

## DRAFT – DO NOT QUOTE OR CITE

### Oklahoma’s State Implementation Plan (SIP) Submittal “Infrastructure” Checklist CAA §110(a)(2)(A)-(M) Requirements in the Current SIP or Pending SIP Revisions

#### Updated for the 2008 Lead (Pb) National Ambient Air Quality Standard (NAAQS)

A State Implementation Plan (SIP) identifies how that state will attain and/or maintain the primary and secondary National Ambient Air Quality Standards (NAAQS). The SIP contains state regulations, source-specific requirements, and non-regulatory items such as plans and inventories. The initial SIPs for states were approved by the U.S. Environmental Protection Agency (EPA) on May 31, 1972 (46 FR 40005). The Oklahoma Department of Environmental Quality (DEQ) is given the primary responsibility and authority to prepare and implement Oklahoma’s air quality management plan under the Oklahoma Environmental Quality Act and the Oklahoma Clean Air Act (see generally 27A Okla. Statutes (O.S.) § 2-1-101, et seq.). The federally enforceable SIP for Oklahoma is compiled in 40 CFR Part 52, Subpart LL, including revisions approved on December 29, 2008 ([73 FR 79400](#)) and November 26, 2010 ([75 FR 72695](#)). Approval of additional submittals is pending. The miscellaneous requirements of Section 110(a)(2)(A)-(M) of the Clean Air Act (CAA) relevant to the National Ambient Air Quality Standards (NAAQS) are addressed in the current SIP or pending SIP revisions. The following table summarizes where these “infrastructure” requirements of Section 110(a)(2)(A)-(M) are addressed.

SIPs are reviewed and revised by the state from time to time as necessary to accommodate changes in State and Federal statutes, rules, policies, and program requirements. CAA Section 110(a)(1) requires the state to review and revise the SIP as necessary each time a NAAQS is issued or revised. In addition to SIP revisions to address specific program requirements (e.g., PSD/NSR Program), EPA requires the state to demonstrate that the “... plan provides for implementation, maintenance and enforcement of ...” each NAAQS. In addition to a summary of infrastructure elements as they relate to the various existing NAAQS, the table lists any changes or pertinent information specific to the subject change.

#### **This Submittal: 2008 Lead (Pb) NAAQS**

In this review/revision to the SIP, Oklahoma is demonstrating that it has adequate resources and authority to implement, maintain, and enforce the 2008 Lead (Pb) NAAQS. This submittal was prepared under the Guidance on Infrastructure State Implementation Plan (SIP) Elements Required Under Sections 110(a)(1) and 110(a)(2) for the 2008 Lead (Pb) National Ambient Air Quality Standards (NAAQS) (“Pb Infrastructure SIP Guidance”), issued 10/14/2011.

Section 110(a)(2) Element	Summary of Element (Statutory Language)	Provisions in State statutes and rules, and the Current SIP or Recent SIP Revision Submittals	Where Codified or Approved by EPA
<p><b>§110(a)(2)(A) – Emission Limits and Other Control Measures</b></p>	<p><i>include enforceable emission limitations and other control measures, means, or techniques (including economic incentives such as fees, marketable permits, and auctions of emissions rights), as well as schedules and timetables for compliance as may be necessary or appropriate to meet the applicable requirements of this Act.</i></p>	<p>Oklahoma Clean Air Act (27A O.S. §§2-5-101 thru 117) &amp; Oklahoma Administrative Code (OAC) 252:100, Oklahoma Air Pollution Control Rules.</p> <p>Oklahoma has an EPA-approved air permitting program for both major and minor facilities.</p> <p>February 2002 SIP submittal (“Big SIP”) and June 2010 SIP submittal (“Big SIP2”) – Portions approved 12/29/2008 and 11/26/2010; Additional SIP revisions are pending, including July 2010 SIP submittal that addressed EPA’s policy on excess emissions (e.g., SSM &amp; variance/”director’s discretion” provisions) through OAC 252:100-9, Excess Emission Reporting Requirements.</p> <p>Oklahoma has no maintenance areas.</p> <p><b>This NAAQS Revision:</b> No specific enforceable emission limitations or other control measures, means, or techniques have been identified as necessary to attain or maintain the 2008 Lead (Pb) NAAQS. Any particular issues or changes related to implementation of the 2008 Lead (Pb) NAAQS through Oklahoma’s permitting program would be addressed through a separate SIP submission.</p>	<p>40 CFR 52.1920 and 52.1960 (c)(48)</p> <p>73 FR 79400 and 75 FR 72695</p>
<p><b>§110(a)(2)(B) – Ambient Air Quality Monitoring/Data System</b></p>	<p><i>provide for establishment and operation of appropriate devices, methods, systems, and procedures necessary to monitor, compile, and analyze data on ambient air quality, and upon request, make such data available to the Administrator;</i></p>	<p>Oklahoma operates an air quality monitoring network consistent with EPA regulations (40 CFR Part 58), and regularly reports results to EPA under previously-approved SIP provisions. Monitoring results may also be accessed through Oklahoma DEQ’s web site at: <a href="http://www.deq.state.ok.us/aqdnew/monitoring/index.htm">http://www.deq.state.ok.us/aqdnew/monitoring/index.htm</a></p> <p><b>This NAAQS Revision:</b> Oklahoma’s program monitored lead from the 1970’s to the 1990’s, when EPA policy changes coupled with monitored levels far below the standard made the monitoring unnecessary. Oklahoma updated its air quality monitoring network to implement the monitoring scheme required for the 2008 Lead (Pb) NAAQS in accordance with EPA’s <u>Lead Ambient Air Monitoring Requirements (75 FR 81126)</u>. Changes to reporting have been implemented as appropriate.</p>	<p>40 CFR 52.1960(c)(22) 46 FR 40005</p>

