

comply with all requirements applicable to snowmobiles.

(iii) The Superintendent may impose other terms and conditions as necessary to protect park resources, visitors, or employees. The Superintendent will notify the public of any changes through one or more methods listed in § 1.7 of this chapter.

(iv) This paragraph (l)(13) also applies to non-administrative oversnow vehicle use by affiliated persons.

(14) *What conditions apply to alcohol use while operating an oversnow vehicle?* In addition to 36 CFR 4.23, the following conditions apply:

(i) Operating or being in actual physical control of an oversnow vehicle is prohibited when the operator is under 21 years of age and the alcohol concentration in the operator's blood or breath is 0.02 grams or more of alcohol per 100 milliliters of blood, or 0.02 grams or more of alcohol per 210 liters of breath.

(ii) Operating or being in actual physical control of an oversnow vehicle is prohibited when the operator is a guide and the alcohol concentration in the operator's blood or breath is 0.04 grams or more of alcohol per 100 milliliters of blood or 0.04 grams or more of alcohol per 210 liters of breath.

(iii) This paragraph (1)(14) also applies to non-administrative oversnow vehicle use by affiliated persons.

(15) *Do other NPS regulations apply to the use of oversnow vehicles?* (i) The use of oversnow vehicles in Yellowstone National Park is subject to §§ 2.18(a) and (c), but not subject to §§ 2.18(b), (d), (e), and 2.19(b) of this chapter.

(ii) This paragraph (l)(15) also applies to non-administrative oversnow vehicle use by affiliated persons.

(16) *What forms of non-motorized oversnow transportation are allowed in the park?*

(i) Non-motorized travel consisting of skiing, skating, snowshoeing, or walking is permitted unless otherwise restricted under this section or other NPS regulations.

(ii) The Superintendent may designate areas of the park as closed, reopen previously closed areas, or establish terms and conditions for non-motorized travel within the park in order to protect visitors, employees, or park resources. The Superintendent will notify the public in accordance with § 1.7 of this chapter.

(iii) Dog sledding and ski-joring (a skier being pulled by a dog, horse, or vehicle) are prohibited. Bicycles, including bicycles modified for oversnow travel, are prohibited on

oversnow routes in Yellowstone National Park.

(17) *May I operate a snowplane in Yellowstone National Park?* The operation of a snowplane in Yellowstone National Park is prohibited.

(18) *Is violating a provision of this section prohibited?* (i) Violating a term, condition, or requirement of paragraph (l) of this section is prohibited.

(ii) Violation of a term, condition, or requirement of paragraph (l) of this section by a guide may also result in the administrative revocation of guiding privileges.

(19) *Have the information collection requirements been approved?* The Office of Management and Budget has reviewed and approved the information collection requirements in paragraph (l) and assigned OMB Control No. 1024-0266. We will use this information to monitor compliance with the required average and maximum size of transportation events. The obligation to respond is required in order to obtain or retain a benefit.

\* \* \* \* \*

**Rachel Jacobson,**

*Principal Deputy Assistant Secretary for Fish and Wildlife and Parks.*

[FR Doc. 2013-24238 Filed 10-22-13; 8:45 am]

**BILLING CODE 4312-EJ-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R05-OAR-2011-0828; FRL-9901-53-Region 5]

### Approval and Promulgation of Air Quality Implementation Plans; Indiana

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

**ACTION:** Direct final rule.

**SUMMARY:** On September 19, 2011, Indiana submitted changes to its monitoring rules to EPA as a revision to its state implementation plan (SIP). The monitoring rules will be used to determine whether various source categories are in compliance with the applicable emission limits. On September 6, 2013, Indiana made a supplemental submission of a related definition. For the reasons discussed below, EPA is approving these revisions to the monitoring rules in the Indiana SIP.

**DATES:** This rule is effective December 23, 2013, unless EPA receives adverse comments by November 22, 2013. If adverse comments are received, EPA

will publish a timely withdrawal of the direct final rule in the **Federal Register** informing the public that the rule will not take effect.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-R05-OAR-2011-0828, by one of the following methods:

1. [www.regulations.gov](http://www.regulations.gov): Follow the on-line instructions for submitting comments.

