

This rule does not meet the definition of "rule" in 5 U.S.C. 804(3)(A) because it is a rule of "particular applicability." Therefore, it is not subject to the congressional review requirements in 5 U.S.C. 801–808.

List of Subjects in 21 CFR Part 522

Animal drugs.

■ Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs and redelegated to the Center for Veterinary Medicine, 21 CFR part 522 is amended as follows:

PART 522—IMPLANTATION OR INJECTABLE DOSAGE FORM NEW ANIMAL DRUGS

■ 1. The authority citation for 21 CFR part 522 continues to read as follows:

Authority: 21 U.S.C. 360b.

■ 2. Revise § 522.246 to read as follows:

§ 522.246 Butorphanol.

(a) *Specifications.* Each milliliter of solution contains butorphanol (as butorphanol tartrate) in the following amounts:

- (1) 0.5 milligrams (mg);
- (2) 2 mg; or
- (3) 10 mg

(b) *Sponsors.* See sponsors in § 510.600(c) of this chapter as follows:

(1) No. 000856 for use of the product described in paragraph (a)(1) as in paragraph (d)(1) of this section; for use of the product described in paragraph (a)(2) as in paragraph (d)(2) of this section; and for use of the product described in paragraph (a)(3) as in paragraph (d)(3) of this section.

(2) No. 059130 for use of the product described in paragraph (a)(2) as in paragraph (d)(2) of this section.

(3) Nos. 057926 and 059130 for use of the product described in paragraph (a)(3) as in paragraph (d)(3) of this section.

(c) *Special considerations.* Federal law restricts this drug to use by or on the order of a licensed veterinarian.

(d) *Conditions of use—(1) Dogs—(i) Amount.* Administer 0.025 mg per pound of body weight by subcutaneous injection at intervals of 6 to 12 hours, as required. If necessary, increase dose to a maximum of 0.05 mg per pound of body weight. Treatment should not normally be required for longer than 7 days.

(ii) *Indications for use.* For the relief of chronic nonproductive cough associated with tracheo-bronchitis, tracheitis, tonsillitis, laryngitis, and pharyngitis associated with

inflammatory conditions of the upper respiratory tract.

(2) *Cats—(i) Amount.* Administer 0.2 mg per pound of body weight by subcutaneous injection. Dose may be repeated up to 4 times per day. Do not treat for more than 2 days.

(ii) *Indications for use.* For the relief of pain in cats caused by major or minor trauma, or pain associated with surgical procedures.

(3) *Horses—(i) Amount.* Administer 0.05 mg per pound of body weight by intravenous injection. Dose may be repeated within 3 to 4 hours. Treatment should not exceed 48 hours.

(ii) *Indications for use.* For the relief of pain associated with colic and postpartum pain in adult horses and yearlings.

(iii) *Limitations.* Do not use in horses intended for human consumption.

Dated: May 3, 2007.

Bernadette Dunham,

Deputy Director, Center for Veterinary Medicine.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[MD201–3117; FRL–8313–2]

Approval and Promulgation of Air Quality Implementation Plans; Maryland; Update to Materials Incorporated by Reference

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; Notice of administrative change.

SUMMARY: EPA is updating the materials submitted by Maryland that are incorporated by reference (IBR) into the State implementation plan (SIP). The regulations affected by this update have been previously submitted by the Maryland Department of the Environment (MDE) and approved by EPA. This update affects the SIP materials that are 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 Regional Office.

EFFECTIVE DATE: This action is effective May 18, 2007.

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

the following locations: Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103; the Air and Radiation Docket and Information Center, EPA Headquarters Library, Room Number 3334, EPA West Building, 1301 Constitution Ave., NW., Washington, DC 20460, and the National Archives and Records Administration. If you wish to obtain materials from a docket in the EPA Headquarters Library, please call the Office of Air and Radiation (OAR) Docket/Telephone number: (202) 566–1742; 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:

Harold A. Frankford, (215) 814–2108 or by e-mail at frankford.harold@epa.gov.

SUPPLEMENTARY INFORMATION: The SIP is a living document which the State revises as necessary to address the unique air pollution problems.

Therefore, EPA from time to time must take action on SIP revisions containing new and/or revised regulations to make them part of the SIP. On May 22, 1997 (62 FR 27968), EPA revised the procedures for incorporating by reference Federally-approved SIPs, as a result of consultations between EPA and the Office of the Federal Register (OFR). 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. On November 29, 2004 (69 FR 69304), EPA published a document in the **Federal Register** beginning the new IBR procedure for Maryland. On February 2, 2006 (72 FR 5607), EPA published an update to the IBR material for Maryland. In this document, EPA is doing the following:

1. Announcing the update to the IBR material as of March 15, 2007.
2. Making corrections to the following entries listed in the paragraph 52.1070(c) chart, as described below:
 - a. COMAR 26.11.01.04—revising the text in the "Additional explanation/citation at 40 CFR § 52.1100" column by adding the SIP effective date.
 - b. COMAR 26.11.09.01—revising the text in the "Additional explanation/citation at 40 CFR § 52.1100" column by correcting the COMAR citation.
 - c. Technical Memorandum (TM) 91–01—This entry is revised to reflect EPA's approval of revisions to this TM

document on September 7, 2001 (66 FR 46727).

3. Making corrections to the following entries listed in the paragraph 52.1070(d) chart, as described below:

a. Entry for Potomac Electric Power Company (PEPCO)—Chalk Point—amending the **Federal Register** citation for EPA's approval action.

b. Entry for Kaydon Ring and Seal, Inc.—revising the text in the “Additional explanation” column by removing the SIP effective date.

4. Making a correction to the paragraph 52.1070(e) chart by adding an entry for the Mobile budgets associated with the 2005 Rate of Progress plan for the Metropolitan Baltimore (1-hour) Ozone Nonattainment Area. The revised entry adds a date and **Federal Register** citation, inadvertently omitted in the November 29, 2004 and February 2, 2006 **Federal Register** documents, on which EPA approved revisions to these mobile budgets.

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 and incorrect chart entries.

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 therefore is not subject to review by the Office of Management and Budget. For this reason, this action is also not subject to Executive Order 13211, “Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use” (66 FR 28355, May 22, 2001). This action merely approves state law as meeting Federal requirements and imposes no additional requirements beyond those imposed by state law. Accordingly, the

Administrator certifies that this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). Because this rule approves pre-existing requirements under state law and does not impose any additional enforceable duty beyond that required by state law, it 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). This rule also does not have tribal implications because it will 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). This action also does not have Federalism implications because it does not 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 action merely approves a state rule implementing a Federal standard, and does not alter the relationship or the distribution of power and responsibilities established in the Clean Air Act. This rule also is not subject to Executive Order 13045 “Protection of Children from Environmental Health Risks and Safety Risks” (62 FR 19885, April 23, 1997), because it approves a state rule implementing a Federal standard. In reviewing SIP submissions, EPA's role is to approve state choices, provided that they meet the criteria of the Clean Air Act. In this context, in the absence of a prior existing requirement for the State to use voluntary consensus standards (VCS), EPA has no authority to disapprove a SIP submission for failure to use VCS. It would thus be inconsistent with applicable law for EPA, when it reviews a SIP submission, to use VCS in place of a SIP submission that otherwise satisfies the provisions of the Clean Air Act. 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. This rule does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

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. 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 Maryland SIP compilations had previously afforded interested parties the opportunity to file a petition for judicial review in the United States Court of Appeals for the appropriate circuit within 60 days of such rulemaking action. Thus, EPA sees no need in this action to reopen the 60-day period for filing such petitions for judicial review for this “Identification of plan” reorganization update action for Maryland.

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: April 27, 2007.

Donald S. Welsh,

Regional Administrator, Region III.

■ 40 CFR part 52 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 V—Maryland

■ 2. Section 52.1070 is amended by revising paragraphs (b), (c), (d), and (e) to read as follows:

§ 52.1070 Identification of plan.

* * * * *

(b) *Incorporation by reference.* (1) Material listed as incorporated by reference in paragraphs (c) and (d) 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 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 EPA approval dates on or after March 15, 2007 will be

incorporated by reference in the next update to the SIP compilation.

