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Regulatory Streamlining: Consolidation of APC&EC Regulation Nos. 18, 19, 26, and 31 Into Proposed APC&EC Regulation No. 35				
Regulation No. 35 General Revisions				
Previous Citation	New Citation	Comments	Disposition	To be included as part of State Implementation Plan (SIP)?
Regulation Nos. 18, 19, 26, and 31	Regulation No. 35	<ol style="list-style-type: none"> 1) Removed all reserved chapters and sections 2) Replaced undefined acronyms with unabbreviated text 3) Updated terminology to establish consistency throughout the regulation 4) Corrected spelling, grammar, and punctuation 5) Revised language to enhance clarity 	Retained without substantive revisions	Yes
Regulation No. 19, Chapter 10	None	<p>Removed Chapter: Regulation No. 19, Chapter 10 was originally approved by EPA in 1980. Pulaski County was designated nonattainment for ozone in 1977 when the ozone NAAQS was 0.08 ppm. The NAAQS was changed to 0.12 ppm in 1979. Subsequent monitoring in 1980 through 1982 showed that Pulaski County had re-attained the NAAQS and the area was redesignated as attainment. The area has remained in attainment of all subsequent ozone standards. Historic air quality modeling for ozone in central Arkansas has shown that ozone development in the area is nitrogen-oxide-limited. Additionally, the modeling has shown that the vast majority of volatile organic compound (VOC) emissions in central Arkansas are biogenic. Due to continued ozone attainment and the lack of evidence that anthropogenic VOC emissions</p>	Not retained	To be withdrawn from SIP

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		contribute significantly to ozone development in central Arkansas, the VOC control requirements currently in place in Pulaski County are no longer needed. Technical information supporting the repeal can be found in Appendix A of this SIP.		
Regulation No. 19, Chapter 11	None	Removed Chapter: The referenced regulatory provisions from Regulation No. 26 are included in the consolidated regulation.	Not retained	To be withdrawn from SIP
Regulation No. 19, Chapter 14	None	Removed Chapter: EPA replaced the Clean Air Interstate Rule (CAIR) with the Cross-State Air Pollution Rule (CSAPR) on August 8, 2011. (76 FR 48208). CSAPR took effect on January 1, 2015. Therefore, CAIR is no longer in effect.	Not retained	To be withdrawn from SIP

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Regulation No. 35, Chapter 1 Title and Purpose				
Previous Citation	New Citation	Comments	Disposition	To be included as part of (SIP)?
Reg. 18.101, Reg. 19.101, Reg. 26.101, Reg. 31.101	Reg. 35.101	Merged sections with minor typographical, stylistic, or other non-substantive language clarification and added new title “Arkansas Air Quality Regulation”	Retained without substantive revisions	Yes
Reg. 18.103, Reg. 19.102, Reg. 31.102	Reg. 35.102	Merged sections with minor typographical, stylistic, or other non-substantive language clarification.	Retained without substantive revisions	Yes
Reg. 18.102, Reg. 19.103, Reg. 26.102	Reg. 35.103	Merged sections with minor typographical, stylistic, or other non-substantive language clarification.	Retained without substantive revisions	Yes, except Reg. 35.103(E)
Reg. 18.104, Reg. 19.104, Reg. 26.103, Reg. 31.103	Reg. 35.104	Merged sections with minor typographical, stylistic, or other non-substantive language clarification. The greenhouse gases (GHG) rescission clause was removed. The rescission clause stayed certain portions of Arkansas GHG permitting requirements when the court vacated Step 2 of the GHG Tailoring Rule (80 FR 50199). Because those stayed requirements have not been retained in Regulation No. 35, the rescission clause is no longer necessary.	Retained with substantive revisions	Yes
Reg. 18.601	Reg. 35.105	Renamed “Pre-emption of Political Subdivisions”	Retained without substantive revisions	No

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Regulation No. 35, Chapter 2 Definitions				
Previous Citation	New Citation	Comments	Disposition	To be included as part of (SIP)?
Regulation No. 18, Chapter 2, Regulation No. 19, Chapter 2, Regulation No. 26, Chapter 2, Regulation No. 31, Chapter 2	Regulation No. 35, Chapter 2	<ol style="list-style-type: none"> 1) Combined definitions with minor revisions 2) Replaced term “Commission” with “Arkansas Pollution Control and Ecology Commission” 3) Replaced term “Federal Clean Air Act” with “Clean Air Act” (definition retained with minor revisions) 4) Removed definition for “reviewing authority” (This term was replaced with “Department” throughout Regulation No. 35) 	Retained without substantive revisions	Yes
Regulation No. 31, Chapter 2	Regulation No. 35, Chapter 2	Revised definition of “Baseline actual emissions” to remove the language “except that the ten year period shall not include any period earlier than November 15, 1990.” Because 1990 was more than ten years ago, this phrase is now meaningless.	Retained without substantive revisions	Yes
Regulation No. 18, Chapter 2, Regulation No. 19, Chapter 2	Regulation No. 35, Chapter 2	Replaced term “12-month period” with “twelve-month period” (definition retained)	Retained without substantive revisions	Yes
Regulation No. 18, Chapter 2	None	Removed term “Conditions of Episodic Air Pollution.” Corresponding provisions in Regulation No. 18 were also not retained.	Not retained	No
Regulation No. 19, Chapter 2 Regulation No. 26, Chapter 2	Regulation No. 35, Chapter 2	Combined Regulation No. 26 definition for “regulated air pollutant” with Regulation No. 19 definition for “federally-regulated air pollutant” with minor revisions	Retained without substantive revisions	Yes
Regulation No. 19, Chapter 2	Regulation No. 35 Chapter 2	Combined definitions for “NAAQS state implementation plan” and “Plan” into new “state implementation plan” definition from 2/26/16 rulemaking	Retained without substantive revisions	Yes