2. *Email:* [blakley.pamela@epa.gov](mailto:blakley.pamela@epa.gov).

3. *Fax:* (312) 692-2450.

4. *Mail:* Pamela Blakley, Chief, Control Strategies Section, Air Programs Branch (AR-18J), U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604.

5. *Hand Delivery:* Pamela Blakley, Chief, Control Strategies Section, Air Programs Branch (AR-18J), U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604. Such deliveries are only accepted during the Regional Office normal hours of operation, and special arrangements should be made for deliveries of boxed information. The Regional Office official hours of business are Monday through Friday, 8:30 a.m. to 4:30 p.m., excluding Federal holidays.

**Instructions:** Direct your comments to Docket ID No. EPA-R05-OAR-2011-0828. EPA's policy is that all comments received will be included in the public docket without change and may be made available online at [www.regulations.gov](http://www.regulations.gov), including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through [www.regulations.gov](http://www.regulations.gov) or email. The [www.regulations.gov](http://www.regulations.gov) Web site is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an email comment directly to EPA without going through [www.regulations.gov](http://www.regulations.gov) your email address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment.

Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

**Docket:** All documents in the docket are listed in the [www.regulations.gov](http://www.regulations.gov) index. Although listed in the index, some information is not publicly available, e.g., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in hard copy. Publicly available docket materials are available either electronically in [www.regulations.gov](http://www.regulations.gov) or in hard copy at the Environmental Protection Agency, Region 5, Air and Radiation Division, 77 West Jackson Boulevard, Chicago, Illinois 60604. This facility is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding Federal holidays. We recommend that you telephone Matt Rau, Environmental Engineer, at (312) 886-6524 before visiting the Region 5 office.

**FOR FURTHER INFORMATION CONTACT:** Matt Rau, Environmental Engineer, Control Strategies Section, Air Programs Branch (AR-18J), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886-6524, [rau.matthew@epa.gov](mailto:rau.matthew@epa.gov).

#### **SUPPLEMENTARY INFORMATION:**

Throughout this document whenever “we,” “us,” or “our” is used, we mean EPA. This supplementary information section is arranged as follows:

- I. What is the background for this action?
- II. What is EPA’s analysis?
- III. What action is EPA taking?
- IV. Statutory and Executive Order Reviews

#### **I. What is the background for this action?**

Indiana requested a revision to its SIP in a submission to EPA dated September 19, 2011. In this submission, Indiana requested approval of revisions to 21 sections of 326 Indiana Administration Code (IAC) Article 3 concerning compliance monitoring, and one section of 326 IAC Article 7 concerning sulfur dioxide compliance monitoring requirements. On September 6, 2013, Indiana supplemented its request to submit a section of 326 IAC Article 1 that provides a definition of a term used in 326 IAC Article 3.

The submitted rules will revise and amend the existing monitoring and sulfur dioxide control requirements in Indiana SIP. In addition to 326 IAC 1–2–23.5, the State submitted specific sections of 326 IAC Article 3: 3–4–1, 3–4–2, 3–4–3, 3–5–1, 3–5–2, 3–5–3, 3–5–4, 3–5–5, 3–5–6, 3–5–7, 3–5–8, 3–6–1, 3–6–2, 3–6–3, 3–6–4, 3–6–5, 3–7–1, 3–

7–2, 3–7–3, 3–7–4, and 3–7–5; and 326 IAC 7–2–1.

#### **II. What is EPA’s analysis?**

EPA’s analysis of the September 19, 2011, submission as supplemented on September 6, 2013, is as follows:

##### *Article 1—General Provisions*

##### *Rule 2—Definitions*

##### **326 IAC 1–2–23.5 “Emissions Unit” Defined**

This section provides the definition of an emissions unit to include “any part or activity of a stationary source that emits or has the potential to emit any regulated air pollutant under the Clean Air Act.” Indiana’s definition is consistent with EPA’s emissions unit definition found in 40 CFR part 70. Thus, EPA is approving this section into the Indiana SIP.

