

40 C.F.R. § 52.670

Identification of plan.

(a) *Purpose and scope.* This section sets forth the applicable State implementation plan for Idaho under section 110 of the Clean Air Act, 42 U.S.C. 7401, and 40 CFR part 51 to meet national ambient air quality standards.

(b) *Incorporation by reference.* (1) Material listed as incorporated by reference in paragraphs (c) and (d) 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. The material incorporated is 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 on or after February 1, 2020, will be incorporated by reference in the next update to the SIP compilation.

(2)

(i) EPA Region 10 certifies that the rules and regulations provided by EPA at the addresses in paragraph (b)(3) of this section are an exact duplicate of the officially promulgated state rules and regulations which have been approved as part of the state implementation plan as of February 1, 2020.

(ii) EPA Region 10 certifies that the source-specific requirements provided by EPA at the addresses in paragraph (b)(3) of this section are an exact duplicate of the officially promulgated source-specific requirements which have been approved in the notebook “40 CFR 52.670(d)—Source Specific Requirements” as part of the state implementation plan as of February 1, 2020.

(3) Copies of the materials incorporated by reference may be inspected at the Environmental Protection Agency, Region 10, Air and Radiation Division, 1200 Sixth Avenue, Suite 155, Seattle, Washington 98101; or 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.html>.

(c) *EPA approved regulations.*

EPA Approved Idaho Regulations and Statutes

State citation	Title/subject	State effective date	EPA approval date	Explanations
Idaho Administrative Procedures Act (IDAPA) 58.01.01—Rules for the Control of Air Pollution in Idaho				
001	Title and Scope	5/1/1994	1/16/2003, 68 FR 2217	

004	Catchlines	5/1/1994	1/16/2003, 68 FR 2217	
005	Definitions	5/1/1994	1/16/2003, 68 FR 2217	
006	General Definitions	4/11/2019, 4/11/2015, 4/4/2013, 3/30/2007, 4/11/2006, 7/1/2002, 4/5/2000, 3/20/1997, 5/1/1994	11/19/2020, 85 FR 73632	Except Section 006.49, 006.50, 006.51, 006.66, 006.67, 006.68.b, 006.116, and 006.118.
007	Definitions for the Purposes of Sections 200 through 225 and 400 through 461	3/30/2007, 4/11/2006, 4/5/2000, 6/30/1995, 5/1/1995, 5/1/1994	6/9/2011, 76 FR 33647	
011	Definitions for the Purposes of Sections 790 through 799	3/15/2002	8/12/2016, 81 FR 53290	
106	Abbreviations	5/1/1994	1/16/2003, 68 FR 2217	
107	Incorporation by Reference	3/24/2022	3/29/2023, 88 FR 18426	Except Section 107.03.f through 107.03.p.
221	Category I Exemptions	4/11/2019	11/19/2020, 85 FR 73632	
222	Category II Exemptions	4/11/2019	11/19/2020, 85 FR 73632	
123	Certification of Documents	5/1/1994	1/16/2003, 68 FR 2217	
124	Truth, Accuracy and Completeness of Documents	5/1/1994	1/16/2003, 68 FR 2217	
125	False Statements	3/23/1998	1/16/2003, 68 FR 2217	
126	Tampering	3/23/1998	1/16/2003, 68 FR 2217	
127	Format of Responses	5/1/1994	1/16/2003, 68 FR 2217	

