

## Changes to the Code of Federal Regulations (CFR) (July 1, 2014 - June 30, 2015)

### Sections Incorporated by Reference into the Administrative Rules of Montana

	Year/Vol	Part/Subpart/Section*	Change	FR Page	Summary	ARM Reference	Topic
1	2015/80	50.10	Revised	12263	In this rule, the Environmental Protection Agency (EPA) revoked the 1997 Ozone National Ambient Air Quality Standards (NAAQS). The designations and classifications associated with designations are no longer in effect, and the sole designations that remain in effect are those for the 2008 ozone NAAQS.	17.8.202	2008 O3 NAAQS Implementation
2	2015/80	51 Subpart A	Revised, Removed	8787	Final rule revised the emissions inventory reporting requirements in 40 CFR part 51, subpart A, and in 40 CFR 51.122. Importantly, the revisions aligned the point source reporting threshold for lead with the NAAQS and associated monitoring requirements. The rule also eliminated the requirement for reporting emissions from wildfires and prescribed fires, and replaced a requirement for reporting mobile source emissions with a requirement for reporting the input parameters to be used to run EPA models to generate emissions estimates. The rule also removed the requirements to report daily and seasonal emissions, and clarified the requirement to report these emissions under pollutant-specific regulations.		Air Emissions Reporting Requirements
3	2015/80	51 Subpart F	Revised	7340	EPA final action that revised the Clean Air Act Section 110 submission requirements and provide notice of an electronic reporting option. The action provided an option to submit State Implementation Plans (SIPs) using the new electronic SIP (eSIP) system.	17.8.802	eSIP
4	2015/80	51 Subpart G	Revised	8787	Revisions to Air Emissions Reporting Requirements. Included "ozone season emissions" and "summer day emissions" relating to NOx emissions in 51.122.		Air Emissions Reporting Requirements
5	2014/79	51 Subpart G 52.35 / 52.36 / 52.38 / 52.39	Revised	71671	EPA issued the Cross-State Air Pollution Rule (or CSAPR) in 2011 to address interstate transport of air pollution and replace the Clean Air Interstate Rule (or CAIR), which was remanded by the courts in 2008. Several revisions followed the original publication of CSAPR. Under the revised rule, 28 states are required to limit statewide emissions of SO2 and NOx to reduce their impact on particulate matter and ozone pollution in other states. This rulemaking revised the CFR to reflect correct compliance deadlines. Montana is not a state that is covered by CSAPR.		Cross-State Air Pollution Rule (CSAPR)
6	2015/80	51.165 (Subpart I)	Revised	12263	<p>All areas designated attainment for the 2008 ozone NAAQS will be subject to Prevention of Significant Deterioration (PSD) requirements. The rule clarified that interprecursor trading (trading emission reduction offsets of different precursor pollutants) continues to be an option for the ozone precursors volatile organic compounds (VOC) and nitrogen oxides (NOx), as long as such trades are consistent with existing policy and legal requirements. For example, NOx emission reductions could satisfy VOC offset requirements and vice versa.</p> <p>The rule also added new paragraph (a)(12) containing anti-backsliding requirements for nonattainment New Source Review (NSR). Anti-backsliding, in this case, means that the nonattainment NSR requirements (major source thresholds and emission offset ratios) for the revoked 1997 ozone NAAQS, to the extent they are more stringent than under the 2008 NAAQS, will continue to serve as a backstop in issuing nonattainment NSR permits, ensuring states maintain an equivalent or better level of protection.</p>	17.8.767	2008 O3 NAAQS Implementation