##### *Rule 4—General Provisions*

##### **326 IAC 3–4–1 Definitions**

This section contains definitions used throughout 326 IAC 3. EPA is approving this section into the Indiana SIP as the definitions are consistent with the definitions used by EPA.

##### **326 IAC 3–4–2 Certification**

This section requires that each report submitted under 326 IAC 3 contain a certification of truth, accuracy, and completeness. EPA is approving this section into the Indiana SIP because it promotes more accurate and complete monitoring reports.

##### **326 IAC 3–4–3 Conversion Factors**

This section provides the owner and operator of subject emissions unit with procedures for converting monitoring data to units of a standard, as needed. The conversion factors follow EPA’s equations as found in the appendices to 40 CFR part 60, and 326 IAC 3–4–3 cites 40 CFR part 60 for the factors for certain units. Indiana may approve alternate procedures for computing emission averages that do not require data integration. It may also approve alternate methods of converting pollutant concentration measurements into units of the standard. Authority for state approval of these alternate emission averaging procedures and alternate conversion methods is provided in 40 CFR part 51, appendix P. EPA is approving the addition of this section into the Indiana SIP.

##### *Rule 5—Continuous Monitoring of Emissions*

##### **326 IAC 3–5–1 Applicability; Continuous Monitoring Requirements for Applicable Pollutants**

This section establishes methods the owner or operator of certain sources or emissions units are to use to determine compliance with an emission limitation or standard. This section also establishes procedures by which an owner or operator may request an alternative monitoring requirement. Any request for a alternative monitoring requirement must be approved by Indiana and submitted to EPA for approval. EPA is approving this section as a revision to the Indiana SIP.

##### **326 IAC 3–5–2 Minimum Performance and Operating Specifications**

This section provides the performance specifications and operating requirements the owner or operator of monitoring equipment installed must follow. The requirements are consistent with the Federal requirements found at 40 CFR part 75. Thus, EPA is approving this section as a revision to the Indiana SIP.

##### **326 IAC 3–5–3 Monitor System Certification**

This section provides the monitor system certification requirements the owner or operator of subject source or emissions unit must put in place when determining compliance. These requirements mirror Federal requirements in 40 CFR 60. EPA is approving this section as a revision to the Indiana SIP.

##### **326 IAC 3–5–4 Standard Operating Procedures**

This section provides for the development of written continuous monitoring standard operating procedures once the owner or operator of subject source or emissions unit has installed the required monitoring equipment. The standard operating procedure contains the systematic description of the monitor operation. Section 3–5–4 details all information that is required. EPA views the requirement for a written standard operating procedure as providing useful information similar to the requirement for a monitoring plan in 40 CFR 75.53. Thus, EPA is approving this section as a revision to the Indiana SIP.

##### **326 IAC 3–5–5 Quality Assurance Requirements**

This section provides quality assurance requirements for subject emission units that monitor for carbon

dioxide, carbon monoxide, hydrogen sulfide, nitrogen oxide, oxygen, sulfur dioxide, total hydrocarbons, total reduced sulfur, volatile organic compounds, and particulate matter (PM<sub>10</sub> or PM<sub>2.5</sub>). The rules contain the applicable criteria on test frequency, audit criteria, and reporting requirements. The requirements follow 40 CFR parts 60 and 75. EPA is approving this section as a revision to the Indiana SIP.

#### 326 IAC 3-5-6 Recordkeeping Requirements

This section provides recordkeeping and record retention requirements for the owner or operator of a subject source or emissions unit. The owner or operator of a subject source or emissions unit must provide the records to Indiana or EPA upon request. In 40 CFR part 75, subpart F, EPA requires similar recordkeeping requirements for sources operating continuous monitors. EPA is approving this section into the Indiana SIP.

#### 326 IAC 3-5-7 Reporting Requirements

This section provides the requirements the owner or operator of subject source or emissions unit must follow when submitting a monitoring report. A source must provide information about its excess emissions and downtime during a reporting period. EPA is approving this section as an addition to the SIP as it satisfies Federal reporting requirements.