130	Startup, Shutdown, Scheduled Maintenance, Safety Measures, Upset and Breakdown	4/5/2000	1/16/2003, 68 FR 2217	
131	Excess Emissions	4/5/2000	1/16/2003, 68 FR 2217	
132	Correction of Condition	4/5/2000	1/16/2003, 68 FR 2217	
133	Start-up, Shutdown and Scheduled Maintenance Requirements	4/11/2006, 4/5/2000, 3/20/1997	11/26/2010, 75 FR 72719	
134	Upset, Breakdown and Safety Requirements	4/11/2006, 4/5/2000, 3/20/1997	11/26/2010, 75 FR 72719	
135	Excess Emission Reports	4/11/2006, 4/5/2000, 3/20/1997	11/26/2010, 75 FR 72719	
136	Excess Emission Records	4/5/2000, 3/23/1998, 3/20/1997	1/16/2003, 68 FR 2217	
155	Circumvention	4/11/2006	11/26/2010, 75 FR 72719	
156	Total Compliance	5/1/1994	1/16/2003, 68 FR 2217	
157	Test Methods and Procedures	4/11/2015	8/12/2016, 81 FR 53290	
160	Provisions Governing Specific Activities and Conditions	4/5/2000	1/16/2003, 68 FR 2217	
162	Modifying Physical Conditions	5/1/1994	1/16/2003, 68 FR 2217	
163	Source Density	5/1/1994	1/16/2003, 68 FR 2217	
164	Polychlorinated Biphenyls (PCBs)	5/1/1994	1/16/2003, 68 FR 2217	
175	Procedures and Requirements for Permits Establishing a Facility Emissions Cap	4/11/2015	8/12/2016, 81 FR 53290	

176	Facility Emissions Cap	4/11/2015	8/12/2016, 81 FR 53290	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	4/11/2015	8/12/2016, 81 FR 53290	
179	Procedures for Issuing Permits Establishing a Facility Emissions Cap	4/11/2015	8/12/2016, 81 FR 53290	
180	Revisions to Permits Establishing a Facility Emissions Cap	4/11/2015	8/12/2016, 81 FR 53290	
181	Notice and Recordkeeping of Estimates of Ambient Concentrations	4/11/2015	8/12/2016, 81 FR 53290	
200	Procedures and Requirements for Permits to Construct	3/25/2016	5/12/2017, 82 FR 22083	
201	Permit to Construct Required	4/11/2006	8/12/2016, 81 FR 53290	
202	Application Procedures	4/11/2015	8/12/2016, 81 FR 53290	
203	Permit Requirements for New and Modified Stationary Sources	5/1/1994	1/16/2003, 68 FR 2217	Except subsection 203.03.
204	Permit Requirements for New Major Facilities or Major Modifications in Nonattainment Areas	4/2/2008, 3/30/2007, 4/6/2005, 4/5/2000, 5/1/1994	11/26/2010, 75 FR 72719	
205	Permit Requirements for New Major Facilities or Major Modifications in Attainment or Unclassifiable Areas	4/2/2008, 3/30/2007, 4/6/2005	11/26/2010, 75 FR 72719	
206	Optional Offsets for Permits to Construct	4/6/2005	11/26/2010, 75 FR 72719	

207	Requirements for Emission Reduction Credit	5/1/1994	1/16/2003, 68 FR 2217	
208	Demonstration of Net Air Quality Benefit	4/5/2000, 5/1/1994	1/16/2003, 68 FR 2217	
209	Procedures for Issuing Permits	4/11/2006, 4/6/2005, 5/3/2003, 7/1/2002, 4/5/2000, 3/19/1999, 3/23/1998, 5/1/1994	11/26/2010, 75 FR 72719	
211	Conditions for Permits to Construct	5/1/1994	1/16/2003, 68 FR 2217	
212	Obligation to Comply	5/1/1994	1/16/2003, 68 FR 2217	
213	Pre-Permit Construction	4/11/2006, 5/3/2003, 4/5/2000, 3/23/1998	11/26/2010, 75 FR 72719	
220	General Exemption Criteria for Permit to Construct Exemptions	4/4/2013, 4/5/2000	3/3/2014, 79 FR 11711	
221	Category I Exemption	4/5/2000	1/16/2003, 68 FR 2217	
222	Category II Exemption	4/4/2013, 4/11/2006, 4/5/2000, 5/1/1994, 7/1/1997	3/3/2014, 79 FR 11711	
400	Procedures and Requirements for Tier II Operating Permits	7/1/2002	11/26/2010, 75 FR 72719	
401	Tier II Operating Permit	4/11/2015	8/12/2016, 81 FR 53290	Except 401.01.a and 401.04.
402	Application Procedures	7/1/2002, 5/1/1994, 4/5/2000, 7/1/2002	11/26/2010, 75 FR 72719	
403	Permit Requirements for Tier II Sources	5/1/1994	1/16/2003, 68 FR 2217	
404	Procedure for Issuing Permits	4/11/2019	11/19/2020, 85 FR 73632	

