

Administrative Procedure Act

Because this final rule concerns agency organization, procedure, or practice, pursuant to 5 U.S.C. 553(b), it is exempt from notice and comment requirements. Further, we have concluded that, because this final rule only brings 38 CFR 19.14 and 20.102 into conformity with existing regulations in Parts 19 and 20 of title 38, there is good cause for dispensing with a delayed effective date as unnecessary.

Unfunded Mandates

The Unfunded Mandates Reform Act requires, at 2 U.S.C. 1532, that agencies prepare an assessment of anticipated costs and benefits before developing any rule that may result in an expenditure by State, local, or tribal governments, in the aggregate, or by the private sector, of \$100 million or more in any given year. This final rule would have no such effect on State, local, or tribal governments, or the private sector.

Paperwork Reduction Act

This document contains no provisions constituting a new collection of information under the Paperwork Reduction Act (44 U.S.C. 3501–3521).

Regulatory Flexibility Act

Because this final rule is not a “rule” as defined in 5 U.S.C. 601(2), it is not subject to the Regulatory Flexibility Act, 5 U.S.C. 601–612. Nevertheless, the Secretary hereby certifies that this final rule will not have a significant economic impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act, 5 U.S.C. 601–612. The changes made by this rule will not have a significant economic impact on any small entities. Therefore, pursuant to 5 U.S.C. 605(b), this final rule is exempt from the initial and final regulatory flexibility analysis requirements of sections 603 and 604.

List of Subjects in 38 CFR Parts 19 and 20

Administrative practice and procedure, Claims, Veterans.

Approved: January 26, 2005.

Anthony J. Principi,
Secretary of Veterans Affairs.

■ For the reasons set forth in the preamble, 38 CFR parts 19 and 20 are amended as follows:

PART 19—BOARD OF VETERANS’ APPEALS: APPEALS REGULATIONS

■ 1. The authority citation for part 19 continues to read as follows:

Authority: 38 U.S.C. 501(a), unless otherwise noted.

§ 19.14 [Amended]

- 2. Section 19.14 is amended by:
 - a. Removing “, 19.3(c),” from paragraph (a); and
 - b. Removing “§ 19.3(d) and” from paragraph (b).

PART 20—BOARD OF VETERANS’ APPEALS: RULES OF PRACTICE

■ 3. The authority citation for part 20 continues to read as follows:

Authority: 38 U.S.C. 501(a) and as noted in specific sections.

§ 20.102 [Amended]

- 4. Section 20.102 is amended by:
 - a. Removing paragraph (a);
 - b. Redesignating paragraphs (b) and (c) as paragraphs (a) and (b), respectively;
 - c. Removing “608(b),” “20.608(b),” and the commas after “717(d)” and “20.717(d)” from newly designated paragraph (a);
 - d. Removing “606(e)” and “20.606(e)” from newly designated paragraph (b) and adding, in their places, “606(d)” and “20.606(d)”, respectively.

[FR Doc. 05–3498 Filed 2–23–05; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[MN–86–1; FRL–7867–5]

Approval and Promulgation of Air Quality Implementation Plans; Minnesota; Revised Format of 40 CFR Part 52 for Materials Being Incorporated by Reference

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; Notice of administrative change.

SUMMARY: EPA is revising the format of 40 CFR part 52 for materials submitted by the state of Minnesota that are incorporated by reference (IBR) into its State Implementation Plan (SIP). The regulations affected by this format change have all been previously submitted by Minnesota and approved by EPA.

This format revision will primarily affect the “Identification of plan” section of 40 CFR part 52, as well as the format of the SIP materials that will be available for public inspection at the National Archives and Records Administration (NARA), the Air and Radiation Docket and Information Center located at EPA Headquarters in Washington, DC, and the EPA Region 5

Office. EPA is also adding a table in the “Identification of plan” section which summarizes the approval actions that EPA has taken on the non-regulatory and quasi-regulatory portions of the Minnesota SIP. The sections of 40 CFR part 52 pertaining to provisions promulgated by EPA or state-submitted materials not subject to IBR review remain unchanged.

DATES: *Effective Date:* This final rule is effective on February 24, 2005.

ADDRESSES: SIP materials which are incorporated by reference into 40 CFR part 52 are available for inspection at the following locations: Environmental Protection Agency, Region 5, Air Programs Branch, 77 West Jackson Boulevard, Chicago, Illinois 60604; the Air and Radiation Docket and Information Center, U.S. Environmental Protection Agency, 1301 Constitution Avenue NW., Room B108, Washington, DC 20460; or the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call (202) 741–6030, or go to: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.

FOR FURTHER INFORMATION CONTACT:

Christos Panos, Environmental Engineer, (312) 353–8328, at the above Region 5 address or by e-mail at panos.christos@epa.gov.

SUPPLEMENTARY INFORMATION: The supplementary information is organized in the following order:

- I. Background
 - Description of a SIP
 - How EPA Enforces SIPs
 - How the State and EPA Update the SIP
 - How EPA Compiles the SIP
 - How EPA Organizes the SIP Compilation
 - Where You Can Find a Copy of the SIP Compilation
 - The Format of the New Identification of Plan Section
 - When a SIP Revision Becomes Federally Enforceable
 - The Historical Record of SIP Revision Approvals
- II. What EPA Is Doing in This Action
- III. Statutory and Executive Order Reviews

I. Background

Description of a SIP—Each state has a SIP containing the control measures and strategies used to attain and maintain the National Ambient Air Quality Standards (NAAQS). The SIP is extensive, containing elements covering a variety of subjects, such as air pollution control regulations, emission inventories, monitoring networks, attainment demonstrations, and enforcement mechanisms.

How EPA Enforces SIPs—Each state must formally adopt the control measures and strategies in the SIP after the public has had an opportunity to comment on them. They are then submitted to EPA as SIP revisions on which EPA must formally act.

Once these control measures and strategies are approved by EPA, after notice and comment rulemaking, they are incorporated into the federally approved SIP and are identified in Title 40 of the Code of Federal Regulations part 52 (Approval and Promulgation of Implementation Plans), (40 CFR part 52). The actual state regulations approved by EPA are not reproduced in their entirety in 40 CFR part 52, but are “incorporated by reference,” which means that EPA has approved a given state regulation with a specific effective date. This format allows both EPA and the public to know which measures are contained in a given SIP and ensures that the state is enforcing the regulations. It also allows EPA and the public to take enforcement action, should a state not enforce its SIP-approved regulations.