(2) EPA Region III certifies that the rules/regulations provided by EPA 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 State implementation plan as of March 15, 2007.

(3) Copies of the materials incorporated by reference may be inspected at the EPA Region III Office at 1650 Arch Street, Philadelphia, PA

19103; the EPA, Air and Radiation Docket and Information Center, Room Number 3334, EPA West Building, 1301 Constitution Avenue NW., Washington, DC 20460; 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: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.

(c) *EPA approved regulations.*

EPA-APPROVED REGULATIONS IN THE MARYLAND SIP

Code of Maryland administrative regulations (COMAR) citation	Title/subject	State effective date	EPA approval date	Additional explanation/citation at 40 CFR § 52.1100
26.11.01 General Administrative Provisions				
26.11.01.01A., .01B <i>Exceptions</i> : .01B(3), (13), (21) through (23), (25).	Definitions	10/10/01	5/28/02, 67 FR 36810.	(c)(171); Additional EPA approvals are codified at §§ 52.1100(c)(119), (c)(122), (c)(143), (c)(148), (c)(158), (c)(159), and (c)(164).
26.11.01.01B(53)	Definitions—definition of volatile organic compound (VOC).	9/12/05	3/31/06, 71 FR 16239.	Definition reflects the version of 40 CFR 51.100(s) in effect as of 12/31/2004.
26.11.01.02	Relationship of Provisions in this Subtitle.	8/1/88	11/3/92, 57 FR 49651.	(c)(90)(i)(B)(1).
26.11.01.03	Delineation of Areas	8/1/88	11/3/92, 57 FR 49651.	(c)(90)(i)(B)(1).
26.11.01.04	Testing and Monitoring	6/19/06	1/3/07, 72 FR 18	Paragraph .04C(2) is added. The SIP effective date is 3/6/07.
26.11.01.05	Records and Information	6/30/97, 12/10/01	5/28/02, 67 FR 36810.	(c)(172).
26.11.01.05-1	Emission Statements	12/7/92	10/12/94, 59 FR 51517.	(c)(109).
26.11.01.06	Circumvention	8/1/88	11/3/92, 57 FR 49651.	(c)(90)(i)(B)(1).
26.11.01.07	Malfunctions and Other Temporary Increases in Emissions.	8/1/88	11/3/92, 57 FR 49651.	(c)(90)(i)(B)(1).
26.11.01.08	Determination of Ground Level Concentrations-Acceptable Techniques.	8/1/88	11/3/92, 57 FR 49651.	(c)(90)(i)(B)(5).
26.11.01.09	Vapor Pressure of Gasoline	8/1/88	11/3/92, 57 FR 49651.	(c)(90)(i)(B)(5).
26.11.01.10	Continuous Emission Monitoring (CEM) Requirements.	7/22/91	2/28/96, 61 FR 7418.	(c)(106); TM90-01 was approved as "additional material", but not IBR'd.
26.11.02 Permits, Approvals, and Registration				
26.11.02.01	Definitions	5/8/95	2/27/03, 68 FR 9012.	(c)(182); Exceptions: 26.11.02.01B(1), (1-1), (4)-(6), (10), (15), (16), (22), (29)-(33), (37), (39), (42), (46), (49), (50), (54).
26.11.02.02	General Provisions	5/8/95	2/27/03, 68 FR 9012.	(c)(182); Exception: .02D.
26.11.02.03	Federally Enforceable Permits to Construct and State Permits to Operate.	5/8/95	2/27/03, 68 FR 9012.	(c)(182).
26.11.02.04	Duration of Permits	5/8/95	2/27/03, 68 FR 9012.	(c)(182); Exception: .04C(2).
26.11.02.05	Violation of Permits and Approvals	5/8/95	2/27/03, 68 FR 9012.	(c)(182).
26.11.02.06	Denial of Applications for State Permits and Approvals.	5/8/95, 6/16/97 ...	2/27/03, 68 FR 9012.	(c)(182).
26.11.02.07	Procedures for Denying, Revoking, or Reopening and Revising a Permit or Approval.	5/8/95	2/27/03, 68 FR 9012.	(c)(182).

EPA-APPROVED REGULATIONS IN THE MARYLAND SIP—Continued

Code of Maryland administrative regulations (COMAR) citation	Title/subject	State effective date	EPA approval date	Additional explanation/citation at 40 CFR § 52.1100
26.11.02.08	Late Applications and Delays in Acting on Applications.	5/8/95	2/27/03, 68 FR 9012.	(c)(182).
26.11.02.09	Sources Subject to Permits to Construct and Approvals.	5/8/95, 5/4/98	2/27/03, 68 FR 9012.	(c)(182).
26.11.02.10	Sources Exempt from Permits to Construct and Approvals.	5/8/95, 6/16/97, 9/22/97, 3/22/99.	2/27/03, 68 FR 9012.	(c)(182).
26.11.02.11	Procedures for Obtaining Permits to Construct Certain Significant Sources.	5/8/95, 6/16/97 ...	2/27/03, 68 FR 9012.	(c)(182); Exception: .11C.
26.11.02.12	Procedures for Obtaining Approvals of PSD Sources and NSR Sources, Permits to Construct, Permits to Construct MACT Determinations on a Case-by-Case Basis in Accordance with 40 CFR Part 63, Subpart B, and Certain 100-Ton Sources.	5/8/95	2/27/03, 68 FR 9012.	(c)(182).
26.11.02.13	Sources subject to State Permits to Operate.	5/8/95	2/27/03, 68 FR 9012.	(c)(182).
26.11.02.14	Procedures for Obtaining State Permits to Operate and Permits to Construct Certain Sources and Permits to Construct Control Equipment on Existing Sources.	5/8/95, 6/16/97 ...	2/27/03, 68 FR 9012.	(c)(182).

26.11.04 Ambient Air Quality Standards

26.11.04.02	State-Adopted National Ambient Air Quality Standards.	5/8/95	8/20/01, 66 FR 43485.	(c)(165).
26.11.04.03	Definitions, Reference Conditions, and Methods of Measurement.	2/28/05	6/14/06, 71 FR 34257.	
26.11.04.04	Particulate Matter	2/28/05	6/14/06, 71 FR 34257.	Addition of ambient air quality standard for PM _{2.5} .
26.11.04.05	Sulfur Oxides	2/28/05	6/14/06, 71 FR 34257.	
26.11.04.06	Carbon Monoxide	1/5/88; recodified 8/1/88.	4/7/93, 58 FR 18010.	(c)(92).
26.11.04.07	Ozone	2/28/05	6/14/06, 71 FR 34257.	Addition of an 8-hour ambient air quality standard for ozone.
26.11.04.08	Nitrogen Dioxide	2/28/05	6/14/06, 71 FR 34257.	
26.11.04.09	Lead	8/1/88	11/3/92, 57 FR 49651.	(c)(90)(i)(B)(3).

26.11.05 Air Quality Episode System

26.11.05.01	Definitions	6/18/90	4/14/94, 59 FR 17698.	(c)(100).
26.11.05.02	General Requirements	6/18/90	4/14/94, 59 FR 17698.	(c)(100).
26.11.05.03	Air Pollution Episode Criteria	6/18/90	4/14/94, 59 FR 17698.	(c)(100).
26.11.05.04	Standby Emissions Reduction Plan	8/1/88	11/3/92, 57 FR 49651.	(c)(90)(i)(B)(4).
26.11.05.05	Control Requirements and Standby Orders.	6/18/90	4/14/94, 59 FR 17698.	(c)(100).
26.11.05.06	Tables	8/1/88	11/3/92, 57 FR 49651.	(c)(90)(i)(B)(4).

26.11.06 General Emissions Standards, Prohibitions, and Restrictions

26.11.06.01	Definitions	5/8/91	11/29/94, 59 FR 60908.	(c)(102)(i)(B)(14).
26.11.06.02 [Except: .02A(1)(e), (1)(g), (1)(h), (1)(i)].	Visible Emissions	11/11/02	8/6/03, 68 FR 46487.	(c)(181).
26.11.06.03	Particulate Matter	11/11/02	86/03, 68 FR 46487.	(c)(181).