405	Conditions for Tier II Operating Permits	5/1/1994	1/16/2003, 68 FR 2217	
406	Obligation to Comply	5/1/1994	1/16/2003, 68 FR 2217	
460	Requirements for Emission Reduction Credits	4/11/2006, 4/5/2000, 5/1/1994	11/26/2010, 75 FR 72719	
461	Requirements for Banking Emission Reduction Credits (ERC's)	4/5/2000, 5/1/1994	1/16/2003, 68 FR 2217	
500	Registration Procedures and Requirements for Portable Equipment	5/1/1994	1/16/2003, 68 FR 2217	
510	Stack Heights and Dispersion Techniques	5/1/1994	1/16/2003, 68 FR 2217	
511	Applicability	4/11/2006	11/26/2010, 75 FR 72719	
512	Definitions	4/11/2006, 5/1/1994, 4/5/2000	11/26/2010, 75 FR 72719	
513	Requirements	4/11/2006	11/26/2010, 75 FR 72719	
514	Opportunity for Public Hearing	5/1/1994	1/16/2003, 68 FR 2217	
515	Approval of Field Studies and Fluid Models	5/1/1994	1/16/2003, 68 FR 2217	
516	No Restriction on Actual Stack Height	5/1/1994	1/16/2003, 68 FR 2217	
550	Air Pollution Emergency Rule	5/1/1994	1/16/2003, 68 FR 2217	
551	Episode Criteria	5/1/1994	1/16/2003, 68 FR 2217	
552	Stages	3/15/2002, 5/1/1994	1/16/2003, 68 FR 2217	
553	Effect of Stages	3/15/2002	1/16/2003, 68 FR 2217	

556	Criteria for Defining Levels Within Stages	3/15/2002, 4/5/2000	1/16/2003, 68 FR 2217	
557	Public Notification	5/1/1994	1/16/2003, 68 FR 2217	
558	Information To Be Given	3/15/2002, 5/1/1994	1/16/2003, 68 FR 2217	
559	Manner and Frequency of Notification	5/1/1994	1/16/2003, 68 FR 2217	
560	Notification to Sources	4/11/2006	11/26/2010, 75 FR 72719	
561	General Rules	4/11/2006, 5/1/1994, 3/15/2002	11/26/2010, 75 FR 72719	
562	Specific Emergency Episode Abatement Plans for Point Sources	5/1/1994	1/16/2003, 68 FR 2217	
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 Consultation	3/30/2001	4/12/2001, 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	
575	Air Quality Standards and Area Classification	4/11/2006	11/26/2010, 75 FR 72719	
576	General Provisions for Ambient Air Quality Standards	5/1/1994	1/16/2003, 68 FR 2217	
578	Designation of Attainment, Unclassifiable, and Nonattainment Areas	5/1/1994	1/16/2003, 68 FR 2217	
579	Baselines for Prevention of Significant Deterioration	4/11/2015	8/12/2016, 81 FR 53290	
580	Classification of Prevention of Significant Deterioration Areas	4/5/2000, 5/1/1994	1/16/2003, 68 FR 2217	
581	Prevention of Significant Deterioration (PSD) Increments	10/6/2010, 4/11/2006, 7/1/1997, 5/1/1994	7/17/2012, 77 FR 41916	
600	Rules for Control of Open Burning	4/2/2008	8/1/2008, 73 FR 44915	Previous EPA Approval Date of 7/11/2005 removed in response to 9th Circuit remand.
601	Fire Permits, Hazardous Materials and Liability	4/2/2008	8/1/2008, 73 FR 44915	Previous EPA Approval Date of 7/11/2005 removed in response to 9th Circuit remand.