How the State and EPA Update the SIP—The SIP is a living document which can be revised as necessary to address the unique air pollution problems in the state. Therefore, EPA must, from time to time, take action on SIP revisions containing new and/or revised regulations as being part of the SIP. On May 22, 1997 (62 FR 27968), EPA revised the procedures for incorporating by reference federally approved SIPs, as a result of consultations between EPA and the Office of the Federal Register (OFR).

EPA began the process of developing: (1) A revised SIP document for each state that would be incorporated by reference under the provisions of title 1 CFR part 51; (2) a revised mechanism for announcing EPA approval of revisions to an applicable SIP and updating both the IBR document and the CFR; and (3) a revised format of the “Identification of plan” sections for each applicable subpart to reflect these revised IBR procedures. The description of the revised SIP document, IBR procedures, and “Identification of plan” format are discussed in further detail in the May 22, 1997, **Federal Register** document.

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

requirements, and nonregulatory provisions approved by EPA through previous rulemaking actions in the **Federal Register**. The compilation is contained in three-ring binders and will be updated, primarily on an annual basis. The nonregulatory provisions are available by contacting Christos Panos at the Regional Office.

How EPA Organizes the SIP Compilation—Each compilation contains three parts. Part one contains the regulations, part two contains the source-specific requirements that have been approved as part of the SIP, and part three contains nonregulatory provisions that have been approved by EPA. Each part consists of a table of identifying information for each SIP-approved regulation, each SIP-approved source-specific requirement, and each nonregulatory SIP provision. In this action, EPA is publishing the tables summarizing the applicable SIP requirements for Minnesota. The effective dates in the tables indicate the date of the most recent revision of each regulation. The EPA Regional Offices have the primary responsibility for updating the compilation and ensuring its accuracy.

Where You Can Find a Copy of the SIP Compilation—EPA’s Region 5 Office developed and will maintain the compilation for Minnesota. A copy of the full text of Minnesota’s regulatory and source-specific compilation will also be maintained at NARA and EPA’s Air Docket and Information Center.

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

The revised Identification of plan section contains five subsections: (a) Purpose and scope, (b) Incorporation by reference, (c) EPA approved regulations, (d) EPA approved source specific permits, and (e) EPA approved nonregulatory and quasi-regulatory provisions such as transportation control measures, statutory provisions, control strategies, monitoring networks, etc.

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

The Historical Record of SIP Revision Approvals—To facilitate enforcement of previously approved SIP provisions and provide a smooth transition to the new

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

II. What EPA Is Doing in This Action

Today’s rule constitutes a “housekeeping” exercise to ensure that all revisions to the state programs that have occurred are accurately reflected in 40 CFR part 52. State SIP revisions are controlled by EPA regulations at 40 CFR part 51. When EPA receives a formal SIP revision request, the Agency must publish the proposed revision in the **Federal Register** and provide for public comment before approval.

EPA has determined that today’s 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). Today’s 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.

III. Statutory and Executive Order Reviews

A. General Requirements

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not a “significant regulatory action” and is therefore not subject to review by the Office of Management and Budget. This rule is not subject to Executive Order 13211, “Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use” (66 FR 28355, May 22, 2001) because it is not a significant regulatory action under Executive Order 12866. Because the agency has made a “good cause” finding that this action is not subject to notice-and-comment requirements under the Administrative

Procedure Act or any other statute as indicated in the Supplementary Information section above, it is not subject to the regulatory flexibility provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), or to sections 202 and 205 of the Unfunded Mandates Reform Act of 1995 (UMRA) (Pub. L. 104-4). In addition, this action does not significantly or uniquely affect small governments or impose a significant intergovernmental mandate, as described in sections 203 and 204 of UMRA. This rule also does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal government and Indian tribes, or on the distribution of power and responsibilities between the Federal government and Indian tribes, as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), nor will it have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999). This rule also is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997), because it is not economically significant. This rule does not involve technical standards; thus the requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) do not apply. The rule also does not involve special consideration of environmental justice related issues as required by Executive Order 12898 (59 FR 7629, February 16, 1994). In issuing this rule, EPA has taken the necessary steps to eliminate drafting errors and ambiguity, minimize potential litigation, and provide a clear legal standard for affected conduct, as required by section 3 of Executive Order 12988 (61 FR 4729, February 7, 1996). EPA has complied with Executive Order 12630 (53 FR 8859, March 15, 1998) by examining the takings implications of the rule in accordance with the "Attorney General's Supplemental Guidelines for the Evaluation of Risk and Avoidance of Unanticipated Takings" issued under the executive order. This rule does not impose an information collection burden under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). EPA's compliance with these statutes and Executive Orders for the underlying rules are discussed in previous actions taken on the State's rules.

B. Submission to Congress and the Comptroller General

The Congressional Review Act (5 U.S.C. 801 *et seq.*), as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. Section 808 allows the issuing agency to make a rule effective sooner than otherwise provided by the CRA if the agency makes a good cause finding that notice and public procedure is impracticable, unnecessary or contrary to the public interest. Today's action simply codifies provisions which are already in effect as a matter of law in Federal and approved State programs. 5 U.S.C. 808(2). As stated previously, EPA has made such a good cause finding, including the reasons therefore, and established an effective date of February 24, 2005. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. This rule is not a "major rule" as defined by 5 U.S.C. 804(2).

C. Petitions for Judicial Review

EPA has also determined that the provisions of section 307(b)(1) of the Clean Air Act pertaining to petitions for judicial review are not applicable to this action. Prior EPA rulemaking actions for each individual component of the Minnesota SIP compilation had previously afforded interested parties the opportunity to file a petition for judicial review in the United States Court of Appeals for the appropriate circuit within 60 days of such rulemaking action. Thus, EPA sees no need in this action to reopen the 60-day period for filing such petitions for judicial review for these "Identification of plan" reorganization actions for Minnesota.

List of Subjects in 40 CFR Part 52

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

Dated: January 13, 2005.

Norman Niedergang,

Acting Regional Administrator, Region 5.

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

PART 52—[AMENDED]

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

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

Subpart Y—Minnesota

§ 52.1220 [Redesignated as § 52.1222]

■ 2. Section 52.1220 is redesignated as § 52.1222 and the section heading and paragraph (a) are revised to read as follows:

§ 52.1222 Original Identification of plan section.

(a) This section identifies the original "Air Implementation Plan for the State of Minnesota" and all revisions submitted by Minnesota that were federally approved prior to December 1, 2004.