#### 326 IAC 3-5-8 Operation and Maintenance of Continuous Emissions Monitoring and Continuous Opacity Monitoring Systems

This section provides instruction to the owner or operator on the operation and maintenance of a continuous emissions monitoring system (CEMS) and a continuous opacity monitoring system (COMS). Indiana requires all subject sources to install, calibrate, maintain, operate, and certify its CEMS or COMS. Exceptions are provided for periods when the emission source is not operating or does not require continuous monitoring, the CEMS or COMS is malfunctioning, and during quality assurance checks are being performed on the CEMS or COMS. Under the definition of an emissions unit in 326 IAC 1-2-23.5, a unit is not operating when it has no potential to emit any Clean Air Act (CAA) regulated pollutants. The remaining exemptions in 326 IAC 3-5-8 are consistent with 40 CFR 60.13. Therefore, EPA is approving this section into the Indiana SIP.

#### Rule 6—Source Sampling Procedures

##### 326 IAC 3-6-1 Applicability; Test Procedures

This section provides the test procedures the owner or operator of a subject emissions unit must follow to determine compliance with an applicable emission limitation. Specifically, it requires the owner or operator of a subject emissions unit to follow applicable procedures and analysis methods specified in 40 CFR parts 51, 60, 61, 63, 75 or another EPA-approved method. EPA is approving this section into the Indiana SIP.

##### 326 IAC 3-6-2 Source Sampling Protocols

This section requires the owner or operator of a subject emissions unit to provide its emissions test protocol (i.e., protocol by which facility plans to conduct the emissions test) to Indiana prior to the intended test date. The section allows for modifications to the sampling protocol, upon approval by Indiana. Indiana may modify portions of the sampling protocol such as the conditions under which the testing is performed. This section is consistent with the requirements of 40 CFR 64.6, and is being approved into the Indiana SIP.

##### 326 IAC 3-6-3 Emission Testing

This section establishes procedures on how to perform emissions tests, quality assurance, and quality control activities. Indiana requires emission units be tested under the applicable Federal regulations, either 40 CFR part 60, 61, or 63. EPA is approving this section into the Indiana SIP.

##### 326 IAC 3-6-4 Reporting

This section details what information an owner or operator of a subject source or emissions unit should include in an emission test report. Sources are required to submit a report no later than 45 days following the emission test. The requirements follow the compliance assurance monitoring reporting obligations given in 40 CFR 64.9. EPA is approving this section into the Indiana SIP.

##### 326 IAC 3-6-5 Specific Testing Procedures; Particulate Matter; PM<sub>10</sub>; PM<sub>2.5</sub>; Sulfur Dioxide; Nitrogen Oxides; Volatile Organic Compounds

This section provides the specific emission tests required by subject sources of the title pollutants. The emission test requirements are consistent with 40 CFR parts 51, 60, and 63, and must be approved by Indiana and EPA. The exception is Richmond

Power and Light's Whitewater Generating Station, whose source-specific test method was approved by EPA on April 9, 1996 (61 FR 15704). Thus, all emission test methods required by this section are identical to the EPA methods or have been previously approved. EPA is approving this section into the Indiana SIP.

#### Rule 7—Fuel Sampling and Analysis Procedures

##### 326 IAC 3-7-1 Applicability

This section applies to fuel sampling and analysis that is performed to determine compliance with the emission limitations specified in 326 IAC Article 7. EPA is approving this section into the Indiana SIP.

##### 326 IAC 3-7-2 Coal Sampling and Analysis Methods

This section provides the owner or operator of a subject source with requirements for coal sampling and analysis, and the determination of sulfur and heat content for sources with total coal-fired capacity between 100 and 1,500 million British Thermal Units (BTUs) and for sources with capacity greater than 1,500 million BTUs. The coal sampling and analysis protocols in this section are already Federally approved in 326 IAC 7-2-1 (September 26, 2005; 70 FR 56129). EPA is approving this section into the Indiana SIP.

##### 326 IAC 3-7-3 Alternative Coal Sampling and Analysis Methods

This section establishes procedures by which an owner or operator of a subject source may obtain an alternative coal sampling and analysis to that provided in 326 IAC 3-7-2. The owner or operator of a subject source must receive prior approval from Indiana and EPA before an alternate protocol can be used. EPA is approving this section into the Indiana SIP.

