



ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R10-OAR-2026-0498; FRL-13207-01-R10]

Air Plan Approval; ID; Update to Materials Incorporated by Reference

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; administrative change.

SUMMARY: The Environmental Protection Agency (EPA) is updating the materials that are incorporated by reference (IBR) into the Idaho State Implementation Plan (SIP). The regulations affected by this update have been previously submitted by Idaho and approved by the EPA. This update affects the materials that are available for public inspection at the EPA Regional Office and the National Archives and Records Administration (NARA). In this action, the EPA is also notifying the public that we are correcting a typographical error.

DATES: This action is effective **[INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

ADDRESSES: The SIP materials for which incorporation by reference into 40 CFR part 52 is finalized through this action are available for inspection at the following locations:

Environmental Protection Agency, Region 10, 1200 Sixth Avenue, Suite 155, Seattle, WA 98101; and *www.regulations.gov*. To view the materials at the Region 10 Office, the EPA

requests that you email the contact listed in the **FOR FURTHER INFORMATION**

CONTACT section to schedule your inspection. The Regional Office's official hours of business are Monday through Friday 8:30 a.m. to 4:30 p.m., excluding Federal holidays.

FOR FURTHER INFORMATION CONTACT: Jeff Hunt, EPA Region 10, 1200 Sixth Avenue – Suite 155, Seattle, WA 98101, at (206) 553-0256, or *hunt.jeff@epa.gov*.

SUPPLEMENTARY INFORMATION:

I. Background

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 such elements as air pollution control regulations, emission inventories, monitoring networks, attainment demonstrations, and enforcement mechanisms.

Each State must formally adopt the control measures and strategies in the SIP after the public has had an opportunity to comment on them and then submit the proposed SIP revisions to the EPA. Once these control measures and strategies are approved by EPA, and after notice and comment, they are incorporated into the federally approved SIP and are identified in part 52, “Approval and Promulgation of Implementation Plans,” of title 40 of the Code of Federal Regulations (40 CFR part 52). The full text of the State regulation approved by the EPA is not reproduced in its entirety in 40 CFR part 52 but is “incorporated by reference.” This means that the EPA has approved a given State regulation or specified changes to the given regulation with a specific effective date. The public is referred to the location of the full text version should they want to know which measures are contained in a given SIP. The information provided allows the EPA and the public to monitor the extent to which a State implements a SIP to attain and maintain the NAAQS and to take enforcement action for violations of the SIP.

The SIP is a living document which the State can revise as necessary to address the unique air pollution problems in the State. Therefore, the EPA from time to time must take action on proposed revisions containing new or revised State regulations. A submission from a State can revise one or more rules in their entirety, or portions of rules. The State indicates the changes in the submission (such as by using redline/strikethrough text) and the EPA then takes action on the requested changes. The EPA establishes a docket for its actions using a unique Docket Identification Number, which is listed in each action. These dockets and the complete submission are available for viewing on www.regulations.gov.

On May 22, 1997 (62 FR 27968), the EPA revised the procedures for incorporating by reference, into the Code of Federal Regulations, materials approved by the EPA into each SIP. These changes revised the format for the identification of the SIP in 40 CFR part 52, streamlined

the mechanisms for announcing the EPA approval of revisions to a SIP, and streamlined the mechanisms for the EPA's updating of the IBR information contained for each SIP in 40 CFR part 52. The revised procedures also called for the EPA to maintain "SIP Compilations" that contain the federally approved regulations and source-specific permits submitted by each State agency.

The EPA generally updates these SIP Compilations every few years. Under the revised procedures, the EPA must periodically publish an informational document in the rules section of the *Federal Register* notifying the public that updates have been made to a SIP Compilation for a particular state. The EPA began applying the revised IBR procedures to the Idaho SIP on January 25, 2005 (70 FR 3479) and subsequently published updates to the IBR materials in the Idaho SIP on December 28, 2012 (77 FR 76417), April 1, 2015 (80 FR 17333), July 24, 2020 (85 FR 44741), November 18, 2024 (89 FR 90592), and June 27, 2025 (90 FR 27470).

II. EPA Action

In this action, the EPA is providing notification of an update to the materials incorporated by reference into the Idaho SIP as of January 6, 2026, and identified in 40 CFR 52.670(c) and (d). This update includes SIP materials submitted by Idaho and approved by the EPA since the last IBR update. *See* 90 FR 27470 (June 27, 2025). This action also corrects a minor typographical error from a previous EPA approval for the P4 Production LLC, Soda Springs, Idaho facility in which we inadvertently cited the nonexistent permit condition "13.33" instead of the correct citation "13.23." *See* 90 FR 42821 (September 5, 2025).

III. Good Cause Exemption

The EPA has determined that this action falls under the "good cause" exemption in section 553(b)(3)(B) of the Administrative Procedure 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 an action effective immediately (thereby avoiding the 30-day delayed effective date otherwise provided for in the APA). This administrative action simply codifies

provisions which are already in effect as a matter of law in Federal and approved state programs and makes a correction a table in the CFR. Under section 553 of the APA, an agency may find good cause where procedures are “impracticable, unnecessary, or contrary to the public interest.” Public comment for this administrative action is “unnecessary” and “contrary to the public interest” since the codification (and corrections) only reflect existing law. Immediate notice of this action in the *Federal Register* benefits the public by providing the public notification of the updated Idaho SIP Compilation and notification of corrections to the Idaho “Identification of Plan” portion of the CFR. Further, pursuant to section 553(d)(3), making this action immediately effective benefits the public by immediately updating both the SIP Compilation and the CFR “Identification of plan” section (which includes table entry corrections).

