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40 CFR Ch. I (7-1-07 Edition)

of Natural Resources submitted to John Hankinson, Regional Administrator, United States Environmental Protection Agency Region IV, a State Implementation Plan revision including the following transportation control measures.

(1) *HOV Lane*—This project referred to as AR 073B is the addition of HOV lanes on I-85 from Chamblee-Tucker Road to State Route 316.

(2) *Ridershare Program*—This project is referred to as AR-220 and is a lump sum eligible to all colleges and universities within the 10 county ARC region.

(3) *Transportation Management Associations*—Referred to as project AR 221 is to set up a “pot” of funds set aside specially to assist in the development of transportation management associations and start-up ridershare services in the areas that are considered to be highly congested throughout the Region.

(4) *MARTA Transit Incentives Program*—This project is referred to as AR-231.

(5) *Alternative Fuel Refueling Station/Park and Ride Transportation Center*—This project is referred to as DO-AR-211.

(c) EPA is giving final interim approval to the Georgia Inspection and Maintenance (I/M) Program submitted on March 27, 1996, with supplemental information submitted on January 31, 1997, until November 11, 1999.

[59 FR 46178, Sept. 7, 1994, as amended at 63 FR 23390, Apr. 29, 1998; 63 FR 34302, June 24, 1998; 64 FR 4570, Jan. 29, 1999]

§ 52.583 Additional rules and regulations.

Section 391-3-1-.02(2)(e), Particulate Emissions from Manufacturing Processes, is hereby approved only to the extent that it provides for the establishment, as permit conditions, of emission limits more stringent than those otherwise applicable under the currently approved Georgia regulations. Any application of this regulation which would result in permit provisions less stringent than those otherwise required by the State's regulations must be formally submitted to EPA for prior approval as a plan revision

pursuant to section 110(a) of the Clean Air Act.

[41 FR 35185, Aug. 20, 1976]

§ 52.584 Interstate pollutant transport provisions; What are the FIP requirements for decreases in emissions of nitrogen oxides?

The owner or operator of each NO_x source located within the State of Georgia and for which requirements are set forth under Federal CAIR NO_x Annual Trading Programs in part 97 of this chapter must comply with such applicable requirements.

[71 FR 25374, Apr. 28, 2006]

§ 52.585 Interstate pollutant transport provisions; What are the FIP requirements for decreases in emissions of sulfur dioxide?

The owner or operator of each SO₂ source located within the State of Georgia and for which requirements are set forth under the Federal CAIR SO₂ Trading Program in part 97 of this chapter must comply with such applicable requirements.

[71 FR 25374, Apr. 28, 2006]

§ 52.590 Original identification of plan section.

(a) This section identifies the original “Air Implementation Plan for the State of Georgia” and all revisions submitted by Georgia that were federally approved prior to December 1, 1998.

(b) The plan was officially submitted on January 27, 1972.

(c) The plan revisions listed below were submitted on the dates specified.

(1) Revisions to paragraph (a)(2) of Code Chapter 88-9 submitted on March 28, 1972, by the Assistant Attorney General.

(2) Certification of public hearing submitted on February 14, 1972, by the Georgia Department of Health.

(3) Miscellaneous non-regulatory additions to the plan submitted on March 9, 1972, by the Georgia Department of Health.

(4) Clarifying comments on the plan submitted on May 5, 1972, by the Georgia Department of Health.

(5) Certification of public hearing and miscellaneous additions to Chapter 391-3-1, Sections .02(2)(d), .02(2)(q), .02(2)(r)

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and .02(6) submitted on July 31, 1972, by the Governor.

(6) Amendments concerning operating permits, Section 391-3-1-.03, submitted on March 20, 1974, by the Georgia Department of Natural Resources.

(7) AQMA identification material submitted on May 17, 1974, by the Georgia Department of Natural Resources.

(8) Revisions to Sections 391-3-1-.02(2)(a) and 391-3-1-.02(2)(g) and revocation of Section 391-3-1-.02(2)(i) submitted on July 23, 1974, by the Georgia Department of Natural Resources.

(9) Compliance schedules submitted on August 2, 1974, by the Georgia Department of Natural Resources.