##### 326 IAC 3-7-4 Fuel Oil Sampling; Analysis Methods

This section specifies the test protocol the owner or operator of a subject source or an emissions unit should follow when analyzing fuel oil. The section provides the specific ASTM procedure to be used for each analysis for a variety of fuel oil samples. Approval of the sampling or analysis procedure requires written permission from both Indiana and EPA. EPA is approving this section into the Indiana SIP.

### 326 IAC 3-7-5 Recordkeeping Requirements; Standard Operating Procedures

This section provides the owner or operator of a subject source or an emissions unit a protocol to use to develop a standard operating procedure for records. The requirement to keep such records is consistent with the recordkeeping requirement of 40 CFR 64.9. EPA is approving this section into the Indiana SIP.

### Article 7—Sulfur Dioxide Rules

#### Rule 2—Compliance

### 326 IAC 7-2-1 Reporting Requirements; Methods To Determine Compliance

Indiana has modified this section to provide the owner or operator of a subject source or emissions unit a method to determine compliance or noncompliance with its sulfur dioxide emissions limitation. Indiana added that an alternate compliance test method that has been approved by Indiana and EPA may be used by sources in place of the standard test methods, CEMS, or the fuel sampling and analysis methods already authorized. EPA is approving the revised 326 IAC 7-2-1 into the Indiana SIP.

### III. What action is EPA taking?

EPA is approving compliance monitoring rules into the Indiana SIP. EPA is approving two revised sections and 21 additional sections. EPA is approving the revisions to 326 IAC 3-5-1 and 326 IAC 7-2-1 into the Indiana SIP. EPA is adding 326 IAC 1-2-23.5, 326 IAC 3-4-1, 326 IAC 3-4-2, 326 IAC 3-4-3, 326 IAC 3-5-2, 326 IAC 3-5-3, 326 IAC 3-5-4, 326 IAC 3-5-5, 326 IAC 3-5-6, 326 IAC 3-5-7, 326 IAC 3-5-8, 326 IAC 3-6-1, 326 IAC 3-6-2, 326 IAC 3-6-3, 326 IAC 3-6-4, 326 IAC 3-6-5, 326 IAC 3-7-1, 326 IAC 3-7-2, 326 IAC 3-7-3, 326 IAC 3-7-4, and 326 IAC 3-7-5 to the SIP.

We are publishing this action without prior proposal because we view this as a noncontroversial amendment and anticipate no adverse comments. However, in the proposed rules section of this **Federal Register** publication, we are publishing a separate document that will serve as the proposal to approve the state plan if relevant adverse written comments are filed. This rule will be effective December 23, 2013 without further notice unless we receive relevant adverse written comments by November 22, 2013. If we receive such comments, we will withdraw this action before the effective date by publishing a subsequent document that will withdraw the final action. All public

comments received will then be addressed in a subsequent final rule based on the proposed action. EPA will not institute a second comment period. Any parties interested in commenting on this action should do so at this time. Please note that if EPA receives adverse comment on an amendment, paragraph, or section of this rule and if that provision may be severed from the remainder of the rule, EPA may adopt as final those provisions of the rule that are not the subject of an adverse comment. If we do not receive any comments, this action will be effective December 23, 2013.

### IV. 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 CAA criteria. 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);
- 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 an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
- 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; and

- Does not provide EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, this rule does not have tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), because the SIP is not approved to apply in Indian country located in the state, and EPA notes that it will not impose substantial direct costs on tribal governments or preempt tribal law.

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this action and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a "major rule" as defined by 5 U.S.C. 804(2).

Under CAA section 307(b)(1), petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by December 23, 2013. 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. Parties with objections to this direct final rule are encouraged to file a comment in response to the parallel notice of proposed rulemaking for this action published in the proposed rules section of today's **Federal Register**, rather than file an immediate petition for judicial review of this direct final rule, so that EPA can withdraw this direct final rule and address the comment in the proposed rulemaking. 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, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Nitrogen

oxides, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

Dated: September 18, 2013.