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Regulation No. 26, Chapter 2, Regulation No. 31, Chapter 2	Regulation No. 35, Chapter 2	Renamed terms for major source as “Part 70 major source,” “Prevention of significant deterioration major source,” and “nonattainment new source review major source,” as appropriate, in order to avoid confusion	Retained without substantive revisions	Yes
Regulation No. 31, Chapter 2	Regulation No. 35, Chapter 2	<ol style="list-style-type: none"> 1) Renamed term “regulated NSR pollutant” as “nonattainment new source review pollutant” (definition retained) 2) Renamed term “major modification” as “nonattainment major modification” and corrected a typographical error (paragraph C.5.a) 3) Changed “Commence” to “Commence Construction” 	Retained without substantive revisions	Yes
none	Regulation No. 35, Chapter 2	Added a definition for “business days” and changed instances of “working days” to “business days” throughout	Added	Yes
Regulation No. 26, Chapter 2	Regulation No. 35, Chapter 2	Combined the definition of “Draft permit” and “Proposed permit” Replaced all uses of the term “proposed permit” with “draft permit”	Retained without substantive revisions	Yes
none	Regulation No. 35, Chapter 2	Added definition for “Direct PM _{2.5} Emissions” in accordance with the Clean Air Fine Particle Implementation Rule (72 FR 20585 at page 20664)	Substantively revised	Yes
Reg. 19.904(G)(1) Reg. 19.904(G)(2)	Regulation No. 35, Chapter 2	Added definitions for “GHG” and “CO ₂ e equivalent emissions” from Regulation No. 19, Chapter 9 (“Prevention of Significant Deterioration”) to Regulation No. 35, Chapter 2 (“Definitions”)	Retained without substantive revisions	Yes
Reg. 31.802(B) Reg. 31.802(E)	Regulation No. 35, Chapter 2	Added definitions for “allowable emissions” and “plantwide applicability limitation” from Regulation No. 31 Chapter 8 (“Actual PALs”) to	Retained without substantive revisions	Yes

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		Regulation No. 35 Chapter 2 (“Definitions”)		
None	Regulation No. 35, Chapter 2	Inserted new definitions for “Ark. Code Ann.,” “C.F.R.,” “FR,” “MACT,” “mandatory Federal Class I area,” “NESHAP,” “NSPS,” and “RACT”	Added	Yes
Regulation No. 18, Chapter 2, Regulation No. 19, Chapter 2	Regulation No. 35, Chapter 2	Updated definition of “national ambient air quality standard” to include 2015 ozone standard (80 FR 65292)	Substantively revised	Yes
Regulation No. 31, Chapter 2	Regulation No. 35, Chapter 2	Removed definition for “temporary clean coal technology demonstration project” because program is no longer active. The last project selection occurred in 1993.	Substantively revised	Yes
Regulation No. 31, Chapter 2, Regulation No. 19, Chapter 2	Regulation No. 35, Chapter 2	“Routine” added in front of the word “replacement” in definitions of “Modification” and “Major Modification”. The purpose of this change is to correct a grammatical ambiguity as to whether the word “routine” modifies just “maintenance” or whether it is meant to modify “maintenance, repair, and replacement”	Retained without substantive revisions	Yes
Regulation No. 19, Chapter 2, Regulation No. 31, Chapter 2	Regulation No. 35, Chapter 2	Updated the definition of “Volatile Organic Compounds” (81 FR 9339)	Substantively revised	Yes

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Regulation No. 35, Chapter 3 Open Burning				
Previous Citation	New Citation	Comments	Disposition	To be included as part of (SIP)?
Regulation No. 18, Chapter 6	Regulation No. 35, Chapter 3	1) Rearranged section order and re-named the chapter and some sections	Retained without substantive revisions	No
Reg. 18.604(B)	None	1) Removed language related to “conditions of episodic air pollution” because provisions pertaining to “conditions of episodic air pollution” were never used and were not anticipated to ever be necessary 2) The term “conditions of episodic air pollution” was not retained in Chapter 2	Not retained	No
None	Reg. 35.303	Added section that provides regulations pertaining incorporate open burning of storm debris provisions consistent with Ark. Code Ann. §8-4-316 as amended in 2017	Added	No