IV. Incorporation by Reference

In this document, the EPA is finalizing regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, the EPA is finalizing the incorporation by reference of regulations promulgated by Idaho previously approved by the EPA and federally effective before January 6, 2026, contained in 40 CFR 52.670(c) and (d) as described in section I of this preamble. The EPA has made, and will continue to make, these materials generally available through www.regulations.gov and at the EPA Region 10 Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information).

V. Statutory and Executive Order Reviews

Under the Clean Air Act, the Administrator is required to approve a SIP submission that complies with the provisions of the Clean Air Act and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, the EPA’s role is to approve State choices, provided that they meet the criteria of the Clean Air Act. 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 an Executive Order 14192 (90 FR 9065, February 6, 2025) regulatory action because this action is not significant 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 Clean Air Act.

In addition, this action is not approved to apply on any Indian reservation land or in any other area where the EPA or an Indian Tribe has demonstrated that a Tribe has jurisdiction. In those areas of Indian country, the rule does not have Tribal implications 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).

This action is subject to the Congressional Review Act, and the EPA will submit a rule

report to each House of the Congress and to the Comptroller General of the United States. This action is not a “major rule” as defined by 5 U.S.C. 804(2).

The EPA also believes 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. This is because prior EPA rulemaking actions for each individual component of the Idaho SIP Compilation previously afforded interested parties the opportunity to file a petition for judicial review in the United States Court of Appeals for the appropriate circuit within 60 days of such rulemaking action. Thus, the EPA believes judicial review of this action under section 307(b)(1) is not available.

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: May 18, 2026.

Emma Pokon,
Regional Administrator, Region 10.

For the reasons set forth in the preamble, 40 CFR part 52 is amended as follows:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

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

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

Subpart N—Idaho

2. Amend § 52.670 by:

- a. Revising paragraph (b);
- b. Republishing paragraph (c); and
- c. Revising paragraph (d).

The revisions and republication read as follows:

§ 52.670 Identification of plan.

* * * * *

(b) *Incorporation by reference.* (1) Material listed in paragraphs (c) and (d) of this section with an EPA approval date prior to January 6, 2026, 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 notification 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 after January 6, 2026, will be incorporated by reference in the next update to the SIP compilation.

(2) EPA Region 10 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 State Implementation Plan as of the dates referenced in paragraph (b)(1) of this section.

(3) Copies of the materials incorporated by reference may be inspected at the Region 10 EPA Office at 1200 Sixth Avenue, Suite 155, Seattle, WA 98101. To obtain the material, please call (206) 553-0256. You may inspect the material with an EPA approval date prior to January 6,

2026, for Idaho at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA email fedreg.legal@nara.gov or go to <http://www.archives.gov/federal-register/cfr/ibr-locations.html>.

(c) EPA approved laws and regulations.

Table 1 to Paragraph (c)—State Regulations

State citation	Title/subject	State effective date	EPA approval date	Explanations
Rules for the Control of Air Pollution in Idaho (IDAPA 58.01.01)				
001	Title and scope	3/28/2023	12/5/2024, 89 FR 96554	
005	Definitions	3/28/2023	12/5/2024, 89 FR 96554	
006	General definitions	3/28/2023	12/5/2024, 89 FR 96554	Except subsections 006.23, 006.24, 006.25, 006.30, 006.31.b, 006.49, 006.50, 006.51.
007	Definitions for the purposes of sections 200 through 225 and 400 through 461	3/28/2023	12/5/2024, 89 FR 96554	
107	Incorporations by reference	7/1/2024	12/5/2024, 89 FR 96554	Except subsections 107.06 through 107.16.
108	Obligation to comply	3/28/2023	12/5/2024, 89 FR 96554	
121	Compliance requirements by department	3/28/2023	12/5/2024, 89 FR 96554	
122	Information orders by the department	3/28/2023	12/5/2024, 89 FR 96554	
123	Certification of documents	3/28/2023	12/5/2024, 89 FR 96554	
125	False statements	3/28/2023	12/5/2024, 89 FR 96554	
126	Tampering	3/28/2023	12/5/2024, 89 FR 96554	
130	Startup, shutdown, scheduled maintenance, safety measures, upset and breakdown	7/1/2024	12/5/2024, 89 FR 96554	
131	Excess emissions	3/28/2023	12/5/2024, 89 FR	