(10) Temporary operating permits submitted as compliance schedules on October 8, 1974, by the Georgia Department of Natural Resources.

(11) Temporary operating permits submitted as compliance schedules on November 7, 1974, by the Georgia Department of Natural Resources.

(12) Compliance schedules submitted on January 23, 1975, by the Georgia Department of Natural Resources.

(13) AQMA identification material submitted on March 10, 1975, by the Georgia Department of Natural Resources.

(14) Permit to operate for Georgia Power Company's Plant Atkinson submitted on May 22, 1975, by the Georgia Department of Natural Resources.

(15) Deletion of Section 391-3-1-.02(2)(m), the last sentence in Section 391-3-1-.03(2)(c) and the last sentence in Section 391-3-1-.03(3) submitted on June 30, 1975, by the Georgia Department of Natural Resources.

(16) Miscellaneous plan revisions, submitted on December 16, 1975, by the Georgia Department of Natural Resources.

(17) 1979 Implementation plan revisions for nonattainment areas for ozone, total suspended particulates, and carbon monoxide, submitted on January 17, March 9, 16, 20, June 29, December 27, 1979 and April 8, 1980, by the Georgia Department of Natural Resources.

(18) Order for Georgia Power Company's Plant Bowen, Units 1 and 2, Taylorsville, submitted on May 16, 1979, by the Georgia Department of Natural Resources.

(19) Miscellaneous implementation plan revisions, submitted on March 9, 1979, by the Georgia Department of Natural Resources.

(20) Alternate VOC compliance schedules for Ford and General Motors plants in the Atlanta area, submitted on April 14, 1980 by the Georgia Department of Natural Resources.

(21) Order for Georgia Power Company's Plant Harllee Branch, Unit 3 and 4 submitted on May 13, 1980, by the Georgia Department of Natural Resources.

(22) Air quality surveillance plan submitted on January 29, 1980, by the Georgia Department of Natural Resources.

(23) Permit revision affecting the allowable particulate emission rates from the No. 6 Recovery Boiler, No. 3 Power Boiler and No. 5 Smelt Dissolving Tank at the ITT Rayonier, Inc. in Jesup, Georgia submitted on December 18, 1980, by the Georgia Department of Natural Resources.

(24) Order on Units 1 and 2 of Georgia Power Company's Plant Bowen submitted on December 20, 1980, by the Georgia Department of Natural Resources.

(25) Georgia lead SIP submitted on December 18, 1980, by the Georgia Department of Natural Resources.

(26) Prevention of significant deterioration SIP, submitted on December 18, 1980, by the Georgia Department of Natural Resources.

(27) A modified permit submitted on December 22, 1981, by the Georgia Department of Natural Resources which imposes special reporting and opacity limitations on Union Camp Corporation's Power Boilers 11 and 12 in Savannah, Georgia.

(28) Set II VOC regulations, submitted on December 18, 1980, by the Georgia Department of Natural Resources.

(29) Alternative VOC compliance schedules for three sources in the Atlanta area (St. Regis Paper Co., Printpack, Inc., and American Can Co.), submitted on December 18, 1980, and May 7, 1981, by the Georgia Department of Natural Resources.

(30) Revisions to the Part D plan for the Atlanta CO nonattainment area,

submitted on July 30, 1982, by the Georgia Department of Natural Resources.

(31) Bubble permit for Blue Bird Body Company in Fort Valley, submitted on January 27, 1984, by the Georgia Department of Natural Resources.

(32) Visibility new source review regulations and visibility monitoring strategy were submitted to EPA on May 22, 1985, and October 31, 1985.

(i) *Incorporation by reference.* (A) Letter of May 22, 1985, from the Georgia Department of Natural Resources and new paragraph (2)(uu) of Rule No. 391-3-1-.02, titled "Visibility Protection", adopted by the Georgia Board of Natural Resources on May 1, 1985.

(ii) *Additional material.* (A) Narrative SIP, titled "Georgia's Plan for Visibility Protection in Class I Areas" which includes the State's Visibility Monitoring Strategy.

(B) Letter dated October 31, 1985, from the Georgia Department of Natural Resources, providing a schedule for the completion of Georgia's Visibility Monitoring Strategy.