**Susan Hedman,**

*Regional Administrator, Region 5.*

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.*

■ 2. In § 52.770 the table in paragraph (c) is amended by:

■ i. Adding a new entry in “Article 1. General Provisions” under “Rule 2.

Definitions” for “1–2–23.5” in numerical order.

■ ii. Revising the entries for “Article 3. Monitoring Requirements”.

■ iii. Revising the entry for “Rule 2. Compliance” under the subheading entitled “Article 7. Sulfur Dioxide Rules”. The added and revised text reads as follows:

### **§ 52.770 Identification of plan.**

\* \* \* \* \*

(c) \* \* \*

## **EPA-APPROVED INDIANA REGULATIONS**

Indiana citation	Subject	Indiana effective date	EPA approval date	Notes
<b>Article 1. General Provisions</b>				
*	*	*	*	*
<b>Rule 2. Definitions</b>				
*	*	*	*	*
1–2–23.5 .....	“Emissions unit” defined .....	12/25/1998	10/23/13, [INSERT PAGE NUMBER WHERE THE DOCUMENT BEGINS]	
*	*	*	*	*
<b>Article 3. Monitoring Requirements</b>				
<b>Rule 1. Continuous Monitoring of Emissions</b>				
3–1–1 .....	Applicability .....		9/4/1981, 46 FR 44448	
<b>Rule 2.1. Source Sampling Procedures</b>				
3–2.1–5 .....	Specific Testing Procedures	7/15/1995	4/9/1996, 61 FR 15704	
<b>Rule 4. General Provisions</b>				
3–4–1 .....	Definitions .....	9/10/2011	10/23/13, [INSERT PAGE NUMBER WHERE THE DOCUMENT BEGINS]	
3–4–2 .....	Certification .....	9/10/2011	10/23/13, [INSERT PAGE NUMBER WHERE THE DOCUMENT BEGINS]	
3–4–3 .....	Conversion factors .....	9/10/2011		
<b>Rule 5. Continuous Monitoring of Emissions</b>				
3–5–1 .....	Applicability; continuous monitoring requirements for applicable pollutants.	9/10/2011	10/23/13, [INSERT PAGE NUMBER WHERE THE DOCUMENT BEGINS]	
3–5–2 .....	Minimum performance and operating specifications.	9/10/2011	10/23/13, [INSERT PAGE NUMBER WHERE THE DOCUMENT BEGINS]	
3–5–3 .....	Monitor system certification	9/10/2011	10/23/13, [INSERT PAGE NUMBER WHERE THE DOCUMENT BEGINS]	
3–5–4 .....	Standard operating procedures.	9/10/2011	10/23/13, [INSERT PAGE NUMBER WHERE THE DOCUMENT BEGINS]	
3–5–5 .....	Quality assurance requirements.	9/10/2011	10/23/13, [INSERT PAGE NUMBER WHERE THE DOCUMENT BEGINS]	
3–5–6 .....	Recordkeeping requirements	9/10/2011	10/23/13, [INSERT PAGE NUMBER WHERE THE DOCUMENT BEGINS]	
3–5–7 .....	Reporting requirements .....	9/10/2011	10/23/13, [INSERT PAGE NUMBER WHERE THE DOCUMENT BEGINS]	