Section 110(a)(2) Element	Summary of Element (Statutory Language)	Provisions in State statutes and rules, and the Current SIP or Recent SIP Revision Submittals	Where Codified or Approved by EPA
<b>§110(a)(2)(C) – Program for Enforcement of Control Measures</b>	<i>include a program to provide for the enforcement of the measures described in subparagraph (A) and regulation of the modification and construction of any stationary source within the areas covered by the plan as necessary to assure that national ambient air quality standards are achieved, including a permit program as required in parts C and D;</i>	<p>Oklahoma’s EPA-approved air permitting program includes appropriate enforcement authority and permitting for modification and construction of stationary sources. DEQ’s powers and duties to implement air quality programs (including implementing Oklahoma’s SIP) are described in 27A OS 2-5-105, and include authority to “... [e]nforce rules of the Board and orders of the Department and the Council’ (27A OS 2-5-105(4)). More specific enforcement authorities are described throughout the Oklahoma Clean Air Act (27A OS 2-5-101, et seq.)</p> <p>Note that Oklahoma’s PSD and Title V/Part 70 permitting program applies to sources that emit greenhouse gases (GHGs) in accordance with EPA’s tailoring rule, and subsequent narrowing of EPA’s approval of the PSD program.</p>	<p>40 CFR 52.1920</p>
		<p><b>This NAAQS Revision:</b>  No specific enforceable emission limitations or other control measures, means, or techniques have been identified as necessary to attain or maintain the 2008 Lead (Pb) NAAQS. Any particular issues or changes related to implementation of the 2008 Lead (Pb) NAAQS through Oklahoma’s permitting, compliance, and enforcement programs (e.g., PSD) would be addressed through a separate SIP submission.</p>	<p>40 CFR 52.1929</p>

