



ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R09-OAR-2024-0175; FRL-11888.1-01-R9]

Air Plan Approval; California; San Joaquin Valley Unified Air Pollution Control District; Ventura County Air Pollution Control District; South Coast Air Quality Management District; Oil and Gas Production; Volatile Organic Compounds

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is taking final action to approve revisions to the San Joaquin Valley Unified Air Pollution Control District (SJVUAPCD), Ventura County Air Pollution Control District (VCAPCD), and South Coast Air Quality Management District (SCAQMD) portions of the California State Implementation Plan (SIP). These revisions concern emissions of volatile organic compounds (VOCs) from crude oil and natural gas production facilities. We are approving local rules that regulate these emission sources under the Clean Air Act (CAA or “Act”).

DATES: This rule is effective [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

ADDRESSES: The EPA has established a docket for this action under Docket ID No. EPA-R09-OAR-2024-0175. All documents in the docket are listed on the <https://www.regulations.gov> web site. Although listed in the index, some information is not publicly available, e.g., Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available through <https://www.regulations.gov>, or please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section for additional availability information. If

you need assistance in a language other than English or if you are a person with a disability who needs a reasonable accommodation at no cost to you, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section.

FOR FURTHER INFORMATION CONTACT: Nicole Law, EPA Region IX, 75 Hawthorne St., San Francisco, CA 94105. By phone: (415) 947-4126 or by email at Law.Nicole@epa.gov.

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

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I. Proposed Action

On May 3, 2024, (89 FR 36729), the EPA proposed to approve the following rules into the California SIP.

Agency	Rule #	Rule Title	Amended/Revised	Submitted
SJVUAPCD	4409	Components at Light Crude Oil Production Facilities, Natural Gas Production Facilities, and Natural Gas Processing Facilities	06/15/2023	10/13/2023
SJVUAPCD	4623	Storage of Organic Liquids	06/15/2023	10/13/2023
SJVUAPCD	4401	Steam-Enhanced Crude Oil Production Wells	06/15/2023	10/13/2023
VCAPCD	71.1	Crude Oil Production and Separation	07/11/2023	01/10/2024
SCAQMD	463	Organic Liquid Storage	05/05/2023	10/13/2023
SCAQMD	1178	Further Reductions of VOC Emissions from Storage Tanks at Petroleum Facilities	09/01/2023	02/14/2024

We proposed to approve these rules because we determined that they comply with the relevant CAA requirements. Our proposed action contains more information on the rules and our evaluation. Our proposed action also proposed to approve California Code of Regulations, Title

17, Division 3, Chapter 1, Subchapter 10 Climate Change, Article 4 Subarticle 13: Greenhouse Gas Emission Standards for Crude Oil and Natural Gas Facilities (“CARB Oil and Gas Rule”) as well as the Reasonably Available Control Technology (RACT) requirement for the 2008 and 2015 ozone NAAQS for sources covered by the EPA’s 2016 Control Techniques Guidelines for the Oil and Natural Gas Industry (“2016 Oil and Gas CTG”). We plan to finalize action on these components in a separate final rulemaking.

II. Public Comments and EPA Responses

The EPA’s proposed action provided a 30-day public comment period. During the comment period we received two comment letters. The first comment letter was submitted by Voices in Solidarity Against Oil in Neighborhoods, Central California Environmental Justice Network, FracTracker Alliance, the Center for Biological Diversity, and Earthjustice. The second comment letter was submitted by Earthjustice, Physicians for Social Responsibility Los Angeles, Center for Biological Diversity, San Francisco Bay Physicians for Social Responsibility, FracTracker Alliance, Voices in Solidarity Against Oil in Neighborhoods, SanDiego350 – Climate Change Action, Friends of the Earth US, Central California Environmental Justice Network, The Climate Center, Oil and Gas Action Network, and Labor Network for Sustainability. Both letters provide comments on the CARB Oil and Gas Rule and RACT determination, but no comments pertain specifically to the local air district rules. Nothing in the submitted comments suggests that the rules are not SIP strengthening and should not be approved into the California SIP. All comments received will be addressed when we finalize action on the CARB Oil and Gas Rule and the accompanying RACT determinations for the 2016 Oil and Gas CTG.

III. EPA Action

No comments were submitted that change our assessment of the approvability of the rules as described in our proposed action. Therefore, as authorized in section 110(k)(3) of the Act, the EPA is approving these rules into the California SIP. The EPA is not at this time determining

whether the rules, combined with the CARB Oil and Gas Rule, meet the RACT requirement for covered sources. The newly submitted versions of the six local air district rules will replace the previously approved versions of rules in the SIP. We previously approved earlier versions of the six local air rules as follows: SJVUAPCD Rule 4409 on March 23, 2006 (71 FR 14652), SJVUAPCD Rule 4623 on September 13, 2005 (70 FR 53936), SJVUAPCD Rule 4401 on November 16, 2011 (76 FR 70886), VCAPCD Rule 71.1 on August 4, 1994 (59 FR 39690), SCAQMD Rule 463 on March 28, 2013 (78 FR 18853), and SCAQMD Rule 1178 on August 28, 2007 (72 FR 49196).