	Year/Vol	Part/Subpart/Section*	Change	FR Page	Summary	ARM Reference	Topic
7	2015/80	51.166 (Subpart I)/ 52.21	Revised	12263	Clarified that historical designations for a revoked NAAQS should not be considered in determining whether PSD requirements apply for the pollutant once the revocation becomes effective in an area.	17.8.767	2008 O3 NAAQS Implementation
8	2015/80	51.372 (Subpart S)	Revised	12263	Aligned the vehicle I/M (inspection and maintenance) program SIP due date with the due date for the attainment demonstration SIP for the area. Montana has no I/M program.		2008 O3 NAAQS Implementation
9	2015/80	51 Subpart X	Added	8787	Revisions to Air Emissions Reporting Requirements. Sections 51.900 and 51.915 revised to add a definition of "summer day emissions" and update reporting requirements for such emissions of NOx and VOC from all point sources		Air Emissions Reporting Requirements
10	2015/80	51.1100 - 1119 (Subpart AA)	Added	12263	Added Subpart AA - Provisions for implementation of the 2008 Ozone NAAQS. The provisions of Subpart AA replace Subpart X (40 CFR 51.900-918) as of April 6, 2015. Also revised Appendix S to Part 51 to address anti-backsliding issues, ensuring states maintain an equivalent or better level of protection when issuing nonattainment NSR permits.		2008 O3 NAAQS Implementation
11	2014/79	52.1370	Revised	69374	Correction of final rules pertaining to Montana rule revisions addressing Administrative Rules of Montana (ARM) subchapter 7 exclusion for de minimis changes (submitted by the state on 6/25/2010 and 5/28/2003).		De Minimis
12	2015/80	52.1370	Added	4795	This action concerned Montana's rule amendments to address NOx as an ozone precursor pollutant as required by the Phase 2 Ozone Implementation Rule, correcting a deficiency identified by EPA and removing federal implementation plan (FIP) obligations.		NOx as a Precursor
13	2015/80	52	Revised	22911	Montana Notebook - EPA updated the organization and formatting of the "Identification of Plan" section by adding a table to 52.1370 and moving the original history of state SIP submittals to 52.1397.		Notebook
14	2015/80	52.1373	Revised	16571	EPA approved the revised Billings Maintenance Plan and Alternative Monitoring Strategy for Carbon Monoxide (CO). The revised plan provides for maintenance of the CO NAAQS over the course of the second 10-year maintenance period - to 2022.		Billings CO Maintenance Area
15	2015/80	52.1373	Revised	17331	EPA approved the revised Great Falls Maintenance Plan and Alternative Monitoring Strategy for Carbon Monoxide (CO). The revised plan provides for maintenance of the CO NAAQS over the course of the second 10-year maintenance period - to 2022.		Great Falls CO Maintenance Area
16	2014/79	60.4	Revised	60995	Public notification of automatic delegation of New Source Performance Standards (NSPS) that are incorporated into state rules, including Montana's delegation. Also replaced CFR delegation table with a website showing current delegations: <a href="http://www2.epa.gov/region8/air-program">http://www2.epa.gov/region8/air-program</a>	17.8.302, 17.8.767, 17.8.802, 17.8.902, 17.8.1002	Automatic Delegation of NSPS
17	2015/80	60.17 (a) and (g)	Revised	13671	Revisions related to the residential wood heater NSPS.	17.8.302, 17.8.767, 17.8.802, 17.8.902, 17.8.1002	Wood Heater NSPS
18	2015/80	60.17 (g)(202)-(206), (s), (t)	Added	13671	The final rule added new provisions related to the revised residential wood heater NSPS. New test methods added.	17.8.302, 17.8.767, 17.8.802, 17.8.902	Wood Heater NSPS
19	2014/79	60 Subpart Da	Revised	68788	Revision clarified that industrial boilers and Electric Generating Units (EGUs) have the same particulate matter startup and shutdown work practice standards for both the NSPS and the Mercury and Air Toxics Standards (MATS). Related to 40 CFR Part 60 subpart Da and Part 63 subparts DDDDD and UUUUUU	17.8.302, 17.8.767, 17.8.802, 17.8.902, 17.8.1002	Startup/Shutdown PM Standards for MATS and Utility NSPS