Section 110(a)(2) Element	Summary of Element (Statutory Language)	Provisions in State statutes and rules, and the Current SIP or Recent SIP Revision Submittals	Where Codified or Approved by EPA
<p><b>§110(a)(2)(D)(i) – Interstate Transport Provisions</b></p>	<p><i>contain adequate provisions—</i></p> <p><i>(i) prohibiting, consistent with the provisions of this title, any source or other type of emissions activity within the state from emitting any air pollutant in amounts which will--</i></p> <p><i>(I) contribute significantly to nonattainment in, or interfere with maintenance by, any other state with respect to any such national primary or secondary ambient air quality standard, or</i></p>	<p>The <i>Interstate Transport SIP for an Assessment of Oklahoma’s Impact on Downwind Nonattainment for the National Ambient 8-hour Ozone and PM<sub>2.5</sub> Air Quality Standards</i> (“Transport SIP”), submitted to EPA in May 2007 (including supplemental information submitted in November 2007), demonstrates that Oklahoma does not have a significant impact on Ozone or PM<sub>2.5</sub> nonattainment for any other state, nor interfere with maintenance of the NAAQS in any other state. The Transport SIP also demonstrates that Oklahoma does not interfere with any other state’s measures to prevent significant deterioration of air quality. EPA approved portions of the Transport SIP relating to §110(a)(2)(D)(i)(I) for the 1997 PM<sub>2.5</sub> NAAQS and the 2006 24-hour PM<sub>2.5</sub> NAAQS on 12/29/2011. In the same action, EPA approved the portions of the Transport SIP relating to the prohibition against significant contribution to nonattainment of the 8-hour 1997 Ozone NAAQS in any other state. EPA concluded that emissions from Oklahoma significantly contribute to interference with maintenance of the 8-hour 1997 Ozone NAAQS in another state. Therefore, EPA issued a Federal Implementation Plan (FIP) in a supplemental rule to the Cross State Air Pollution Rule.</p>	<p>76 FR 81838 40 CFR 52.1920(e)</p> <p>76 FR 80760 40 CFR 52.1930</p>
		<p><b>This NAAQS Revision:</b></p> <p>Both EPA’s and DEQ’s analyses of possibly significant sources in Oklahoma that are within two miles of the State’s borders indicate that, for the 2008 Lead (Pb) NAAQS, Oklahoma does not contribute significantly to nonattainment in, nor interfere with maintenance by, any other state<sup>1</sup>.</p>	

<sup>1</sup> See footnote 7 of the Pb Infrastructure SIP Guidance.

Section 110(a)(2) Element	Summary of Element (Statutory Language)	Provisions in State statutes and rules, and the Current SIP or Recent SIP Revision Submittals	Where Codified or Approved by EPA
<p><b>§110(a)(2)(D)(i) – Interstate Transport Provisions</b></p>	<p><i>contain adequate provisions—</i></p> <p><i>(i) prohibiting, consistent with the provisions of this title, any source or other type of emissions activity within the state from emitting any air pollutant in amounts which will--</i></p> <p><i>(II) interfere with measures required to be included in the applicable implementation plan for any other State under part C to prevent significant deterioration of air quality or to protect visibility,</i></p>	<p>Oklahoma’s EPA-approved air permitting program includes pre-construction review of PSD sources, including review for impacts of emissions of all “regulated NSR pollutants.” EPA approved the portion of the Transport SIP relating to §110(a)(2)(D)(i)(II) (PSD) for the 1997 Ozone and PM<sub>2.5</sub> NAAQS on 11/26/2010.</p> <p>Oklahoma’s <i>Regional Haze Implementation Plan Revision</i>, (“RH SIP”), submitted in February 2010, describes Oklahoma’s measures to protect visibility and assure that emissions do not interfere with any other state’s measures to protect visibility. These measures include provisions in OAC 252:100-8, Part 11. EPA partially approved and partially disapproved Oklahoma’s Regional Haze SIP on 12/28/2011 [See discussion under element §110(a)(2)(J) – PSD and Visibility Protection (Part C)]. EPA stated that the RH SIP did not incorporate some emission reductions that were relied on to demonstrate non-interference with other states’ visibility protections. EPA issued a FIP covering those units, and found that “... the controls under this FIP, in combination with the controls required by the portion of the Oklahoma RH submittal that we are approving, will serve to prevent sources in Oklahoma from emitting pollutants in amounts that will interfere with efforts to protect visibility in other states.”</p> <p><b>This NAAQS Revision:</b> Any specific lead-related issues related to Oklahoma’s permitting program (e.g., lead significance impact levels) would be addressed through a separate submission.</p> <p>Lead emissions are believed to contribute to visibility impairment only to the extent that they contribute to the amount of particulate matter in the atmosphere. Oklahoma’s <i>Regional Haze Implementation Plan Revision</i>, submitted in February 2010, demonstrates that Oklahoma’s PM<sub>2.5</sub> emissions do not interfere with any other state’s measures to protect visibility (this portion approved by EPA on 12/29/11). In addition, a memorandum<sup>2</sup> from Mark Schmidt, OAR/OAQPS/AQAD, titled <u>The Estimated Contribution of Ambient Lead (Pb) to Class I Area Visibility Impairment</u>, date 11/7/2011, States “In conclusion, it appears that the Pb-related visibility effects (in Class I and other areas) are insignificant in comparison to those associated with sulfate, nitrate, and carbon PM.”</p>	<p>75 FR 72695 40 CFR 52.1920(e)</p> <p>76 FR 81728 40 CFR 52.1920(c) &amp; (e), 52.1923, and 52.1928</p> <p>76 FR 81838 40 CFR 52.1920(e)</p>