(33) [Revised]

(34) Revision to Georgia's plan for visibility protection in Class I areas entitled "Visibility SIP" submitted to EPA on August 31, 1987, by the Georgia Environmental Protection Division (GEPD) to satisfy the Part 2 visibility requirements.

(i) *Incorporation by reference.* (A) June 10, 1988, letter from the Georgia Department of Natural Resources, and page 5 of the section entitled "Visibility SIP" which is part of the Georgia plan for visibility protection in Class I areas. This page contains the periodic review requirements satisfying 40 CFR 51.306(c), and was adopted by the Georgia Department of Natural Resources on August 31, 1987.

(ii) *Additional material.* (A) Narrative entitled "Visibility SIP", a revision to Georgia's plan for visibility protection in Class I areas.

(35) A revised subsection (2)(c), "Incinerators," of rule 391-3-1-.02 was submitted by the Georgia Department of Natural Resources on May 22, 1985.

(i) *Incorporation by reference.* (A) Letter of May 22, 1985, from the Georgia Department of Natural Resources and revised subsection (2)(c) of rule 391-3-1-.02, titled "Incinerators," adopted by

the Georgia Board of Natural Resources on May 1, 1985.

(ii) *Additional material.* None.

(36) Revised subsections (b) and (d) of rule 391-3-1-.02 (5), "Open Burning," were submitted by the Georgia Department of Natural Resources on May 22, 1985.

(i) *Incorporation by reference.* (A) Letter of May 22, 1985, from the Georgia Department of Natural Resources and revised subsections (b) and (d) of rule 391-3-1-.02(5), entitled "Open Burning," adopted by the Georgia Board of Natural Resources on May 1, 1985, to be effective May 27, 1985.

(ii) *Additional material.* (A) Modeling demonstration, submitted on February 19, 1988, by the Georgia Department of Natural Resources.

(37) Revisions to the VOC regulations, to correct RACT deficiencies; Chapter 391-3-1-.01, and .02 of the Georgia Department of Natural Resources Rules for Air Quality Control, which was submitted on January 3, 1991, and April 3, 1991. Change to Chapter 391-3-1-.02(3) to reference a new version of the test manual which includes capture efficiency protocols, which was submitted on September 30, 1991, and November 15, 1991.

(i) *Incorporation by reference.* (A) The following Rules of the Georgia Department of Natural Resources, Chapter 391-3-1, Air Quality Control, became State effective on January 9, 1991.

391-3-1-.01(jj);
 391-3-1-.02(2)(a)4.;
 391-3-1-.02(2)(t);
 391-3-1-.02(2)(u)2.(i) and (iii);
 391-3-1-.02(2)(v)2.(i) and (iii);
 391-3-1-.02(2)(w)2.(i) and (iii);
 391-3-1-.02(2)(x)2.(i), (iii), and (x)3.(v);
 391-3-1-.02(2)(y)2.(i) and (iii);
 391-3-1-.02(2)(z)2.(i) and (iii);
 391-3-1-.02(2)(aa)2.(i) and (iii);
 391-3-1-.02(2)(bb)1.(ii);
 391-3-1-.02(2)(cc);
 391-3-1-.02(2)(ee)1.(iii);
 391-3-1-.02(2)(ff)2.(ii)(V) and 3.(iii)(III);
 391-3-1-.02(2)(ii)4.(i) and (iii);
 391-3-1-.02(2)(jj)2.(i) and (iii);
 391-3-1-.02(2)(mm)1.(i), (ii), and (iii);
 391-3-1-.02(2)(pp);
 391-3-1-.02(2)(qq);
 391-3-1-.0292)(rr);
 391-3-1-.02(2)(ss);
 391-3-1-.02(3)(a);
 391-3-1-.02(6)(a)3.

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(B) A revised Rule 391-3-1-.02(3)(a) "Sampling" which became State effective October 17, 1991.

(ii) *Other material.* None.

(38) State implementation plan for PM10 which was submitted on April 15, 1988, January 3, 1991, and April 3, 1991, by the Georgia Department of Natural Resources.