602	Nonpreemption of Other Jurisdictions	4/2/2008	8/1/2008, 73 FR 44915	Previous EPA Approval Date of 7/11/2005 removed in response to 9th Circuit remand.
603	General Restrictions	4/2/2008, 3/21/2003, 5/1/1994	8/1/2008, 73 FR 44915	Previous EPA Approval Date of 7/11/2005 removed in response to 9th Circuit remand.
606	Categories of Allowable Burning	4/2/2008	8/1/2008, 73 FR 44915	Previous EPA Approval Date of 7/11/2005 removed in response to 9th Circuit remand.
607	Recreational and Warming Fires	3/21/2003	8/1/2008, 73 FR 44915	Previous EPA Approval Date of 7/11/2005 removed in response to 9th Circuit remand.
608	Weed Control Fires	5/1/1994	8/1/2008, 73 FR 44915	Previous EPA Approval Date of 7/11/2005 removed in response to 9th Circuit remand.
609	Training Fires	3/21/2003	8/1/2008, 73 FR 44915	Previous EPA Approval Date of 7/11/2005 removed in response to 9th Circuit remand.
610	Industrial Flares	3/21/2003	8/1/2008, 73 FR 44915	Previous EPA Approval Date of 7/11/2005 removed in response to 9th Circuit remand.
611	Residential Solid Waste Disposal Fires	5/1/1994	1/16/2003, 68 FR 2217	
612	Landfill Disposal Site Fires	3/21/2003	8/1/2008, 73 FR 44915	Previous EPA Approval Date of 7/11/2005 removed in response to 9th Circuit remand.
613	Orchard Fires	3/21/2003, 5/1/1994	8/1/2008, 73 FR 44915	Previous EPA Approval Date of 7/11/2005 removed in response to 9th Circuit remand.
614	Prescribed Burning	5/1/1994	1/16/2003, 68 FR 2217	
615	Dangerous Material Fires	3/21/2003	8/1/2008, 73 FR 44915	Previous EPA Approval Date of 7/11/2005 removed in response to 9th Circuit remand.
616	Infectious Waste Burning	3/21/2003	8/1/2008, 73 FR 44915	Previous EPA Approval Date of 7/11/2005 removed in response to 9th Circuit remand.

617	Crop Residue	7/1/2011, 4/2/2008	3/19/2013, 78 FR 16790	
618	Permit By Rule	7/1/2011, 4/2/2008	3/19/2013, 78 FR 16790	
619	Registration for Permit By Rule	4/2/2008	8/1/2008, 73 FR 44915	
620	Burn Fee	4/11/2019	12/9/2019, 84 FR 67189	
621	Burn Determination	2/28/2018, 4/2/2008	6/19/2018, 83 FR 28382; 8/1/2008, 73 FR 44915	
622	General Provisions	7/1/2011, 4/2/2008	3/19/2013, 78 FR 16790	
623	Public Notification	7/1/2011, 4/2/2008	3/19/2013, 78 FR 16790	
624	Spot Burn, Baled Agricultural Residue Burn, and Propane Flaming Permits	7/1/2011	3/19/2013, 78 FR 16790	
625	Visible Emissions	4/2/2008	8/1/2008, 73 FR 44915	
626	General Restrictions on Visible Emissions from Wigwam Burners	4/5/2000	1/16/2003, 68 FR 2217	
650	Rules for Control of Fugitive Dust	5/1/1994	1/16/2003, 68 FR 2217	
651	General Rules	3/30/2007, 5/1/1994	6/9/2011, 76 FR 33647	