* * * * *

■ 3. A new § 52.1220 is added to read as follows:

§ 52.1220 Identification of plan.

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

(b) *Incorporation by reference.*

(1) Material listed in paragraphs (c) and (d) of this section with an EPA approval date prior to December 1, 2004, was approved for incorporation by reference by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Material is incorporated as it exists on the date of the approval, and notice of any change in the material will be published in the **Federal Register**. Entries in paragraphs (c) and (d) of this section with the EPA approval dates after December 1, 2004, will be incorporated by reference in the next update to the SIP compilation.

(2) EPA Region 5 certifies that the rules/regulations provided by the EPA in the SIP compilation at the addresses in paragraph (b)(3) of this section are an exact duplicate of the officially promulgated state rules/regulations which have been approved as part of the SIP as of December 1, 2004.

(3) Copies of the materials incorporated by reference may be inspected at the Environmental Protection Agency, Region 5, Air

Programs Branch, 77 West Jackson
Boulevard, Chicago, IL 60604; the EPA,
Air and Radiation Docket and
Information Center, 1301 Constitution
Avenue NW., Room B108, Washington,

DC 20460; or the National Archives and
Records Administration (NARA). For
information on the availability of this
material at NARA, call (202) 741-6030,
or go to: <http://www.archives.gov/>

*federal_register/code_of_federal
_regulations/ibr_locations.html.*
(c) EPA approved regulations.

EPA—APPROVED MINNESOTA REGULATIONS

Minnesota citation	Title/subject	State effective date	EPA approval date	Comments
CHAPTER 7001 PERMITS AND CERTIFICATIONS				
7001.0020	Scope	08/10/93	05/02/95, 60 FR 21447 ..	Only items I and J.
7001.0050	Written application	08/10/93	05/02/95, 60 FR 21447 ..	Only item I.
7001.0140	Final determination	08/10/93	05/02/95, 60 FR 21447 ..	Only Subp. 2F.
7001.0180	Justification to commence revocation without reissuance of permit.	08/10/93	05/02/95, 60 FR 21447 ..	Only item D.
7001.0550	Contents of part a of application	08/10/93	05/02/95, 60 FR 21447 ..	Only items E and J(3).
7001.3050	Permit requirements	08/10/93	05/02/95, 60 FR 21447 ..	Only Subp. 3E.
CHAPTER 7002 PERMIT FEES				
7002.0005	Scope	08/10/93	05/02/95, 60 FR 21447 ..	Only Subp. 1 and 2.
7002.0015	Definitions	08/10/93	05/02/95, 60 FR 21447 ..	
CHAPTER 7005 DEFINITIONS AND ABBREVIATIONS				
7005.0100	Definitions	10/18/93	05/24/95, 60 FR 27411 ..	All except 25(a), NESHAP definition.
7005.0110	Abbreviations	10/18/93	05/24/95, 60 FR 27411 ..	
CHAPTER 7007 AIR EMISSION PERMITS				
7007.0050	Scope	08/10/93	05/02/95, 60 FR 21447 ..	Revised Subp. 9a, 12a, 12b, 17, 18a, and 28.
7007.0100	Definitions	08/10/93	05/02/95, 60 FR 21447 ..	
		12/27/94	05/18/99, 64 FR 26880 ..	
7007.0150	Permit required	08/10/93	05/02/95, 60 FR 21447 ..	Revised Subp. 2 and 4.
		12/27/94	05/18/99, 64 FR 26880 ..	
7007.0200	Sources required or allowed to obtain a part 70 permit.	08/10/93	05/02/95, 60 FR 21447 ..	Revised Subp. 1.
		12/27/94	05/18/99, 64 FR 26880 ..	
7007.0250	Sources required to obtain a state permit	08/10/93	05/02/95, 60 FR 21447 ..	Revised Subp. 1 and 7.
		12/27/94	05/18/99, 64 FR 26880 ..	
7007.0300	Sources not required to obtain a permit	08/10/93	05/02/95, 60 FR 21447 ..	Revised Subp. 1.
		12/27/94	05/18/99, 64 FR 26880 ..	
7007.0350	Existing source application deadlines and source operation during transition.	08/10/93	05/02/95, 60 FR 21447 ..	Revised Subp. 1A.
		12/27/94	05/18/99, 64 FR 26880 ..	
7007.0400	Permit reissuance applications after transition; new source and permit amendment applications; applications for sources newly subject to a Part 70 or State permit requirement.	08/10/93	05/02/95, 60 FR 21447 ..	Revised Subp. 1 and 4.
		12/27/94	05/18/99, 64 FR 26880 ..	
7007.0450	Permit reissuance applications and continuation of expiring permits.	08/10/93	05/02/95, 60 FR 21447 ..	Revised Subp. 2C.
		12/27/94	05/18/99, 64 FR 26880 ..	
7007.0500	Content of permit application	08/10/93	05/02/95, 60 FR 21447 ..	Revised Subp. 5.
7007.0550	Confidential information	08/10/93	05/02/95, 60 FR 21447 ..	
7007.0600	Complete application and supplemental information requirements.	08/10/93	05/02/95, 60 FR 21447 ..	
7007.0650	Who receives an application	08/10/93	05/02/95, 60 FR 21447 ..	
7007.0700	Completeness review	08/10/93	05/02/95, 60 FR 21447 ..	
7007.0750	Application priority and issuance timelines	08/10/93	05/02/95, 60 FR 21447 ..	
		12/27/94	05/18/99, 64 FR 5 26880	
7007.0800	Permit content	08/10/93	05/02/95, 60 FR 21447 ..	Revised Subp. 6.C(5).
		02/28/95	10/14/97, 62 FR 53239 ..	
7007.0850	Permit application notice and comment	08/10/93	05/02/95, 60 FR 21447 ..	Revised Subp. 3a.
7007.0900	Review of part 70 permits by affected states	08/10/93	05/02/95, 60 FR 21447 ..	
7007.0950	EPA review and objection	08/10/93	05/02/95, 60 FR 21447 ..	
7007.1000	Permit issuance and denial	08/10/93	05/02/95, 60 FR 21447 ..	
7007.1050	Duration of permits	08/10/93	05/02/95, 60 FR 21447 ..	
		12/27/94	05/18/99, 64 FR 26880 ..	
		08/10/93	05/02/95, 60 FR 21447 ..	
7007.1100	General permits	08/10/93	05/02/95, 60 FR 21447 ..	
7007.1110	Registration permit general requirements	12/27/94	05/18/99, 64 FR 26880 ..	
7007.1115	Registration permit option a	12/27/94	05/18/99, 64 FR 26880 ..	