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Regulation No. 35, Chapter 4 State Prohibitions				
Previous Citation	New Citation	Comments	Disposition	To be included as part of (SIP)?
Regulation No. 18, Chapters 8, 9, and 12	Regulation No. 35, Chapter 4	Retained provisions with minor revisions and consolidated into a single chapter	Retained without substantive revisions	No
Reg. 18.801	Reg. 35.401	Changed language to “A person shall not cause or allow the emission of air contaminants, odors indicative of the release of an air contaminant, or water vapor if the emission constitutes air pollution.”	Retained with substantive revisions	No

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Regulation No. 35, Chapter 5 Mobile Sources				
Previous Citation	New Citation	Comments	Disposition	To be included as part of (SIP)?
Regulation No. 18, Chapter 7	Regulation No. 35, Chapter 5	Re-named chapter and retained provisions with minor revisions	Retained without substantive revisions	No

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Regulation No. 35, Chapter 6 Visible Emissions Limitations				
Previous Citation	New Citation	Comments	Disposition	To be included as part of (SIP)?
Regulation No. 18, Chapter 5	Regulation No. 35, Chapter 6	Re-named chapter "Visible Emissions Limitations"	Retained without substantive revisions	Yes
Regulation No. 18 Chapter 5, Reg. 19.503	Regulation No. 35, Chapter 6	Merged Regulation No. 18, Chapter 5 with Reg. 19.503 with minor revisions These revisions change the scope of equipment subject to the provisions originally located in Regulation No. 18, Chapter 5; however, since such equipment would also be subject to Reg. 19.503, no practical change in requirements for these sources would be expected.	Retained with substantive revisions	Yes, with the exception below
Reg. 18.501(A)	Reg. 35.601(D)	Retained with minor revisions to clarify applicability to permits issued pursuant to state-only permitting requirements	Retained without substantive revisions	No

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Regulation No. 35, Chapter 7 Upset and Emergency Conditions				
Previous Citation	New Citation	Comments	Disposition	To be included as part of (SIP)?
Reg. 18.1102	None	Removed: This provision is outdated. Sources seeking approval for periods of noncompliance due to change of or lack of fuel would have had to file for approval prior to 1972. This would not be available to sources also subject to Regulation No. 19. This provision was likely put in place due to historic oil shortages in the 1970s, but is no longer necessary. No practical effect is expected from removing this provision.	Not retained	
Reg. 18.1103	None	Removed: Reg. 18.1103 refers to applications that were referred to under Regulation No. 18 provisions that were removed from the regulation in a previous rulemaking.	Not retained	No
Reg. 18.1104	None	Removed: Reg. 18.1104 is not necessary to preserve the Department's authority.	Not retained	No
Reg. 18.1101, Reg. 19.601	Reg. 35.701	Both Regulation No. 18 and 19 provisions address upset conditions with only minor differences. Because Reg. 19.601 is more updated, contains largely the same information, and the language is SIP-approved, the Reg. 19.601 version of the upset provision was retained in Reg. 35.701.	Retained without substantive revisions	Yes
Reg. 18.1105, Reg. 19.602	Reg. 35.702	Merged sections with minor typographical, stylistic, or other non-substantive language clarification.	Retained without substantive revisions	Yes

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Regulation No. 35, Chapter 8 Protection of Ambient Air Quality Standards				
Previous Citation	New Citation	Comments	Disposition	To be included as part of (SIP)?
Reg. 18.1301 Regulation No. 19, Chapter 3	Regulation No. 35 Chapter 8	Merged sections with minor typographical, stylistic, or other non-substantive language clarification.	Retained without substantive revisions	Yes, with the exceptions below.
Reg. 18.1301, Reg. 18.1401	Reg. 35.805	“State Authority” heading changed to “Conditions of Air Pollution;” “Contamination” changed to “contaminants;” Reg. 18.1401 public notification of conditions of air pollution provisions retained as Reg. 35.805(B), but references to conditions of episodic air pollution removed	Retained without substantive revisions	No
Reg. 18.604(B) and (D)	Reg. 35.805	Removed provisions pertaining to “conditions of episodic air pollution.”	Not retained	No
none	Reg. 35.806	Added “Hydrogen Sulfide Ambient Air Standards” language to define H ₂ S standard, methods of prediction, compliance plan, control technology requirements, and exemptions consistent with State statute Ark. Code Ann. § 8-3-102 and § 8-3-103	Added	No

