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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R06-OAR-2026-8383; FRL-13644-01-R6]

Air Plan Approval; Arkansas; 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 Arkansas State Implementation Plan (SIP). The regulations affected by this update have been previously submitted by the State of Arkansas 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.

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

ADDRESSES: The SIP materials for which incorporation by reference into 40 Code of Federal Regulations (CFR) part 52 is finalized through this action are available for inspection at the following locations: Environmental Protection Agency, Region 6, 1201 Elm Street, Suite 500, Dallas, TX 75202; and on the *https://www.regulations.gov* web site at Docket ID: EPA-R06-OAR-2026-8383.

FOR FURTHER INFORMATION CONTACT: Adina Wiley, EPA Region 6 Office, Air Permits Section; telephone number: (214) 665-2115; email address: *wiley.adina@epa.gov*.

SUPPLEMENTARY INFORMATION: Throughout this document "we," "us," and "our" means the EPA. We use multiple abbreviations and terms in this proposed rule.

While this list may not be exhaustive, for ease of reading and for reference purposes, the EPA defines the following terms and acronyms here:

APA – Administrative Procedures Act
CAA – Clean Air Act
CFR – Code of Federal Regulations
IBR – Incorporation by Reference
NAAQS – National Ambient Air Quality Standards
SIP – State Implementation Plan

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I. Executive Summary

A. What Action is the EPA Taking?

In this action, the EPA is providing notification of an update to the materials incorporated by reference into the Arkansas SIP as of September 30, 2026, and identified in 40 CFR 52.170(c) and 40 CFR 52.170(d). This update includes SIP materials submitted by Arkansas and approved by the EPA since the most recent Arkansas SIP Compilation completed March 16, 2006.[1]

B. What is the Legal Authority and What are the Requirements?

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 APA 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, makes corrections and clarifying changes to

[1] 71 FR 13543 (Mar. 16, 2006).

the tables in the CFR, and makes ministerial changes to the prefatory heading to the tables 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 Arkansas SIP Compilation and notification of corrections to the Arkansas "Identification of Plan" portion of the CFR. Further, pursuant to APA 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).

II. Background

Each State has a SIP containing the control measures and strategies used to attain and maintain the national ambient air quality standards (NAAQS) and meet other Clean Air Act requirements. 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 the 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 provision or specified changes to the given provision 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 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 *https://www.regulations.gov*.

On May 22, 1997 (62 FR 27968), the EPA revised the procedures for incorporating by reference, into the CFR, 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 1997 revised procedures to the Arkansas SIP on October 23, 1998 (63 FR 56824). The most recent SIP

Compilation update was approved on March 16, 2006 (71 FR 13543). This update includes SIP materials submitted by Arkansas and approved by EPA since the March 16, 2006, SIP Compilation update.

III. 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 previously EPA-approved regulations promulgated by Arkansas and federally effective prior to September 30, 2026. The EPA has made, and will continue to make, these materials generally available through *https://www.regulations.gov* and at the EPA Region 6 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 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, 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).

The EPA also believes that the provisions of section 307(b)(1) of the CAA 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 Arkansas 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 CAA 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: November 9, 2026.

Walter Mason,
Regional Administrator,
Region 6.

For the reasons stated in the preamble, the Environmental Protection Agency 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 E--Arkansas

2. Amend § 52.170 by revising and republishing paragraphs (b) through (d) to read as follows:

§52.170 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 September 30, 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 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 after September 30, 2026, will be incorporated by reference in the next update to the SIP compilation.

(2) EPA Region 6 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 that 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 Environmental Protection Agency, Region 6 Office at 1201 Elm Street, Suite 500, Dallas,

Texas 75270. If you wish to obtain material from the EPA Regional Office, please call (214) 665-7346. You may inspect the material with an EPA approval date prior to September 30, 2026, for Arkansas 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 *https://www.archives.gov/federal-register/cfr/ibr-locations*.