			96554	
132	Correction of condition	3/28/2023	12/5/2024, 89 FR 96554	
133	Startup, shutdown and scheduled maintenance requirements	3/28/2023	12/5/2024, 89 FR 96554	
134	Upset, breakdown and safety requirements	3/28/2023	12/5/2024, 89 FR 96554	
135	Excess emissions reports	3/28/2023	12/5/2024, 89 FR 96554	
136	Excess emissions records	3/28/2023	12/5/2024, 89 FR 96554	
155	Circumvention	3/28/2023	12/5/2024, 89 FR 96554	
156	Total compliance	5/1/1994	1/16/2003, 68 FR 2217	
157	Test methods and procedures	3/28/2023	12/5/2024, 89 FR 96554	
164	Polychlorinated biphenyls (PCBs)	3/28/2023	12/5/2024, 89 FR 96554	
175	Procedures and requirements for permits establishing a facility emissions cap	3/28/2023	12/5/2024, 89 FR 96554	
176	Facility emissions cap	3/28/2023	12/5/2024, 89 FR 96554	Except for provisions relating to hazardous air pollutants.
177	Application procedures	4/11/2015	8/12/2016, 81 FR 53290	
178	Standard contents of permits establishing a facility emissions cap	3/28/2023	12/5/2024, 89 FR 96554	
179	Procedures for issuing permits establishing a facility emissions cap	3/28/2023	12/5/2024, 89 FR 96554	
180	Revisions to permits establishing a facility emissions cap	3/28/2023	12/5/2024, 89 FR 96554	
181	Notice and record-keeping of estimates of ambient concentrations	3/28/2023	12/5/2024, 89 FR 96554	
200	Procedures and requirements for permits to construct	3/28/2023	12/5/2024, 89 FR 96554	
201	Permit to construct required	3/28/2023	12/5/2024, 89 FR 96554	
202	Application	3/28/2023	12/5/2024, 89 FR	

	procedures		96554	
203	Permit requirements for new and modified stationary sources	3/28/2023	12/5/2024, 89 FR 96554	Except subsection 203.03.
204	Permit requirements for new major facilities or major modifications in nonattainment areas	3/28/2023	12/5/2024, 89 FR 96554	
205	Permit requirements for new major facilities or major modifications in attainment or unclassifiable areas	3/28/2023	12/5/2024, 89 FR 96554	
206	Optional offsets for permits to construct	3/28/2023	12/5/2024, 89 FR 96554	
207	Requirements for emission reduction credit	5/1/1994	1/16/2003, 68 FR 2217	
208	Demonstration of net air quality benefit	3/28/2023	12/5/2024, 89 FR 96554	
209	Procedure for issuing permits	3/28/2023	12/5/2024, 89 FR 96554	
211	Conditions for permits to construct	3/28/2023	12/5/2024, 89 FR 96554	
212	Relaxation of standards or restrictions	3/28/2023	12/5/2024, 89 FR 96554	
213	Pre-permit construction	3/28/2023	12/5/2024, 89 FR 96554	
220	General exemption criteria for permit to construct exemptions	3/28/2023	12/5/2024, 89 FR 96554	
221	Category I exemption	3/28/2023	12/5/2024, 89 FR 96554	
222	Category II exemption	3/28/2023	12/5/2024, 89 FR 96554	
226	Payment of fees for permits to construct	3/28/2023	12/5/2024, 89 FR 96554	
227	Receipt and usage of fees	3/28/2023	12/5/2024, 89 FR 96554	
400	Procedures and requirements for Tier II operating permits	3/28/2023	12/5/2024, 89 FR 96554	
401	Tier II operating permit	3/28/2023	12/5/2024, 89 FR 96554	Except subsections 401.01.a and 401.04.
402	Application procedures	3/28/2023	12/5/2024, 89 FR 96554	
403	Permit requirements	3/28/2023	12/5/2024, 89 FR	

	for Tier II sources		96554	
404	Procedure for issuing permits	3/28/2023	12/5/2024, 89 FR 96554	
405	Conditions for Tier II operating permits	3/28/2023	12/5/2024, 89 FR 96554	
460	Requirements for emission reduction credit	3/28/2023	12/5/2024, 89 FR 96554	
461	Requirements for banking emission reduction credits (ERC's)	3/28/2023	12/5/2024, 89 FR 96554	
500	Registration procedures and requirements for portable equipment	3/28/2023	12/5/2024, 89 FR 96554	
510	Stack heights and dispersion techniques	3/28/2023	12/5/2024, 89 FR 96554	
511	Requirements	3/28/2023	12/5/2024, 89 FR 96554	
512	Opportunity for public hearing	3/28/2023	12/5/2024, 89 FR 96554	
513	Approval of field studies and fluid models	3/28/2023	12/5/2024, 89 FR 96554	
514	No restriction on actual stack height	3/28/2023	12/5/2024, 89 FR 96554	
550	Air quality episodes	3/28/2023	12/5/2024, 89 FR 96554	
556	Criteria for declaring air quality episodes	3/28/2023	12/5/2024, 89 FR 96554	
557	Requirements during air quality episodes	3/28/2023	12/5/2024, 89 FR 96554	
558	Notification of air quality episode	3/28/2023	12/5/2024, 89 FR 96554	
562	Specific air quality episode abatement plans for stationary sources	3/28/2023	12/5/2024, 89 FR 96554	
563	Transportation conformity	3/30/2001	4/12/2001, 66 FR 18873	
564	Incorporation by reference	3/30/2001	4/12/2001, 66 FR 18873	
565	Abbreviations	3/30/2001	4/12/2001, 66 FR 18873	
566	Definitions for the purpose of sections 563 through 574 and 582	3/30/2001	4/12/2001, 66 FR 18873	
567	Agencies affected by	3/30/2001	4/12/2001	