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Regulation No. 35, Chapter 9 General Limitations Applicable to Equipment				
Previous Citation	New Citation	Comments	Disposition	To be included as part of (SIP)?
Reg. 19.501, Reg. 19.502, Reg. 19.504, Reg. 19.505	Regulation No. 35 Chapter 9	Retained with minor typographical, stylistic, or other non-substantive language clarification	Retained without substantive revisions	Yes
Reg. 19.502	Reg. 35.902(D)	Amended to read “Any applicable emission limitation or air quality standard promulgated by the Department in this Regulation”	Retained without substantive revisions	Yes
Reg. 19.505	Reg. 35.904(A)	Revised to “The emission limitations and reporting procedures of this Chapter may be amended as described below:”	Retained without substantive revisions	Yes

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Regulation No. 35, Chapter 10 111(D) Designated Facilities				
Previous Citation	New Citation	Comments	Disposition	To be included as part of (SIP)?
Regulation No. 19, Chapter 8	Regulation No. 35, Chapter 10	Re-named chapter	Retained without substantive revisions	Yes
Reg. 19.801, Reg. 19.802	Reg. 35.1001, Reg. 35.1002	Retained with minor typographical, stylistic, or other non-substantive language clarification	Retained without substantive revisions	Yes
Reg. 19.804(A)	Reg. 35.1003(A)	Retained with minor typographical, stylistic, or other non-substantive language clarification	Retained without substantive revisions	Yes
Reg. 19.804(A)	Reg. 35.1003(A)	International Paper Pine Bluff changed to Evergreen Packaging. Delta National Kraft changed to Mondi, Pine Bluff. Georgia Pacific Corporation of Ashdown changed to Domtar A.W. Potlatch Corporation of McGehee changed to Clearwater Paper Corporation	Retained without substantive revisions	Yes
Reg. 19.803	None	Removed: Reg. 19.803 emission limitations and compliance testing requirements for El Dorado Chemical Company, which has been reconstructed and is no longer subject to 111(d), was removed.	Not retained	To be withdrawn from SIP
Reg. 19.804(B)	Reg. 35.1003(B)	Revised testing frequency from annual to every 5 years	Retained with substantive revisions	Yes
Reg. 19.804(C)	Reg. 35.1003(C)	IP Camden, a facility that has permanently shut down, was removed from Reg. 19.804 Table 19.8.1. (now Table 35.10.1)	Retained with substantive revisions	Yes

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Regulation No. 35, Chapter 11 Stage I Vapor Recovery				
Previous Citation	New Citation	Comments	Disposition	To be included as part of (SIP)?
Reg. 19.1301, Reg. 19.1302, Reg. 19.1305, Reg. 19.1307, Reg. 19.1312	Reg. 35.1101, Reg. 35.1102, Reg. 35.1105, Reg. 35.1107, Reg. 35.1112, respectively	Retained with minor typographical, stylistic, or other non-substantive language clarification	Retained without substantive revisions	Yes
Regulation No. 19, Chapter 13	Regulation No. 35, Chapter 11	All instances of “rule” changed to “this Chapter”	Retained without substantive revisions	Yes
Reg. 19.1303	Reg. 35.1103	Replaced term “delivery vessel” with “gasoline delivery vessel” (definition retained) for consistency with NESHAP CCCCCC	Retained without substantive revisions	Yes
Reg. 19.1303(O)	Reg. 35.1103(P)	Removed requirements for submerged fill pipe for tanks that do not have a vapor recovery adaptor The capacity exemption for storage tanks in Reg. 19.1304(B) was revised such that tanks with capacities between 250 and 550 gallons could no longer claim an exemption if they have a submerged fill pipe. Therefore, the submerged fill pipe specifications located at Reg. 19.1303(O)(1) for tanks without a stage I vapor recovery adaptor (exempt tanks) was no longer applicable.	Retained with substantive revisions	Yes
Reg. 19.1303(P)	Reg. 35.1103(Q)	Changed definition of “Throughput” for consistency with NESHAP CCCCCC	Retained with substantive revisions	Yes
Reg. 19.1303	Reg. 35.1103	For consistency with NESHAP CCCCCC requirements: 1) Inserted definition for “control of a corporation” 2) Removed definition for “gasoline service	Retained with substantive revisions	Yes