(c) *EPA approved regulations.*

EPA-APPROVED REGULATIONS IN THE ARKANSAS SIP

State citation	Title/subject	State submittal/effective date	EPA approval date	Explanation
Title 8. Environmental Law				
Chapter I. Arkansas Pollution Control and Ecology Commission, Department of Energy and Environment				
Subchapter B. Administration				
Part 12. Permit Fee Rules				
Subpart 1. General Provisions				
8 CAR Section 12-101	Title	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 12-102	Purpose	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 12-103	Definitions	02/04/2025	01/26/2026, 91 FR 3037	The Arkansas SIP does NOT include the definitions of "Category", "Certificate", "Confined Animal Operation", "Discretionary Major Facility", "Evaluation", "Laboratory", "Major Municipal Facility", "Non-Municipal Major

				Facility", "Parameter", and "Program".
8 CAR Section 12-104	Applicability	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 12-105	Severability	02/04/2025	01/26/2026, 91 FR 3037	
Subpart 2. Permit Fee Payment				
8 CAR Section 12-201	Permit fee payment	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 12-202	Refunds	02/04/2025	01/26/2026, 91 FR 3037	
Subpart 4. Air Permit Fees				
8 CAR Section 12-401	Applicability	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 12-402	Terms used in fee formulas	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 12-403	Initial fees	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 12-404	Annual fees	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 12-405	Modification fees	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 12-406	Administrative permit amendments and renewal permits	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 12-407	General permits	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 12-408	Permit fees for certain small business subject to part 70 permitting requirements	02/04/2025	01/26/2026, 91 FR 3037	
Subpart 8. Administrative Procedures				
8 CAR Section 12-801	Division review of fees	02/04/2025	01/26/2026, 91 FR 3037	

8 CAR Section 12-802	Appeals	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 12-803	Effective date	02/04/2025	01/26/2026, 91 FR 3037	
Subchapter D. Air Quality				
Part 41. Rules of the Arkansas Plan of Implementation for Air Pollution Control				
Subpart 1. Title, Intent and Purpose – Definitions				
8 CAR Section 41-101	Title	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 41-102	Applicability	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 41-103	Intent and construction	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 41-104	Severability	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 41-105	Incorporation by reference	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 41-106	Definitions	02/04/2025	01/26/2026, 91 FR 3037	
Subpart 2. Protection of the National Ambient Air Quality Standards				
8 CAR Section 41-201	Purpose	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 41-202	Division responsibilities	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 41-203	Regulated sources responsibilities	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 41-204	Delegated federal programs	02/04/2025	01/26/2026, 91 FR 3037	
Subpart 3. Minor Source Review				
8 CAR Section 41-301	General applicability	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 41-302	Approval criteria	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 41-303	Owner/operator’s responsibilities	02/04/2025	01/26/2026, 91 FR 3037	

8 CAR Section 41-304	Required information	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 41-305	Action on application	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 41-306	Public participation	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 41-307	Permit amendments	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 41-308	Exemption from permitting	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 41-309	[Reserved]	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 41-310	Permit revocation and cancellation	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 41-311	General permits	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 41-312	Dispersion modeling	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 41-313	Confidentiality	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 41-314	Operational flexibility – Applicant's duty to apply for alternative scenarios	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 41-315	Changes resulting in no emissions increases	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 41-316	Permit flexibility	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 41-317	Registration	02/04/2025	01/26/2026, 91 FR 3037	
Subpart 4. General Emissions Limitations Applicable to Equipment				
8 CAR Section 41-401	Purpose	02/04/2025	01/26/2026, 91 FR 3037	

8 CAR Section 41-402	General rules	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 41-403	Visible emission rules	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 41-404	Stack height/dispersion rules	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 41-405	Revised emissions limitation	02/04/2025	01/26/2026, 91 FR 3037	
Subpart 5. Upset and Emergency Conditions				
8 CAR Section 41-501	Upset conditions	02/04/2025	01/26/2026, 91 FR 3037	
Subpart 6. Sampling, Monitoring, and Reporting Requirements				
8 CAR Section 41-601	Purpose	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 41-602	Air emissions sampling	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 41-603	Continuous emissions monitoring	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 41-604	Notice of completion	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 41-605	Recordkeeping and reporting requirements	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 41-606	Public availability of emissions data	02/04/2025	01/26/2026, 91 FR 3037	
Subpart 8. Prevention of Significant Deterioration Rules of the Arkansas Plan of Implementation for Air Pollution Control				
8 CAR Section 41-801	Title	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 41-802	Purposes	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 41-803	Definitions	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 41-804	Adoption of rules	02/04/2025	01/26/2026, 91 FR 3037	
Subpart 9. Rules for the Control of Volatile Organic Compounds in Pulaski County				