(i) *Incorporation by reference.* (A) Revisions to Chapter 391-3-1, "Air Quality Control" which became State effective April 14, 1988. Rule 391-3-1-.01, "Definitions", mm, yyy, zzz, aaaa; Rule 391-3-1-.02(4)(c), "Ambient Air Standards"; Rule 391-3-1-.02(7), "Prevention of Significant Deterioration of Air Quality".

(B) Revisions to Rule 391-3-1-.02(4)(c), "PM10", which became State effective January 9, 1991.

(ii) *Other material.* (A) April 15, 1988, January 3, 1991, and April 3, 1991, letters from the Georgia Department of Natural Resources.

(39) On December 15, 1986, and November 13, 1992, the Georgia Department of Natural Resources, Environmental Protection Division submitted regulations for Part D New Source Review.

(i) *Incorporation by reference.* Revisions to the following Rules of Georgia Department of Natural Resources, Environmental Protection Division, effective November 22, 1992:

(A) 391-3-1-.01 introductory paragraph

(B) 391-3-1-.03(8)(c)

(ii) *Other material.* Letter dated February 28, 1989, from the Georgia Department of Natural Resources, page 3 regarding change in operation of a source.

(40) Revisions to include NO₂ increment requirements in the PSD regulations, Chapter 391-3-.02(7) of the Georgia Department of Natural Resources Administrative Code which was submitted on January 3, 1991.

(i) *Incorporation by reference.* (A) Rule 391-3-1-.02(7) entitled "Prevention of Significant Deterioration of Air Quality" which became state effective on January 9, 1991.

(ii) *Other material.* (A) Letters dated January 3, 1991, and April 3, 1991, from the Georgia Department of Natural Resources.

(B) Letter dated August 6, 1991, from the Georgia Department of Natural Resources regarding minimum program elements.

(41) Revisions to Chapters 391-3-1-.01, 391-3-1-.02, and 391-3-1-.03 of the Georgia Department of Natural Resources Rules for Air Quality Control, adopted on May 29, 1996, October 27, 1993, and August 23, 1995.

(i) *Incorporation by reference.* (A) Rules of the Georgia Department of Natural Resources, Environmental Protection Division, Chapter 391-3-1, Air Quality Control, adopted on May 29, 1996:

- (1) 391-3-1-.01(III).
- (2) 391-3-1-.01(mmmm).
- (3) 391-3-1-.02(2)(ff)4.
- (4) 391-3-1-.02(2)(ff)5.
- (5) 391-3-1-.02(7).
- (6) 391-3-1-.03(6).
- (7) 391-3-1-.03(6)(b)11.
- (8) 391-3-1-.03(6)(b)13.
- (9) 391-3-1-.03(6)(c).
- (10) 391-3-1-.03(6)(g).
- (11) 391-3-1-.03(6)(h).

(B) Rules of the Georgia Department of Natural Resources, Environmental Protection Division, Chapter 391-3-1, Air Quality Control, adopted October 27, 1993:

- (1) 391-3-1-.02(2)(aaa).
- (2) 391-3-1-.02(5)(a)3.
- (3) 391-3-1-.02(5)(a)13.
- (4) 391-3-1-.02(5)(b).

(C) Rules of the Georgia Department of Natural Resources, Environmental Protection Division, Chapter 391-3-1, Air Quality Control, adopted August 23, 1995:

- (1) 391-3-1-.02(2)(ii)6.
- (2) 391-3-1-.02(2)(rr)1.
- (3) 391-3-1-.02(2)(rr)3(vii).
- (4) 391-3-1-.02(2)(rr)6.
- (5) 391-3-1-.02(2)(zz)3.
- (6) 391-3-1-.02(2)(zz)7.
- (7) 391-3-1-.02(2)(zz)8.
- (8) 391-3-1-.02(2)(zz)9.
- (9) 391-3-1-.02(2)(zz)10.
- (10) 391-3-1-.02(2)(zz)11.
- (11) 391-3-1-.02(2)(zz)13.
- (12) 391-3-1-.02(2)(zz)20.
- (13) 391-3-1-.02(2)(aaa)4.

(ii) *Other material.* None.

(42) Revisions to the Georgia stack height regulations; Chapter 391-3-1 of the Georgia Department of Natural Resources Administrative Code which

were submitted on December 15, 1986, and January 3, 1991.