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		<p>station”</p> <ol style="list-style-type: none"> 3) Revised definition for “independent small business marketer” 4) Inserted definition for “refiner” 5) Revised definition for “vapor tight” 		
Reg. 19.1304	Reg. 35.1104	Revised 19.1304 exemptions to address conflicts between this provision and NESHAP CCCCCC requirements	Retained with substantive revisions	Yes
Reg. 19.1304	Reg. 35.1104	Revised 19.1304 to add the word “record” before “on forms as the Department may require”	Retained without substantive revisions	Yes
Reg. 19.1306	Reg. 35.1106	Revised 19.1306 record keeping requirements for clarity; Changed requirement to record monthly totals of “gasoline sold” to “gasoline throughput” for consistency with NESHAP CCCCCC	Retained with substantive revisions	Yes
Reg. 19.1308	Reg. 35.1108	Revised 19.1308(B) and (E) provisions to ensure that vapor recovery adaptors and vent lines are being properly maintained	Retained with substantive revisions	Yes
Reg. 19.1309	Reg. 35.1109	Revised 19.1309(C) provision to clarify test method and require documentation of testing All instances of “H ₂ O” changed to “water” for clarity	Retained with substantive revisions	Yes
Reg. 19.1310	Reg. 35.1110	<ol style="list-style-type: none"> 1. Removed 19.1310(B) provision because it is substantively redundant with 19.1310(A) which was retained with revisions as Reg. 35.1110A. 2. Added a requirement that the owner/operator submit results from the compliance tests already required under 19.1310 (C) and 19.1311 3. Added a requirement for the owner/operator to notify the Department if they have to retest 	Retained with substantive revisions	Yes

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		pursuant to provisions that were contained in Reg. 35.1110 how the notification must be submitted. Additionally, a provision allowing a request for extension on retesting was added to provide flexibility.		
Reg. 19.1311	Reg. 35.1111	Clarification regarding leak detection testing method and removal of inapplicable gasoline combustion testing methodology Clarification of testing time frames	Retained with substantive revisions	Yes
Reg. 19.1312(B)	Reg. 35.1112(B)	Inserted “three (3) or more facilities” between “with” and “sales” to clarify when the provision applies	Retained with substantive revisions	Yes

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Regulation No. 35, Chapter 12 Confidentiality				
Previous Citation	New Citation	Comments	Disposition	To be included as part of (SIP)?
Regulation No. 18. Chapter 14 Reg. 19.413	Regulation No. 35, Chapter 12	Provisions regarding “trade secrets” were merged and revised to correct inconsistencies across APC&EC regulations.	Retained with substantive revisions	Yes

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Regulation No. 35, Chapter 13 Sampling, Monitoring, and Reporting Requirements				
Previous Citation	New Citation	Comments	Disposition	To be included as part of (SIP)?
Regulation No. 18, Chapter 10, Regulation No. 19, Chapter 7	Regulation No. 35, Chapter 13	Merged sections with minor typographical, stylistic, or other non-substantive language clarification	Retained without substantive revisions	Yes, except Reg. 35.1301(B)
Reg. 19.704(B)	Reg. 35.1304(B)	Replaced “the equipment” with “a piece of equipment”.	Retained without substantive revisions	Yes

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Regulation No. 35, Chapter 14 Permits				
Previous Citation	New Citation	Comments	Disposition	To be included as part of (SIP)?
Reg. 18.301, Reg. 19.401	Reg. 35.1401(A)	(1) Merged sections with minor typographical, stylistic, or other non-substantive language clarification (2) Applicability specific to Reg. 18.301 that differed from Reg. 19.401 provisions split into Reg. 35.1401(B) and (C)	Retained without substantive revisions	Yes
Reg. 18.301(A) and (B)	Reg. 35.1401 (B) and (C)	Special applicability retained and applicability requirements in Reg. 18.301(A) that differed from Reg. 19.401 provisions included as Reg. 35.1401(C) "Additional Applicability"	Retained without substantive revisions	No
Reg. 18.315	Reg. 35.1402(A)–(F)	Retained with minor typographical, stylistic, or other non-substantive changes	Retained without substantive revisions	No
Reg. 19.417	Reg. 35.1402(G)–(H)	Retained with minor typographical, stylistic, or other non-substantive changes	Retained without substantive revisions	Yes
Reg. 18.302, Reg. 19.402	Reg. 35.1403(A)–(C)	Merged sections with minor typographical, stylistic, or other non-substantive language clarification	Retained without substantive revisions	Yes, except Reg. 35.1403(C)
None	Reg. 35.1403(D)	Added language to specify requirements for permitting of commercial medical waste incinerators pursuant to §§ 8-6-1301 et seq	Added	No
Reg. 18.303, Reg. 19.403	Reg. 35.1404	Retained with minor typographical, stylistic, or other non-substantive changes	Retained without substantive revisions	Yes
Reg. 18.304, Reg. 19.404	Reg. 35.1405	Merged sections with minor typographical, stylistic, or other non-substantive language clarification	Retained without substantive revisions	Yes
Reg. 18.304(A)(1)	Reg. 35.1405(A)(3)	The requirements of Reg. 18.304(A)(1) were split into two parts so that the requirement for "information on the nature and amounts of air pollutants emitted by associated mobile sources," not present in Reg. 19.904 could be	Retained without substantive revisions	No