<sup>2</sup> Available at: <http://www.epa.gov/air/lead/pdfs/20111107Memoambientpbcontribution.pdf>

Section 110(a)(2) Element	Summary of Element (Statutory Language)	Provisions in State statutes and rules, and the Current SIP or Recent SIP Revision Submittals	Where Codified or Approved by EPA
<b>§110(a)(2)(D)(ii) – Interstate and International Transport Provisions</b>	<i>contain adequate provisions—</i>  <i>(ii) insuring compliance with the applicable requirements of sections 126 and 115 (relating to interstate and international pollution abatement);</i>	Oklahoma’s EPA-approved Title V Operating (and PSD) Program includes requirements for providing a notice of draft permit to affected states under OAC 252:100-8-8 (SIP revision approved 11/26/10). Evaluation requirements under the PSD Program are adequate to assure compliance with international pollution abatement requirements.	75 FR 72695 40 CFR 52.1920(c)
		<b>This NAAQS Revision:</b> Oklahoma does not anticipate that significant changes would be required to implement the 2008 Lead (Pb) NAAQS.	
<b>§110(a)(2)(E)(i) – Adequate Resources</b>	<i>provide</i> <i>(i) necessary assurances that the state (or, except where the Administrator deems inappropriate, the general purpose local government or governments, or a regional agency designated by the state or general purpose local governments for such purpose) will have adequate personnel, funding, and authority under state (and, as appropriate, local) law to carry out such implementation plan (and is not prohibited by any provision of federal or state law from carrying out such implementation plan or portion thereof);</i>	Oklahoma has previously demonstrated that it currently has and will continue to have adequate personnel and other resources to carry out its air quality programs. The powers and duties of the Oklahoma Department of Environmental Quality (DEQ) to implement air quality programs (including implementing Oklahoma’s SIP) are described in 27A OS 2-5-105, and include authority to accept and expend funds necessary to carry them out. DEQ receives air quality program funds through state appropriations, permit application fees, annual operating fees, and Federal §103 & §105 (and other) grants.	40 CFR 52.1920(e) and 52.1960(c)(45)(i) 47 FR 20771 and 59 FR 32365
		<b>This NAAQS Revision:</b> Oklahoma will continue to provide the resources needed to carry out its air quality responsibilities. No significant additional personnel or other resources have been identified as required to implement the 2008 Lead (Pb) NAAQS, except as otherwise noted.	
<b>§110(a)(2)(E)(ii) – Adequate Resources (State Boards)</b>	<i>provide</i> <i>(ii) requirements that the state comply with the requirements respecting state boards under section 128, and</i>	The Oklahoma Environmental Quality Code lays out the composition and powers & duties of the Environmental Quality Board (27A OS 2-2-101) and the Air Quality Advisory Council (27A OS 2-2-201(H) and 2-5-107). These powers & duties include their roles in promulgating DEQ rules, but do not include approving permits or enforcement orders under the CAA. The powers & duties and conflict of interest provisions for DEQ staff and Executive Director are described in 27A OS 2-3-101 and 27A OS 2-3-201, respectively.	40 CFR 52.1920(e) and 40 CFR 52.1960(c)(17) and (45)(i) 47 FR 20771 and 59 FR 32365
		<b>This NAAQS Revision:</b> Oklahoma does not anticipate that significant changes would be required as a result of a change in a particular NAAQS, including the 2008 Lead (Pb) NAAQS.	