(i) *Incorporation by reference.* (A) Rule 391-3-1-.02 (2)(g), which was adopted by the Georgia Dept. of Natural Resources on December 3, 1986.

(B) Rule 391-3-1-.01 (Definitions) to include definitions (bbbb) and (cccc) for "stack" and "stack in existence"; and Rule 391-3-1-.02 (2)(a)4., which were adopted on December 5, 1990 by the Georgia Department of Natural Resources, and became State law effective January 9, 1991.

(43) The Georgia Environmental Protection Division has submitted revisions to the Georgia State Implementation Plan on September 27, 1995. These revisions address the requirements of section 507 of Title V of the Clean Air Act and establish the Small Business Stationary Source Technical and Environmental Program.

(i) *Incorporation by reference.* (A) The submittal of the state of Georgia's Small Business Stationary Source Technical and Environmental Compliance Assistance Program which was adopted on July 20, 1995.

(ii) *Additional material.* None.

(44) Revisions to the Georgia State Implementation Plan; Chapter 391-3-1 and Chapter 391-3-10 of the Georgia Department of Natural Resources Administrative Code which were submitted to EPA on November 13, 1992.

(i) *Incorporation by reference.* (A) Georgia Department of Natural Resources Air Quality Rules submitted by the Georgia Department of Natural Resources, Environmental Protection Division for inclusion in the Georgia state implementation plan which were adopted on October 28, 1992, are as follows:

391-3-1-.05, 391-3-1-.09, 391-3-1-.10, 391-3-1-.02(2)(zz), 391-3-1-.02(6)(a)4., 391-3-1-.03(5), 391-3-1-.03(6)(h), 391-3-10.01(d)(e), 391-3-10-.04(d), 391-3-10-.07(2), 391-3-10-.10(b), 391-3-10-.12, 391-3-10-.24(11), 391-3-10-.30(1), 391-3-10-.30(2).

(ii) *Other material.* None.

(45) The State of Georgia submitted a lead SIP for the Muscogee County lead nonattainment area dated September 28, 1998.

(i) *Incorporation by reference.* State Implementation Plan for Lead Columbus, Georgia Muscogee County, Re-

quirements for the GNB facility that were adopted on September 28, 1998.

(ii) *Other material.* None.

(46) Revisions to minor source permit rules submitted by the Georgia Environmental Protection Division on March 15, 1995.

(i) *Incorporation by reference.* Revised Rule 391-3-1-.03, "Permits", sections (1), (2), and (12), effective August 17, 1994.

(ii) *Other material.* None.

(47) Chapter 391-3-1-.01, .02(2), and .02(7), of the Georgia Department of Natural Resources Rules for Air Quality Control, submitted on June 24, 1994, and November 15, 1994. Change to Chapters 391-3-1-.02(3) and 391-3-1-.02(6) to reference a new version of the Georgia Department of Natural Resources Manual of Procedures for Testing and Monitoring Sources of Air Pollutants, submitted on November 15, 1994.

(i) *Incorporation by reference.* (A) The following revised Rules of the Georgia Department of Natural Resources, Chapter 391-3-1, Air Quality Control, became State effective on June 13, 1994:

391-3-1-.02(2)(hh)(iii);
391-3-1-.02(7);

(B) The following revised Rules of the Georgia Department of Natural Resources, Chapter 391-3-1, Air Quality Control, became State effective on November 20, 1994:

391-3-1-.01;
391-3-1-.02(2)(t);
391-3-1-.02(2)(ccc);
391-3-1-.02(2)(eee);
391-3-1-.02(3)(a);
391-3-1-.02(6)(a)2.(v)(I);
391-3-1-.02(6)(a)2.(vii)(I);
391-3-1-.02(6)(a)2.(vii)(II)I.;
391-3-1-.02(6)(b)1.(vi)

(ii) *Other material.* None.

(48) Clean Fuel Fleet program submitted to EPA by the Georgia Department of Natural Resources on May 5, 1994.