EPA-APPROVED REGULATIONS IN THE MARYLAND SIP—Continued

Code of Maryland administrative regulations (COMAR) citation	Title/subject	State effective date	EPA approval date	Additional explanation/citation at 40 CFR § 52.1100
26.11.06.04	Carbon Monoxide in Areas III and IV.	1/5/88; recodified 8/1/88.	4/7/93, 58 FR 18010.	(c)(92).
26.11.06.05	Sulfur Compounds from Other than Fuel Burning Equipment.	11/11/02	8/6/03, 68 FR 46487.	(c)(181).
26.11.06.06	Volatile Organic Compounds	9/22/97	5/7/01, 66 FR 22924.	(c)(156). Note: On 2/27/03 (68 FR 9012), EPA approved a revised rule citation with a State effective date of 5/8/95 [(c)(182)(i)(C)].
26.11.06.10	Refuse Burning Prohibited in Certain Installations.	8/1/88	11/3/92, 57 FR 49651.	(c)(90)(i)(B)(5).
26.11.06.14	Control of PSD sources	10/10/01	5/28/02, 67 FR 36810.	(c)(171).
26.11.06.15	Nitrogen Oxides from Nitric Acid Plants.	8/1/88	11/3/92, 57 FR 49651.	(c)(90)(i)(B)(5).
26.11.06.16	Tables	8/1/88	11/3/92, 57 FR 49651.	(c)(90)(i)(B)(5).
26.11.07 Open Fires				
26.11.07.01	Definitions	5/22/95	6/11/02, 67 FR 39856.	(c)(173).
26.11.07.02	General	5/22/95	2/25/97, 62 FR 8380.	(c)(120).
26.11.07.03	Control Officer May Authorize Certain Open Fires.	8/11/97	6/11/02, 67 FR 39856.	(c)(173).
26.11.07.04	Public Officers May Authorize Certain Fires.	5/22/95	2/25/97, 62 FR 8380.	(c)(120).
26.11.07.05	Open Fires Allowed Without Authorization of Control Officer or Public Officer.	5/22/95	2/25/97, 62 FR 8380.	(c)(120), .05A(3) & (4), and .05B(3) are State-enforceable only.
26.11.07.06	Safety Determinations at Federal Facilities.	8/11/97	6/11/02, 67 FR 39856.	(c)(173).
10.18.08 Control of Incinerators				
10.18.08.01	Definitions	3/25/84	7/2/85, 50 FR 27245.	(c)(82).
10.18.08.02	Applicability	7/18/80	8/5/81, 46 FR 39818.	(c)(45).
10.18.08.03	Prohibition of Certain Incinerators in Areas III and IV.	6/8/81	5/11/82, 47 FR 20126.	(c)(58).
10.18.08.04	Visible Emissions	3/25/84	7/2/85, 50 FR 27245.	(c)(82).
10.18.08.05	Particulate Matter	3/25/84	7/2/85, 50 FR 27245.	(c)(82).
10.18.08.06	Prohibition of Unapproved Hazardous Waste Incinerators.	3/25/84	7/2/85, 50 FR 27245.	(c)(82).
26.11.09 Control of Fuel Burning Equipment and Stationary Internal Combustion Engines, and Certain Fuel-Burning Installations				
26.11.09.01	Definitions	9/12/05	6/13/06, 71 FR 34014.	Revised definition of "interruptible gas service" in 26.11.09.01B(4).
26.11.09.02	Applicability	8/1/88	11/3/92, 57 FR 49651.	(c)(90)(i)(B)(7).
26.11.09.03	General Conditions for Fuel Burning Equipment.	6/21/04	7/6/05, 70 FR 38774.	Revised paragraphs 26.11.09.03C(1) and .03C(2).
26.11.09.04	Prohibition of Certain New Fuel Burning Equipment.	8/1/88	11/3/92, 57 FR 49651.	(c)(90)(i)(B)(7).
26.11.09.05	Visible Emissions	11/11/02	5/1/03, 68 FR 23206.	(c)(183).
26.11.09.06	Control of Particulate Matter	6/21/04	7/6/05, 70 FR 38774.	Addition of paragraph 26.11.09.06C.
26.11.09.07	Control of Sulfur Oxides from Fuel Burning Equipment.	8/1/88	11/3/92, 57 FR 49651.	(c)(90)(i)(B)(7).
26.11.09.08	Control of NO _x Emissions for Major Stationary Sources.	11/24/03	9/20/04, 69 FR 56170.	(c)(191).
26.11.09.09	Tables and Diagrams	11/11/02	5/1/03, 68 FR 23206.	(c)(183); Revised Table 1.

EPA-APPROVED REGULATIONS IN THE MARYLAND SIP—Continued

Code of Maryland administrative regulations (COMAR) citation	Title/subject	State effective date	EPA approval date	Additional explanation/citation at 40 CFR § 52.1100
26.11.10 Control of Iron and Steel Production Installations				
26.11.10.01	Definitions	12/25/00	11/7/01, 66 FR 56222.	(c)(163).
26.11.10.02	Applicability	11/2/98	9/7/01, 66 FR 46727.	(c)(153).
26.11.10.03	Visible Emissions	11/2/98	9/7/01, 66 FR 46727.	(c)(153).
26.11.10.04	Control of Particulate Matter	11/2/98	9/7/01, 66 FR 46727.	(c)(153).
26.11.10.05	Sulfur Content Limitations for Coke Oven Gas.	11/2/98	9/7/01, 66 FR 46727.	(c)(153).
26.11.10.06[1]	Control of Volatile Organic Compounds from Iron and Steel Production Installations.	12/25/00	11/7/01, 66 FR 56222.	(c)(163).
26.11.10.06[2]	Carbon Monoxide	8/1/88	11/3/92, 57 FR 49651.	(c)(90)(i)(B)(8).
26.11.10.07	Testing and Observation Procedures.	12/25/00	11/7/01, 66 FR 56222.	(c)(163).
26.11.11 Control of Petroleum Products Installations, Including Asphalt Paving, Asphalt Concrete Plants, and Use of Waste Oils				
26.11.11.01	Applicability	8/1/88	11/3/92, 57 FR 49651.	(c)(90)(i)(B)(9).
26.11.11.02	Asphalt Paving	4/26/93	1/6/95, 60 FR 2018.	(c)(113)(i)(B)(1).
26.11.11.03	Asphalt Concrete Plants in Areas I, II, V, and VI.	8/1/88	11/3/92, 57 FR 49651.	(c)(90)(i)(B)(9).
26.11.11.06	Use of Waste Oils as Fuel	8/1/88	11/3/92, 57 FR 49651.	(c)(90)(i)(B)(9).
26.11.12 Control of Batch Type Hot-Dip Galvanizing Installations				
26.11.12.01	Definitions	5/8/95	7/25/00, 64 FR 45743.	(c)(149).
26.11.12.02	Applicability	5/8/95	7/25/00, 64 FR 45743.	(c)(149).
26.11.12.03	Prohibitions and Exemptions	5/8/95	7/25/00, 64 FR 45743.	(c)(149).
26.11.12.04	Visible Emissions	8/1/88	11/3/92, 57 FR 49651.	(c)(90)(i)(B)(10).
26.11.12.05	Particulate Matter	8/1/88	11/3/92, 57 FR 49651.	(c)(90)(i)(B)(10).
26.11.12.06	Reporting Requirements	8/1/88	11/3/92, 57 FR 49651.	(c)(90)(i)(B)(10).
26.11.13 Control of Gasoline and Other Volatile Organic Compound Storage and Handling				
26.11.13.01	Definitions	8/11/97	12/22/98, 63 FR 70667.	(c)(130).
26.11.13.02	Applicability and Exemption	4/26/93	1/6/95, 60 FR 2018.	(c)(113)(i)(B)(3).
26.11.13.03	Large Storage Tanks	8/1/88	11/3/92, 57 FR 49651.	(c)(90)(i)(B)(12).
26.11.13.04	Loading Operations	8/11/97	12/22/98, 63 FR 70667.	(c)(132).
26.11.13.05	Gasoline Leaks from Tank Trucks ..	2/15/93	1/6/95, 60 FR 2018.	(c)(112).
26.11.13.06	Plans for Compliance	4/26/93	1/6/95, 60 FR 2018.	(c)(113)(i)(B)(5).
26.11.13.07	Control of VOC Emissions from Portable Fuel Containers.	1/21/02	6/29/04, 69 FR 38848.	(c)(184).
26.11.14 Control of Emissions from Kraft Pulp Mills				
26.11.14.01	Definitions	1/8/01, 10/15/01	11/7/01, 66 FR 56220.	(c)(170).
26.11.14.02	Applicability	1/8/01	11/7/01, 66 FR 56220.	(c)(170).