EPA—APPROVED MINNESOTA REGULATIONS—Continued

Minnesota citation	Title / subject	State effective date	EPA approval date	Comments
7007.1120	Registration permit option b	12/27/94	05/18/99, 64 FR 26880 ..	
7007.1130	Registration permit option d	12/27/94	05/18/99, 64 FR 26880 ..	
7007.1150	When a permit amendment is required	08/10/93	05/02/95, 60 FR 21447.	
7007.1200	Calculating emission changes for permit amendments	12/27/94	05/18/99, 64 FR 26880 ..	Revised Subp. (C).
7007.1250	Insignificant modifications	12/27/94	05/18/99, 64 FR 26880 ..	
7007.1251	Hazardous air pollutant thresholds	12/27/94	05/18/99, 64 FR 26880 ..	Revised Subp. 1.
7007.1300	Insignificant activities list	08/10/93	05/02/95, 60 FR 21447.	
7007.1350	Changes which contravene certain permit terms	12/27/94	05/18/99, 64 FR 26880 ..	Revised Subp. 2, 3, and 4.
7007.1400	Administrative permit amendments	08/10/93	05/02/95, 60 FR 21447.	
7007.1450	Minor and moderate permit amendments	08/10/93	05/02/95, 60 FR 21447.	
7007.1500	Major permit amendments	12/27/94	05/18/99, 64 FR 26880 ..	Revised Subp. 2.
7007.1600	Permit reopening and amendment by agency	08/10/93	05/02/95, 60 FR 21447.	
7007.1650	Reopenings for cause by EPA	08/10/93	05/02/95, 60 FR 21447.	
7007.1700	Permit revocation by agency	08/10/93	05/02/95, 60 FR 21447.	
7007.1750	Federal enforceability	08/10/93	05/02/95, 60 FR 21447.	
7007.1800	Permit shield	08/10/93	05/02/95, 60 FR 21447.	
7007.1850	Emergency provision	08/10/93	05/02/95, 60 FR 21447.	

Offsets

7007.4000	Scope	10/18/93	05/24/95, 60 FR 27411.	
7007.4010	Definitions	10/18/93	05/24/95, 60 FR 27411.	
7007.4020	Conditions for permit	10/18/93	05/24/95, 60 FR 27411.	
7007.4030	Limitation on use of offsets	10/18/93	05/24/95, 60 FR 27411.	

CHAPTER 7009 AMBIENT AIR QUALITY STANDARDS

7009.0010	Definitions	10/18/93	05/24/95, 60 FR 27411.	
7009.0020	Prohibited emissions	10/18/93	05/24/95, 60 FR 27411.	
7009.0050	Measurement methodology, except for hydrogen sulfide.	10/18/93	05/24/95, 60 FR 27411.	
7009.0060	Measurement methodology for hydrogen sulfide	10/18/93	05/24/95, 60 FR 27411.	
7009.0070	Time of compliance	10/18/93	05/24/95, 60 FR 27411.	
7009.0080	State ambient air quality standards	10/18/93	05/24/95, 60 FR 27411.	
7009.1000	Air pollution episodes	10/18/93	05/24/95, 60 FR 27411.	
7009.1010	Definitions	10/18/93	05/24/95, 60 FR 27411.	
7009.1020	Episode levels	10/18/93	05/24/95, 60 FR 27411.	
7009.1030	Episode declaration	10/18/93	05/24/95, 60 FR 27411.	
7009.1040	Control actions	10/18/93	05/24/95, 60 FR 27411.	
7009.1050	Emergency powers	10/18/93	05/24/95, 60 FR 27411.	
7009.1060	Table 1	10/18/93	05/24/95, 60 FR 27411.	
7009.1070	Table 2: emission reduction objectives for particulate matter.	10/18/93	05/24/95, 60 FR 27411.	
7009.1080	Table 3: emission objectives for sulfur oxides	10/18/93	05/24/95, 60 FR 27411.	
7009.1090	Table 4: emission reduction objectives for nitrogen oxides.	10/18/93	05/24/95, 60 FR 27411.	
7009.1100	Table 5: emission reduction objectives for hydrocarbons.	10/18/93	05/24/95, 60 FR 27411.	
7009.1110	Table 6: emission reduction objectives for carbon monoxide.	10/18/93	05/24/95, 60 FR 27411.	

General Conformity Rule

7009.9000	Determining conformity of general federal actions to state or federal implementation plans.	11/20/95	04/23/97, 62 FR 19674.	
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CHAPTER 7011 STANDARDS FOR STATIONARY SOURCES

7011.0010	Applicability of standards of performance	10/18/93	05/24/95, 60 FR 27411.	
7011.0020	Circumvention	07/13/98	05/13/02, 67 FR 31963 ..	Revised Subp. 4 and 5
7011.0060	Definitions	10/18/93	05/24/95, 60 FR 27411.	
7011.0061	Incorporation by reference	12/27/94	05/18/99, 64 FR 26880.	
7011.0065	Applicability	12/27/94	05/18/99, 64 FR 26880.	
7011.0070	Listed control equipment and control equipment efficiencies.	12/27/94	05/18/99, 64 FR 26880.	
7011.0075	Listed control equipment general requirements	12/27/94	05/18/99, 64 FR 26880.	