	consultation		66 FR 18873	
568	ICC member roles in consultation	3/30/2001	4/12/2001, 66 FR 18873	
569	ICC member responsibilities in Consultation	3/30/2001	4/12/2001, 66 FR 18873	
570	General consultation process	3/30/2001	4/12/2001, 66 FR 18873	
571	Consultation procedures	3/30/2001	4/12/2001, 66 FR 18873	
572	Final conformity determinations by USDOT	3/30/2001	4/12/2001, 66 FR 18873	
573	Resolving conflicts	3/30/2001	4/12/2001, 66 FR 18873	
574	Public consultation procedures	3/30/2001	4/12/2001, 66 FR 18873	
579	Baselines for prevention of significant deterioration	3/28/2023	12/5/2024, 89 FR 96554	
580	Classification of prevention of significant deterioration areas	3/28/2023	12/5/2024, 89 FR 96554	
581	Prevention of significant deterioration (PSD) increments	3/28/2023	12/5/2024, 89 FR 96554	
600	Rules for control of open burning	3/28/2023	12/5/2024, 89 FR 96554	
601	Fire permits, hazardous materials, and liability	3/28/2023	12/5/2024, 89 FR 96554	
602	Nonpreemption of other jurisdiction	3/28/2023	12/5/2024, 89 FR 96554	
603	General requirements	3/28/2023	12/5/2024, 89 FR 96554	
606	Categories of allowable burning	3/28/2023	12/5/2024, 89 FR 96554	
607	Recreational and warming fires	3/28/2023	12/5/2024, 89 FR 96554	
608	Weed control fires	3/28/2023	12/5/2024, 89 FR 96554	
609	Training fires	3/28/2023	12/5/2024, 89 FR 96554	
611	Residential yard waste fires	3/28/2023	12/5/2024, 89 FR 96554	
612	Solid waste facility fires	3/28/2023	12/5/2024, 89 FR 96554	

613	Orchard fires	3/28/2023	12/5/2024, 89 FR 96554	
614	Prescribed fires	3/28/2023	12/5/2024, 89 FR 96554	
615	Dangerous material fires	3/28/2023	12/5/2024, 89 FR 96554	
616	Infectious waste burning	3/28/2023	12/5/2024, 89 FR 96554	
617	Crop residue disposal	3/28/2023	12/5/2024, 89 FR 96554	
618	Permit by rule	3/28/2023	12/5/2024, 89 FR 96554	
619	Registration	3/28/2023	12/5/2024, 89 FR 96554	
620	Burn fee	3/28/2023	12/5/2024, 89 FR 96554	
621	Burn approval	3/28/2023	12/5/2024, 89 FR 96554	
622	General provisions	3/28/2023	12/5/2024, 89 FR 96554	
623	Public notification	3/28/2023	12/5/2024, 89 FR 96554	
624	Spot and baled crop residue burn and propane flaming requirements	3/28/2023	12/5/2024, 89 FR 96554	
625	Visible emissions	3/28/2023	12/5/2024, 89 FR 96554	
650	Rules for control of fugitive dust	3/28/2023	12/5/2024, 89 FR 96554	
651	General rules	3/28/2023	12/5/2024, 89 FR 96554	
665	Regional haze rules	3/28/2023	12/5/2024, 89 FR 96554	
666	Reasonable progress goals	3/28/2023	12/5/2024, 89 FR 96554	
667	Long-term strategy for regional haze	3/28/2023	12/5/2024, 89 FR 96554	
675	Fuel burning equipment – particulate matter	3/28/2023	12/5/2024, 89 FR 96554	
676	Standards for new sources	3/28/2023	12/5/2024, 89 FR 96554	
677	Standards for minor and existing sources	3/28/2023	12/5/2024, 89 FR 96554	
678	Combinations of fuels	3/28/2023	12/5/2024, 89 FR 96554	
679	Averaging period	3/28/2023	12/5/2024, 89 FR 96554	
680	Altitude correction	3/28/2023	12/5/2024, 89 FR 96554	

681	Test methods and procedures	3/28/2023	12/5/2024, 89 FR 96554	
700	Particulate matter – process weight limitations	3/28/2023	12/5/2024, 89 FR 96554	
701	Particulate matter – new equipment process weight limitations	3/28/2023	12/5/2024, 89 FR 96554	
702	Particulate matter – existing equipment process weight limitations	3/28/2023	12/5/2024, 89 FR 96554	
703	Particulate matter – other processes	3/28/2023	12/5/2024, 89 FR 96554	
725	Rules for sulfur content of fuels	3/28/2023	12/5/2024, 89 FR 96554	
790	Rule for the control of nonmetallic mineral processing plants	3/15/2002	8/12/2016, 81 FR 53290	
791	General control requirements	3/28/2023	12/5/2024, 89 FR 96554	
793	Emissions standards for nonmetallic mineral processing plants not subject to 40 CFR part 60, subpart OOO	3/28/2023	12/5/2024, 89 FR 96554	
794	Permit requirements	3/28/2023	12/5/2024, 89 FR 96554	Except subsection 794.04.
795	Permit by rule requirements	3/28/2023	12/5/2024, 89 FR 96554	
796	Applicability	3/28/2023	12/5/2024, 89 FR 96554	
797	Registration for permit by rule	3/28/2023	12/5/2024, 89 FR 96554	
798	Electrical generators	3/28/2023	12/5/2024, 89 FR 96554	
799	Nonmetallic mineral processing plan fugitive dust best management practice	3/15/2002	8/12/2016, 81 FR 53290	
815	Rules for control of kraft pulp mills	3/28/2023	12/5/2024, 89 FR 96554	
818	Kraft pulp mill LVHC and HVLC gas venting notification and reporting	3/28/2023	12/5/2024, 89 FR 96554	