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26.11.14.06	Control of Volatile Organic Compounds.	1/8/01, 10/15/01	11/7/01, 66 FR 56220.	(c)(170).
26.11.17 Requirements for Major New Sources and Modifications				
26.11.17.01	Definitions	11/24/03	9/20/04, 69 FR 56170.	52.1070(c)(191).
26.11.17.02	Applicability	4/26/93, 10/2/00	2/12/01, 66 FR 9766.	52.1070(c)(148).
26.11.17.03	General Conditions	4/26/93, 10/2/00	2/12/01, 66 FR 9766.	52.1070(c)(191).
26.11.17.04	Baseline for Determining Credit for Emission and Air Quality Offsets.	4/26/93, 10/2/00	2/12/01, 66 FR 9766.	52.1070(c)(148).
26.11.17.05	Administrative Procedures	4/26/93, 10/2/00	2/12/01, 66 FR 9766.	52.1070(c)(148).
26.11.19 Volatile Organic Compounds from Specific Processes				
26.11.19.01	Definitions	6/5/95	9/2/97, 62 FR 46199.	(c)(126). Note: On 5/13/1998 (63 FR 26462), EPA approved the revised definition of "major stationary source of VOC" with a State effective date of 5/8/1995 [(c)(128)].
26.11.19.02	Applicability, Determining Compliance, Reporting, and General Requirements.	5/4/98, 12/10/01	2/3/03, 68 FR 5228.	(c)(174), (c)(175). 1. Limited approval of paragraph .02G (9/4/98, 63 FR 47174) [(c)(131)(c)(133)]. 2. On 2/27/03 (68 FR 9012), EPA approved a revised rule citation with a State effective date of 5/8/95 [(c)(182)(i)(D)].
26.11.19.03	Automotive and Light-Duty Truck Coating.	9/22/97	11/5/98, 63 FR 59720.	(c)(140).
26.11.19.04	Can Coating	8/1/88	11/3/92, 57 FR 49651.	(C)(90)(i)(B)(12).
26.11.19.05	Coil Coating	8/1/88	11/3/92, 57 FR 49651.	(C)(90)(i)(B)(12).
26.11.19.06	Large Appliance Coating	8/1/88	11/3/92, 57 FR 49651.	(C)(90)(i)(B)(12).
26.11.19.07	Paper, Fabric, Vinyl and Other Plastic Parts Coating.	8/24/98	1/14/2000, 64 FR 2334.	(c)(147).
26.11.19.07-1	Control of VOC Emissions from solid Resin Decorative Surface Manufacturing.	6/15/98	6/17/99, 64 FR 32415.	(c)(142).
26.11.19.08	Metal Furniture Coating	8/1/88	11/3/92, 57 FR 49651.	(C)(90)(i)(B)(12).
26.11.19.09	Control of Volatile Organic Compounds (VOC) Emissions from cold and Vapor Degreasing.	6/5/95	8/4/97, 62 FR 41853.	(c)(123).
26.11.19.10	Flexographic and Rotogravure Printing.	6/5/95	9/2/97, 62 FR 46199.	(c)(126).
26.11.19.11	Control of Volatile Organic Compounds (VOC) Emissions from Sheet-Fed and Web Lithographic Printing.	6/5/95	9/2/97, 62 FR 46199.	(c)(126).
26.11.19.12	Dry Cleaning Installations	9/22/97	9/2/98, 63 FR 46662.	(c)(131).
26.11.19.13	Miscellaneous Metal Coating	5/8/91	11/29/94, 59 FR 60908.	(c)(102)(i)(B)(6).
26.11.19.13-1	Aerospace Coating Operations	10/2/00, 10/15/01	11/7/01, 66 FR 56220.	(c)(169).
26.11.19.13-2	Control of VOC Emissions from Brake Shoe Coating Operations.	8/24/98	6/17/99, 64 FR 32415.	(c)(142).
26.11.19.13-3	Control of VOC Emissions from Structural Steel Coating Operations.	6/29/98	6/17/99, 64 FR 32415.	(c)(142).
26.11.19.14	Manufacture of Synthesized Pharmaceutical Products.	5/8/91	11/29/94, 59 FR 60908.	(c)(102)(i)(B)(14).

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26.11.19.15	Paint, Resin, and Adhesive Manufacturing and Adhesive Application.	5/4/98, 3/22/99 ...	10/28/99, 64 FR 57989.	(c)(145).
26.11.19.16	Control of VOC Equipment Leaks ..	8/19/91	9/7/94, 59 FR 46180.	(c)(103)(i)(B)(9).
26.11.19.17	Control of Volatile Organic Compounds (VOC) Emissions from Yeast Manufacturing.	9/12/05	3/31/06, 71 FR 16237.	
26.11.19.18	Control of Volatile Organic Compounds (VOC) Emissions from Screen Printing and Digital Imaging.	6/10/02	1/15/03, 68 FR 1972.	(c)(177).
26.11.19.19	Control of Volatile Organic Compounds (VOC) Emissions from Expandable Polystyrene Operations.	10/2/00	5/7/01, 66 FR 22924.	(c)(156).
26.11.19.21	Control of Volatile Organic Compounds (VOC) Emissions from Commercial Bakery Ovens.	7/3/95	10/15/97, 62 FR 53544.	(c)(125)(i)(B)(4).
26.11.19.22	Control of Volatile Organic Compounds (VOC) Emissions from Vinegar Generators.	8/11/97	9/23/99, 64 FR 41445.	(c)(137).
26.11.19.23	Control of Volatile Organic Compounds (VOC) Emissions from Vehicle Refinishing.	5/22/95	8/4/97, 62 FR 41853.	(c)(124).
26.11.19.24	Control of Volatile Organic Compounds (VOC) Emissions from Leather Coating Operations.	8/11/97	9/23/99, 64 FR 41445.	(c)(137).
26.11.19.25	Control of Volatile Organic Compounds from Explosives and Propellant Manufacturing.	8/11/97	1/26/99, 64 FR 3852.	(c)(141).
26.11.19.26	Control of Volatile Organic Compound Emissions from Reinforced Plastic Manufacturing.	8/11/97	8/19/99, 64 FR 45182.	(c)(139).
26.11.19.27	Control of Volatile Organic Compounds from Marine Vessel Coating Operations.	10/20/97	9/5/01, 66 FR 46379.	(c)(166).
26.11.19.28	Control of Volatile Organic Compounds from Bread and Snack Food Drying Operations.	10/2/00	5/7/01, 66 FR 22924.	(c)(157).
26.11.19.29	Control of Volatile Organic Compounds from Distilled Spirits Facilities.	10/2/00, 10/15/01	11/7/01, 66 FR 56220.	(c)(160).
26.11.19.30	Control of Volatile Organic Compounds from Organic Chemical Production and Polytetrafluoroethylene Installations.	12/10/01, 11/11/02.	6/3/03, 68 FR 33000.	(c)(176).
26.11.19.31	Control of Volatile Organic Compounds from Medical Device Manufacturing.	6/5/06	1/11/07, 72 FR 1289.	
26.11.20 Mobile Sources				
26.11.20.02	Motor Vehicle Emission Control Devices.	8/1/88	11/3/92, 57 FR 49651.	(c)(90)(i)(B)(13) [as 26.11.20.06].
26.11.20.03	Motor Vehicle Fuel Specifications ..	10/26/92	6/10/94, 59 FR 29957.	(c)(101)(i)(B)(3).
26.11.20.04	National Low Emission Vehicle Program.	3/22/99	12/28/99, 64 FR 72564.	(c)(146).
26.11.24 Stage II Vapor Recovery at Gasoline Dispensing Facilities				
26.11.24.01	Definitions	4/15/02	5/7/03, 68 FR 24363.	(c)(178).
26.11.24.01-1	Incorporation by Reference	4/15/02	5/7/03, 68 FR 24363.	(c)(178).
26.11.24.02	Applicability, Exemptions, and Effective Date.	4/15/02	5/7/03, 68 FR 24363.	(c)(178).
26.11.24.03	General Requirements	4/15/02	5/7/03, 68 FR 24363.	(c)(178).