EPA—APPROVED MINNESOTA REGULATIONS—Continued

Minnesota citation	Title / subject	State effective date	EPA approval date	Comments
7011.0080	Monitoring and record keeping for listed control equipment.	12/27/94	05/18/99, 64 FR 26880.	
Opacity				
7011.0100	Scope	10/18/93	05/24/95, 60 FR 27411.	
7011.0105	Visible emission restrictions for existing facilities	07/13/98	05/13/02, 67 FR 31963.	
7011.0110	Visible emission restrictions for new facilities	10/18/93	05/24/95, 60 FR 27411.	
7011.0115	Performance tests	10/18/93	05/24/95, 60 FR 27411.	
7011.0150	Preventing particulate matter from becoming airborne	10/18/93	05/24/95, 60 FR 27411.	
Indirect Heating Equipment				
7011.0500	Definitions	10/18/93	05/24/95, 60 FR 27411.	
7011.0505	Determination of applicable standards of performance	10/18/93	05/24/95, 60 FR 27411.	
7011.0510	Standards of performance for existing indirect heating equipment.	10/18/93	05/24/95, 60 FR 27411.	
7011.0515	Standards of performance for new indirect heating equipment.	07/13/98 10/18/93	05/13/02, 67 FR 31963 .. 05/24/95, 60 FR 27411.	Revised Subp. 2.
7011.0520	Allowance for stack height for indirect heating equipment.	07/13/98 10/18/93	05/13/02, 67 FR 31963 .. 05/24/95, 60 FR 27411.	Revised Subp. 2.
7011.0525	High heating value	10/18/93	05/24/95, 60 FR 27411.	
7011.0530	Performance test methods	10/18/93	05/24/95, 60 FR 27411.	
7011.0535	Performance test procedures	10/18/93	05/24/95, 60 FR 27411.	
7011.0540	Derate	10/18/93	05/24/95, 60 FR 27411.	
7011.0545	Table I: Existing indirect heating equipment	10/18/93	05/24/95, 60 FR 27411.	
7011.0550	Table II: New indirect heating equipment	10/18/93	05/24/95, 60 FR 27411.	
Direct Heating Equipment				
7011.0600	Definitions	10/18/93	05/24/95, 60 FR 27411.	
7011.0605	Determination of applicable standards of performance	10/18/93	05/24/95, 60 FR 27411.	
7011.0610	Standards of performance for fossil-fuel-burning direct heating equipment.	10/18/93	05/24/95, 60 FR 27411.	
7011.0615	Performance test methods	07/13/98 10/18/93	05/13/02, 67 FR 31963 .. 05/24/95, 60 FR 27411.	Revised Subp. 1(A).
7011.0620	Performance test procedures	10/18/93	05/24/95, 60 FR 27411.	
7011.0625	Record keeping and reporting for direct heating units combusting solid waste.	04/03/98	08/12/98, 63 FR 43080.	
Industrial Process Equipment				
7011.0700	Definitions	10/18/93	05/24/95, 60 FR 27411.	
7011.0705	Scope	10/18/93	05/24/95, 60 FR 27411.	
7011.0710	Standards of performance for pre-1969 industrial process equipment.	10/18/93	05/24/95, 60 FR 27411.	
7011.0715	Standards of performance for post-1969 industrial process equipment.	07/13/98 10/18/93	05/13/02, 67 FR 31963 .. 05/24/95, 60 FR 27411.	Revised Subp. 1(B).
7011.0720	Performance test methods	10/18/93	05/24/95, 60 FR 27411.	
7011.0725	Performance test procedures	10/18/93	05/24/95, 60 FR 27411.	
7011.0730	Table 1	10/18/93	05/24/95, 60 FR 27411.	
7011.0735	Table 2	10/18/93	05/24/95, 60 FR 27411.	
Portland Cement Plants				
7011.0800	Definitions	10/18/93	05/24/95, 60 FR 27411.	
7011.0805	Standards of performance for existing portland cement plants.	07/13/98	05/13/02, 67 FR 31963.	
7011.0815	Monitoring of operations	10/18/93	05/24/95, 60 FR 27411.	
7011.0820	Performance test methods	10/18/93	05/24/95, 60 FR 27411.	
7011.0825	Performance test procedures	10/18/93	05/24/95, 60 FR 27411.	
Asphalt Concrete Plants				
7011.0900	Definitions	10/18/93	05/24/95, 60 FR 27411.	
7011.0903	Compliance with ambient air quality standards	10/18/93	05/24/95, 60 FR 27411.	
7011.0905	Standards of performance for existing asphalt concrete plants.	10/18/93	05/24/95, 60 FR 27411.	

EPA—APPROVED MINNESOTA REGULATIONS—Continued

Minnesota citation	Title / subject	State effective date	EPA approval date	Comments
7011.0909	Standards of performance for new hot mix asphalt plants.	10/18/93	05/24/95, 60 FR 27411.	
7011.0915	Test methods.	10/18/93	05/24/95, 60 FR 27411.	
7011.0920	Performance test procedures	10/18/93	05/24/95, 60 FR 27411.	
Grain Elevators				
7011.1000	Definitions	10/18/93	05/24/95, 60 FR 27411.	Entire rule except Subp. 2.
7011.1005	Standards of performance for dry for bulk agricultural commodity facilities.	10/18/93	05/24/95, 60 FR 27411 ..	
7011.1010	Nuisance	10/18/93	05/24/95, 60 FR 27411.	
7011.1015	Control requirements schedule	10/18/93	05/24/95, 60 FR 27411.	
Coal Handling Facilities				
7011.1100	Definitions	10/18/93	05/24/95, 60 FR 27411.	
7011.1105	Standards of performance for certain coal handling facilities.	10/18/93	05/24/95, 60 FR 27411.	
7011.1110	Standards of performance for existing outstate coal handling facilities.	10/18/93	05/24/95, 60 FR 27411.	
7011.1115	Standards of performance for pneumatic coal-cleaning equipment and thermal dryers at any coal handling facility.	10/18/93	05/24/95, 60 FR 27411.	
7011.1120	Exemption	10/18/93	05/24/95, 60 FR 27411.	
7011.1125	Cessation of operations	10/18/93	05/24/95, 60 FR 27411.	
7011.1135	Performance test procedures	10/18/93	05/24/95, 60 FR 27411.	
7011.1140	Dust suppressant agents	10/18/93	05/24/95, 60 FR 27411.	
Incinerators				
7011.1201	Definitions	10/18/93	05/24/95, 60 FR 27411.	
7011.1202	Standards of performance for existing incinerators	10/18/93	05/24/95, 60 FR 27411.	
7011.1203	Standards of performance for new incinerators.	10/18/93	05/24/95, 60 FR 27411.	
7011.1204	Monitoring of operations	10/18/93	05/24/95, 60 FR 27411.	
7011.1205	Incorporations by reference	10/18/93	05/24/95, 60 FR 27411.	
7011.1206	Performance test methods	10/18/93	05/24/95, 60 FR 27411.	
7011.1207	Performance test procedures	10/18/93	05/24/95, 60 FR 27411.	
Sewage Sludge Incinerators				
7011.1300	Definitions	10/18/93	05/24/95, 60 FR 27411.	Revised Subp. (C)
7011.1305	Standards of performance for existing sewage sludge incinerators.	10/18/93	05/24/95, 60 FR 27411.	
7011.1310	Standards of performance for new sewage sludge incinerators.	07/13/98 10/18/93	05/13/02, 67 FR 31963 .. 05/24/95, 60 FR 27411.	
7011.1315	Monitoring of operations	10/18/93	05/24/95, 60 FR 27411.	
7011.1320	Performance test methods	10/18/93	05/24/95, 60 FR 27411.	
7011.1325	Performance test procedures	10/18/93	05/24/95, 60 FR 27411.	
Petroleum Refineries				
7011.1400	Definitions	10/18/93	05/24/95, 60 FR 27411.	
7011.1405	Standards of performance for existing affected facilities at petroleum refineries.	10/18/93	05/24/95, 60 FR 27411.	
7011.1410	Standards of performance for new affected facilities at petroleum refineries.	07/13/98 10/18/93	05/13/02, 67 FR 31963 .. 05/24/95, 60 FR 27411.	Revised Subp. 1 and 3.
7011.1415	Exemptions	07/13/98	05/13/02, 67 FR 31963 ..	Revised Subp. 1, 3(B), 3(C)(2)
7011.1420	Emission monitoring	10/18/93	05/24/95, 60 FR 27411.	
7011.1425	Performance test methods	10/18/93	05/24/95, 60 FR 27411.	
7011.1430	Performance test procedures	10/18/93	05/24/95, 60 FR 27411.	
Liquid Petroleum and VOC Storage Vessels				
7011.1500	Definitions	10/18/93	05/24/95, 60 FR 27411.	
7011.1505	Standards of performance for storage vessels	10/18/93	05/24/95, 60 FR 27411.	
7011.1510	Monitoring of operations	10/18/93	05/24/95, 60 FR 27411.	