Section 110(a)(2) Element	Summary of Element (Statutory Language)	Provisions in State statutes and rules, and the Current SIP or Recent SIP Revision Submittals	Where Codified or Approved by EPA
§110(a)(2)(E)(iii) – Adequate Resources (Local or Regional Implementation)	<p><i>provide</i></p> <p><i>(iii) necessary assurances that, where the state has relied on a local or regional government, agency, or instrumentality for the implementation of any plan provision, the state has responsibility for ensuring adequate implementation of such plan provision;</i></p>	Not Applicable.	
§110(a)(2)(F) – Stationary Source Monitoring System and Reporting	<p><i>require, as may be prescribed by the Administrator—</i></p> <p><i>(i) the installation, maintenance, and replacement of equipment, and the implementation of other necessary steps by owners or operators of stationary sources to monitor emissions from such sources,</i></p> <p><i>(ii) periodic reports on the nature and amounts of emissions and emissions-related data from such sources, and</i></p> <p><i>(iii) correlation of such reports by the state agency with any emission limitations or standards established pursuant to this Act, which reports shall be available at reasonable times for public inspection;</i></p>	<p>Source emissions monitoring requirements are addressed in OAC 252:100-43, Sampling and Testing and OAC 252:100-45, Monitoring of Emissions.</p> <p>Source emissions inventory requirements are addressed in OAC 252:100-5, Registration of Air Contaminant Sources.</p> <p>Area, mobile, and non-road data are reported to EPA on a 3-year cycle.</p> <p>OAC 252:100, Air Pollution Control; OAC 252:4-1-5, Availability of a Record; 51 OS 24A.1 et seq, Oklahoma Open Records Act.</p> <p><b>This NAAQS Revision:</b> Oklahoma does not anticipate that significant changes would be required as a result of a change in a particular NAAQS, including the 2008 Lead (Pb) NAAQS.</p>	<p>40 CFR 52.1960(c) (48)</p> <p>75 FR 72695 40 CFR 52.1920(c)</p> <p>75 FR 72695 40 CFR 52.1920(c)</p>
§110(a)(2)(G) – Emergency Episodes	<p><i>provide for authority comparable to that in section 303 and adequate contingency plans to implement such authority;</i></p>	<p>Chapter 6 of Oklahoma’s SIP sets forth the state’s Emergency Episode Plan (EEP), as required under §110(a)(2)(G) and 40 CFR Part 51, Subpart H – Prevention of Air Pollution Emergency Episodes and, along with the February 2002 SIP update, describes and implements State authority comparable to that in section 303. <i>(For the purpose of EEP’s, 40 CFR § 51.150 classifies regions separately with respect to the following pollutants: Sulfur oxides, particulate matter, carbon monoxide, nitrogen dioxide, and ozone.)</i></p> <p>As indicated in 40 CFR §52.1934, EPA approved the plan as submitted in 1972 and revised in 1988.</p> <p><b>This NAAQS Revision:</b> Although 40 CFR Part 51, Subpart H and Oklahoma’s approved EEP do not specifically address lead, the measures in place are adequate to address an emergency episode.</p>	<p>40 CFR 52.1934 and 73 FR 79400</p>

Section 110(a)(2) Element	Summary of Element (Statutory Language)	Provisions in State statutes and rules, and the Current SIP or Recent SIP Revision Submittals	Where Codified or Approved by EPA
<p><b>§110(a)(2)(H) – Future SIP Revisions</b></p>	<p><i>provide for revision of such plan—</i></p> <p><i>(i) from time to time as may be necessary to take account of revisions of such national primary or secondary ambient air quality standard or the availability of improved or more expeditious methods of attaining such standard, and</i></p> <p><i>(ii) except as provided in paragraph (3)(C), whenever the Administrator finds on the basis of information available to the Administrator that the plan is substantially inadequate to attain the national ambient air quality standard which it implements, or to otherwise comply with any additional requirements established under this Act;</i></p>	<p>Under authority of OAC 252:100-3-2 and 100-3-3, Appendices E and F of OAC 252:100 enumerate the primary and secondary air quality standards (NAAQS), respectively.</p> <p>DEQ's powers and duties to implement air quality programs (including implementing Oklahoma's SIP) are described in 27A OS 2-5-105, and include authority to:</p> <p>“3. Prepare and develop a general plan for proper air quality management in the state in accordance with the Oklahoma Clean Air Act;”</p> <p>and</p> <p>“20. Carry out all other duties, requirements and responsibilities necessary and proper for the implementation of the Oklahoma Clean Air Act and fulfilling the requirements of the Federal Clean Air Act.”</p> <p>[27A OS 2-5-105(3) and (20)]</p> <p>Any substantive changes to Oklahoma's SIP, such as NAAQS updates and resulting program modifications, are initiated through the rulemaking process, which includes agency, public, gubernatorial, and legislative review processes. Public notice is published/posted of all steps in the rulemaking process, in accordance with the state Administrative Procedures Act (75 OS §§ 250.1 through 323), Open Records Act (51 OS §§ 24A.1 through 24A.29), and Open Meetings Act (25 OS §§ 301 through 314), along with corresponding DEQ and state procedural rules. The notices include the opportunity to provide comments prior to and at the public hearing before the Air Quality Advisory Council and at the public hearing before the Environmental Quality Board.</p> <p>Documentation of these changes, along with documentation of any implementation or infrastructure changes, is then submitted by the Governor to EPA as a SIP revision. This process is followed regardless of whether it results from a NAAQS update or a finding by the Administrator. State public participation procedures for SIP submittals that do not include rulemaking were submitted to EPA on 8/17/12 for review. In a letter dated 8/23/12, EPA concurred that they are consistent with the requirements of 40 CFR §51.102 and associated guidance.</p> <p><b>This NAAQS Revision:</b> Appendix E of OAC 252:100 was updated to incorporate the 2008 Lead (Pb) NAAQS effective 7/1/2010.</p> <p>This SIP submittal fulfills the stated requirement.</p>	<p>40 CFR 52.1920/1960; 73 FR 79400, 12/29/2008</p>

