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Via Electronic Mail

TO: Air Regulatory Projects Distribution List

FROM: Beth Rogers, Environmental Administrator
Regulatory Reform/Legislative Coordination
Division of Air Resource Management

DATE: May 11, 2026

SUBJECT: Air Regulatory Projects Update No. 2026-03

To keep regulatory staff and other interested persons informed of regulatory developments and reform activities undertaken by the Florida Department of Environmental Protection (DEP), Division of Air Resource Management (DARM), an Air Regulatory Projects Update is transmitted periodically via email to summarize recent air rule development and state planning activities.

Please be aware that Notices of Rule Development, Notices of Rule Workshops or Hearing, Notices of Proposed Rule, Notices of Change, Notices of Intent to Adopt a Rule, and Notices of Withdrawal pertaining to specific Florida rule sections are published in the Florida Administrative Register (FAR) (available online at www.flrules.org). Although DARM's Air Regulatory Projects Update may coincide with open comment periods for specific rulemaking activities, these updates are not intended to serve as general or specific notice of any pending rulemaking activity or as a substitute for the public notices published in the FAR.

This update lists Florida air rules recently adopted, revised, or repealed, and any Clean Air Act (CAA or Act) State Implementation Plan (SIP) revisions that DEP has recently submitted to the U.S. Environmental Protection Agency (EPA).

For additional information on current and recently completed air regulatory projects, including workshop materials and other project-related documents, please visit DARM's [Regulatory Projects](https://floridadep.gov/air/air-business-planning/content/air-regulatory-projects) webpage at <https://floridadep.gov/air/air-business-planning/content/air-regulatory-projects>.

Please contact Beth Rogers at 850-717-9019 or Elizabeth.Rogers@FloridaDEP.gov if you have questions or comments on any of the projects listed on this Air Regulatory Projects Update or to add, remove, or update any email address for future distribution of Air Regulatory Projects Updates.

Updates

[Stationary Sources – General Requirements: Revisions to Chapter 62-210, F.A.C.](#)

On May 7, 2026, DEP published a [Notice of Proposed Rulemaking](#) (NOPR) for amendments to the rules noted in the NORD. On February 18, 2026, DEP published a [Notice of Rule Development](#) to revise three rules under Chapter 62-210, F.A.C. (“Stationary Sources – General Requirements”): 62-210.200 (“Definitions”); 62-210.300 (“Permits Required”); and 62-210.370 (“Emissions Computation and Reporting”). The revisions will include the creation of a new definition for an emissions-based source category (“Synthetic Minor – 80 Source (SM-80)”); authorize for sources operating under minor air operation permits a permit change procedure analogous to the off-permit change procedure that the Department recently codified in Rule 62-213.410, F.A.C.; clarify that emissions unit reclassification of previously shut down emissions units shall not trigger PSD unless the reactivation constitutes a major modification (consistent with EPA policy); specify that annual operating reporting requirements apply to SM-80 sources; and make other corrective and clarifying amendments.

[Florida Data Requirements Rule – 2026 Annual Report](#)

On May 1, 2026, pursuant to the ongoing requirements of EPA’s Data Requirements Rule (DRR) ([40 CFR 51.1205](#)), DEP submitted a draft annual report to EPA Region 4. This report addressed areas around two DRR sources in Florida that EPA designated “Attainment/Unclassifiable” for the 2010 one-hour SO₂ NAAQS, based on modeling of actual SO₂ emissions: Jacksonville Electric Authority Northside Generating Station; and WestRock CP, LLC, Fernandina Beach Mill.

The DRR requires that DEP review these areas annually to document the annual SO₂ emissions of each applicable source and determine whether additional modeling is needed to characterize the air quality relative to the 2010 one-hour SO₂ NAAQS. DEP’s report documented decreases in SO₂ emissions in both areas.

[Hillsborough-Polk Verification of Continued Attainment – 2026 Annual Report](#)

On April 13, 2026, DEP submitted to EPA a draft report of DARM’s annual review of emissions data and air dispersion modeling parameters for Mosaic New Wales and Mosaic Bartow. This report verified continued attainment of the 2010 one-hour SO₂ NAAQS for the Hillsborough-Polk maintenance area in accordance with section 175A of the CAA. This report included:

- 1) The status of ongoing compliance with the SO₂ emission limits for the Mosaic New Wales and Mosaic Bartow facilities;
- 2) A review of annual emissions data for these two facilities;
- 3) A review of the air dispersion modeling inputs and assumptions identified by EPA;
- 4) A certification that there are no changes in the air dispersion modeling inputs and assumptions that could result in a modeled violation; and
- 5) All supporting documentation and data that DEP evaluated in preparing the annual report.

