857 .....	
3745–109–11 .....	CAIR SO <sub>2</sub> Allowance Tracking System.	7/16/2009	9/25/2009, 74 FR 48857 .....	
3745–109–12 .....	CAIR SO <sub>2</sub> Allowance Transfers	7/16/2009	9/25/2009, 74 FR 48857 .....	
3745–109–13 .....	Monitoring and Reporting .....	7/16/2009	9/25/2009, 74 FR 48857 .....	
3745–109–14 .....	CAIR SO <sub>2</sub> Opt-in Units .....	7/16/2009	9/25/2009, 74 FR 48857 .....	
3745–109–15 .....	CAIR Designated Representative for CAIR NO <sub>x</sub> Ozone Season Sources.	9/27/2007	9/25/2009, 74 FR 48857 .....	
3745–109–16 .....	Permits .....	9/27/2007	9/25/2009, 74 FR 48857 .....	
3745–109–17 .....	CAIR NO <sub>x</sub> Ozone Season Allowance Allocations.	7/16/2009	9/25/2009, 74 FR 48857 .....	
3745–109–18 .....	CAIR NO <sub>x</sub> Ozone Season Allowance Tracking System.	7/16/2009	9/25/2009, 74 FR 48857 .....	
3745–109–19 .....	CAIR NO <sub>x</sub> Ozone Season Allowance Transfers.	7/16/2009	9/25/2009, 74 FR 48857 .....	
3745–109–20 .....	Monitoring and Reporting .....	7/16/2009	9/25/2009, 74 FR 48857 .....	
3745–109–21 .....	CAIR NO <sub>x</sub> Ozone Season Opt-in Units.	7/16/2009	9/25/2009, 74 FR 48857 .....	

## Chapter 3745–112 Volatile Organic Compound Limits in Consumer Products

3745–112–01 .....	Definitions .....	9/15/2007	8/13/2009, 74 FR 40745 .....	
3745–112–02 .....	Applicability .....	9/15/2007	8/13/2009, 74 FR 40745 .....	
3745–112–03 .....	Standards .....	9/15/2007	8/13/2009, 74 FR 40745 .....	
3745–112–04 .....	Exemptions .....	9/15/2007	8/13/2009, 74 FR 40745 .....	
3745–112–05 .....	Administrative Requirements ...	9/15/2007	8/13/2009, 74 FR 40745 .....	
3745–112–06 .....	Reporting Requirements .....	9/15/2007	8/13/2009, 74 FR 40745 .....	
3745–112–07 .....	Variances .....	9/15/2007	8/13/2009, 74 FR 40745 .....	
3745–112–08 .....	Test Methods .....	9/15/2007	8/13/2009, 74 FR 40745 .....	

(d) EPA approved state source-specific requirements.

## EPA-APPROVED OHIO SOURCE-SPECIFIC PROVISIONS

Name of source	Number	Ohio effective date	EPA Approval date	Comments
AK Steel Corporation .....	Director's Final Findings and Orders (DFFO).	8/18/1995	4/25/1996, 61 FR 18255	
Excello Specialty .....	PTI 13–2396 .....	12/11/1991	4/25/1996, 61 FR 18255	
Ford-Cleveland Casting	DFFO .....	7/10/1995	5/6/1996, 61 FR 20139	
Ford-Engine Plant 1 .....	DFFO .....	5/31/1996	2/25/1997, 62 FR 8383	
Hilton Davis .....	PTI 14–2096 .....	6/12/1991	4/25/1996, 61 FR 18255	
International Mill Services.	DFFO .....	7/12/1995	5/6/1996, 61 FR 20139	
International Paper Company.	DFFO .....	8/18/1995	4/25/1996, 61 FR 18255	
Luria Brothers .....	DFFO .....	7/10/1995	5/6/1996, 61 FR 20139	
Midwest Mica & Insulation Co.	DFFO .....	8/18/1995	4/25/1996, 61 FR 18255	
Morgan Adhesives Co ...	DFFO .....	7/5/2000	4/17/2001, 74 FR 19721	
P.H. Glatfelter Co.-Chillicothe.	PTI P0103673 .....	3/7/2011	7/2/2012, 77 FR 39177	Regional haze BART emissions limits.
Reilly Industries, Inc .....	DFFO .....	8/18/1995	4/25/1996, 61 FR 18255	
Sprayon Products, Inc ...	DFFO .....	8/18/1995	4/25/1996, 61 FR 18255	
T&B Foundry Company	DFFO .....	7/10/1995	5/6/1996, 61 FR 20139	
United Ready Mix .....	DFFO .....	7/10/1995	5/6/1996, 61 FR 20139	