EPA—APPROVED MINNESOTA REGULATIONS—Continued

Minnesota citation	Title / subject	State effective date	EPA approval date	Comments
7011.1515	Exception	10/18/93	05/24/95, 60 FR 27411.	
Sulfuric Acid Plants				
7011.1600	Definitions	10/18/93	05/24/95, 60 FR 27411.	
7011.1605	Standards of performance of existing sulfuric acid production units.	10/18/93	05/24/95, 60 FR 27411.	
7011.1615	Continuous emission monitoring	10/18/93	05/24/95, 60 FR 27411.	
7011.1620	Performance test methods	10/18/93	05/24/95, 60 FR 27411.	
7011.1625	Performance test procedures	10/18/93	05/24/95, 60 FR 27411.	
7011.1630	Exceptions	10/18/93	05/24/95, 60 FR 27411.	
Nitric Acid Plants				
7011.1700	Definitions	10/18/93	05/24/95, 60 FR 27411.	
7011.1705	Standards of performance for existing nitric acid production units.	10/18/93	05/24/95, 60 FR 27411.	
7011.1715	Emission monitoring	10/18/93	05/24/95, 60 FR 27411.	
7011.1720	Performance test methods	10/18/93	05/24/95, 60 FR 27411.	
7011.1725	Performance test procedures	10/18/93	05/24/95, 60 FR 27411.	
Inorganic Fibrous Materials				
7011.2100	Definitions	10/18/93	05/24/95, 60 FR 27411.	
7011.2105	Spraying of inorganic fibrous materials	10/18/93	05/24/95, 60 FR 27411.	
Stationary Internal Combustion Engines				
7011.2300	Standards of performance for stationary internal combustion engines.	10/18/93	05/24/95, 60 FR 27411.	
CHAPTER 7017 MONITORING AND TESTING REQUIREMENTS				
7017.0100	Establishing violations	02/28/95	10/14/97, 62 FR 53239.	
CEMS				
7017.1000	Continuous monitoring	10/18/93	05/24/95, 60 FR 27411.	
Performance Tests				
7017.2001	Applicability	07/13/98	05/13/02, 67 FR 31963.	
7017.2005	Definitions	07/13/98	05/13/02, 67 FR 31963.	
7017.2010	Incorporation of test methods by reference	07/13/98	05/13/02, 67 FR 31963.	
7017.2015	Incorporation of federal testing requirements by reference.	07/13/98	05/13/02, 67 FR 31963.	
7017.2018	Submittals	07/13/98	05/13/02, 67 FR 31963.	
7017.2020	Performance tests general requirements	07/13/98	05/13/02, 67 FR 31963.	
7017.2025	Operational requirements and limitations	07/13/98	05/13/02, 67 FR 31963.	
7017.2030	Performance test pretest requirements	07/13/98	05/13/02, 67 FR 31963.	
7017.2035	Performance test reporting requirements	07/13/98	05/13/02, 67 FR 31963.	
7017.2040	Certification of performance test results	07/13/98	05/13/02, 67 FR 31963.	
7017.2045	Quality assurance requirements	07/13/98	05/13/02, 67 FR 31963.	
7017.2050	Performance test methods	07/13/98	05/13/02, 67 FR 31963.	
7017.2060	Performance test procedures	07/13/98	05/13/02, 67 FR 31963.	
CHAPTER 7019 EMISSION INVENTORY REQUIREMENTS				
7019.1000	Shutdowns and breakdowns	10/18/93	05/24/95, 60 FR 27411.	
7019.2000	Reports	10/18/93	05/24/95, 60 FR 27411.	
7019.3000	Emission inventory	10/18/93	05/24/95, 60 FR 27411.	
7019.3010	Calculation of actual emissions for emission inventory	10/18/93	05/24/95, 60 FR 27411.	
CHAPTER 7023 MOBILE AND INDIRECT SOURCES				
7023.0100	Definitions.	10/18/93	05/24/95, 60 FR 27411.	
7023.0105	Standards of performance for motor vehicles	10/18/93	05/24/95, 60 FR 27411.	
7023.0110	Standards of performance for trains, boats, and construction equipment.	10/18/93	05/24/95, 60 FR 27411.	
7023.0115	Exemption	10/18/93	05/24/95, 60 FR 27411.	
7023.0120	Air pollution control systems restrictions	10/18/93	05/24/95, 60 FR 27411.	