[Tampering with Motor Vehicle Air Pollution Control: Revisions to Rule 62-243.500, F.A.C., Certifications](#)

On April 10, 2026, DEP published a [Notice of Change](#) (NOC) with an added effective date. No comments were received on this change. On March 24, 2026, the Joint Administrative Procedures

Committee (JAPC) submitted to DEP a comment letter on this rulemaking, requesting a NOC publication to add an effective date. On March 20, 2026, DEP published a [Notice of Intent to Adopt](#) (NOITA) to update DEP’s certification exemptions within Chapter 62-243, F.S. (Tampering with Motor Vehicle Air Pollution Control Equipment). Through the Department’s 2025 annual rule review, DARM identified a federal regulation currently referenced in Rule 62-243.500, F.A.C., which is not correctly incorporated by reference. This rulemaking will adopt and incorporate by reference the EPA regulation at 40 CFR Part 85, Subpart P (Importation of Motor Vehicles and Motor Vehicle Engines), which documents imported nonconforming motor vehicles to be exempt from federal emission control requirements.

[Stationary Sources – Emissions Monitoring: Revisions to Chapter 62-297, F.A.C.](#)

On March 20, 2026, DEP published a [Notice of Rule Development](#) (NORD) to revise four rules under Chapter 62-297, F.A.C. (Stationary Sources – Emissions Monitoring): 62-297.310 (General Emissions Test Requirements); 62-297.320 (Standards for Persons Engaged in Visible Emissions Observations); 62-297.440 (Supplementary Test Procedures); and 62-297.450 (EPA VOC Capture Efficiency Test Procedures). DARM identified the need for these revisions through DEP’s 2025 annual rule review. These revisions will update multiple EPA Guidance reference materials previously adopted by reference with electronic links to those reference materials, update language in reference to copyrighted American Petroleum Institute standards which are currently referenced in the Rule 62-297.440, F.A.C., and conform the adoption by reference rule language to Department of State requirements.

[Proposed Revisions to Florida’s SIP, Rule 62-210.310, Florida Administrative Code \(F.A.C.\), Stationary Sources-General Requirements Rule Amendments – Air General Permits](#)

On December 16, 2025, DEP submitted to EPA Florida’s Final SIP revision for Rule 62-210.310, F.A.C.

On October 1, 2025, DEP requested that EPA revise Florida’s SIP to include revisions to Rule 62-210.310, F.A.C. (“Air General Permits”). This proposed SIP revision consists of multiple amendments within Rule 62-210.310, F.A.C., as well as removal of outdated or superseded F.A.C. requirements. This proposed SIP revision incorporates amendments to F.A.C. rules to make Florida’s SIP consistent with current state rules. A public hearing will be held, **if requested**, on November 5, 2025. A public hearing was not requested and subsequently canceled. No comments were submitted to DEP.

[Florida Area Designation Recommendations for the 2024 Revised Secondary National Ambient Air Quality Standard \(NAAQS\) for Sulfur Dioxide \(SO₂\)](#)

On October 1, 2025, DEP submitted to EPA Florida’s designation recommendations for the 2024 revised secondary SO₂ NAAQS. The State of Florida recommends that the entire state be designated as “attainment” for the revised secondary SO₂ NAAQS.

[Florida’s Regional Haze Plan for the Second Implementation Period](#)

On June 5, 2025, EPA published in the Federal Register final approval of Florida’s Regional Haze SIP revisions submitted on October 8, 2021, and supplemented on June 14, 2024, and October 28, 2024, as satisfying applicable requirements under the CAA and EPA’s Regional Haze Rule (RHR) for the Second Implementation Period (90 FR 24008; [EPA Final Approval](#)).

On December 27, 2024, EPA proposed to approve Florida’s Regional Haze SIP revisions submitted on October 8, 2021, and supplemented on June 14, 2024, and October 28, 2024, as satisfying applicable requirements under the CAA and EPA’s RHR for the Second Implementation Period (89 FR 105506; [EPA Proposed Approval](#)).

On October 28, 2024, DEP submitted to EPA Part II of Florida’s Final Supplemental Amendment to the state’s previously submitted Regional Haze Plan for the Second Implementation Period.

On June 14, 2024, DEP submitted to EPA Part I of Florida’s Final Supplemental Amendment to the state’s previously submitted Regional Haze Plan for the Second Implementation Period.