## EPA-APPROVED OHIO SOURCE-SPECIFIC PROVISIONS—Continued

Name of source	Number	Ohio effective date	EPA Approval date	Comments
Wheeling-Pittsburg Steel Corporation.	DFFO .....	10/31/1995	6/12/1996, 61 FR 29662	

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

## EPA-APPROVED OHIO NONREGULATORY AND QUASI-REGULATORY PROVISIONS

Title	Applicable geographical or non-attainment area	State date	EPA approval	Comments
Legislative Provisions				
Authority to Require NSR Permits.	Statewide .....	.....	1/25/1982 .....	ORC 3704.03 (F).
Local Permits for Burning Construction Debris.	Statewide .....	.....	7/15/1985 .....	ORC 3704.11 (C).
Ohio EPA Authority .....	Statewide .....	.....	1/25/1982 .....	ORC 3704 (summary).
Requirements for Board Members.	Statewide .....	.....	1/25/1982 .....	ORC 102 (summary).
Definition of Air Contaminant.	Statewide .....	.....	.....	ORC 3704.01 (B); submitted 8/26/1982.

## Summary of Criteria Pollutant Maintenance Plan

Ozone 1-Hour .....	Cincinnati (Butler, Clermont, Hamilton, and Warren Counties).	6/28/1999	7/5/2000, 65 FR 37879	
Ozone 1-Hour .....	Columbiana County .....	3/25/1994	3/10/1995, 59 FR 48395	
Ozone 1-Hour .....	Columbus (Franklin, Delaware and Licking Counties).	1/1/1994	4/1/1996, 61 FR 3591 ...	
Ozone 1-Hour .....	Dayton-Springfield (Miami, Montgomery, Clark, and Greene Counties).	11/8/1993	7/5/1995, 60 FR 22289	
Ozone 1-Hour .....	Jefferson County .....	3/25/1994	3/10/1995, 58 FR 66334	
Ozone 1-Hour .....	Youngstown (Mahoning and Trumbull Counties) and Canton (Stark County).	3/25/1994	4/1/1996, 61 FR 3319 ...	
Ozone 8-Hour .....	Canton (Stark County) ..	6/20/2006	6/15/2007, 72 FR 27648	
Ozone 8-Hour .....	Cincinnati (Butler, Clermont, Clinton, Hamilton, and Warren Counties).	12/14/2009	5/11/2010, 75 FR 26118	
Ozone 8-Hour .....	Cleveland (Ashtabula, Cuyahoga, Geauga, Lake, Lorain, Medina, Portage, and Summit Counties).	3/17/2009	9/15/2009, 74 FR 47414	
Ozone 8-Hour .....	Columbiana County .....	2/15/2007	6/12/2007, 72 FR 32190	
Ozone 8-Hour .....	Columbus (Delaware, Fairfield, Franklin, Knox, Licking, and Madison Counties).	3/17/2009	9/15/2009, 74 FR 47404	
Ozone 8-Hour .....	Dayton-Springfield (Miami, Montgomery, Clark, and Greene Counties).	11/6/2006	8/13/2007, 72 FR 45169	
Ozone 8-Hour .....	Lima (Allen County) .....	6/20/2006	6/15/2007, 72 FR 27648	Correction: 72 FR 36599, effective 7/5/2007.
Ozone 8-Hour .....	Parkersburg-Marietta (Washington County).	9/22/2006	6/15/2007, 72 FR 27652	Correction: 72 FR 36599, effective 7/5/2007.
Ozone 8-Hour .....	Steubenville-Weirton (Jefferson County).	7/31/2006	6/15/2007, 72 FR 27640	Correction: 72 FR 36599, effective 7/5/2007.
Ozone 8-Hour .....	Toledo (Lucas and Wood Counties).	12/22/2006	8/9/2007, 72 FR 44784	