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26.11.24.04	Testing Requirements	02/28/05	5/8/06, 71 FR 26688.	
26.11.24.05	Inspection Requirements	2/15/93	6/9/94, 59 FR 29730.	(c)(107).
26.11.24.06	Training Requirements for Operation and Maintenance of Approved Systems.	2/15/93	6/9/94, 59 FR 29730.	(c)(107).
26.11.24.07	Record-Keeping and Reporting Requirements.	2/28/05	5/8/06, 71 FR 26688.	
26.11.24.08	Instructional Signs	2/15/93	6/9/94, 59 FR 29730.	(c)(107).
26.11.24.09	Sanctions	2/15/93	6/9/94, 59 FR 29730.	(c)(107).
26.11.25 Control of Glass Melting Furnaces				
26.11.25.01	Definitions	10/5/98	10/19/05, 70 FR 60738.	
26.11.25.02	Applicability and Exemptions	10/5/98	10/19/05, 70 FR 60738.	
26.11.25.03	Visible Emissions from Glass Melting Furnaces.	10/5/98	10/19/05, 70 FR 60738.	
26.11.25.04	Particulate Matter Emissions from Glass Melting Furnaces.	10/5/98	10/19/05, 70 FR 60738.	
26.11.26 Conformity				
26.11.26.01	Definitions	5/15/95, 6/5/95 ...	12/9/98, 63 FR 67782.	(c)(136); definitions of Applicable implementation plan, Governor, State, and State air agency.
26.11.26.03	General Conformity	5/15/95, 6/5/95 ...	12/9/98, 63 FR 67782.	(c)(136); current COMAR citation is 26.11.26.04.
26.11.29 NO_x Reduction and Trading Program				
26.11.29.01	Definitions	5/1/00	1/10/01, 66 FR 1866.	(c)(154)(i)(B)(1).
26.11.29.02	Incorporation by Reference	5/1/00	1/10/01, 66 FR 1866.	(c)(154)(i)(B)(1).
26.11.29.03	Scope and Applicability	5/1/00	1/10/01, 66 FR 1866.	(c)(154)(i)(B)(1).
26.11.29.04	General Requirements for Affected Trading Sources.	5/1/00	1/10/01, 66 FR 1866.	(c)(154)(i)(B)(1).
26.11.29.05	NO _x Allowance Allocations	5/1/00	1/10/01, 66 FR 1866.	(c)(154)(i)(B)(1).
26.11.29.06	Compliance Supplement Pool	5/1/00	1/10/01, 66 FR 1866.	(c)(154)(i)(B)(1).
26.11.29.07	Allowance Banking	5/1/00	1/10/01, 66 FR 1866.	(c)(154)(i)(B)(1).
26.11.29.08	Emission Monitoring	5/1/00	1/10/01, 66 FR 1866.	(c)(154)(i)(B)(1).
26.11.29.09	Requirements for New Sources and Set-Aside Pool.	11/24/03	3/22/04, 69 FR 13236.	(c)(184)(i)(C)(1)–(5).
26.11.29.10	Reporting	5/1/00	1/10/01, 66 FR 1866.	(c)(154)(i)(B)(1).
26.11.29.11	Record Keeping	5/1/00	1/10/01, 66 FR 1866.	(c)(154)(i)(B)(1).
26.11.29.12	End-of-Season Reconciliation	5/1/00	1/10/01, 66 FR 1866.	(c)(154)(i)(B)(1).
26.11.29.13	Compliance Certification	5/1/00	1/10/01, 66 FR 1866.	(c)(154)(i)(B)(1).
26.11.29.14	Penalties	5/1/00	1/10/01, 66 FR 1866.	(c)(154)(i)(B)(1).
26.11.29.15	Requirements for Affected Non-trading Sources.	5/1/00	1/10/01, 66 FR 1866.	(c)(154)(i)(B)(1).
26.11.30 Policies and Procedures Relating to Maryland's NO_x Reduction and Trading Program				
26.11.30.01	Scope and Applicability	5/1/00	1/10/01, 66 FR 1866.	(c)(154)(i)(B)(2).

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26.11.30.02	Definitions	5/1/00	1/10/01, 66 FR 1866.	(c)(154)(i)(B)(2).
26.11.30.03	Procedures Relating to Compliance Accounts and Overdraft Accounts.	5/1/00	1/10/01, 66 FR 1866.	(c)(154)(i)(B)(2).
26.11.30.04	Procedures Relating to General Accounts.	5/1/00	1/10/01, 66 FR 1866.	(c)(154)(i)(B)(2).
26.11.30.05	Allowance Banking	5/1/00	1/10/01, 66 FR 1866.	(c)(154)(i)(B)(2).
26.11.30.06	Allowance Transfers	5/1/00	1/10/01, 66 FR 1866.	(c)(154)(i)(B)(2).
26.11.30.07	Early Reductions	5/1/00	1/10/01, 66 FR 1866.	(c)(154)(i)(B)(2).
26.11.30.08	Opt-In Procedures	5/1/00	1/10/01, 66 FR 1866.	(c)(154)(i)(B)(2).
26.11.30.09	Allocation of Allowances	6/19/06	11/03/06, 71 FR 64647.	New column for 2008 allocations.

26.11.32 Control of Emissions of Volatile Organic Compounds from Consumer Products

26.11.32.01	Applicability and Exemptions	8/18/03	12/9/03, 68 FR 68523.	(c)(185).
26.11.32.02	Incorporation by Reference	8/18/03	12/9/03, 68 FR 68523.	(c)(185).
26.11.32.03	Definitions	8/18/03	12/9/03, 68 FR 68523.	(c)(185).
26.11.32.04	Standards(General	8/18/03	12/9/03, 68 FR 68523.	(c)(185).
26.11.32.05	Standards—Requirements for Charcoal Lighter Materials.	8/18/03	12/9/03, 68 FR 68523.	(c)(185).
26.11.32.06	Standards—Requirements for Aerosol Adhesives.	8/18/03	12/9/03, 68 FR 68523.	(c)(185).
26.11.32.07	Standards—Requirements for Floor Wax Strippers.	8/18/03	12/9/03, 68 FR 68523.	(c)(185).
26.11.32.08	Innovative Products—CARB Exemption.	8/18/03	12/9/03, 68 FR 68523.	(c)(185).
26.11.32.09	Innovative Products—Department Exemption.	8/18/03	12/9/03, 68 FR 68523.	(c)(185).
26.11.32.10	Administrative Requirements	8/18/03	12/9/03, 68 FR 68523.	(c)(185).
26.11.32.11	Reporting Requirements	8/18/03	12/9/03, 68 FR 68523.	(c)(185).
26.11.32.12	Variances	8/18/03	12/9/03, 68 FR 68523.	(c)(185).
26.11.32.13	Test Methods	8/18/03	12/9/03, 68 FR 68523.	(c)(185).
26.11.32.14	Alternative Control Plan (ACP)	8/18/03	12/9/03, 68 FR 68523.	(c)(185).
26.11.32.15	Approval of an ACP Application	8/18/03	12/9/03, 68 FR 68523.	(c)(185).
26.11.32.16	Record Keeping and Availability of Requested Information.	8/18/03	12/9/03, 68 FR 68523.	(c)(185).
26.11.32.17	Violations	8/18/03	12/9/03, 68 FR 68523.	(c)(185).
26.11.32.18	Surplus Reductions and Surplus Trading.	8/18/03	12/9/03, 68 FR 68523.	(c)(185).
26.11.32.19	Limited-Use Surplus Reduction Credits for Early Reformulations of ACP Products.	8/18/03	12/9/03, 68 FR 68523.	(c)(185).
26.11.32.20	Reconciliation of Shortfalls	8/18/03	12/9/03, 68 FR 68523.	(c)(185).
26.11.32.21	Modifications to an ACP	8/18/03	12/9/03, 68 FR 68523.	(c)(185).
26.11.32.22	Cancellation of an ACP	8/18/03	12/9/03, 68 FR 68523.	(c)(185).
26.11.32.23	Transfer of an ACP	8/18/03	12/9/03, 68 FR 68523.	(c)(185).