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		retained without inclusion in the SIP		
Reg. 18.305, Reg. 19.405	Reg. 35.1406	Removed Reg. 18.306(B)(2) [this paragraph is identical to Reg. 19.405(C) and Reg. 35.1405(C)]	Retained without substantive revisions	Yes, except Reg. 35.1406(A)(6) and (7) and Reg. 35.1406(B)(1)(a)
Reg. 18.305(A)(3) and (4)	Reg. 35.1406(A)(6) and (7)	Retained minor typographical, stylistic, or other non-substantive language clarification	Retained without substantive revisions	No
Reg. 18.305(B)(1)	Reg. 35.1406(B)(1)(a)	Retained with minor typographical, stylistic, or other non-substantive language clarification	Retained without substantive revisions	No
Reg. 18.306, Reg. 19.406	Reg. 35.1407	Merged sections with minor typographical, stylistic, or other non-substantive language clarification Language regarding public availability replaced with appropriate reference to Regulation No. 8	Retained without substantive revisions	Yes
Reg. 18.307, Reg. 19.407	Reg. 35.1408	Merged sections with minor revisions Removed “as expeditiously” previously contained in 19.407(A)(2) [This would allow a permit to be revised to incorporate the administrative amendment at the next renewal or modification]	Retained with substantive revisions	Yes
Reg. 19.407(C)(6), Reg. 18.302(C)(5)	Reg. 35.1408(C)(6)	Changed “The applicant may implement <i>De Minimis</i> changes immediately upon approval by the Department.” to “The applicant may implement <i>De Minimis</i> changes immediately upon receipt of written notification by the Department.” Did not retain provision at Reg. 19.407(C)(7). This second sentence in this provision is redundant with Reg.19.407(C)(6). This change also allows the Department to incorporate De	Retained with substantive revisions	Yes

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		Minimis changes at the next permit modification.		
Reg. 19.408, Reg. 18.308	None	Removed: For Reg. 19.408 and Reg. 18.308, (A) is not true per Title V requirements and (B) is outdated such that no currently operating source would qualify for an exemption from permitting under (B). Reg. 18.308 (C) and (D) provide cross-references that are no longer needed in merged regulation	Not retained	Yes
Reg. 18.309, Reg. 19.410	Reg. 35.1409	Merged sections with minor typographical, stylistic, or other non-substantive language clarification	Retained without substantive revisions	Yes
Reg. 18.310, Reg. 19.411	Reg. 35.1410	(1) Merged sections with minor typographical, stylistic, or other non-substantive language clarification (2) Replaced application procedure language for general permits with appropriate reference to Regulation No. 8	Retained without substantive revisions	Yes
Reg. 18.311, Reg. 19.409	Reg. 35.1411	Merged sections with minor typographical, stylistic, or other non-substantive language clarification.	Retained without substantive revisions	Yes
Reg. 18.312, Reg. 19.414	Reg. 35.1412	Merged sections with minor typographical, stylistic, or other non-substantive language clarification	Retained without substantive revisions	Yes
Reg. 18.313, Reg. 19.415	Reg. 35.1413	Merged sections with minor typographical, stylistic, or other non-substantive language clarification	Retained without substantive revisions	Yes
Reg. 18.314, Reg. 19.416	Reg. 35.1414	Merged sections with minor typographical, stylistic, or other non-substantive language clarification	Retained without substantive revisions	Yes
Reg. 19.412	Reg. 35.1415	Retained with minor typographical, stylistic, or	Retained without	Yes

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		other non-substantive language clarification	substantive revisions	
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Regulation No. 35, Chapter 15 Prevention of Significant Deterioration				
Previous Citation	New Citation	Comments	Disposition	To be included as part of (SIP)?
Reg. 19.901	None	Removed unnecessary title section	Not retained	Yes
Reg. 19.902	Reg. 35.1501	Retained with minor typographical, stylistic, or other non-substantive language clarification.	Retained without substantive revisions	Yes
Reg. 19.903	Reg. 35.1502	Replaced term “regulated NSR pollutant” with “PSD new source review pollutant” (definition retained)	Retained without substantive changes	Yes
Reg. 19.904	Reg. 35.1503	<ol style="list-style-type: none"> 1) Removed GHG definition in Reg. 19.904(G)(1) because this term is defined in Chapter 2 2) Removed definition under Reg. 19.904(G)(2) because it is redundant with the definition of “CO₂ equivalent emissions” in Chapter 2 	Retained without substantive revisions	Yes
Reg. 19.904	Reg. 35.1503	Removed Reg. 19.904(G)(5) due to vacatur of GHG Tailoring Rule (80 FR 50199) [This provision is currently stayed.]	Retained with substantive revisions	Yes