Table 2 to Paragraph (c)—State Statutes

State citation	Title/subject	State effective date	EPA approval date	Explanations
Section 4 of Senate Bill 1024, codified at Idaho Code section 39-114	Open Burning of Crop Residue	2/26/2019	12/9/2019, 84 FR 67189	
Idaho Code section 39-107(1)(a)	Board— Composition— Officers— Compensation— Powers—Subpoena— Depositions— Review—Rules	7/1/2022	5/26/2023, 88 FR 34093	To satisfy the requirements of CAA section 128(a)(1) and CAA section 110(a)(2)(E)(ii) for all criteria pollutants.
Idaho Code section 39.103	Definitions	7/1/2010	12/5/2024, 89 FR 96554	Except (4), (5), (8), (9), (10), (12), (13), (14), (15), (16), (17), and (18).

Table 3 to Paragraph (c)— City and County Codes and Ordinances

State citation	Title/subject	State effective date	EPA approval date	Explanations
City of Sandpoint Ordinance No. 939	Material Specifications for Street Sanding Material	2/22/1994 (City adoption date)	6/26/2002, 67 FR 43006	Sandpoint PM10 Nonattainment Area Plan.
City of Sandpoint Chapter 8 Air Quality (4-8-1 through 4-8-14)	Solid Fuel Heating Appliances	9/21/2011 (City adoption date)	4/3/2013, 78 FR 20001	Codified version of City of Sandpoint Ordinance No. 965 as amended by Ordinance No. 1237 and Ordinance No. 1258. Sandpoint PM ₁₀ Limited Maintenance Plan.
Boise City Ordinance 4432	Parking Permits	8/13/1979 (City approval date)	6/6/1985, 50 FR 23810	Transportation Control Plan for carbon monoxide, Ada County.
City of Garden City Ordinance 514, 533, and	Solid Fuel Heating Appliance Ordinance of the City of Garden	5/14/1987, 1/10/1989, 9/13/1994 (City	5/30/1996, 61 FR 27019	Northern Ada County PM10 Nonattainment Area Plan.

624	City, Idaho	approval dates)		
Meridian Ordinance 667	Meridian Clean Air Ordinance	8/16/1994 (City approval date)	5/30/1996, 61 FR 27019	Northern Ada County PM10 Nonattainment Area Plan.
City of Eagle Ordinance 245	City of Eagle Clean Air Ordinance	4/26/1994 (City approval date)	5/30/1996, 61 FR 27019	Northern Ada County PM10 Nonattainment Area Plan.
Ada County Ordinance 254	Ada County Clean Air Ordinance	11/3/1992 (County adoption date)	5/30/1996, 61 FR 27019	Northern Ada County PM10 Nonattainment Area Plan.
Table: Ordinance-1	Explanation of enforcement procedures, responsibilities and sources of funding for the Northern Ada County Wood Burning Control Ordinances	12/30/1994 (date of table)	5/30/1996, 61 FR 27019	Northern Ada County PM10 Nonattainment Area Plan.
City of Pocatello Ordinance 2450	Residential wood combustion curtailment ordinance	1/12/1994	7/13/2006, 71 FR 39574	Portneuf Valley Nonattainment Area Plan and Maintenance Plan.
City of Pocatello Ordinance 2726	Revised air quality curtailment levels	9/18/2003	7/13/2006, 71 FR 39574	Portneuf Valley Nonattainment Area Plan and Maintenance Plan.
City of Chubbuck Ordinance 403	Residential wood combustion curtailment ordinance	11/23/1993	7/13/2006, 71 FR 39574	Portneuf Valley Nonattainment Area Plan and Maintenance Plan.
City of Chubbuck Ordinance 582	Revised air quality curtailment levels	12/9/2003	7/13/2006, 71 FR 39574	Portneuf Valley Nonattainment Area Plan and Maintenance Plan.
City of Clifton Ordinance No. 120	Ordinance No. 120	8/11/2012	3/25/2014, 79 FR 16201	Except Section 9 (Penalty).
City of Dayton Ordinance #287	Ordinance #287	8/8/2012	3/25/2014, 79 FR 16201	Except Section 9 (Penalty).
Franklin City Ordinance No. 2012-9-12	Solid Fuel Heating Appliances	9/12/2012	3/25/2014, 79 FR 16201	Except Section 9 (Penalty).
Franklin County	Solid Fuel Heating Appliances	6/25/2012	3/25/2014, 79 FR 16201	Except Section 9 (Penalty).

Ordinance No. 2012-6-25				
City of Oxford Memorandum of Understanding	Solid Fuel Heating Appliances	10/22/2012	3/25/2014, 79 FR 16201	Except #2 of the MOA and Section 9 of Exhibit A.
City of Preston Ordinance No. 2012-1	Ordinance No. 2012-1	6/11/2012	3/25/2014, 79 FR 16201	Except Section 9 (Penalty).
City of Weston Ordinance No. 2012-01	Ordinance No. 2012-01	8/1/2012	3/25/2014, 79 FR 16201	Except Section 9 (Penalty).