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26.11.33 Architectural Coatings				
26.11.33.01	Applicability and Exemptions	3/29/04	5/12/05, 70 FR 24979.	
26.11.33.02	Test Methods—Incorporation by Reference.	3/29/04	5/12/05, 70 FR 24979.	
26.11.33.03	Definitions	3/29/04	5/12/05, 70 FR 24979.	
26.11.33.04	General Standard—VOC Content Limits.	3/29/04	5/12/05, 70 FR 24979.	
26.11.33.05	VOC Content Limits	3/29/04	5/12/05, 70 FR 24979.	
26.11.33.06	Most Restrictive VOC Limit	2/28/05	10/19/05, 70 FR 60740.	Addition of sections B(15) through B(19).
26.11.33.07	Painting Restrictions	3/29/04	5/12/05, 70 FR 24979.	
26.11.33.08	Thinning	3/29/04	5/12/05, 70 FR 24979.	
26.11.33.09	Rust Preventive Coatings	3/29/04	5/12/05, 70 FR 24979.	
26.11.33.10	Coatings Not Listed in Regulation .05.	2/28/05	10/19/05, 70 FR 60740.	
26.11.33.11	Lacquers	3/29/04	5/12/05, 70 FR 24979.	
26.11.33.12	Container Labeling Requirements	2/28/05	10/19/05, 70 FR 60740.	Deleted section K.
26.11.33.13	Recordkeeping Requirements	2/28/05	10/19/05, 70 FR 60740.	
26.11.33.14	Compliance Provisions and Test Methods.	3/29/04	5/12/05, 70 FR 24979.	
11.14.08 Vehicle Emissions Inspection Program				
11.14.08.01	Title	1/02/95	10/29/99, 64 FR 58340.	(c)(144).
11.14.08.02	Definitions	1/02/95, 10/19/98	10/29/99, 64 FR 58340.	(c)(144).
11.14.08.03	Applicability	6/10/02	1/16/03, 68 FR 2208.	(c)(179).
11.14.08.04	Exemptions	1/02/95	10/29/99, 64 FR 58340.	(c)(144).
11.14.08.05	Schedule of the Program	1/02/95, 12/16/96	10/29/99, 64 FR 58340.	(c)(144).
11.14.08.06	Certificates	6/10/02	1/16/03, 68 FR 2208.	(c)(179).
11.14.08.07	Extensions	1/02/95, 10/19/98	10/29/99, 64 FR 58340.	(c)(144).
11.14.08.08	Enforcement	1/02/95	10/29/99, 64 FR 58340.	(c)(144).
11.14.08.09	Inspection Standards	6/10/02	1/16/03, 68 FR 2208.	(c)(179).
11.14.08.10	General Requirements for Inspection and Preparation for Inspection.	1/02/95, 12/16/96, 10/19/98.	10/29/99, 64 FR 58340.	(c)(144).
11.14.08.11	Idle Exhaust Emissions Test and Equipment Checks.	10/18/98	10/29/99, 64 FR 58340.	(c)(144).
11.14.08.11-1	Transient Exhaust Emissions Test and Evaporative Purge Test Sequence.	12/16/96, 10/19/98.	10/29/99, 64 FR 58340.	(c)(144).
11.14.08.12	Evaporative Integrity Test, Gas Cap Leak Test, and On-Board Diagnostics Interrogation Procedures.	6/10/02	1/16/03, 68 FR 2208.	(c)(179).
11.14.08.13	Failed Vehicle and Reinspection Procedures.	1/02/95	10/29/99, 64 FR 58340.	(c)(144).
11.14.08.14	Dynamometer System Specifications.	1/02/95	10/29/99, 64 FR 58340.	(c)(144).
11.14.08.15	Constant Volume Sampler, Analysis System, and Inspector Control Specifications.	1/02/95, 10/19/98	10/29/99, 64 FR 58340.	(c)(144).

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11.14.08.16	Evaporative Test Equipment, Gas Cap Leak Test Equipment, and on-Board Diagnostics Interrogation Equipment Specifications.	6/10/02	1/16/03, 68 FR 2208.	(c)(179).
11.14.08.17	Quality Assurance and Maintenance—General Requirements.	1/02/95	10/29/99, 64 FR 58340.	(c)(144).
11.14.08.18	Test Assurance Procedures	1/02/95	10/29/99, 64 FR 58340.	(c)(144).
11.14.08.19	Dynamometer Periodic Quality Assurance Checks.	1/02/95	10/29/99, 64 FR 58340.	(c)(144).
11.14.08.20	Constant Volume Sampler Periodic Quality Assurance Checks.	1/02/95	10/29/99, 64 FR 58340.	(c)(144).
11.14.08.21	Analysis System Periodic Quality Assurance Checks.	1/02/95	10/29/99, 64 FR 58340.	(c)(144).
11.14.08.22	Evaporative Test Equipment, Gas Cap Leak Test Equipment and On-board Diagnostics Interrogation Equipment Periodic Quality Assurance Checks.	1/02/95, 10/19/98	10/29/99, 64 FR 58340.	(c)(144).
11.14.08.23	Overall System Performance quality Assurance.	1/02/95	10/29/99, 64 FR 58340.	(c)(144).
11.14.08.24	Control Charts	1/02/95	10/29/99, 64 FR 58340.	(c)(144).
11.14.08.25	Gas Specifications	1/02/95	10/29/99, 64 FR 58340.	(c)(144).
11.14.08.26	Vehicle Emissions Inspection Station.	1/02/95	10/29/99, 64 FR 58340.	(c)(144).
11.14.08.27	Technician's Vehicle Report	1/02/95, 10/19/98.	10/29/99, 64 FR 58340.	(c)(144).
11.14.08.28	Feedback Reports	1/02/95, 10/19/98	10/29/99, 64 FR 58340.	(c)(144).
11.14.08.29	Certified Emissions Technicians	1/02/95, 12/16/96	10/29/99, 64 FR 58340.	(c)(144).
11.14.08.30	Certified Emissions Repair Facility	1/02/95, 12/16/96	10/29/99, 64 FR 58340.	(c)(144).
11.14.08.31	On-Highway Emissions Test	1/02/95	10/29/99, 64 FR 58340.	(c)(144).
11.14.08.32	Fleet Inspection Station	1/02/95, 12/16/96, 10/19/98.	10/29/99, 64 FR 58340.	(c)(144).
11.14.08.33	Fleet Inspection Standards	1/02/95	10/29/99, 64 FR 58340.	(c)(144).
11.14.08.34	Fleet Inspection and Reinspection Methods.	1/02/95	10/29/99, 64 FR 58340.	(c)(144).
11.14.08.35	Fleet Equipment and Quality Assurance Requirements.	1/02/95	10/29/99, 64 FR 58340.	(c)(144).
11.14.08.36	Fleet Personnel Requirements	1/02/95	10/29/99, 64 FR 58340.	(c)(144).
11.14.08.37	Fleet Calibration Gas Specifications and Standard Reference Materials.	1/02/95	10/29/99, 64 FR 58340.	(c)(144).
11.14.08.38	Fleet Record-Keeping Requirements.	1/02/95	10/29/99, 64 FR 58340.	(c)(144).
11.14.08.39	Fleet Fees	1/02/95	10/29/99, 64 FR 58340.	(c)(144).
11.14.08.40	Fleet License Suspension and Revocation.	1/02/95	10/29/99, 64 FR 58340.	(c)(144).
11.14.08.41	Audits	1/02/95	10/29/99, 64 FR 58340.	(c)(144).
11.14.08.42	Fleet Inspection After 1998	1/02/95, 2/16/96, 10/19/98.	10/29/99, 64 FR 58340.	(c)(144).

