



ENVIRONMENTAL PROTECTION AGENCY

**40 CFR Part 52**

**[EPA-R07-OAR-2025-3822; FRL-13146-01-R7]**

**Air Plan Approval; Missouri; Control of Emissions During Petroleum Liquid Storage, Loading, and Transfer**

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

**ACTION:** Proposed rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is proposing to approve revisions to the Missouri State Implementation Plan (SIP) related to the control of emissions during petroleum liquid storage, loading and transfer in the St. Louis area. The revisions to this rule include revising the tank size threshold applicability of the rule, adding incorporations by reference to other state rules, adding definitions specific to the rule, revising unnecessarily restrictive or duplicative language, adding a streamlined process for modifications to vapor recovery systems at gasoline dispensing facilities and thereby eliminating the associated permitting requirement, and clarifying rule language on testing and reporting. The revisions make this provision consistent with a similar rule that is applicable to the Kansas City area and regulates the same type of facilities. These revisions do not interfere with the State's ability to attain or maintain the National Ambient Air Quality Standards (NAAQS). The EPA's proposed approval of this rule revision is being done in accordance with the requirements of the Clean Air Act (CAA).

**DATES:** Comments must be received on or before **[insert date 30 days after date of publication in the Federal Register]**.

**ADDRESSES:** You may send comments, identified by Docket ID No. EPA-R07-OAR-2025-3822 to <https://www.regulations.gov>. Follow the online instructions for submitting comments.

*Instructions:* All submissions received must include the Docket ID No. for this rulemaking. Comments received will be posted without change to <https://www.regulations.gov>, including any personal information provided. For detailed instructions on sending comments and additional information on the rulemaking process, see the "Written Comments" heading of the **SUPPLEMENTARY INFORMATION** section of this document.

**FOR FURTHER INFORMATION CONTACT:** Steven Brown, Environmental Protection Agency, Region 7 Office, Air Quality Planning Branch, 11201 Renner Boulevard, Lenexa, Kansas 66219; telephone number: (913) 551-7718; email address: [brown.steven@epa.gov](mailto:brown.steven@epa.gov)

**SUPPLEMENTARY INFORMATION:** Throughout this document "we," "us," and "our" refer to the EPA.

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### **I. Written Comments**

Submit your comments, identified by Docket ID No. EPA-R07-OAR-2025-3822, at <https://www.regulations.gov>. Once submitted,

comments cannot be edited or removed from Regulations.gov. The EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (i.e. on the web, cloud, or other file sharing system). For additional submission methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <https://www.epa.gov/dockets/commenting-epa-dockets>.

## **II. What is Being Addressed in this Document?**

The EPA is proposing to approve a SIP revision submitted by the State of Missouri on March 7, 2019, and supplemented on August 1, 2019. The revisions are to Title 10, Division 10 of the Code of State Regulations (CSR), 5.220 "Control of Emissions During Petroleum Liquid Storage, Loading and Transfer". The purpose of the state regulation is to restrict volatile organic compound (VOC) emissions from the handling of petroleum liquids to reduce hydrocarbon emissions in the St. Louis metropolitan area that contribute to the formation of ozone. Missouri made multiple revisions to the rule. These revisions change the

applicability threshold of the smaller tank size subject to the rule from 500-1,000 gallon tanks to 550-1,000 gallon tanks, eliminate the permitting requirement by adding a streamlined procedural process for modifications to vapor recovery systems at gasoline dispensing facilities, clarify rule language on testing and reporting, update incorporations by reference to other state rules, add definitions specific to the rule, revise unnecessarily restrictive or duplicative language, and make administrative structure and wording changes. The EPA proposes to find that these revisions meet the requirements of the CAA and do not interfere with the State's ability to attain or maintain the NAAQS. The full text of the rule revisions as well as EPA's analysis of the revisions can be found in the technical support document (TSD) included in this docket.

### **III. Have the Requirements for Approval of a SIP Revision Been Met?**

The State submission has met the public notice requirements for SIP submissions in accordance with 40 CFR 51.102. The submission also satisfied the completeness criteria of 40 CFR part 51, appendix V. The State provided public notice on this SIP revision from August 1, 2018, to October 4, 2018, and held a public hearing on September 27, 2018. Missouri received twenty-nine (29) comments from seven sources during the comment period on 10 CSR 10-5.220. The EPA provided three comments. Missouri included additional clarification to EPA by submitting supplemental information on August 1, 2019, to clarify and

answer questions EPA made during the comment period. Missouri responded to all comments and revised the rule based on some of the public comments made, as noted in the State submission included in the docket for this action. As explained above and in more detail in the technical support document, which is part of this docket, the revision meets the substantive SIP requirements of the CAA, including section 110 and implementing regulations.

#### **IV. What Action is the EPA Taking?**

The EPA is proposing to amend the Missouri SIP by approving the State's request to revise 10 CSR 10-5.220 "Control of Emissions During Petroleum Liquid Storage, Loading and Transfer." We are processing this as a proposed action because we are soliciting comments on this proposed action. Final rulemaking will occur after consideration of any comments.

#### **V. Incorporation by Reference**

In this document, the EPA is proposing to include regulatory text in an EPA final rule that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, the EPA is proposing to finalize the incorporation by reference of the Missouri rule 10 CSR 10-5.220 discussed in section II. of this preamble and as set forth below in the proposed amendments to 40 CFR part 52. The purpose of this state regulation is to restrict VOC emissions from the handling of petroleum liquids to reduce hydrocarbon emissions in the St. Louis metropolitan area that contribute to the formation of ozone. The EPA has made, and

will continue to make, these materials generally available through <https://www.regulations.gov> and at the EPA Region 7 Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information).

## **VI. Statutory and Executive Order Reviews**

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the CAA and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, EPA's role is to approve state choices, provided that they meet the criteria of the CAA. Accordingly, this action merely approves state law as meeting Federal requirements and does not impose additional requirements beyond those imposed by state law. For that reason, this action:

- Is not a significant regulatory action subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, October 4, 1993);
- Is not subject to Executive Order 14192 (90 FR 9065, February 6, 2025) because SIP actions are exempt from review under Executive Order 12866;
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory

Flexibility Act (5 U.S.C. 601 *et seq.*);

- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4);
- Does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997) because it approves a state program;
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001); and
- Is not subject to requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA.

In addition, the SIP is not approved to apply on any Indian reservation land or in any other area where EPA or an Indian Tribe has demonstrated that a Tribe has jurisdiction. In those areas of Indian country, the rule does not have Tribal implications and will not impose substantial direct costs on Tribal governments or preempt Tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

**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 10, 2026.

James Macy,  
Regional Administrator,  
Region 7.

For the reasons stated in the preamble, the EPA proposes to amend 40 CFR part 52 as set forth below:

**PART 52-APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS**

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

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

**Subpart AA-Missouri**

2. In § 52.1320, the table in paragraph (c) is amended by revising the entry "10-5.220" to read as follows:

**§ 52.1320 Identification of plan.**

\* \* \* \* \*

(c) \* \* \*

**EPA-Approved Missouri Regulations**

Missouri citation	Title	State effective date	EPA approval date	Explanation
<b>Missouri Department of Natural Resources</b>				
* * * * *				
<b>Chapter 5-Air Quality Standards and Air Pollution Control Regulations for the St. Louis Metropolitan Area</b>				
* * * * *				
10-5.220	Control of Emissions During Petroleum Liquid Storage, Loading and Transfer	3/30/2019	[Date of publication of the final rule in the Federal Register], 91 FR [Federal Register page where the document begins of the final rule]	
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