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Regulation No. 35, Chapter 16 Requirements for a Part 70 Permit, Applicability				
Previous Citation	New Citation	Comments	Disposition	To be included as part of (SIP)?
Regulation No. 26, Chapter 3	Regulation No. 35, Chapter 16	Retained with minor typographical, stylistic, or other non-substantive language clarification Title changed to “Requirements for a Part 70 Permit, Applicability”	Retained without substantive revisions	Yes, with exceptions
Reg. 26.301	Reg. 35.1601	Retained with minor typographical, stylistic, or other non-substantive language clarification	Retained without substantive revisions	Yes
Reg. 26.302	Reg. 35.1602	Retained with minor typographical, stylistic, or other non-substantive language clarification	Retained without substantive revisions	Yes
Reg. 26.303 – Reg. 26.306	Reg. 35.1603 – Reg. 35.1606	Retained with minor typographical, stylistic, or other non-substantive language clarification	Retained without substantive revisions	No

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Regulation No. 35, Chapter 17 Applications for Part 70 Permits				
Previous Citation	New Citation	Comments	Disposition	To be included as part of (SIP)?
Reg. 26 Chapter 4	Reg. 35 Chapter 17	Retained with minor typographical, stylistic, or other non-substantive language clarification Title changed to “Applications for a Part 70 Permit”	Retained without substantive revisions	Yes, with exceptions
Reg. 26.401– Reg. 26.402, Reg. 26.407, Reg. 26.409– Reg. 26.410	Reg. 35.1701– Reg. 35.1702, Reg. 35.1707, Reg. 35.1709– Reg. 35.1710	Retained with minor typographical, stylistic, or other non-substantive language clarification	Retained without substantive revisions	Yes
Reg. 26.403– Reg. 26.406, Reg. 26.408	Reg. 35.1703– Reg. 35.1706, Reg. 35.1708	Retained with minor typographical, stylistic, or other non-substantive language clarification	Retained without substantive revisions	No

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Regulation No. 35, Chapter 18 Action on Part 70 Applications				
Previous Citation	New Citation	Comments	Disposition	To be included as part of (SIP)?
Regulation No. 26, Chapter 5	Reg. 35 Chapter 18	Retained with minor typographical, stylistic, or other non-substantive language clarification Title changed to “Action on a Part 70 Permit”	Retained without substantive changes	Yes, except Reg. 35.1801(B) and Reg. 35.1803–Reg. 35.1806

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Regulation No. 35, Chapter 19 PART 70 Permit Review by the Public, Affected States, and EPA				
Previous Citation	New Citation	Comments	Disposition	To be included as part of (SIP)?
Regulation No. 26, Chapter 6	Regulation No. 35, Chapter 19	<p>(1) Retained with minor typographical, stylistic, or other non-substantive language clarification</p> <p>(2) Public notice requirements from Reg. 26.602(A) replaced with appropriate reference to Reg. 8</p> <p>(3) Part 70 promulgation dates from Reg. 26.603(B) not retained as The dates are not needed as the Department’s recordkeeping requirements are subject to Part 70, regardless of the iteration.</p> <p>(4) Did not retain the last sentence in Reg. 26.604(B) as the specific iteration of Part 70 is not required to preserve the Department’s discretion to accept or reject recommendations by affected States.</p>	Retained without substantive revisions	Yes, except Reg. 35.1902(B), (C), and (E) and Reg. 35.1905–Reg. 35.1907

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Regulation No. 35, Chapter 20 Part 70 Permit Content				
Previous Citation	New Citation	Comments	Disposition	To be included as part of (SIP)?
Regulation No. 26, Chapter 7	Regulation No. 35, Chapter 20	(1) Retained with minor typographical, stylistic, or other non-substantive language clarification (2) Changed title to "Part 70 Permit Content"	Retained without substantive revisions	No

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Regulation No. 35, Chapter 21 Operational Flexibility Provisions for Part 70 Permits				
Previous Citation	New Citation	Comments	Disposition	To be included as part of (SIP)?
Regulation No. 26, Chapter 8	Regulation No. 35, Chapter 21	(1) Retained with minor typographical, stylistic, or other non-substantive language clarification (2) Deleted language related to emissions trading allowed under Regulation No. 19 that was no longer needed due to the vacatur of CAIR.	Retained with substantive revisions	No

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Regulation No. 35, Chapter 22 Administrative Part 70 Permit Amendments				
Previous Citation	New Citation	Comments	Disposition	To be included as part of (SIP)?
Regulation No. 26, Chapter 9	Regulation No. 35, Chapter 22	(1) Retained with minor typographical, stylistic, or other non-substantive language clarification (2) Title changed to “Administrative Part 70 Permit Amendments”	Retained without substantive revisions	No