## EPA-APPROVED OHIO NONREGULATORY AND QUASI-REGULATORY PROVISIONS—Continued

Title	Applicable geographical or non-attainment area	State date	EPA approval	Comments
Ozone 8-Hour .....	Wheeling (Belmont County).	6/20/2006	6/15/2007, 72 FR 27644	Correction: 72 FR 36599, effective 7/5/2007
Ozone 8-Hour .....	Youngstown (Mahoning and Trumbull Counties).	2/15/2007	6/12/2007, 72 FR 32190	
PM-10 .....	Cuyahoga and Jefferson Counties.	5/22/2000	1/10/2001, 65 FR 77308	
PM <sub>2.5</sub> (1997) .....	Canton (Stark County) ..	6/26/2012	10/22/2013, 78 FR 62459.	
PM <sub>2.5</sub> (1997) .....	Cincinnati (Butler, Clermont, Hamilton, and Warren Counties).	1/25/2011	12/23/2011, 76 FR 80253.	
PM <sub>2.5</sub> (1997) .....	Cleveland (Ashtabula, Cuyahoga, Lake, Lorain, Medina, Portage, and Summit Counties).	10/5/2011	9/18/2013, 78 FR 57270	
PM <sub>2.5</sub> (1997) .....	Columbus (Coshocton, Delaware, Fairfield, Franklin, and Licking Counties).	6/3/2011	11/7/2013, 78 FR 66845	
PM <sub>2.5</sub> (1997) .....	Dayton-Springfield (Clark, Greene, and Montgomery Counties).	6/1/2011	9/26/2013, 78 FR 59258	
PM <sub>2.5</sub> (1997) .....	Huntington-Ashland (Adams, Gallia, Lawrence, and Scioto Counties).	5/4/2011	12/31/2012, 77 FR 76883.	
PM <sub>2.5</sub> (1997) .....	Parkersburg-Marietta (Washington County).	2/29/2012	8/29/2013, 78 FR 53275	
PM <sub>2.5</sub> (1997) .....	Steubenville-Weirton (Jefferson County).	4/16/2012	9/18/2013, 78 FR 57273	
PM <sub>2.5</sub> (1997) .....	Wheeling (Belmont County).	4/16/2012	8/29/2013, 78 FR 53275	
PM <sub>2.5</sub> (2006) .....	Canton (Stark County) ..	6/26/2012	10/22/2013, 78 FR 62459.	
PM <sub>2.5</sub> (2006) .....	Cleveland (Cuyahoga, Lake, Lorain, Medina, Portage, and Summit Counties).	5/30/2012	9/18/2013, 78 FR 57270	
PM <sub>2.5</sub> (2006) .....	Steubenville-Weirton (Jefferson County).	4/16/2012	9/18/2013, 78 FR 57273	
SO <sub>2</sub> (1971) .....	Center Township (Morgan County) and Waterford Township (Washington County).	6/25/1992	9/21/1994, 59 FR 48403	
SO <sub>2</sub> (1971) .....	Lake County and Steubenville/Mingo Junction (Jefferson County).	10/26/1995	8/30/1999, 64 FR 47113	
SO <sub>2</sub> (1971) .....	Franklin Township (Coshocton County), Addison Township (Gallia County), and Lorain County.	3/20/2000	6/5/2000, 65 FR 35577	
SO <sub>2</sub> (1971) .....	Cuyahoga and Lucas Counties.	9/27/2003	7/8/2004, 69 FR 41342	
CO (1979) .....	Cleveland (Cuyahoga County).	10/20/2005	6/1/2006, 71 FR 31097	
Lead (2008) .....	Bellefontaine (Logan County).	10/29/2013	7/28/2014, 79 FR 43655	Includes approval of the 10/29/2013 emissions inventory.
Infrastructure Requirements				
Section 110(a)(2) infrastructure requirements for the 1997 8-hour ozone NAAQS.	Statewide .....	12/5/2007	7/13/2011, 76 FR 41075	Addresses the following CAA elements: 110(a)(2)(A)–(C), (D)(ii), (E)–(H), and (J)–(M).