(d) *EPA approved source-specific requirements.*

Table 4 to Paragraph (d)—State Source-Specific Requirements¹

Name of source	Permit No.	State effective date	EPA approval date	Explanation
LP Wood Polymers, Inc., Meridian, Idaho	001-00115	7/12/2002	10/27/2003, 68 FR 61106	The following conditions: 1.1, 1.3, 3.1, and the Appendix. (Boise/Ada County Maintenance Plan).
Consolidated Concrete Company, Boise, Idaho	001-00046	12/3/2001	10/27/2003, 68 FR 61106	The following conditions: 1.1, 1.3, 2.3, 3.1, 3.2, and the Appendix. (Boise/Ada County Maintenance Plan).
Crookham Company, Caldwell, Idaho	027-00020	1/18/2002	10/27/2003, 68 FR 61106	The following conditions: 1.1, 1.3, 2.1, 2.3, 3.1, 3.1.1, 3.1.2, 3.2, and the Appendix. (Boise/Ada County Maintenance Plan).
Double D Service Center, Meridian, Idaho	001-00168	2/4/2002	10/27/2003, 68 FR 61106	The following conditions: 1.1, 1.3, 3.1, 3.2.1, 3.2.2, 3.2.3, and the Appendix. (Boise/Ada County Maintenance Plan).
Plum Creek Northwest Lumber, Inc., Meridian, Idaho	001-00091	7/12/2002	10/27/2003, 68 FR 61106	The following conditions: 1.1, 1.3, 2.1.2, 3.1, and the Appendix. (Boise/Ada County Maintenance Plan).

C. Wright Construction, Inc., Meridian, Idaho	T2-000033	7/8/2003	10/27/2003, 68 FR 61106	The following conditions: 2 (heading only), 2.5, (2.12, Table 2.2 as it applies to PM ₁₀), 2.14, 3 (heading only), 3.3, Table 3.2, 3.4, 3.5, 3.6, 3.7, 3.8, 3.10, 4 (heading only), 4.2, 4.3, 4.4, 4.7, 5, and Table 5.1. (Boise/Ada County Maintenance Plan).
Nelson Construction Co., Boise, Idaho	T2-020029	7/21/2003	10/27/2003, 68 FR 61106	The following conditions: 2 (heading only), 2.12, 2.14, 3 (heading only), 3.3, 3.4, 3.6, 3.7, 3.9, 3.10, 3.11, 3.12, 4 (heading only), 4.3, 4.4, 4.5, 4.6, 5, and Table 5.1. (Boise/Ada County Maintenance Plan).
Mike's Sand and Gravel, Nampa, Idaho	001-00184	7/12/2002	10/27/2003, 68 FR 61106	The following conditions: 1.1, 1.3, 2.2.1, 3.1, and the Appendix. (Boise/Ada County Maintenance Plan).
Idaho Concrete Co., Eagle, Idaho	T2-020031	7/8/2003	10/27/2003, 68 FR 61106	The following conditions: 2 (heading only), 2.5, 2.13, 3 (heading only), 3.3, 3.4, 3.6, 3.7, 3.8, 4 (heading only), and Table 4.1. (Boise/Ada County Maintenance Plan).
Idaho Concrete Co., Eagle, Idaho	T2-020032	7/8/2003	10/27/2003, 68 FR 61106	The following conditions: 2 (heading only), 2.5, 2.13, 3 (heading only), 3.3, 3.4, 3.6, 3.7, 3.8, 4 (heading only), and Table 4.1. (Boise/Ada County Maintenance Plan).
Idaho Concrete Co. Eagle, Idaho	T2-020033	7/8/2003	10/27/2003, 68 FR 61106	The following conditions: 2 (heading only), 2.5, 2.13, 3 (heading only), 3.3, 3.4, 3.6, 3.7, 3.8, 4 (heading only), and Table 4.1. (Boise/Ada County Maintenance Plan).