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Regulation No. 35, Chapter 23 Part 70 Permit Modifications, Reopenings				
Previous Citation	New Citation	Comments	Disposition	To be included as part of (SIP)?
Regulation No. 26, Chapter 10	Regulation No. 35, Chapter 23	<p>(1) Retained with minor typographical, stylistic, or other non-substantive language clarification</p> <p>(2) Title changed to “Administrative Part 70 Permit Amendments”</p> <p>(3) Added language at Reg. 35.2302 to indicate that modifications resulting in >75,000 tons per year of CO_{2e} with no other increases of federally-regulated air pollutants above the thresholds in 35.2302(A) would qualify as minor modifications. This is part of the GHG tailoring rule changes due to vacatur of GHG Tailoring Rule Step 2.</p> <p>(4) Did not retain language from Reg. 26.1006 which is redundant with minor permit modification procedures included in Regulation No. 35, Chapter 19 and conflicts with Regulation No. 8 requirements.</p>	Retained with substantive revisions	No

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Regulation No. 35, Chapter 24 Part 70 Permit Fees				
Previous Citation	New Citation	Comments	Disposition	To be included as part of (SIP)?
Regulation No. 26, Chapter 11	Regulation No. 35, Chapter 24	(1) Retained with minor typographical, stylistic, or other non-substantive language clarification (2) Title changed to "Part 70 Permit Fees"	Retained without substantive revisions	No

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Regulation No. 35, Chapter 25 Acid Rain Sources Provisions				
Previous Citation	New Citation	Comments	Disposition	To be included as part of (SIP)?
Regulation No. 26, Chapter 12	Regulation No. 35, Chapter 25	Retained with minor typographical, stylistic, or other non-substantive language clarification	Retained without substantive revisions	No

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Regulation No. 35, Chapter 26 Nonattainment Area Pre-construction Review				
Previous Citation	New Citation	Comments	Disposition	To be included as part of (SIP)?
Regulation No. 31, Chapter 3	Regulation No. 35, Chapter 26	(1) Retained with minor typographical, stylistic, or other non-substantive language clarification (2) Removed Reg. 31.305(B) because if Crittenden County were to go into nonattainment again, a new demonstration with new limits would have to be approved by EPA (3) Chapter title renamed to “Nonattainment Area Pre-construction Review” to clarify that it is applicable to nonattainment areas	Retained with substantive revisions	Yes

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Regulation No. 35, Chapter 27 Nonattainment Area Applicability Tests				
Previous Citation	New Citation	Comments	Disposition	To be included as part of (SIP)?
Regulation No. 31, Chapter 4	Regulation No. 35, Chapter 27	(1) Retained with minor typographical, stylistic, or other non-substantive language clarification (2) Chapter title renamed to “Nonattainment Area Applicability Test” to clarify that it is applicable to nonattainment areas	Retained without substantive revisions	Yes

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Regulation No. 35, Chapter 28 Nonattainment Actuals Plantwide Applicability Limits				
Previous Citation	New Citation	Comments	Disposition	To be included as part of (SIP)?
Regulation No. 31, Chapter 8	Regulation No. 35, Chapter 28	(1) Retained with minor typographical, stylistic, or other non-substantive language clarification (2) Chapter title renamed to “Nonattainment Actuals Plantwide Applicability Limits” to clarify that it is applicable to nonattainment areas (3) Did not retain Reg. 31.816 provision because transition requirements applied to first initiation of this provision in Reg. 31. Transition requirements no longer apply	Retained with substantive revisions	Yes

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Regulation No. 35, Chapter 29 Other Provisions				
Previous Citation	New Citation	Comments	Disposition	To be included as part of (SIP)?
Reg. 19.1501	None	Provision is unnecessary because it contains no approved enforceable requirements	Not Retained	To be withdrawn from SIP
Reg. 19.1502	None	Provision is unnecessary because it contains no approved enforceable requirements.	Not Retained	To be withdrawn from SIP
Reg. 19.1503	None	Provision is unnecessary because it contains no approved enforceable requirements.	Not Retained	To be withdrawn from SIP
Reg. 19.1504	None	Provision was disapproved by EPA	Not Retained	To be withdrawn from SIP
Reg. 19.1505	Reg. 35.2901	Requirements disapproved by EPA are not retained. SIP-approved particulate matter emission limits for Entergy and SWEPCO units are being retained in a restructured format with no substantive change to requirements	Substantively revised	Yes
Reg. 19.1506	None	Unnecessary, approved limits and compliance mechanism are already included in the respective Title V permits	Not retained	To be withdrawn from SIP
Reg. 19.1507	None	Unnecessary, approved limits are already included in the respective Title V permits	Not retained	To be withdrawn from SIP

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Regulation No. 35, Chapter 30 Effective Date and Transition				
Previous Citation	New Citation	Comments	Disposition	To be included as part of (SIP)?
Regulation No. 18, Chapter 15, Regulation No. 19, Chapter 16, Regulation No 26, Chapter 13, Regulation No. 31, Chapter 9,	Regulation No. 35, Chapter 30	Retained with minor typographical, stylistic, or other non-substantive language clarification Added repealer language for Regulation Nos. 18, 19, 26, and 31, and transition language.	Retained with substantive revisions	Yes

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