	Year/Vol	Part/Subpart/Section*	Change	FR Page	Summary	ARM Reference	Topic
20	2015/80	60.530-539b	Revised	13671	40 CFR part 60 subpart AAA revised to incorporate updates to the residential wood heater NSPS.	17.8.302, 17.8.767, 17.8.802, 17.8.902, 17.8.1002	Wood Heater NSPS
21	2014/79	60.5360 - 5430	Revised	79017	The action finalized the July 17, 2014, proposed revisions to 40 CFR part 60 subpart OOOO - the NSPS for the oil and natural gas sector. The revisions addressed issues related to well completion and storage vessel provisions.	17.8.302, 17.8.767, 17.8.802, 17.8.902, 17.8.1002	40 CFR 60 subpart OOOO
22	2015/80	60.5472-5483	Added	13671	40 CFR 60 Subpart QQQQ added to address wood-fired hydronic heaters and forced-air furnaces.	17.8.302, 17.8.767, 17.8.802, 17.8.902, 17.8.1002	Wood Heater NSPS
23	2015/80	60 Appendix A-8	Revised	13671	Revised test methods 28R for certification of wood heaters, 28WHH related to measuring particulate emissions from hydronic heaters, 28WHH for certification of cord wood-fired hydronic heaters	17.8.103, 17.8.302, 17.8.767, 17.8.802, 17.8.902, 17.8.1002	Wood Heater NSPS
24	2015/80	60 Appendix I	Revised	13671	Revisions related to owner's manuals and temporary labels for heaters under subparts AAA and QQQQ	17.8.302, 17.8.767, 17.8.802, 17.8.902, 17.8.1002	Wood Heater NSPS
25	2015/80	62.6640	Added	10608	Added section addressing existing sewage sludge incineration units - negative declaration from Montana on 12/10/2013. Montana does not have any affected sources.		SSI Negative Declaration
26	2015/80	63 Subpart DD	Revised	14247	Final residual risk and technology review related to the Off-Site Waste and Recovery Operations (OSWRO) source category regulated under National Emission Standards for Hazardous Air Pollutants (NESHAP).	17.8.103, 17.8.302, 17.8.1502	Off-Site Waste and Recovery Operations
27	2014/79	63 Subpart YY	Revised	60897	Final residual risk and technology review related to the Acrylic and Modacrylic Fibers Production and Polycarbonate Production source categories regulated under NESHAP in the Generic Maximum Achievable Control Technology (MACT) Standards in Subpart YY.	17.8.103, 17.8.302, 17.8.1502	Acrylic and Modacrylic Fibers Production and Polycarbonate Production
28	2014/79	63 Subpart III	Revised	48073	Final residual risk and technology review related to the Flexible Polyurethane Foam (FPUF) Production source category regulated under NESHAP in Subpart III.	17.8.103, 17.8.302, 17.8.1502	Flexible Polyurethane Foam (FPUF) Production
29	2014/79	63 Subpart OOO	Revised	60897	Final residual risk and technology review related to the Amino/Phenolic Resins Production source category regulated under NESHAP in Subpart OOO.	17.8.103, 17.8.302, 17.8.1502	Amino/Phenolic Resins Production
30	2015/80	63 Subpart XXX	Added	37365	Final residual risk and technology review related to Ferroalloys Production source category regulated under NESHAP in Subpart XXX. Promulgated MACT-based limits for previously unregulated Hazardous Air Pollutants (HAP).	17.8.103, 17.8.302, 17.8.1502	Ferroalloys Production
31	2014/79	63 Subpart UUUUU	Revised	68777	Reconsideration of certain startup/shutdown issues in the MATS and the Utility NSPS in 40 CFR Part 60 subpart Da and Part 63 subpart UUUUU, respectively.	17.8.103, 17.8.302, 17.8.1502	Startup/Shutdown PM Standards for MATS and Utility NSPS
32	2015/80	63 Subpart DDDDDD	Revised	5938	Revised the NESHAP for Polyvinyl Chloride and Copolymers Production Area Sources. "This direct final rule withdraws the total non-vinyl chloride organic hazardous air pollutant (TOHAP) process wastewater emission standards for new and existing polyvinyl chloride and copolymers (PVC) area sources."	17.8.103, 17.8.302, 17.8.1502	Polyvinyl Chloride and Copolymers Production Area Sources
33	2015/80	70.2	Revised	12263	2008 Ozone Implementation - definition of "Major Source" revised in state operating permit programs. EPA agreed with comments that the major source threshold for title V should be the same as the major source threshold for NSR and Reasonably Available Control Technology (RACT).		2008 Ozone Implementation

	Year/Vol	Part/Subpart/Section*	Change	FR Page	Summary	ARM Reference	Topic
34	2014/79	70.6(c)(5)(iii)(B)	Revised	43661	EPA revised compliance certification content requirements for state and federal operating permit programs. Added back a sentence that was removed inadvertently in a 2003 action. The sentence is: "If necessary, the owner or operator also shall identify any other material information that must be included in the certification to comply with section 113(c)(2) of the Act, which prohibits knowingly making a false certification or omitting material information."		Compliance Certification Content Requirements
35	2015/80	71.2	Revised	12263	2008 Ozone Implementation - definition of "Major Source" revised in <b>federal</b> operating permit programs. EPA agreed with comments that the major source threshold for title V should be the same as the major source threshold for NSR and RACT.		2008 Ozone Implementation
36	2014/79	71.6(c)(5)(iii)(B)	Revised	43661	EPA revised compliance certification content requirements for state and federal operating permit programs. Added back a sentence that was removed inadvertently in a 2003 action. The sentence is: "If necessary, the owner or operator also shall identify any other material information that must be included in the certification to comply with section 113(c)(2) of the Act, which prohibits knowingly making a false certification or omitting material information."		Compliance Certification Content Requirements
37	2015/80	81.327	Revised	2251	Added table, "Montana - 2012 Annual PM2.5 NAAQS (Primary)." All counties listed as unclassifiable/attainment.	17.8.302, 17.8.802, 17.8.902, 17.8.1002, 17.8.1102	2012 PM2.5 Designations

\* All Parts/Subparts/Sections are found in Title 40 of the Code of Federal Regulations