The Amalgamated Sugar Company LLC, Nampa, Idaho	027-00010	9/30/2002	10/27/2003, 68 FR 61106 and 11/1/2004, 69 FR 63324	The following conditions: 2 (heading only), (2.7, Table 2.2 as it applies to PM ₁₀ ,) 2.10, 2.10.1, 2.10.2, 2.11, 2.11.1, 2.11.2, 2.11.3, 2.11.4, 2.11.5, 2.12, 2.12.1, 2.12.2, 2.12.3, 2.13, 2.13.1, 2.13.2, 2.13.3, 2.14, 2.14.1, 2.14.2, 2.16, 3 (heading only), (3.3, Table 3.2 as it applies to PM ₁₀), 3.5, 3.7, 3.8, 3.8.1, 3.8.2, 3.8.3, 3.8.4, 3.8.5, 3.8.6, 3.8.7, 3.8.8, 3.9, 4 (heading only), (4.3, Table 4.1 as it applies to PM ₁₀), 4.5, 4.6, 4.7, 5 (heading only), (5.3, Table 5.3 as it applies to PM ₁₀), 5.5, 5.9, 5.9.1, 5.9.2, 5.9.3, 5.9.4, 5.9.5, 5.9.6, 5.9.7, 5.9.8, 5.9.9, 5.10, 5.11, 6 (heading only), 6.3, Table 6.1, 6.5, 6.6, 6.7, 6.7.1, 6.7.2, 6.8, 7 (heading only), 7.3, Table 7.1 as it applies to PM ₁₀ , 7.5, 7.7, 7.7.1, 7.7.2, 7.8, 8 (heading only), 8.3, Table 8.1, 8.5, 8.7, 8.7.1, 8.7.2, 8.8, 9 (heading only), 9.3, Table 9.1, 9.5, 9.7, 9.7.1, 9.7.2, 9.8, 10 (heading only), 10.3, Table 10.1, 10.6, 10.8, 10.8.1, 10.8.2, 10.9, 11 (heading only), 11.3, Table 11.2, 11.6, 11.8, 11.8.1, 11.8.2, 11.9, 12 (heading only), 12.3, Table 12.1, 12.5, 12.7, 12.7.1, 12.7.2, 12.8, 13 (heading only), 13.1 (except as it applies to condition 13.3, 13.3.1, 13.3.2, 13.5, 13.5.1, 13.5.2, 13.5.3, 13.6, 13.6.1, 13.6.2 and 13.9), Table 13.1 (except conditions 13.3, 13.5 and 13.6), (13.2, Table 13.2 as it applies to PM ₁₀), 13.2.1, 13.4, 13.4.1, 13.4.2, 13.4.3, 13.7, 13.7.1, 13.7.2, 13.8, 13.8.1, 13.8.2, 13.8.3, 13.10, and 13.11. (Boise/Ada County PM ₁₀ Maintenance Plan).
Lake Pre-Mix, Sandpoint, Idaho	777-00182	5/17/1996	6/26/2002, 67 FR 43006	The following conditions for the cement silo vent: 1.1, 2.1.1, 2.1.2, 3.1.1, and 3.1.2. (Sandpoint nonattainment area plan).

Interstate Concrete and Asphalt, Sandpoint, Idaho	017-00048	8/2/1999	6/26/2002, 67 FR 43006	The following conditions: for the asphalt plant, 2.2, 3.1.1, 4.1, 4.1.1, 4.1.2, 4.2.1 (as it applies to the hourly PM ₁₀ emission limit in Appendix A), 4.2.2, 4.2.2.1, 4.2.2.2, and 4.2.2.3; for the concrete batch plant, 2.1, 3.1.1, 4.1, 4.1.1, and 4.1.2; Appendix A (as it applies to PM ₁₀ emission rates after 7/1/96) and Appendix B (as it applies after 7/1/96). (Sandpoint nonattainment area plan).
Whiteman Lumber Company, Cataldo, ID	13-1420-062	7/16/1979 (date issued)	7/28/1982, 47 FR 32530	Silver Valley TSP Nonattainment Area Plan.
Potlatch Corporation, Pulp and Paper Unit, Lewiston, ID	13-1140-0001-00	7/5/1979 (date issued)	7/28/1982, 47 FR 32530	Lewiston TSP Nonattainment Area Plan.
Potlatch Corporation, Clearwater Unit, Lewiston, ID	13-1140-0003	7/5/1979 (date issued)	7/28/1982, 47 FR 32530	Lewiston TSP Nonattainment Area Plan.
Coast Trading Company, Inc., Lewiston, ID	13-1140-0011	6/29/1979 (date issued)	7/28/1982, 47 FR 32530	Lewiston TSP Nonattainment Area Plan.
Lewis-Clark Terminal Association, Lewiston, ID	13-1140-0010	6/29/1979 (date issued)	7/28/1982, 47 FR 32530	Lewiston TSP Nonattainment Area Plan.
Poe Asphalt, Lewiston, ID	0880-0008	3/1/1976 (effective date)	7/28/1982, 47 FR 32530	Lewiston TSP Nonattainment Area Plan.
FMC Corporation, Pocatello, ID ²	13-1260-0005	2/26/1980 (date issued)	7/28/1982, 47 FR 32530	Pocatello TSP Nonattainment Area Plan.
J.R. Simplot, Pocatello, ID	13-1260-0006-00	3/4/1980 (date issued)	7/28/1982, 47 FR 32530	Pocatello TSP Nonattainment Area Plan.
Idaho Portland Cement Company, Inkom, ID	13-0080-0004-00	7/18/1979 (date issued)	7/28/1982, 47 FR 32530	Pocatello TSP Nonattainment Area Plan.