03.03.05 Motor Fuel Inspection
[Contingency SIP Measure]

03.03.05.01	Definitions	12/18/95	1/30/96, 61 FR 2982.	(c)(101)(i)(B)(4); Approved as a contingency SIP measure as part of the CO Maintenance Plans for Baltimore and DC. [(c)(117) and (c)(118)].
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EPA-APPROVED REGULATIONS IN THE MARYLAND SIP—Continued

Code of Maryland administrative regulations (COMAR) citation	Title/subject	State effective date	EPA approval date	Additional explanation/citation at 40 CFR § 52.1100
03.03.05.01–1	Standard Specifications for Gasoline.	12/18/95	1/30/96, 61 FR 2982.	
03.03.05.02–1	Other Motor Vehicle Fuels	10/26/92	6/10/94, 58 FR 29957.	
03.03.05.05	Labeling of Pumps	12/18/95	1/30/96, 61 FR 2982.	
03.03.05.08	Samples and Test Tolerance	10/26/92	6/10/94, 58 FR 29957.	
03.03.05.15	Commingled Products	10/26/92	6/10/94, 58 FR 29957.	
03.03.06 Emissions Control Compliance [Contingency SIP Measure]				
03.03.06.01	Definitions	12/18/95	1/30/96, 61 FR 2982.	(c)(101)(i)(B)(5); Approved as a contingency SIP measure as part of the CO Maintenance Plans for Baltimore and DC. [(c)(117) and (c)(118)].
03.03.06.02	Vapor Pressure Determination	10/26/92	6/10/94, 58 FR 29957.	
03.03.06.03	Oxygen Content Determination	12/18/95	1/30/96, 61 FR 2982.	
03.03.06.04	Registration	10/26/92	6/10/94, 58 FR 29957.	
03.03.06.05	Recordkeeping	10/26/92	6/10/94, 58 FR 29957.	
03.03.06.06	Transfer Documentation	12/18/95	1/30/96, 61 FR 2982.	
TM Technical Memoranda				
TM81–04	Procedures for Observing and Evaluating Visible Emissions from Stationary Sources.	5/1/81	6/18/82, 47 FR 26381.	(c)(67).
TM83–05	Stack Test Methods for Stationary Sources.	6/1/83	2/23/85, 50 FR 7595.	(c)(80).
TM91–01 [Except Methods 1004A through E].	Test Methods and Equipment Specifications for Stationary Sources.	11/2/98	9/7/01, 66 FR 46727.	(c)(153)(i)(D)(5) (Supplement 3 is added).

(d) EPA approved state source-specific requirements.

Name of source	Permit No./type	State effective date	EPA approval date	Additional explanation
(PEPCO)—Chalk Point Units #1 and #2.	#49352 Amended Consent Order.	1/27/78	4/2/79, 44 FR 19192	52.1100(c) (22); FRN republished 5/3/79 (44 FR 25840).
Beall Jr./Sr. High School	Consent Order	1/30/79	3/18/80, 45 FR 17144.	52.1100(c)(26).
Mt. Saint Mary's College	Consent Order	3/8/79	3/18/80, 45 FR 17144.	52.1100(c)(26).
Potomac Electric Power Company (PEPCO)—Chalk Point.	Secretarial Order	7/19/79	9/3/80, 45 FR 58340	52.1100(c)(34).
Maryland Slag Co	Consent Agreement (Order).	10/31/80	9/8/81, 41 FR 44757	52.1100(c)(49).
Northeast Maryland Waste Disposal Authority.	Secretarial Order	11/20/81	7/7/82, 47 FR 29531	52.1100(c)(65) (Wheelabrator-Frye, Inc.).
Northeast Maryland Waste Disposal Authority and Wheelabrator-Frye, Inc. and the Mayor and City Council of Baltimore and BEDCO Development Corp.	Secretarial Order	2/25/83	8/24/83, 45 FR 55179.	52.1100(c)(70) (Shutdown of landfill for offsets).
Westvaco Corp	Consent Order	9/6/83, Rev. 1/26/84	12/20/84, 49 FR 49457.	52.1100(c)(74).
Potomac Electric Power Company (PEPCO).	Administrative Consent Order.	9/13/99	12/15/00, 65 FR 78416.	52.1100(c)(151).
Thomas Manufacturing Corp.	Consent Decree	2/15/01	11/15/01, 66 FR 57395.	52.1100(c)(167).

Name of source	Permit No./type	State effective date	EPA approval date	Additional explanation
Constellation Power Source Generation, Inc.—Brandon Shores Units #1 & 2; Gould Street Unit #3; H.A. Wagner Units #1, 2, 3 & 4; C.P. Crane Units #1 & 3; and Riverside Unit #4.	Consent Order and NO _x RACT Averaging Plan Proposal.	4/25/01	2/27/02, 67 FR 8897	52.1100(c)(168).
Kaydon Ring and Seal, Inc	Consent Order	3/5/04	8/31/04, 69 FR 53002.	(c)(190); SIP effective date is 11/1/04.
Perdue Farms, Inc	Consent Order	2/1/05	1/11/07, 72 FR 1291	52.1070(d)(1).

(e) EPA-approved nonregulatory and quasi-regulatory material.

Name of non-regulatory SIP revision	Applicable geographic area	State submittal date	EPA approval date	Additional explanation
Base Year Emissions Inventory.	Metropolitan Baltimore Ozone Nonattainment Area 1990.	9/20/95	10/30/95, 60 FR 55321	52.1075(a) CO.
1990 Base Year Emissions Inventory.	Metropolitan Washington Ozone Nonattainment Area.	3/21/94, 10/12/95	1/30/96, 61 FR 2931	52.1075(b), CO.
1990 Base Year Emissions Inventory.	All ozone nonattainment areas.	3/21/94	9/27/96, 61 FR 50715	52.1075(c), VOC, NO _x , CO.
1990 Base Year Emissions Inventory.	Kent & Queen Anne's Counties.	3/21/94	4/23/97, 62 FR 19676	52.1075(d), VOC, NO _x , CO.
1990 Base Year Emissions Inventory.	Metropolitan Washington Ozone Nonattainment Area.	3/21/94	4/23/97, 62 FR 19676	52.1075(e), VOC, NO _x , CO.
1990 Base Year Emissions Inventory.	Metropolitan Washington Ozone Nonattainment Area.	12/24/97	7/8/98, 63 FR 36854	52.1075(f), VOC, NO _x .
1990 Base Year Emissions Inventory.	Metropolitan Baltimore Ozone Nonattainment Area.	12/24/97	2/3/00, 63 FR 5245	52.1075(g), VOC, NO _x .
1990 Base Year Emissions Inventory.	Philadelphia-Wilmington-Trenton Ozone Nonattainment Area (Cecil County).	12/24/97, 4/29/98, 12/21/99, 12/28/00.	2/3/00, 63 FR 5252	52.1075(h), VOC, NO _x .
15% Rate of Progress Plan	Philadelphia-Wilmington-Trenton Ozone Nonattainment Area (Cecil County).	7/12/95, #95-20	7/29/97, 62 FR 40457	52.1076(a).
Stage II Vapor Recovery Comparability Plan.	Western Maryland & Eastern Shore Counties.	11/5/97	12/9/98, 63 FR 67780	52.1076(b).
15% Rate of Progress Plan	Metropolitan Baltimore Ozone Nonattainment Area.	10/7/98	2/3/00, 65 FR 5245	52.1076(c).
15% Rate of Progress Plan	Metropolitan Washington Ozone Nonattainment Area.	5/5/98	7/19/00, 65 FR 44686	52.1076(d).
Post-1996 Rate of Progress Plan & contingency measures.	Philadelphia-Wilmington-Trenton Ozone Nonattainment Area (Cecil County).	12/24/97, 4/24/98, 8/18/98, 12/21/99, 12/28/00, 3/8/04.	2/3/00, 63 FR 5252	52.1076(f).
Ozone Attainment Plan	Philadelphia-Wilmington-Trenton Ozone Nonattainment Area (Cecil County).	4/29/98, 8/18/98, 12/21/99, 12/28/00, 8/31/01.	9/19/01, 66 FR 44809	52.1076(f)(3).
			4/15/04, 69 FR 19939	
Ozone Attainment Plan	Philadelphia-Wilmington-Trenton Ozone Nonattainment Area (Cecil County).	4/29/98, 8/18/98, 12/21/99, 12/28/00, 8/31/01.	10/29/01, 66 FR 54578	52.1076(h).
Transportation Conformity Budgets.	Philadelphia-Wilmington-Trenton Ozone Nonattainment Area (Cecil County).	9/2/03	10/27/03, 68 FR 61103	
		4/29/98, 8/18/98, 12/21/99, 12/28/00.	10/29/01, 66 FR 54578	52.1076(i).
Post-1996 Rate of Progress Plan & contingency measures.	Metropolitan Baltimore Ozone Nonattainment Area.	12/24/97, 4/24/98, 8/18/98, 12/21/99, 12/28/00.	9/26/01, 66 FR 49108	52.1076(j).
Ozone Attainment Plan	Metropolitan Baltimore Ozone Nonattainment Area.	4/29/98, 8/18/98, 12/21/99, 12/28/00, 8/31/01.	10/30/01, 66 FR 54666	52.1076(k).
		9/2/03	10/27/03, 68 FR 61103	52.1076(k).