8 CAR Section 41-901	Title	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 41-902	Purpose	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 41-903	Definitions	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 41-904	[Reserved]	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 41-905	Provisions for specific processes	02/04/2025	01/26/2026, 91 FR 3037	
Subpart 10. Major Source Permitting Requirements				
8 CAR Section 41-1001	Permitting procedure for part 70 source	02/04/2025	01/26/2026, 91 FR 3037	
Subpart 12. Stage 1 Vapor Recovery				
8 CAR Section 41-1201	Purpose	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 41-1202	Applicability	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 41-1203	Definitions	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 41-1204	Exemptions	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 41-1205	Prohibited activities	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 41-1206	Recordkeeping	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 41-1207	Inspections	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 41-1208	Vapor recovery systems	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 41-1209	Gasoline delivery vessels	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 41-1210	Owner/operator responsibility	02/04/2025	01/26/2026, 91 FR 3037	

8 CAR Section 41-1211	Test methods	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 41-1212	Effective date	02/04/2025	01/26/2026, 91 FR 3037	
Subpart 13. [Reserved]				
Subpart 14. Best Available Retrofit Technology				
8 CAR Section 41-1401	Purpose	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 41-1402	Definitions	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 41-1403	[Reserved]	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 41-1404	[Reserved]	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Sectio 41-1405	Best available retrofit technology requirements	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 41-1406	Compliance provisions	02/04/2025	01/26/2026, 91 FR 3037	
Subpart 15. [Reserved]				
Subpart 17. Effective Date				
8 CAR Section 41-1701	Effective Date	02/04/2025	01/26/2026, 91 FR 3037	
Appendix A. Insignificant Activities List				
8 CAR Section 41, Appendix A	Insignificant Activities List	02/04/2025	01/26/2026, 91 FR 3037	
Appendix B. National Ambient Air Quality Standards List				
8 CAR Section 41, Appendix B	National Ambient Air Quality Standards List	02/04/2025	01/26/2026, 91 FR 3037	
Part 42. Rules of the Arkansas Operating Air Permit Program				
Subpart 2. Requirement for a Permit - Applicability				
8 CAR Section 42-201	Requirement for a permit	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 42-202	Sources subject to permitting	02/04/2025	01/26/2026, 91 FR 3037	
Subpart 3. Applications for Permits				

8 CAR Section 42-301	Duty to apply	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 42-302	Standard application form and required information	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 42-307	Complete application	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 42-309	Applicant's duty to supplement or correct application	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 42-310	Certification by responsible official	02/04/2025	01/26/2026, 91 FR 3037	
Subpart 4. Action on Applications				
8 CAR Section 42-401	Action on part 70 permit applications	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 42-402	Final action on permit application	02/04/2025	01/26/2026, 91 FR 3037	
Subpart 5. Permit Review by the Public, Affected States, and the Environmental Protection Agency				
8 CAR 42-501	Applicability	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 42-502	Public participation	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 42-503	Transmission of permit information to the Administrator of the Environmental Protection Agency	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR 42-504	Review of draft permit by affected states	02/04/2025	01/26/2026, 91 FR 3037	
Part 43. Nonattainment New Source Review Requirements				
Subpart 1. General Provisions				
8 CAR Section 43-101	Title	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 43-102	Applicability	02/04/2025	01/26/2026, 91 FR 3037	