## EPA-APPROVED INDIANA REGULATIONS—Continued

Indiana citation	Subject	Indiana effective date	EPA approval date	Notes
3-5-8 .....	Operation and maintenance of continuous emission monitoring and continuous opacity monitoring systems.	9/10/2011	10/23/13, [INSERT PAGE NUMBER WHERE THE DOCUMENT BEGINS]	
<b>Rule 6. Source Sampling Procedures</b>				
3-6-1 .....	Applicability; test procedures	9/10/2011	10/23/13, [INSERT PAGE NUMBER WHERE THE DOCUMENT BEGINS]	
3-6-2 .....	Source sampling protocols ..	9/10/2011	10/23/13, [INSERT PAGE NUMBER WHERE THE DOCUMENT BEGINS]	
3-6-3 .....	Emission testing .....	9/10/2011	10/23/13, [INSERT PAGE NUMBER WHERE THE DOCUMENT BEGINS]	
3-6-4 .....	Reporting .....	9/10/2011	10/23/13, [INSERT PAGE NUMBER WHERE THE DOCUMENT BEGINS]	
3-6-5 .....	Specific testing procedures; particulate matter; PM <sub>10</sub> ; PM <sub>2.5</sub> ; sulfur dioxide; nitrogen oxides; volatile organic compounds.	9/10/2011	10/23/13, [INSERT PAGE NUMBER WHERE THE DOCUMENT BEGINS]	
<b>Rule 7. Fuel Sampling and Analysis Procedures</b>				
3-7-1 .....	Applicability .....	9/10/2011	10/23/13, [INSERT PAGE NUMBER WHERE THE DOCUMENT BEGINS]	
3-7-2 .....	Coal sampling and analysis methods.	9/10/2011	10/23/13, [INSERT PAGE NUMBER WHERE THE DOCUMENT BEGINS]	
3-7-3 .....	Alternate coal sampling and analysis methods.	9/10/2011	10/23/13, [INSERT PAGE NUMBER WHERE THE DOCUMENT BEGINS]	
3-7-4 .....	Fuel oil sampling; analysis methods.	9/10/2011	10/23/13, [INSERT PAGE NUMBER WHERE THE DOCUMENT BEGINS]	
3-7-5 .....	Recordkeeping requirements; standard operating procedures.	9/10/2011	10/23/13, [INSERT PAGE NUMBER WHERE THE DOCUMENT BEGINS]	
*	*	*	*	*
<b>Article 7. Sulfur Dioxide Rules</b>				
*	*	*	*	*
<b>Rule 2. Compliance</b>				
7-2-1 .....	Reporting requirements; methods to determine compliance.	9/10/2011	10/23/13, [INSERT PAGE NUMBER WHERE THE DOCUMENT BEGINS]	
*	*	*	*	*

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[FR Doc. 2013-24118 Filed 10-22-13; 8:45 am]

BILLING CODE 6560-50-P

**ENVIRONMENTAL PROTECTION  
AGENCY****40 CFR Part 300**[EPA-HQ-SFUND-1983-0002; FRL-9901-  
75-Region 2]**National Oil and Hazardous  
Substances Pollution Contingency  
Plan; National Priorities List: Deletion  
of the Hooker (Hyde Park) Superfund  
Site****AGENCY:** Environmental Protection  
Agency.**ACTION:** Final rule.

**SUMMARY:** The Environmental Protection Agency (EPA) Region 2 announces the deletion of the Hooker (Hyde Park) Superfund Site (Site) located in Niagara Falls, New York, from the National Priorities List (NPL). The NPL, promulgated pursuant to section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, as amended, is an appendix of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP). The EPA and the State of New York, through the Department of Environmental Conservation, have determined that all appropriate response actions under CERCLA, other than operation, maintenance, and five-year reviews, have been completed. However, this deletion does not preclude future actions under Superfund.

**DATES:** This action is effective October 23, 2013.

**ADDRESSES:** EPA has established a docket for this action under Docket Identification No. EPA-HQ-SFUND-1983-0002. All documents in the docket are listed on the <http://www.regulations.gov> Web site. Although listed in the index, some information is not publicly available, i.e., confidential business information 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 either electronically through <http://www.regulations.gov> or in hard copy at the site information repositories. Locations, contacts, phone numbers, and viewing hours are:

U.S. Environmental Protection Agency,  
Region 2, Superfund Records Center,

290 Broadway, 18th Floor, New York,  
NY 10007-1866, *Telephone:* (212)  
637-4308. *Hours:* Monday to Friday  
from 9:00 a.m. to 5:00 p.m.

U.S. EPA Western New York Public  
Information Office, 86 Exchange  
Place, Buffalo, NY 14204-2026.  
*Telephone:* (716) 551-4410. *Hours:*  
Monday to Friday from 8:30 a.m. to  
4:00 p.m.