Section 110(a)(2) Element	Summary of Element (Statutory Language)	Provisions in State statutes and rules, and the Current SIP or Recent SIP Revision Submittals	Where Codified or Approved by EPA
§110(a)(2)(I) – Nonattainment Area Plan Requirements	<i>in the case of a plan or plan revision for an area designated as a nonattainment area, meet the applicable requirements of part D (relating to nonattainment areas);</i>	Not applicable.	
§110(a)(2)(J) – Consultation with Government Officials (§ 121)	<i>meet the applicable requirements of section 121 ... (relating to consultation), ...</i>	Approved SIP includes established consultation with various federal, local, regional, and state agencies and officials. Oklahoma does not anticipate that significant changes would be required as a result of a change in a particular NAAQS.	40 CFR 52.1920/1960
§110(a)(2)(J) – Public Notification (§ 127)	<i>meet the applicable requirements of ... section 127 ...</i>	Public notification procedures to meet the requirements of CAA Section 127 are established in Oklahoma’s SIP. DEQ provides notification of ambient air concentration levels for all NAAQS through its annual Air Data Reports, forecasting reports, and health advisories.	40 CFR 52.1920/1960
		<p><b>This NAAQS Revision:</b> The 2008 Lead (Pb) NAAQS is included in Oklahoma’s SIP public notification requirements. DEQ provides notification of lead concentration levels through its annual Air Data Reports. Oklahoma does not anticipate that any significant public notification changes would be required to implement the 2008 Lead (Pb) NAAQS.</p>	
§110(a)(2)(J) – PSD and Visibility Protection (Part C)	<i>meet the applicable requirements of ... part C ... (relating to prevention of significant deterioration of air quality and visibility protection);</i>	Oklahoma operates its EPA-approved PSD permitting program under OAC 252:100-8, Part 7 – Prevention of Significant Deterioration (PSD) Requirements for Attainment Areas ), the existing PSD delegation agreement, and approved and pending portions of the SIP	75 FR 72695 40 CFR 52.1920(c)
		<p>Oklahoma’s <i>Regional Haze Implementation Plan Revision</i> (“RH SIP”), submitted in February 2010, describes Oklahoma’s measures to protect visibility, including provisions in OAC 252:100-8, Part 11. EPA approved core elements of the Regional Haze SIP on 12/28/2011. EPA disapproved Oklahoma’s Best Available Retrofit Technology (BART) determinations for several emissions units, and issued a Federal Implementation Plan covering those units.</p> <p><b>This NAAQS Revision:</b> Specific issues or changes related to implementation of the 2008 Lead (Pb) NAAQS through Oklahoma’s PSD permitting program would be addressed through a separate SIP submission. As noted in the Pb Infrastructure SIP Guidance, “... EPA concludes there are no new applicable visibility protection obligations under section 110(a)(2)(J) as a result of the 2008 Pb NAAQS.”</p>	76 FR 81728 40 CFR 52.1920(c) & (e), 52.1923, and 52.1928