On March 8, 2024, DEP received written comments from the National Parks Conservation Association, Sierra Club, and the Coalition to Protect America’s National Parks. DEP drafted a Response to Comments, which DEP included in the final report.

On January 29, 2024, DEP received a written request to extend the comment period and re-schedule the hearing, if requested, to a later date. On February 16, 2024, DEP published a notice of extension of the comment period through March 8, 2024, and rescheduled the hearing, if requested, from February 27, 2024, to March 20, 2024. No meeting was requested.

On January 19, 2024, DEP submitted to EPA Florida’s Pre-Hearing draft of the Supplemental Amendment to Florida’s previously submitted Regional Haze Plan for the Second Implementation Period.

On October 8, 2021, DEP submitted to EPA Florida’s final proposed Regional Haze Plan for the Second Implementation Period. This SIP revision addresses regional haze in Florida’s mandatory federal Class I areas and nearby Class I areas under EPA’s RHR. During the Federal Land Managers consultation period, DEP received comments from the National Park Service noting that Florida’s regional haze SIP satisfied the reasonable progress requirements for Everglades National Park.

[Asbestos Program: Revisions to Chapter 62-257, F.A.C. \(“Asbestos Program”\)](#)

On March 3, 2025, the DEP filed with the Florida Department of State the Certification Package for this rulemaking. Rule revisions were effective March 23, 2025.

On December 11, 2024, DEP published a [NOPR](#) to revise two state rules pertaining to Florida’s Asbestos Program – 62-257.200 (“Definitions”) and 62-257.301 (“Notification Procedure and Fee”) – and to repeal 62-257.400 (“Fee Schedule”) and 62-257.900 (“Form”). The revisions updated definitions; clarified the notification procedure; simplified the fee schedule; and amended the Notice of Demolition or Asbestos Renovation Form and incorporated the form into Rule 62-257.301. (On May 7, 2024, DEP published a [NORD](#) for this rulemaking.)

DARM revised Rule 62-257.301 to provide for a simplified, two-tiered fee structure: (1) a flat fee of \$200 for any notification that generates a paper invoice (generated either through a paper notification or using DEP’s Business Portal); or (2) a discounted flat fee of \$100 if the notification is filed and paid electronically using DEP’s Business Portal. The discounted flat fee for electronic payment is intended to incentivize electronic notification and payment using DEP’s Business Portal. These revisions to Rule 62-257.301 allowed DARM to repeal Rule 62-257.400, which contains the current fee schedule that

varies the fee depending on the quantity of regulated asbestos containing material removed. This simplified fee structure will reduce costs for asbestos removal projects.

DARM revised Rules 62-257.200 and 62-257.301 to include corrective and clarifying amendments consistent with 40 CFR Part 61, [Subpart M](#), the NESHAP for Asbestos. These revisions clarified that a thorough inspection is required for all demolitions at facilities regardless of size. The revisions also clarified that a thorough inspection is required for all renovations at facilities that involve projects larger than the threshold amounts listed in the Asbestos NESHAP.

Adoption by Reference of EPA Federal Regulations

On January 21, 2025, DEP filed with the Florida Department of State the Certification Package for this rulemaking. The rule adoptions were effective January 21, 2025.

On November 13, 2024, DEP published a [NOITA](#) for Rule 62-204.800, F.A.C. The proposed rule amendments updated DEP's adoption by reference of air pollution regulations promulgated by EPA at Title 40, Code of Federal Regulations (CFR), to incorporate requirements of DEP's federally approved and delegated air pollution programs. These rule amendments included adoption of New Source Performance Standards (NSPS) and NESHAP amendments and streamlined references where appropriate.

Operation Permits for Major Sources of Air Pollution: Revisions to Chapter 62-213, F.A.C. ("Operation Permits for Major Sources of Air Pollution")

On January 8, 2025, DEP filed with the Florida Department of State the Certification Package for this rulemaking. Rule revisions were effective January 28, 2025.

On November 5, 2024, DEP published a [NOPR](#) to revise Chapter 62-213, F.A.C., based on stakeholder input received during the rule development process. These updates included removal of the affirmative defense provision, adding a process for making minor amendments to existing permits, and clarifying the actions that constitute off-permit changes to existing permits. Additional revisions included repealing the Title V Air General Permits rule section in its entirety as the sources are now regulated under Rule 62-210.310, F.A.C. ("Air General Permits"), clarifying that major sources may continue to operate while under the permit renewal process, and clarifying requirements applicable to facilities that alternate between authorized methods of operation. (On December 5, 2023, DEP published a [NORD](#) for this rulemaking.)