IV. Incorporation by Reference

In this rule, 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 SJVUAPCD Rule 4409, “Components at Light Crude Oil Production Facilities, Natural Gas Production Facilities, and Natural Gas Processing Facilities” (amended June 15, 2023); SJVUAPCD Rule 4623, “Storage of Organic Liquids” (amended June 15, 2023); and SJVUAPCD Rule 4401, “Steam-Enhanced Crude Oil Production Wells” (amended June 15, 2023). The EPA is also incorporating by reference VCAPCD Rule 71.1, “Crude Oil Production and Separation” (revised July 11, 2023); SCAQMD Rule 463, “Organic Liquid Storage” (amended May 5, 2023); and SCAQMD Rule 1178, “Further Reductions of VOC Emissions from Storage Tanks at Petroleum Facilities” (amended September 1, 2023). These rules regulate VOC emissions from crude oil and natural gas facilities. The EPA has made, and will continue to make, these documents available through <https://www.regulations.gov> and at the EPA Region IX 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 CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the 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 CAA. Accordingly, this proposed action merely proposes to approve State law as meeting Federal requirements and does not impose additional requirements beyond those imposed by State law. For that reason, this proposed 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 proposes to approve 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 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).

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by **[INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*]**. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

Dated: April 16, 2026.

Michael Martucci,
Acting Regional Administrator, Region IX.

For the reasons stated in the preamble, the EPA amends 40 CFR part 52 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 F—California

2. Section 52.220 is amended by adding paragraphs (c)(189)(i)(B)(4), (c)(337)(i)(A)(4) and (5), (c)(345)(i)(A)(4), (c)(402)(i)(A)(3), (c)(411)(i)(F)(2), (c)(612)(i)(B), (c)(619)(i)(A)(2) through (4), (c)(619)(i)(B), and (c)(626)(i)(B) to read as follows:

§ 52.220 Identification of plan – in part.

	*	*	*	*	*
(c)	*	*	*		
(189)	*	*	*		
(i)	*	*	*		
(B)	*	*	*		

(4) Previously approved on August 4, 1994, in paragraph (c)(189)(i)(B)(1) of this section and now deleted with replacement in (c)(626)(i)(B)(1) of this section: Rule 71.1, adopted on June 16, 1992.

	*	*	*	*	*
(337)	*	*	*		
(i)	*	*	*		
(A)	*	*	*		

(4) Previously approved on September 19, 2005, in paragraph (c)(337)(i)(A)(1) of this section and now deleted with replacement in (c)(619)(i)(A)(4) of this section: Rule 4623, amended on May 19, 2005.

(5) Previously approved on July 15, 2005, in paragraph (c)(337)(i)(A)(2) of this section and now deleted with replacement in (c)(619)(i)(A)(3) of this section: Rule 4409, adopted on April 20,

2005.

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(345) * * *

(i) * * *

(A) * * *

(4) Previously approved on August 28, 2007, in paragraph (c)(345)(i)(A)(2) of this section and now deleted with replacement in (c)(612)(i)(B)(I) of this section: Rule 1178, amended on April 7, 2006.

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(402) * * *

(i) * * *

(A) * * *

(3) Previously approved on November 16, 2011, in paragraph (c)(402)(i)(A)(I) of this section and now deleted with replacement in (c)(619)(i)(A)(2) of this section: Rule 4401, adopted on June 16, 2011.

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(411) * * *

(i) * * *

(F) * * *

(2) Previously approved on March 28, 2013, in paragraph (c)(411)(i)(F)(I) of this section and now deleted with replacement in (c)(619)(i)(B)(I) of this section: Rule 463, amended on November 4, 2011.

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(612) * * *

(i) * * *

(B) South Coast Air Quality Management District.

(1) Rule 1178, “Further Reductions of VOC Emissions from Storage Tanks at Petroleum Refineries,” amended on September 1, 2023.

(2) [Reserved]

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(619) * * *

(i) * * *

(A) * * *

(2) Rule 4401, “Steam-Enhanced Crude Oil Production Wells,” amended on June 15, 2023.

(3) Rule 4409, “Components at Light Crude Oil Production Facilities, Natural Gas Production Facilities, and Natural Gas Processing Facilities,” amended on June 15, 2023.

(4) Rule 4623, “Storage of Organic Liquids,” amended on June 15, 2023.

(B) South Coast Air Quality Management District.

(1) Rule 463, “Organic Liquid Storage,” amended on May 5, 2023.

(2) [Reserved]

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(626) * * *

(i) * * *

(B) Ventura County Air Pollution Control District.

(1) Rule 71.1, “Crude Oil Production and Separation,” revised on July 11, 2023.

(2) [Reserved]

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