## EPA-APPROVED OHIO NONREGULATORY AND QUASI-REGULATORY PROVISIONS—Continued

Title	Applicable geographical or non-attainment area	State date	EPA approval	Comments
Section 110(a)(2) infrastructure requirements for the 1997 PM <sub>2.5</sub> NAAQS.	Statewide .....	12/5/2007	7/13/2011, 76 FR 41075	Addresses the following CAA elements: 110(a)(2)(A)–(C), (D)(ii), (E)–(H), and (J)–(M).
Section 110(a)(2) infrastructure requirements for the 2006 PM <sub>2.5</sub> NAAQS.	Statewide .....	9/4/2009	10/29/2012, 77 FR 65478.	Addresses the following CAA elements: 110(a)(2)(A), (B), (C), (D)(ii), (E)(i) and (E)(iii), (F)–(H), (J) {except PSD}, and (K)–(M).
Section 110(a)(2) infrastructure requirements for the 2006 PM <sub>2.5</sub> NAAQS.	Statewide .....	6/7/2013	4/7/2014, 79 FR 18999	Addresses the following CAA elements: 110(a)(2)(E)(ii).
Section 110(a)(2) infrastructure requirements for the 2008 lead NAAQS.	Statewide .....	10/12/2011	10/6/2014, 79 FR 60075	Addresses the following CAA elements: 110(a)(2) (C), (D)(i)(II), (D)(iii), and the PSD portion of (J).
Section 110(a)(2) infrastructure requirements for the 2010 NO <sub>2</sub> NAAQS.	Statewide .....	2/8/2013	10/6/2014, 79 FR 60075	Addresses the following CAA elements: 110(a)(2) (A) to (H) and (J) to (M).
Section 110(a)(2) infrastructure requirements for the 2008 ozone NAAQS.	Statewide .....	12/27/2012	10/16/2014, 79 FR 60219.	Addresses the following CAA elements: 110(a)(2) (A) to (H) and (J) to (M).
Summary of Plan Element				
Particulate Matter (PM–10) Plan.	Statewide .....	11/14/1991	6/27/1994, 59 FR 27464	
Summary of the 15 Percent (%) Rate of Progress (ROP) Plan Control Measures for Volatile Organic Compounds (VOC) Emissions				
Cincinnati 15% Plan .....	Cincinnati (Butler, Clermont, Hamilton, and Warren Counties).	3/19/1994	3/30/1998, 63 FR 4188	

**§ 52.1890 [Removed and Reserved]**

- 3. Remove and reserve § 52.1890.

**§ 52.1891 [Removed and Reserved]**

- 4. Remove and reserve § 52.1891.

- 5. In the newly redesignated § 52.1894 revise the section heading and paragraph (a) to read as follows:

**§ 52.1894 Original Identification of plan section.**

(a) This section identifies the original “Air Implementation Plan for the State of Ohio” and all revisions submitted by Ohio that were federally approved prior to September 1, 2015.

\* \* \* \* \*

**§ 52.1919 [Removed and Reserved]**

- 6. Remove and reserve § 52.1919.

[FR Doc. 2015–28498 Filed 11–9–15; 8:45 am]

**BILLING CODE 6560–50–P**

**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration****50 CFR Part 697**

**[Docket No. 150610515–5999–02]**

**RIN 0648–BF16**

**Fisheries of the Northeastern United States; Atlantic Coastal Fisheries Cooperative Management Act Provisions; American Lobster Fishery**

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Final rule.

**SUMMARY:** This action modifies the timing of the Lobster Conservation Management Area 4 seasonal closure. This action is necessary to ensure fishery regulations for the lobster fishery in Federal waters remain consistent with the Commission’s Interstate Fishery Management Plan for American

Lobster and previously implemented state measures and the intent of the Atlantic Coastal Fisheries Cooperative Management Act. This action is intended to ensure fishing effort is reduced in Area 4.

**DATES:** This rule is effective December 10, 2015.

**FOR FURTHER INFORMATION CONTACT:** Allison Murphy, Fishery Policy Analyst, (978) 281–9122.

**SUPPLEMENTARY INFORMATION:****Background**

The American lobster fishery is managed by the Atlantic States Marine Fisheries Commission under Amendment 3 to the Interstate Fishery Management Plan for American Lobster (ISFMP). We manage the portion of the fishery conducted in Federal waters from 3 to 200 miles offshore, based on management recommendations made by the Commission.

The American lobster management unit is divided between two lobster stocks and seven Lobster Conservation Management Areas.