665	Regional Haze Rules	3/30/2007	6/9/2011, 76 FR 33647	
666	Reasonable Progress Goals	3/30/2007	6/9/2011, 76 FR 33647	
667	Long-Term Strategy for Regional Haze	3/30/2007	6/9/2011, 76 FR 33647	
668	BART Requirement for Regional Haze	3/30/2007	6/9/2011, 76 FR 33647	
675	Fuel Burning Equipment—Particulate Matter	4/5/2000	1/16/2003, 68 FR 2217	
676	Standards for New Sources	5/1/1994	1/16/2003, 68 FR 2217	
677	Standards for Minor and Existing Sources	5/1/1994	1/16/2003, 68 FR 2217	
678	Combinations of Fuels	5/1/1994	1/16/2003, 68 FR 2217	
679	Averaging Period	4/11/2006, 5/1/1994	11/26/2010, 75 FR 72719	
680	Altitude Correction	5/1/1994	1/16/2003, 68 FR 2217	
681	Test Methods and Procedures	4/5/2000	1/16/2003, 68 FR 2217	
700	Particulate Matter Process Weight Limitations	5/3/2003, 4/5/2000	11/26/2010, 75 FR 72719	
701	Particulate Matter—New Equipment Process Weight Limitations	4/5/2000	1/16/2003, 68 FR 2217	
702	Particulate Matter—Existing Equipment Process Weight Limitations	4/5/2000, 5/1/1994	1/16/2003, 68 FR 2217	
703	Particulate Matter—Other Processes	4/5/2000	1/16/2003, 68 FR 2217	

725	Rules for Sulfur Content of Fuels	4/11/2015	8/12/2016, 81 FR 53290	
785	Rules for Control of Incinerators	5/1/1994	1/16/2003, 68 FR 2217	
786	Emission Limits	4/5/2000	1/16/2003, 68 FR 2217	
787	Exceptions	3/23/1998	1/16/2003, 68 FR 2217	
790	Rules for the Control of Nonmetallic Mineral Processing Plants	3/15/2002	8/12/2016, 81 FR 53290.	
791	General Control Requirements	3/15/2002	8/12/2016, 81 FR 53290	
793	Emissions Standards for Nonmetallic Mineral Processing Plants not Subject to 40 CFR 60, Subpart OOO	3/15/2002	8/12/2016, 81 FR 53290	
794	Permit Requirements	4/11/2015	8/12/2016, 81 FR 53290	Except Section 794.04.
795	Permit by Rule Requirements	3/15/2002	8/12/2016, 81 FR 53290	
796	Applicability	3/15/2002	8/12/2016, 81 FR 53290	
797	Registration for Permit by Rule	3/15/2002	8/12/2016, 81 FR 53290	
798	Electrical Generators	3/15/2002	8/12/2016, 81 FR 53290	
799	Nonmetallic Mineral Processing Plan Fugitive Dust Best Management Practice	3/15/2002	8/12/2016, 81 FR 53290	
805	Rules for Control of Hot-mix Asphalt Plants	5/1/1994	1/16/2003, 68 FR 2217	

806	Emission Limits	5/1/1994	1/16/2003, 68 FR 2217	
807	Multiple Stacks	5/1/1994	1/16/2003, 68 FR 2217	
808	Fugitive Dust Control	5/1/1994	1/16/2003, 68 FR 2217	
815	Rules for Control of Kraft Pulp Mills	3/29/2012	4/8/2019, 84 FR 13803	
818	Kraft Pulp Mill LVHC and HVLC Gas Venting Notification and Reporting	3/29/2012	4/8/2019, 84 FR 13803	
City and County Ordinances				
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 PM10 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 624	Solid Fuel Heating Appliance Ordinance of the City of Garden City, Idaho	5/14/1987, 1/10/1989, 9/13/1994 (City approval dates)	5/30/1996, 61 FR 27019	Northern Ada County PM10 Nonattainment Area Plan.
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 Ordinance No. 2012-6-25	Solid Fuel Heating Appliances	6/25/2012	3/25/2014, 79 FR 16201	Except Section 9 (Penalty).
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).

State Statutes				
Section 4 of Senate Bill 1024, codified at Idaho Code section 39-114	Open Burning of Crop Residue	2/28/2018	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.

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