J.R. Simplot Company, Conda, ID	13-0420-0021-00	7/18/1979 (date issued)	7/28/1982, 47 FR 32530	Soda Springs TSP Nonattainment Area Plan.
Beker Industries, Conda, ID	13-0420-0003-00	7/18/1979 (date issued)	7/28/1982, 47 FR 32530	Soda Springs TSP Nonattainment Area Plan.
Monsanto, Soda Springs, ID	13-0420-0001-00	7/18/1979 (date issued)	7/28/1982, 47 FR 32530	Soda Springs TSP Nonattainment Area Plan.
Kerr McGee, Soda Springs, ID	13-0420-0002-00	7/18/1979 (date issued)	7/28/1982, 47 FR 32530	Soda Springs TSP Nonattainment Area Plan.
J.R. Simplot, Pocatello, Idaho	Air Pollution Operating Permit No. T1-9507-114-1; Facility Number No. 077-00006	4/5/2004	7/13/2006, 71 FR 39574	The following conditions: Cover page, facility identification information only, #300 Sulfuric Acid Plant, Permit Conditions 16.1, 16.10, 16.11, #400 Sulfuric Acid Plant, Permit Condition 17.1, 17.7, 17.10, 17.11, Phosphoric acid plant, Permit Condition 12.3, 12.13, Granulation No. 3 Process, Permit Condition 9.2.1, Granulation No. 3 stack, 9.17 (except 9.17.1 through 9.17.6), Reclaim Cooling Towers, Permit Condition 14.2, 14.6.1, Babcock & Wilcox Boiler, Permit Condition 6.4, 6.12, HPB&W Boiler, Permit Condition 5.3, 5.13 through 5.18, 5.21.
J.R. Simplot, Pocatello, Idaho	Compliance Agreement & Voluntary Order Idaho Code 39-116A	4/16/2004	7/13/2006, 71 FR 39574	The following conditions: No. 300 Sulfuric Acid Plant; Condition 8 and 9. No. 400 Sulfuric Acid Plant; Condition 10, 11, and 12. Granulation No.1 Plant; Condition 14. Granulation No.2 Plant; Condition 15. Compliance and Performance Testing; Condition 16.
The Amalgamated Sugar Company LLC—Nampa Factory, Nampa, Idaho	T2-2009.0105	12/23/2011 (date issued)	4/28/2014, 79 FR 23273	The following conditions: 1.2, including the table of Regulated Emission Point Sources Table, 3.2, 3.3 (first paragraph only), 3.4, 3.5, 3.6, 3.7, 3.8, 3.9, 3.11, 3.13, 3.14, 3.15, 3.16, and 4.1.

P4 Production, L.L.C., Soda Springs, Idaho	T2- 2009.0109	11/17/2009 (date issued)	6/22/2011, 76 FR 36329	The following conditions: 1.2 (including Table 1.1), 2.3, 2.4, 2.5, 2.6, 2.7, and 2.8. (Regional Haze SIP Revision).
Clearwater Paper Corp, Lewiston, Idaho	T1- 2020.0024	3/30/2023	9/5/2025, 90 FR 42821	Permit conditions 5.4, 5.5, 5.6, 5.7, 5.10, 5.11, 5.12, 5.13, 5.14, 5.15, 7.1, 7.4, 7.9, 7.10, 8.1, 8.6, 9.1, 9.2, 9.6, 9.11, 26.22, 26.23, 26.26, 26.27, 26.28, and 26.29 only.
ITAFOS Conda LLC, Soda Springs, Idaho	T1- 2016.0015	3/2/2022	9/5/2025, 90 FR 42821	Permit conditions 5.1, 5.4, 5.5, 5.11, 16.22, and 16.23 only.
Northwest Pipeline LLC, Soda Springs, Idaho	Compliance Agreement Schedule Case No. E- 2023.0011	9/1/2023	9/5/2025, 90 FR 42821	
P4 Production LLC, Soda Springs, Idaho	Compliance Agreement Schedule Case No. E- 2023.0013	11/27/2021	9/5/2025, 90 FR 42821	
P4 Production LLC, Soda Springs, Idaho	T1- 2020.0029	12/23/2021	9/5/2025, 90 FR 42821	Permit conditions 4.2, 4.4, 4.5, 4.6, 4.7, 4.19, 4.20, 4.21, 13.22, and 13.23 only.
J.R. Simplot, Pocatello, Idaho	T1- 2017.0024	3/29/2023	9/5/2025, 90 FR 42821	Permit conditions 15.9, 15.10, 15.11, 15.19, 15.20, 15.21, 15.22, 15.25, 15.27, 16.6, 16.9, 16.10, 16.19, 16.20, 16.21, 16.22, 16.26, 16.27, 18.22, and 18.23 only.
Tamarack Mill LLC, New Meadows, Idaho	T1-2019- 0024	10/17/2022	9/5/2025, 90 FR 42821	Permit conditions 5.2, 5.3, 5.5, 5.8, 5.17, 10.22, and 10.23 only.
The Amalgamated Sugar Company LLC— Nampa Factory, Nampa, Idaho	P- 2018.0011	2/15/2023	9/5/2025, 90 FR 42821	Permit condition 4.8 only.

The Amalgamated Sugar Company LLC—Paul Factory, Paul, Idaho	T1-2019-0020	11/5/2021	9/5/2025, 90 FR 42821	Permit conditions 4.3, 4.4, 4.5, 4.7, 4.9, 4.10, 4.11, 4.12, 4.15, 4.16, 4.18, 11.22, and 11.23 only
The Amalgamated Sugar Company LLC—Twin Falls, Twin Falls, Idaho	T1-2016.0017	1/21/2022	9/5/2025, 90 FR 42821	Permit condition 4.9 and 5.2 only.

¹ EPA does not have the authority to remove these source-specific requirements in the absence of a demonstration that their removal would not interfere with attainment or maintenance of the NAAQS, violate any prevention of significant deterioration increment or result in visibility impairment. Idaho Department of Environmental Quality may request removal by submitting such a demonstration to EPA as a SIP revision.

² Only a small portion of this facility is located on State lands. The vast majority of the facility is located in Indian Country. It is EPA’s position that unless EPA has explicitly approved a program as applying in Indian country, State or local regulations or permits are not effective within the boundaries of that Indian country land for purposes of complying with the CAA. See 68 FR 2217, 2220 (January 16, 2003).

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