

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	Purpose Applicability Definitions Curtaiment During Episodes or Impaired Air Quality.	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.	
173-425-045 173-425-055 173-425-065 173-425-075 173-425-085 173-425-095 173-425-100	Prohibited Materials Exceptions Residential Open Burning Commercial Open Burning Agricultural Open Burning No Burn Area Designation Delegation of Agricultural Open Burning Program.	1/3/89 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.	
173-425-115 173-425-120 173-425-130 173-425-140	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	1/15/93, 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 (ECOLOGY) 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.	
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
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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 12.03	Applicability Continuous Emission Monitoring Systems	06/01/98 11/01/15	8/31/04, 69 FR 53007. 4/22/20, 85 FR 22357	Replaces WAC 173–400–105(7).
Regulation I—Article 13: Solid Fuel Burning Device Standards				
13.01 13.02 13.03 13.04 13.05 13.06 13.07	Policy and Purpose Definitions Opacity Standards Prohibited Fuel Types Curtailment Emission Performance Standards Prohibition on Wood Stoves that are not Cer- tified Wood Stoves.	12/01/12 12/01/12 12/01/12 12/01/12 12/01/12 12/01/12 12/01/12	5/29/13, 78 FR 32131. 5/29/13, 78 FR 32131. 5/29/13, 78 FR 32131. 5/29/13, 78 FR 32131. 5/29/13, 78 FR 32131. 5/29/13, 78 FR 32131. 5/29/13, 78 FR 32131.	
Regulation II—Article 1: Purpose, Policy, Short Title, and Definitions				
1.01 1.02 1.03 1.04 1.05	Purpose Policy Short Title General Definitions Special Definitions	11/01/99 11/01/99 11/01/99 12/11/80 9/1/03	08/31/04, 69 FR 53007. 08/31/04, 69 FR 53007. 08/31/04, 69 FR 53007. 02/28/83, 48 FR 8273. 09/17/13, 78 FR 57073.	
Regulation II—Article 2: Gasoline Marketing Emission Standards				
2.01 2.03 2.05 2.06 2.07 2.08 2.09 2.10	Definitions Petroleum Refineries Gasoline Loading Terminals Bulk Gasoline Plants Gasoline Stations Gasoline Transport Tanks Oxygenated Gasoline Carbon Monoxide Contingency Measure and Fee Schedule. Gasoline Station Ozone Contingency Measure ..	08/13/99 07/15/91 01/13/94 07/15/91 01/10/00 08/13/99 01/23/03 01/23/03	08/31/04, 69 FR 53007. 08/29/94, 59 FR 44324. 06/29/95, 60 FR 33734. 08/29/94, 59 FR 44324. 08/31/04, 69 FR 53007. 08/31/04, 69 FR 53007. 08/05/04, 69 FR 47365. 08/05/04, 69 FR 47365.	
Regulation II—Article 3: Miscellaneous Volatile Organic Compound Emission Standards				
3.01 3.02 3.03 3.04 3.05 3.08 3.09	Cutback Asphalt Paving Volatile Organic Compound Storage Tanks Can and Paper Coating Operations Motor Vehicle and Mobile Equipment Coating Operations. Graphic Arts Systems Polyester, Vinylester, Gelcoat, and Resin Operations. Aerospace Component Coating Operations	7/15/91 8/13/99 3/17/94 9/1/03 1/13/94 1/13/94 1/13/94	08/29/94, 59 FR 44324. 08/31/04, 69 FR 53007. 06/29/95, 60 FR 33734. 09/17/13, 78 FR 57073. 06/29/95, 60 FR 33734. 06/29/95, 60 FR 33734. 6/29/95, 60 FR 33734.	
Washington Administrative Code, Chapter 173–400 Regulations Incorporated by Reference in Regulation I, Section 6.01				
173–400–030 173–400–081 173–400–110 173–400–111 173–400–112 173–400–113 173–400–117 173–400–171 173–400–200 173–400–560	Definitions Startup and Shutdown New Source Review (NSR) for Sources and Portable Sources. Processing Notice of Construction Applications for Sources, Stationary Sources and Portable Sources. Requirements for New Sources in Nonattainment Areas. Requirements for New Sources in Attainment or Unclassifiable Areas. Special Protection Requirements for Federal Class I Areas. Public Notice and Opportunity for Public Comment. Creditable Stack Height and Dispersion Techniques. General Order of Approval	12/29/12 04/01/11 12/29/12 07/01/16 12/29/12 12/29/12 12/29/12 07/01/16 02/10/05 12/29/12	4/22/20, 85 FR 22357 4/22/20, 85 FR 22357. 4/22/20, 85 FR 22357 4/22/20, 85 FR 22357 4/22/20, 85 FR 22357. 4/22/20, 85 FR 22357 4/22/20, 85 FR 22357. 4/22/20, 85 FR 22357 4/22/20, 85 FR 22357. 4/22/20, 85 FR 22357	Except: 173–400–030(91). 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). Except: 173–400–113(3), second sentence. 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(12). 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

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.	Except (7).
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	Applicability	12/29/12	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.
173–400–030(24)	Definitions	3/22/91	6/2/95, 60 FR 28726.	
173–400–030	Definitions	9/16/18	5/10/21, 86 FR 24718	
173–400–040(1)(a) & (b)	General Standards for Maximum Emissions	3/22/91	6/2/95, 60 FR 28726.	Except: 173–400–040(2); 173–400–040(3); 173–400–040(5); 173–400–040(6); 173–400–040(8).
173–400–040	General Standards for Maximum Emissions	9/16/18	5/10/21, 86 FR 24718	
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	Emission Standards for General Process Units ..	11/25/18	5/10/21, 86 FR 24718.	Except (7).
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	4/1/11	5/10/21, 86 FR 24718	
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	Excess Emissions	9/20/93	6/2/95, 60 FR 28726.	Except (8).
173–400–112	Requirements for New Sources in Nonattainment Areas.	12/29/12	5/10/21, 86 FR 24718	
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.

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[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 FXES11110900000 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