(i) *Incorporation by reference.* (A) Addition of Regulations 391-3-21-.01, "Definitions," 391-3-21-.02, "Covered Area," 391-3-21-.03, "Covered Fleet Operators," 391-3-21-.04, "Covered Fleet Vehicles," 391-3-21-.05, "Determination of Capable of Being Centrally Fueled," 391-3-21.06, "Purchase Requirements," 391-3-21.07, "Emission Standards," 391-3-21.08, "Credit Program," 391-3-21.09,

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“Transportation Control Exemptions,” 391-3-21.10, “Requirements for Fuel Providers,” 391-3-21-.11, “ Enforcement” which became effective on May 22, 1994.

(ii) *Other material.* None.

(49) Addition of NO_x RACT permits to specify RACT for specific sources, submitted on November 15, 1994, and March 19, 1998.

(i) *Incorporation by reference.* (A) The following source specific NO_x RACT permits of the Georgia Department of Natural Resources, Chapter 391-3-1, Air Quality Control, effective on December 27, 1995.

NO_x RACT Permits:

(1) Permit 4911-033-5037-0 Plant McDonough conditions 10 through 22;

(2) Permit 4911-038-4838-0 Plant Yates conditions 19 through 32;

(3) Permit 4911-038-4839-0 Plant Yates conditions 16 through 29;

(4) Permit 4911-038-4840-0 Plant Yates conditions 16 through 29; and

(5) Permit 4911-038-4841-0 Plant Yates conditions 16 through 29.

(B) The following source specific NO_x RACT permits of the Georgia Department of Natural Resources, Chapter 391-3-1, Air Quality Control, effective on November 15, 1994.

NO_x RACT Permits:

(1) Permit 4911-033-1321-0 Plant Atkinson conditions 8 through 13.

(2) Permit 4911-033-1322-0 Plant Atkinson conditions 8 through 13.

(3) Permit 4911-033-6949 Plant Atkinson conditions 5 through 10.

(4) Permit 4911-033-1320-0 Plant Atkinson conditions 8 through 13.

(5) Permit 4911-033-1319-0 Plant Atkinson conditions 8 through 13.

(6) Permit 4911-033-6951 Plant McDonough conditions 5 through 10.

(7) Permit 4922-028-10902 Atlanta Gas Light Company conditions 20 and 21.

(8) Permit 4922-031-10912 Atlanta Gas Light Company conditions 27 and 28.

(9) Permit 2631-033-11436 Austell Box Board Corp. conditions 1 through 5.

(10) Permit 8922-044-10094 Emory University conditions 19 through 26.

(11) Permit 3711-044-11453 General Motors Corporation conditions 1 through 6 and Attachment A.

(12) Permit 2077-058-11226 Georgia Proteins Company conditions 16 through 23 and Attachment A.

(13) Permit 3221-060-10576 Owens-Brockway Glass Container, Inc. conditions 26 through 28 and Attachment A.

(14) Permit 3296-060-10079 Owens-Corning Fiberglass Corporation conditions 25 through 29.

(15) Permit 3354-038-6686-0 William L. Bonnell Co. conditions 17 through 30.

(16) Permit 4922-075-10217 Transcontinental Gas Pipe Line Corporation conditions 21 through 24.

(17) Permit 9711-033-11456 Lockheed-Georgia Company conditions 1 through 11.

(18) Permit 3241-060-8670 Blue Circle Incorporated conditions 48 through 54.

(ii) *Other material.* None.

(50) Georgia Enhanced Inspection and Maintenance submitted to EPA by the Georgia Department of Natural Resources on March 27, 1996.

(i) *Incorporation by reference.* (A) Chapter 391-3-20 Enhanced Inspection and Maintenance program effective on September 24, 1996.

(ii) *Other material.* None.

[37 FR 10859, May 31, 1972. Redesignated at 64 FR 27701, May 21, 1999]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.590, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

Subpart M—Hawaii

§ 52.620 Identification of plan.

(a) *Purpose and scope.* This section sets forth the applicable State implementation plan for State of Hawaii under section 110 of the Clean Air Act, 42 U.S.C. 7401-7671q and 40 CFR part 51 to meet national ambient air quality standards.

(b) *Incorporation by reference.*

(1) Material listed in paragraphs (c) and (d) of this section with an EPA approval date prior to June 1, 2005, 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 June 1, 2005,