Section 110(a)(2) Element	Summary of Element (Statutory Language)	Provisions in State statutes and rules, and the Current SIP or Recent SIP Revision Submittals	Where Codified or Approved by EPA
§110(a)(2)(K) – Air Quality Modeling/Data	<p><i>provide for:</i></p> <p><i>(i) the performance of such air quality modeling as the Administrator may prescribe for the purpose of predicting the effect on ambient air quality of any emissions of any air pollutant for which the Administrator has established a national ambient air quality standard, and</i></p> <p><i>(ii) the submission, upon request, of data related to such air quality modeling to the Administrator;</i></p>	<p>Oklahoma conducts air quality modeling to support its demonstrations of attainment, and reports results to EPA. Oklahoma will continue to update modeling protocols as appropriate to accommodate evolving program requirements and standards.</p> <p>Oklahoma currently has no designated nonattainment areas. Source modeling requirements are also included in the PSD permitting program.</p> <p><b>This NAAQS Revision:</b> Oklahoma’s source-oriented dispersion modeling program includes use of models such as AERMOD, which has been identified in the Pb Infrastructure SIP Guidance as most appropriate for implementing the 2008 Pb NAAQS under current protocols. .</p>	40 CFR 52.1920/1960
§110(a)(2)(L) – Permitting Fees	<p><i>require the owner or operator of each major stationary source to pay to the permitting authority, as a condition of any permit required under this Act, a fee sufficient to cover—</i></p> <p><i>(i) the reasonable costs of reviewing and acting upon any application for such a permit, and</i></p> <p><i>(ii) if the owner or operator receives a permit for such source, the reasonable costs of implementing and enforcing the terms and conditions of any such permit (not including any court costs or other costs associated with any enforcement action), until such fee requirement is superseded with respect to such sources by the Administrator's approval of a fee program under title V;</i></p>	<p>Oklahoma’s EPA-approved Title V Operating Program includes permit application fees and annual operating fees under OAC 252:100-8 -1.7 and 100-5-2.2, respectively (<i>formerly</i> Regulation 1.4.1(d) Permit fees)</p> <p><b>This NAAQS Revision:</b> Oklahoma does not anticipate that significant changes would be required to implement the 2008 Lead (Pb) NAAQS.</p>	<p>75 FR 72695 40 CFR 52.1920(c) 40 CFR 52.1960(c)(48)(ii)(A)</p> <p>61 FR 4220 66 FR 63170</p>

Section 110(a)(2) Element	Summary of Element (Statutory Language)	Provisions in State statutes and rules, and the Current SIP or Recent SIP Revision Submittals	Where Codified or Approved by EPA
<p><b>§110(a)(2)(M) – Consultation/ Participation by Affected Local Entities</b></p>	<p><i>provide for consultation and participation by local political subdivisions affected by the plan.</i></p>	<p>Approved SIP includes established opportunities for consultation and participation by local political subdivisions affected by Oklahoma’s SIP.</p> <p>DEQ’s powers and duties to implement air quality programs (including implementing Oklahoma’s SIP) are described in 27A OS 2-5-105. The powers and duties of the Air Quality Advisory Council, as listed in 27A OS 2-5-107, include the following:</p> <p>“6. <i>The Council shall have the authority and the discretion to provide a public forum for the discussion of issues it considers relevant to the air quality of the state, and to:</i></p> <p>...</p> <p><i>c. hold public hearings to receive public comment in fulfillment of federal requirements regarding the State Implementation Plan and make recommendations to the Department concerning the plan; ...”</i></p> <p>[27A OS 2-5-107(6)]</p> <p>Any substantive changes to Oklahoma’s SIP, such as NAAQS updates and resulting program modifications, are initiated through the rulemaking process, which includes public notice and hearing procedures. (See the Oklahoma Administrative Procedures Act [75 OS §§ 250 – 323], DEQ procedural rules in OAC 252:4, and procedures approved under 40 CFR§51.102(g).) Documentation of these changes, along with documentation of any implementation or infrastructure changes, is then submitted to EPA as a SIP revision.</p> <p>Oklahoma does not anticipate that significant changes would be required as a result of a change in a particular NAAQS.</p>	<p>40 CFR 52.1920/1960</p>