8 CAR Section 43-103	Severability	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 43-104	Definitions	02/04/2025	01/26/2026, 91 FR 3037	
Subpart 2. Preconstruction Review				
8 CAR Section 43-201	Requirement for a permit	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 43-202	Required information	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 43-203	Approval criteria	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 43-204	Offsets	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 43-205	Zones targeted for economic development	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 43-206	Control technology information	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 43-207	Approval to construct	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 43-208	Applicability to attainment or unclassifiable areas	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 43-209	Applicability of other rules	02/04/2025	01/26/2026, 91 FR 3037	
Subpart 3. Applicability Tests				
8 CAR Section 43-301	Actual-to-projected actual applicability test	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 43-302	Actual-to-potential test	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 43-303	[Reserved]	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 43-304	[Reserved]	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 43-305	Emission baseline credits	02/04/2025	01/26/2026, 91 FR 3037	

8 CAR Section 43-306	Relaxation of limitations	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 43-307	Modification to existing units	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 43-308	Public availability of information	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 43-309	Applicability to nitrogen oxides	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 43-310	Offset requirements	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 43-311	PM_{10} precursors	02/04/2025	01/26/2026, 91 FR 3037	
Subpart 4. [Reserved]				
Subpart 5. [Reserved]				
Subpart 6. [Reserved]				
Subpart 7. Actual PALs				
8 CAR Section 43-701	Applicability	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 43-702	Definitions	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 43-703	Permit application requirements	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 43-704	General requirements for establishing PALs	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 43-705	Public participation requirement for PALs	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 43-706	Setting the ten-year actuals PAL level	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 43-707	Contents of the PAL permit	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 43-708	Reopening of the PAL permit	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 43-709	PAL effective period	02/04/2025	01/26/2026, 91 FR 3037	

8 CAR Section 43-710	Expiration of a PAL	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 43-711	Renewal of a PAL	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 43-712	Increasing a PAL during the PAL effective period	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 43-713	Monitoring requirements for PALs	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 43-714	Recordkeeping requirements	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 43-715	Reporting and notification requirements	02/04/2025	01/26/2026, 91 FR 3037	
8 CAR Section 43-716	Transition requirements	02/04/2025	01/26/2026, 91 FR 3037	
Subpart 8. Effective Date				
8 CAR Section 43-801	Effective Date	02/04/2025	01/26/2026, 91 FR 3037	

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

EPA-APPROVED ARKANSAS SOURCE-SPECIFIC REQUIREMENTS

Name of source	Permit or Order No.	State approval/effective date	EPA approval date	Comments
Arkansas Electric Cooperative Corporation Carl E. Bailey Generating Station	Administrative Order LIS No. 18-071	08/07/2018	09/27/2019, 84 FR 51033	Unit 1.
Arkansas Electric Cooperative Corporation John L. McClellan Generating Station	Administrative Order LIS No. 18-071	08/07/2018	09/27/2019, 84 FR 51033	Unit 1.

Southwestern Electric Power Company Flint Creek Power Plant	Administrative Order LIS No. 18-072	08/07/2018	09/27/2019, 84 FR 51033	Unit 1.
Entergy Arkansas, Inc. Lake Catherine Plant	Administrative Order LIS No. 18-073	08/07/2018	09/27/2019, 84 FR 51033	Unit 4.
Entergy Arkansas, Inc. White Bluff Plant	Administrative Order LIS No. 18-073	08/07/2018	09/27/2019, 84 FR 51033	Units 1, 2, and Auxiliary Boiler.
Entergy Arkansas, Inc. Independence Plant	Administrative Order LIS No. 18-073	08/07/2018	09/27/2019, 84 FR 51033	Units 1 and 2.
Domtar Ashdown Mill	Permit #0287-AOP-R22	08/01/2019	03/22/2021, 86 FR 15104	Approval of plantwide conditions 32 to 43 of section VI from the permit, addressing emission limits for SO_2, NO_X, and PM_{10} and conditions for implementing the BART alternative for Power Boilers No. 1 and 2.
FutureFuel Chemical Company	Administrative Order LIS No. 22-085	08/03/2022	08/27/2026, 91 FR 55268	Three boiler system (SN:6M01-01).

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