Florida's Regional Haze Progress Report for the Second Implementation Period

On January 28, 2025, DEP submitted Florida's Final Regional Haze Progress Report to EPA.

On October 30, 2024, DEP submitted to EPA Florida's Draft Regional Haze Progress Report for the Second Implementation Period. Florida's Regional Haze Progress Report addresses the requirements of 40 CFR 51.308(g), which requires that states develop and submit to EPA periodic reports evaluating the state's progress toward the visibility goals applicable to Class I areas within their jurisdictions. Specifically, Florida's Progress Report fulfills the requirements of paragraphs 51.308(g), (h), and (i) of EPA's RHR for the Second Implementation Period, from 2019 to 2028. In this progress report, DEP affirmed that the combined elements of Florida's approved Regional Haze SIP for the First Implementation Period (78 FR 53250) and pending Regional Haze SIP for the Second Implementation

Period are adequate for making reasonable progress towards the RHR goal of achieving natural visibility conditions at Class I areas by 2064. Pursuant to 40 CFR 51.308(h), Florida’s Progress Report also includes a determination of the adequacy of the State’s existing Regional Haze SIP.

In Florida’s Regional Haze SIP (submitted to EPA on October 8, 2021, and supplemented on June 14, 2024, and October 28, 2024), DEP set forth a long-term strategy to attain reasonable progress goals for visibility impairing pollutants in Florida’s Class I areas, which include the Chassahowitzka National Wilderness Area, Everglades National Park, and the St. Marks National Wilderness Area. The predicted reductions in visibility impairment are expected to result from the implementation of a combination of existing emissions control activities and planned emission control programs.

Florida’s State Implementation Plan
Chapter 62-210, F.A.C. (“Stationary Sources – General Requirements”)
Rule Removals and Amendments

On July 7, 2025, EPA finalized partial approval of FL-174 (90 FR 29745 [EPA Partial Final Approval](#))

On March 28, 2025, EPA proposed a partial approval of Florida’s Chapter 62-210, F.A.C. SIP (FL-174) (90 FR 14059 [EPA Partial Proposed Approval](#))

On August 15, 2023, DEP submitted to EPA a [Final Proposed SIP Amendment](#). This proposed SIP revision consisted of the removal of outdated or superseded rule requirements in Chapter 62-210, F.A.C., (“Stationary Sources – General Requirements”). The proposed SIP revision incorporates amendments to F.A.C. rules to make Florida’s SIP consistent with current state rules. For ease of processing, EPA has divided this SIP amendment package into six parts:

- FL-173 (Removal of Obsolete and Redundant Rules);
- FL-174 (Removal of CAIR and removal of Rule 62-210.360 CAA 110(l) Noninterference);
- FL-175 (General Requirements Rule Amendments Miscellaneous Changes);
- FL-176 (Administrative Changes);
- FL-177 (Stack Height Policy);¹ and
- FL-178 (Definitions).

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¹ On February 25, 2025, DEP submitted a partial withdrawal for FL-177 (Stack Height Policy) to EPA.

Current Air Regulatory Projects

1. Stationary Sources – General Requirements: Revisions to Chapter 62-210, F.A.C.

05/07/26 Notice of Proposed Rulemaking published in the FAR
02/18/26 Notice of Rule Development published in the FAR

2. 2026 Florida Ongoing Data Requirements Draft Annual Report

05/01/26 2026 Draft Annual Report Florida Ongoing Data Requirements submitted to EPA.

3. 2026 Hillsborough-Polk Verification of Continued Attainment Draft Annual Report

04/13/26 2026 Draft Annual Report Hillsborough-Polk Verification of Continued Attainment submitted to EPA.

4. Tampering with Motor Vehicle Air Pollution Control: Revisions to Rule 62-243.500, F.A.C., Certifications

04/10/26 Notice of Change published in the FAR
03/24/26 JAPC Comment Letter received
03/20/26 Notice of Intent to Adopt (Fast Track) published in the FAR

5. Stationary Sources – Emissions Monitoring: Revisions to Chapter 62-297, F.A.C.

03/20/26 Notice of Rule Development published in the FAR

6. Florida’s Proposed SIP Revision, Rule 62-210.310, F.A.C., Stationary Sources – General Requirements Rule Amendments – Air General Permits

12/15/25 Final Proposed SIP revision submitted to EPA
11/05/25 Public Hearing, if requested (no hearing requested, hearing canceled)
10/01/25 Pre-Hearing Proposed SIP revision submitted to EPA and Notice of Hearing published in the FAR.