**FOR FURTHER INFORMATION CONTACT:**

Gloria M. Sosa, Remedial Project  
Manager, U.S. Environmental Protection  
Agency, Region 2, 290 Broadway, 20th  
Floor, New York, NY 10007-1866,  
telephone: (212) 637-4283, email:  
[sosa.gloria@epa.gov](mailto:sosa.gloria@epa.gov).

**SUPPLEMENTARY INFORMATION:** The Site  
to be deleted from the NPL is the  
Hooker (Hyde Park) Superfund Site,  
located in Niagara Falls, New York. A  
Notice of Intent to Delete for this Site  
was published in the **Federal Register**  
on August 20, 2012 (77 FR 50038-  
50044).

The closing date for comments on the  
Notice of Intent to Delete was  
September 19, 2012. During the  
comment period, EPA received  
correspondence offering critical  
comments. The comments reflected  
concern that the Site is a continuing  
source of contaminants to the Niagara  
River and the deletion of the Site was  
premature. As a result of the critical  
comments, EPA published a Notice of  
Withdrawal of Direct Final Deletion of  
the Site in the **Federal Register** on  
September 27, 2012 (77 FR 59338),  
withdrawing the direct final deletion for  
the Site and announcing it would  
evaluate and respond to the significant  
comments and, if appropriate, proceed  
with the traditional two-step deletion  
process.

After careful consideration of the  
comments received, EPA concluded that  
the deletion of the Site is still  
appropriate. Following various lines of  
evidence, EPA has concluded that the  
performance objectives of the remedy  
selected for the Site in 1984 continue to  
be met and that the remedy selected for  
the Site is protective of human health  
and the environment. All response  
activities selected in the remedy have  
been implemented, and operation and  
maintenance activities are ongoing. EPA  
has the authority to respond  
appropriately if a problem or situation  
arises at a site after it is deleted. EPA  
will continue to provide oversight,  
review monitoring reports, and  
routinely communicate with the  
responsible party performing work at  
the Site. Operation and maintenance of  
the remedy will continue at the Site and  
monitoring will continue to be

performed to confirm the effectiveness  
of response actions performed at the  
Site, including the maintenance of  
hydraulic capture.

A responsiveness summary was  
prepared which addresses all comments  
received on the deletion and provides  
rationale that the deletion is considered  
appropriate. The responsiveness  
summary and all comments on the  
deletion action may be viewed in both  
the docket, EPA-HQ-SFUND-1983-  
0002, on [www.regulations.gov](http://www.regulations.gov), and in  
the local repositories listed above.

EPA maintains the NPL as the list of  
sites that appear to present a significant  
risk to public health, welfare, or the  
environment. Deletion from the NPL  
does not preclude further remedial  
action. Whenever there is a significant  
release from a site deleted from the NPL,  
the deleted site may be restored to the  
NPL without application of the hazard  
ranking system. Deletion of a site from  
the NPL does not affect responsible  
party liability in the unlikely event that  
future conditions warrant further  
actions.

**List of Subjects in 40 CFR Part 300**

Environmental protection, Air  
pollution control, Chemicals, Hazardous  
waste, Hazardous substances,  
Intergovernmental relations, Penalties,  
Reporting and recordkeeping  
requirements, Superfund, Water  
pollution control, Water supply.

Dated: September 26, 2013.

**Judith A. Enck,**

*Regional Administrator, EPA, Region 2.*

For reasons set out in the preamble,  
40 CFR part 300 is amended as follows:

**PART 300—NATIONAL OIL AND  
HAZARDOUS SUBSTANCES  
POLLUTION CONTINGENCY PLAN**

■ 1. The authority citation for part 300  
continues to read as follows:

**Authority:** 33 U.S.C. 1321(c)(2); 42 U.S.C.  
9601-9657; E.O. 12777, 56 FR 54757, 3 CFR,  
1991 Comp., p. 351; E.O. 12580, 52 FR 2923;  
3 CFR, 1987 Comp., p. 193.

■ 2. Table 1 of Appendix B to part 300  
is amended by removing the entry under  
“NY” for Hooker (Hyde Park), Niagara  
Falls.

[FR Doc. 2013-24689 Filed 10-22-13; 8:45 am]

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