EPA—APPROVED MINNESOTA REGULATIONS—Continued

Minnesota citation	Title / subject	State effective date	EPA approval date	Comments
7023.1010	Definitions	01/08/94	10/29/99, 64 FR 58344 ..	Entire rule except for Subp. 35(B)
7023.1015	Inspection Requirement	01/08/94	10/29/99, 64 FR 58344.	
7023.1020	Description of Inspection and Documents Required	01/08/94	10/29/99, 64 FR 58344.	Entire rule except for Subp. 11(B, C)
7023.1025	Tampering Inspection	01/08/94	10/29/99, 64 FR 58344.	
7023.1030	Exhaust Emission Test	01/08/94	10/29/99, 64 FR 58344 ..	
7023.1035	Reinspections	01/08/94	10/29/99, 64 FR 58344.	
7023.1040	Vehicle Inspection Report	01/08/94	10/29/99, 64 FR 58344.	Entire rule except for Subp. 1 (E)(2).
7023.1045	Certificate of Compliance	01/08/94	10/29/99, 64 FR 58344.	
7023.1050	Vehicle Noncompliance and Repair	01/08/94	10/29/99, 64 FR 58344.	
7023.1055	Certificate of Waiver	01/08/94	10/29/99, 64 FR 58344 ..	
7023.1060	Emission Control Equipment Inspection as a Condition of Waiver.	01/08/94	10/29/99, 64 FR 58344.	
7023.1065	Repair Cost Limit and Low Emission Adjustment	01/08/94	10/29/99, 64 FR 58344.	Entire rule except for Subp. 1 (E)(2).
7023.1070	Certificate of Temporary Extension, Certificate of Annual Exemption, and Certificate of Exemption.	01/08/94	10/29/99, 64 FR 58344.	
7023.1075	Evidence of Meeting State Inspection Requirements ..	01/08/94	10/29/99, 64 FR 58344.	Entire rule except for Subp. 1 (E)(2).
7023.1080	Fleet Inspection Station Permits, Procedures, and Inspection.	01/08/94	10/29/99, 64 FR 58344.	
7023.1085	Inspection Stations Testing Fleet Vehicles	01/08/94	10/29/99, 64 FR 58344.	Entire rule except for Subp. 1 (E)(2).
7023.1090	Exhaust Gas Analyzer Specifications; Calibration and Quality Control.	01/08/94	10/29/99, 64 FR 58344.	
7023.1095	[repealed, 18 sr 1593]	01/08/94	10/29/99, 64 FR 58344.	Entire rule except for Subp. 1 (E)(2).
7023.1100	Public Notification	01/08/94	10/29/99, 64 FR 58344.	
7023.1105	Inspection Fees	01/08/94	10/29/99, 64 FR 58344 ..	

Minnesota Statutes

17.135	Farm Disposal of Solid Waste	1993	05/24/95, 60 FR 27411 ..	Only item (a). Only Subd. 1, 2, 3, 4, 6, 14, 20, 23, 24, 25, and 26.
88.01	Definitions	1993	05/24/95, 60 FR 27411 ..	
88.02	Citation, Wildfire Act	1993	05/24/95, 60 FR 27411.	Only Subd. 1 and 2
88.03	Codification	1993	05/24/95, 60 FR 27411.	
88.16	Starting Fires; Burners; Failure to Report a Fire	1993	05/24/95, 60 FR 27411 ..	
88.17	Permission to Start Fires; Prosecution for Unlawfully Starting Fires.	1993	05/24/95, 60 FR 27411.	
88.171	Open Burning Prohibitions	1993	05/24/95, 60 FR 27411 ..	

Twin Cities Nonattainment Area for Carbon Monoxide

116.60 .....	.....	1999	10/29/99, 64 FR 58344 ..	Only Subd. 12.
116.61 .....	.....	1999	10/29/99, 64 FR 58344 ..	Only Subd. 1 and 3.
116.62 .....	.....	1999	10/29/99, 64 FR 58344 ..	Only Subd. 2, 3, 5, and 10.
116.63 .....	.....	1999	10/29/99, 64 FR 58344 ..	Only Subd. 4.

(d) EPA approved state source-specific requirements.

EPA—APPROVED MINNESOTA SOURCE-SPECIFIC PERMITS

Name of source	Permit No.	State effective date	EPA approval date	Comments
Associated Milk Producers, Inc	10900010–001	05/05/97	03/09/01, 66 FR 14087 ..	Title I conditions only.
Commercial Asphalt CO, Plant 905	12300347–002	09/10/99	07/12/00, 65 FR 42861 ..	Title I conditions only.
Continental Nitrogen and Resources Corp.	.....	07/28/92	09/09/94, 59 FR 46553 ..	Findings and Order.
Federal Hoffman, Incorporated .....	.....	02/25/94	09/09/94, 59 FR 46553 ..	Amendment One to Findings and Order.
		05/27/92	04/14/94, 59 FR 17703 ..	Findings and Order.
Flint Hills Resources, L.P. (formerly Koch Petroleum).	.....	03/23/95	04/03/98, 63 FR 16435 ..	Amendment Two to Findings and Order.
		03/11/03	06/05/03, 68 FR 33631 ..	Amendment Six to Findings and Order.

