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**SUPPLEMENTARY INFORMATION:** The supplementary information is organized in the following order:

What does this action do?  
What is the authority for delegation?  
What does delegation accomplish?  
What has been delegated?  
What has not been delegated?

#### List of Delegation Tables

Table I—NSPS, 40 CFR part 60  
Table II—NESHAP, 40 CFR part 61  
Table III—NESHAP, 40 CFR part 63

#### What Does This Action Do?

The EPA is providing notice that it has delegated authority for implementation and enforcement of the Federal standards shown in the tables below to the state and local air agencies in Region 7. This rule updates the

delegation tables previously published at 67 FR 70170 (November 21, 2003). The EPA has established procedures by which these agencies are automatically delegated the authority to implement the standards when they adopt regulations which are identical to the Federal standards. We then periodically provide notice of the new and revised standards for which delegation has been given.

#### What Is the Authority for Delegation?

1. Section 111(c)(1) of the Clean Air Act (CAA) authorizes EPA to delegate authority to any state agency which submits adequate regulatory procedures for implementation and enforcement of the NSPS program. The NSPS are codified at 40 CFR part 60.

2. Section 112(l) of the CAA and 40 CFR part 63, subpart E, authorizes the EPA to delegate authority to any state or local agency which submits adequate regulatory procedures for implementation and enforcement of emission standards for hazardous air pollutants. The hazardous air pollutant standards are codified at 40 CFR parts 61 and 63, respectively.

#### What Does Delegation Accomplish?

Delegation confers primary responsibility for implementation and enforcement of the listed standards to the respective state and local air agencies. However, EPA also retains the authority to enforce the standards if it so desires.

#### What Has Been Delegated?

Tables I, II, and III below list the delegated standards. The first date in each block is the reference date to the CFR contained in the state rule. In

general, the state or local agency has adopted the applicable standard through this date as noted in the table. The second date is the most recent effective date of the state agency rule for which the EPA has granted the delegation.

#### What Has Not Been Delegated?

1. The EPA regulations effective after the first date specified in each block have not been delegated, and authority for implementation of these regulations is retained solely by EPA.

2. In some cases, the standards themselves specify that specific provisions cannot be delegated. You should review the applicable standard for this information.

3. In some cases, the agency rules do not adopt the Federal standard in its entirety. Each agency rule (available from the respective agency) should be consulted for specific information.

4. In some cases, existing delegation agreements between the EPA and the agencies limit the scope of the delegated standards. Copies of delegation agreements are available from the state agencies, or from this office.

5. With respect to 40 CFR part 63, subpart A, General Provisions (see Table III), the EPA has determined that §§ 63.6(g), 63.6(h)(9), 63.7(e)(2)(ii) and (f), 63.8(f), and 63.10(f) cannot be delegated. Additional information is contained in an EPA memorandum titled "Delegation of 40 CFR Part 63 General Provisions Authorities to State and Local Air Pollution Control Agencies" from John Seitz, Director, Office of Air Quality Planning and Standards, dated July 10, 1998.

#### List of Delegation Tables

TABLE I.—DELEGATION OF AUTHORITY—PART 60 NSPS—REGION 7

| Subpart  | Source category   | State of Iowa        | State of Kansas      | State of Missouri    | State of Nebraska    |
|----------|---|----------------------|----------------------|----------------------|----------------------|
| A .....  | General Provisions .....  | 12/31/01<br>10/23/03 | 07/01/98<br>06/11/99 | 06/30/02<br>10/30/03 | 07/01/01<br>07/10/02 |
| D .....  | Fossil-Fuel Fired Steam Generators for Which Construction Is Commenced After August 17, 1971.         | 12/31/01<br>10/23/03 | 07/01/98<br>06/11/99 | 06/30/02<br>10/30/03 | 07/01/01<br>07/10/02 |
| Da ..... | Electric Utility Steam Generating Units for Which Construction Is Commenced After September 18, 1978. | 12/31/01<br>10/23/03 | 07/01/98<br>06/11/99 | 06/30/02<br>10/30/03 | 07/01/01<br>07/10/02 |
| Db ..... | Industrial-Commercial-Institutional Steam Generating Units .....                                      | 12/31/01<br>10/23/03 | 07/01/98<br>06/11/99 | 06/30/02<br>10/30/03 | 07/01/01<br>07/10/02 |
| Dc ..... | Small Industrial-Commercial-Institutional Steam Generating Units .....                                | 12/31/01<br>10/23/03 | 07/01/98<br>06/11/99 | 06/30/02<br>10/30/03 | 07/01/01<br>07/10/02 |
| E .....  | Municipal Incinerators .....  | 12/31/01<br>10/23/03 | 07/01/98<br>06/11/99 | 06/30/02<br>10/30/03 | 07/01/01<br>07/10/02 |
| Ea ..... | Municipal Waste Combustors Constructed After December 20, 1989, and On or Before September 20 1994.   | 12/31/01<br>10/23/03 | 07/01/98<br>06/11/99 | 06/30/02<br>10/30/03 | 07/01/01<br>07/10/02 |
| Eb ..... | Municipal Waste Combustors for Which Construction Is Commenced After September 20, 1994.              | 12/31/01<br>10/23/03 | 07/01/98<br>06/11/99 | 06/30/02<br>10/30/03 | 07/01/01<br>07/10/02 |
| Ec ..... | Hospital/Medical/Infectious Waste Incinerators for Which Construction Commenced After June 20, 1996.  | 12/31/01<br>10/23/03 | 07/01/98<br>06/11/99 | 06/30/02<br>10/30/03 | 07/01/01<br>07/10/02 |
| F .....  | Portland Cement Plants .....  | 12/31/01<br>10/23/03 | 07/01/98<br>06/11/99 | 06/30/02<br>10/30/03 | 07/01/01<br>07/10/02 |