Name of non-regulatory SIP revision	Applicable geographic area	State submittal date	EPA approval date	Additional explanation
Mobile budgets	Metropolitan Baltimore Ozone Nonattainment Area.	8/31/01 9/2/03	10/30/01, 66 FR 54666 10/27/03, 68 FR 61103	52.1076(l)
Mobile budgets (2005)	Metropolitan Baltimore Ozone Nonattainment Area. Philadelphia-Wilmington-Trenton Ozone Nonattainment Area (Cecil County).	9/2/03	10/27/03, 68 FR 61103	52.1076(m).
Mobile budgets (2005 Rate of Progress Plan).	Metropolitan Baltimore Ozone Nonattainment Area.	11/3/03	2/13/04, 69 FR 7133	52.1076(n).
Extension for incorporation of the on-board diagnostics (OBD) testing program into the Maryland I/M SIP.	All ozone nonattainment areas.	7/9/02	1/16/03, 68 FR 2208	52.1078(b).
Photochemical Assessment Monitoring Stations (PAMS) Program.	Metropolitan Baltimore and Metropolitan Washington Ozone Nonattainment Areas.	3/24/94	9/11/95, 60 FR 47081	52.1080.
Consultation with Local Officials (CAA Sections 121 & 127).	All nonattainment & PSD areas.	10/8/81	4/8/82, 47 FR 15140	52.1100(c)(63).
Lead (Pb) SIP	City of Baltimore	10/23/80	2/23/82, 47 FR 7835	52.1100(c)(60), (61).
TM#90-01—"Continuous Emission Monitoring Policies and Procedures"—October 1990.	Statewide	9/18/91	2/28/96, 61 FR 7418	52.1100(c)(106); approved into SIP as "additional material", but not IBR'd.
Carbon Monoxide Maintenance Plan.	City of Baltimore—Regional Planning District 118.	9/20/95	10/31/95, 60 FR 55321	52.1100(c)(117).
	7/15/04	04/04/05, 70 FR 16958	Revised Carbon Monoxide Maintenance Plan Base Year Emissions Inventory using MOBILE6.
Carbon Monoxide Maintenance Plan.	Montgomery County Election Districts 4, 7, and 13; Prince Georges County Election Districts 2, 6, 16, 17 and 18.	10/12/95	1/30/96 61 FR 2931	52.1100(c)(118).
		3/3/04	04/04/05, 70 FR 16958	Revised Carbon Monoxide Maintenance Plan Base Year Emissions Inventory using MOBILE6.
Ozone Maintenance Plan ..	Kent and Queen Anne's Counties.	2/4/04	10/21/04, 69 FR 61766	52.1100(c)(187); SIP effective date is 11/22/04.
1996-1999 Rate-of-Progress Plan SIP and the Transportation Control Measures (TCMs) in Appendix H.	Washington DC 1-hour ozone nonattainment area.	12/20/97, 5/20/99	5/16/05, 70 FR 25688	Only the TCMs in Appendix H of the 5/20/1999 revision. 1999 motor vehicle emissions budgets of 128.5 tons per day (tpy) of VOC and 196.4 tpy of NO _x .
1990 Base Year Inventory Revisions.	Washington DC 1-hour ozone nonattainment area.	9/2/03, 2/24/04	5/16/05, 70 FR 25688	
1999-2005 Rate-of-Progress Plan SIP Revision and the Transportation Control Measures (TCMs) in Appendix J.	Washington DC 1-hour ozone nonattainment area.	9/2/03, 2/24/04	5/16/05, 70 FR 25688	Only the TCMs in Appendix J of the 2/24/2004 revision. 2002 motor vehicle emissions budgets (MVEBs) of 125.2 tons per day (tpy) for VOC and 290.3 tpy of NO _x , and, 2005 MVEBs of 97.4 tpy for VOC and 234.7 tpy of NO _x .

Name of non-regulatory SIP revision	Applicable geographic area	State submittal date	EPA approval date	Additional explanation
VMT Offset SIP Revision ..	Washington DC 1-hour ozone nonattainment area.	9/2/03, 2/24/04	5/16/05, 70 FR 25688	
Contingency Measure Plan	Washington, DC Area	9/2/03, 2/24/04	5/16/05, 70 FR 25688	
1-hour Ozone Modeled Demonstration of Attainment.	Washington DC 1-hour ozone nonattainment area.	9/2/03, 2/24/04	5/16/05, 70 FR 25688.	
Attainment Demonstration and Early Action Plan for the Washington County Ozone Early Action Compact Area.	Washington County	12/20/04, 2/28/05	8/17/05, 70 FR 48283.	
1-hour Ozone Attainment Plan.	Washington DC 1-hour ozone nonattainment area.	9/2/2003, 2/24/2004	11/16/05, 70 FR 69440.	
8-hour Ozone Maintenance Plan for the Kent and Queen Anne's Area.	Kent and Queen Anne's Counties.	05/2/06, 05/19/06	12/22/06, 71 FR 76920.	

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

45 CFR Part 98

RIN 0970-AC18

Child Care and Development Fund State Match Provisions

AGENCY: Administration for Children and Families (ACF), HHS.

ACTION: Final rule.

SUMMARY: This final rule revises the Child Care and Development Fund (CCDF) regulations to permit States to designate multiple public and/or private entities as eligible to receive private donations that may be certified as child care expenditures for purposes of receiving CCDF Federal matching funds. This final rule also raises from 20 to 30 percent the amount of each State's match requirement that may be met with public pre-kindergarten expenditures in order to implement a provision of the President's Good Start, Grow Smart initiative. These provisions are intended to give States increased flexibility in making the necessary State expenditures on child care to draw down their full allotment of CCDF Federal matching funds.

DATES: *Effective:* October 1, 2007.

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I. Background

This final rule makes revisions to the matching fund requirements of the Child Care and Development Fund (CCDF) regulations. The new requirements permit States to designate multiple public and/or private entities as eligible to receive donated funds that States certify as child care expenditures for purposes of receiving Federal CCDF

matching funds and permit States to use public pre-kindergarten expenditures for up to 30 percent of the expenditures required to claim their full allotment of CCDF Federal matching funds. A discussion of comments to the final rule's revisions that were received in response to the publication of a Notice of Proposed Rulemaking (NPRM) on November 9, 2004, (69 FR 64881) may be found below in the preamble. This final rule is not substantively different from the revisions proposed by the NPRM; however, minor technical changes have been made to address concerns raised by some commenters.

A. Child Care and Development Fund (CCDF)

CCDF assists low-income families, including families receiving or transitioning from the Temporary Assistance for Needy Families program (TANF), in the purchase of child care services, thereby allowing parents to work or attend training or education. States must spend a portion of their CCDF allotment on expenditures to improve the quality and availability of child care.

B. Summary of the Statutory Provisions Related to the State Match Requirement

CCDF is comprised of three funding streams—discretionary funds subject to annual appropriation by Congress as authorized under Sec. 658B of the CCDBG Act, 42 U.S.C. 9858, and mandatory and matching funds appropriated under Sec. 418 of the Social Security Act ("SSA"), 42 U.S.C. 618. Pursuant to Sec. 418(a)(2) of the SSA, the Federal CCDF matching funds are the funds remaining after the mandatory funds have been distributed to the States. Matching funds are allocated to the States on the basis of the