EPA—APPROVED MINNESOTA SOURCE-SPECIFIC PERMITS—Continued

Name of source	Permit No.	State effective date	EPA approval date	Comments
Franklin Heating Station	1148-83-OT-1 [10900019]	06/19/98	03/09/01, 66 FR 14087 ..	Title I conditions only.
GAF Building Materials		05/27/92 09/18/97	04/14/94, 59 FR 17703 .. 02/08/99, 64 FR 5936	Findings and Order. Amendment Two to Findings and Order.
Gopher Smelting & Refining Co		06/22/93	10/18/94, 59 FR 52431 ..	Findings and Order.
Great Lakes Coal & Dock Co.		08/25/92 12/21/94	02/15/94, 59 FR 7218 06/13/95, 60 FR 31088 ..	Amended Findings and Order. Amendment One to Amended Findings and Order.
Harvest States Cooperatives		01/26/93 12/21/94	02/15/94, 59 FR 7218 06/13/95, 60 FR 31088 ..	Findings and Order. Amendment One to Findings and Order.
International Business Machine Corp., IBM—Rochester.	10900006-001	06/03/98	03/09/01, 66 FR 14087 ..	Title I conditions only.
J.L. Shiely Co.		08/25/92 12/21/94	02/15/94, 59 FR 7218 06/13/95, 60 FR 31088 ..	Amended Findings and Order. Amendment Two to Amended Findings and Order.
		02/21/95	04/03/98, 63 FR 16435 ..	Amendment Three to Amended Findings and Order.
Lafarge Corp., Childs Road facility		11/30/92 12/21/94	02/15/94, 59 FR 7218 06/13/95, 60 FR 31088 ..	Second Amended Findings and Order. Amendment One to Second Amended Findings and Order.
		09/23/97	02/08/99, 64 FR 5936	Amendment Two to Second Amended Findings and Order.
Lafarge Corp., Red Rock Terminal	12300353-002	05/07/02	08/19/04, 68 FR 51371 ..	Title I conditions only.
Marathon Ashland Petroleum, LLC	16300003-003	10/26/99	05/20/02, 67 FR 35437 ..	Title I conditions only.
Metropolitan Council Environmental Service, Metropolitan Wastewater Treatment Plant.	12300053-001	03/13/01	09/11/02, 67 FR 57517 ..	Title I conditions only.
Minneapolis Energy Center Inc		05/27/92	04/14/94, 59 FR 17706 ..	Findings and Order for Main Plant, Baker Boiler Plant, and the Soo Line Boiler Plant.
North Star Steel Co.		04/22/93 12/21/94	02/15/94, 59 FR 7218 06/13/95, 60 FR 31088 ..	Third Amended Findings and Order. Amendment One to Third Amended Findings and Order.
		09/23/97	02/08/99, 64 FR 5936	Amendment Two to Third Amended Findings and Order.
Northern States Power Co., Riverside Plant.	05300015-001	05/11/99	02/26/02, 67 FR 8727	Title I conditions only.
Olmstead County, Olmstead Waste-to- Energy Facility.	10900005-001	06/05/97	03/09/01, 66 FR 14087 ..	Title I conditions only.
Rochester Public Utilities, Cascade Creek Combustion.	00000610-001	01/10/97	03/09/01, 66 FR 14087 ..	Title I conditions only.
Rochester Public Utilities, Silver Lake Plant.	10900011-001	07/22/97	03/09/01, 66 FR 14087 ..	Title I conditions only.
St. Mary's Hospital	10900008-007	02/28/97	03/09/01, 66 FR 14087 ..	Title I conditions only.
St. Paul Terminals		02/02/96	07/22/97, 62 FR 39120 ..	Findings and Order.
United Defense, LP (formerly FMC/U.S. Navy).	00300020-001	11/25/02	08/18/04, 69 FR 51181 ..	Title I conditions only.
Xcel Energy (formerly Northern States Power) Inver Hills Generating Plant.	03700015-001	07/25/00	06/08/04, 68 FR 31891 ..	Title I conditions only.

(e) EPA approved nonregulatory provisions.

EPA—APPROVED MINNESOTA NONREGULATORY PROVISIONS

Name of nonregulatory SIP provision	Applicable geographic or nonattainment area	State submittal date/ effective date	EPA approved date	Comments
Air Quality Surveillance Plan Carbon Monoxide 1993 periodic Emission Inven- tory.	Statewide	05/08/80, 06/02/80	03/04/81, 46 FR 15138. 10/23/97, 62 FR 55170.	
	Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, Washington, and Wright Counties.	09/28/95		
Deletion of TSP Designa- tions.	Statewide		07/10/02, 67 FR 45637.	

EPA—APPROVED MINNESOTA NONREGULATORY PROVISIONS—Continued

Name of nonregulatory SIP provision	Applicable geographic or nonattainment area	State submittal date/ effective date	EPA approved date	Comments
Duluth Carbon Monoxide Redesignation and Maintenance Plan.	St. Louis County (part)	10/30/92	04/14/94, 59 FR 17708.	
Duluth Carbon Monoxide Transportation Control Plan.	St. Louis County	07/3/79 and 07/27/79	06/16/80, 45 FR 40579.	
Lead Maintenance Plan	Dakota County	10/30/92	04/14/94, 59 FR 17706 ..	Removal of transportation control measure.
Lead Monitoring Plan	Statewide	06/22/93	10/18/94, 59 FR 52431 ..	Corrected codification information on 05/31/95 at 60 FR 28339.
Oxygenated Fuels Program—Carbon Monoxide Contingency Measure.	Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, Washington, and Wright Counties.	04/26/83, 02/15/84, and 02/21/84.	07/05/84, 49 FR 27502 ..	Entire Lead Plan except for the New Source Review portion.
Rochester Carbon Monoxide Transportation Control Plan.	Olmstead County	04/29/92	02/21/96, 61 FR6547	Laws of Minnesota for 1992 Chapter 575, section 29(b).
Rochester PM-10 Redesignation and Maintenance Plan.	Olmstead County	07/3/79 and 07/27/79	06/16/80, 45 FR 40579.	
Rochester Sulfur Dioxide Redesignation and Maintenance Plan.	Olmstead County	09/07/94	05/31/95, 60 FR 28339.	
Small Business Stationary Source Technical and Environmental Compliance Assistance Plan.	Statewide	110/4/98	03/09/01, 66 FR 14087.	
St. Cloud Carbon Monoxide Redesignation.	Benton, Sherburne, and Stearns Counties.	04/29/92	03/16/94, 59 FR 12165 ..	MN Laws Ch 546 sections 5 through 9.
St. Cloud Carbon Monoxide Transportation Control Plan.	Benton, Sherburne, and Stearns Counties.	08/31/89	06/28/93, 58 FR 34532.	
St. Paul PM-10 Redesignation and Maintenance Plan.	Ramsey County	05/17/79	12/13/79, 44 FR 72116.	
Twin Cities Carbon Monoxide Redesignation and Maintenance Plan.	Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, Washington, and Wright Counties.	08/31/89	06/28/93, 58 FR 34529.	
Twin Cities Carbon Monoxide Transportation Control Plan.	Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington Counties.	06/20/02	07/26/02, 67 FR 48787.	
Twin Cities / Pine Bend Sulfur Dioxide Redesignation and Maintenance Plan.	Anoka, Carver, Dakota, Hennepin, Ramsey, and Washington Counties.	03/23/98	10/29/99, 64 FR 58347.	
		07/3/79 and 07/27/79	06/16/80, 45 FR 40579 ..	
		07/21/81	12/08/81, 46 FR 59972 ..	
		05/20/85 and 04/17/86 ...	12/31/86, 51 FR 47237.	
		09/07/94	05/31/95, 60 FR 28339 ..	Except for St. Paul Park area.
		10/03/95	05/13/97, 62 FR 26230 ..	St. Paul Park area.

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 51

[WC Docket No. 04-313, CC Docket No. 01-338; FCC 04-290]

Unbundled Access to Network Elements; Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: In this document, the Federal Communications Commission (Commission) adopts rules concerning the unbundling obligations of incumbent local exchange carriers (LECs), with respect to the dedicated transport, high-capacity loop, and mass market circuit switching elements of their networks. This document also adopts appropriate transition periods to allow competitive LECs sufficient time to migrate their services to alternative facilities, or to negotiate alternative commercial arrangements, where unbundled network elements (UNEs)