7. Florida Area Designation Recommendations for the 2024 Revised Secondary National Ambient Air Quality Standard for Sulfur Dioxide (SO₂), submitted October 1, 2025

10/01/25 DEP submitted to EPA Florida’s designation recommendations for the 2024 revised secondary SO₂ NAAQS

8. Florida’s Regional Haze Plan for the Second Implementation Period

06/05/25 EPA published final approval of Florida’s Regional Haze Plan for the Second Implementation Period
12/27/24 EPA proposed approval of Florida’s Regional Haze Plan for the Second Implementation Period
10/30/24 2nd Supplemental Amendment submitted to EPA
06/14/24 Supplemental Amendment submitted to EPA
03/20/24 Public Hearing, if requested, (no hearing requested; hearing canceled);
02/16/24 Notice of Re-Scheduled Hearing, if requested, published in the FAR
01/19/24 Pre-Hearing Proposed Amendment to Florida’s Regional Haze Plan for the Second Implementation Period submitted to EPA
01/19/24 Notice of Hearing, if requested, published in the FAR
10/08/21 Proposed Regional Haze Plan submitted to EPA (FL-163)

- 07/15/21 Public Hearing held
 - 06/09/21 Pre-Hearing Proposed Regional Haze Plan for the Second Implementation Period submitted to EPA
 - 06/09/21 Notice of Hearing, if requested published in the FAR
- 9. 2025 Hillsborough-Polk Verification of Continued Attainment Draft Annual Report**
- 06/11/25 2025 Final Annual Report Hillsborough-Polk Verification of Continued Attainment submitted to EPA.
 - 05/01/25 2025 Draft Annual Report Hillsborough-Polk Verification of Continued Attainment submitted to EPA.
- 10. 2025 Florida Ongoing Data Requirements Draft Annual Report**
- 06/11/25 2025 Final Annual Report Florida Ongoing Data Requirements submitted to EPA.
 - 05/01/25 2025 Draft Annual Report Florida Ongoing Data Requirements submitted to EPA.
- 11. Florida's Regional Haze Progress Report for the 2nd Implementation Period, October 30, 2024**
- 01/28/25 Final Regional Haze Progress Report submitted to EPA.
 - 10/30/24 Draft Regional Haze Progress Report submitted to EPA and Federal Land Managers for review.
- 12. Proposed Amendment to Florida's State Implementation Plan (SIP) – Chapter 62-210, F.A.C. (Stationary Sources – General Requirements): Rule Removals and Amendments**
- 03/28/25 EPA Proposed partial approval in FR (90 FR 14059) (FL-174)
 - 02/26/25 DEP submitted a partial withdrawal for FL-177 (Stack Height Policy) to EPA
 - 08/15/23 Final Proposed SIP revision submitted to EPA
 - 08/02/23 Public Hearing (hearing canceled; no hearing requested)
 - 06/30/23 Pre-Hearing Proposed SIP revision submitted to EPA and Notice of Hearing published in the FAR.
- 13. Proposed Amendment to Florida's State Implementation Plan (SIP) – Chapter 62-296, F.A.C. (Stationary Sources - Emission Standards): Rule Removals and Amendments**
- 01/22/24 EPA published Final partial approval in FR (89 FR 3886) (FL-165, some rules missing)
 - 11/28/23 EPA Proposed partial approval in FR (88 FR 83062) (FL-165)
 - 11/06/23 EPA published Final partial approval in FR (88 FR 76137) (FL-164)
 - 10/13/23 Partial withdrawal letter submitted to EPA for Rule Subsection 62-296.320(3) (FL-165)
 - 10/03/23 EPA published Final partial approval in FR (88 FR 67963) (FL-166)
 - 09/11/23 EPA Proposed partial approval in FR (88 62303) (FL-164)
 - 08/11/23 EPA Proposed partial approval in FR (88 FR 54534) (FL-166)
 - 08/04/23 EPA published Final partial approval in FR (88 FR 51702) (FL-167-1 with FL-138)
 - 05/08/23 EPA Proposed partial approval in FR (88 FR 29591) (FL-167-1)
 - 04/01/22 Proposed SIP revision submitted to EPA
 - 01/19/22 Public Hearing, if requested (hearing canceled, no hearing requested)

12/15/21 Pre-Hearing Proposed SIP revision submitted to EPA and Notice of Hearing published in the FAR.

14. Proposed 2020 Amendment to Florida’s Commercial Industrial Solid Waste Incinerator (CISWI) 111(d) State Plan.

07/02/20 Proposed CISWI 111(d) State Plan revision submitted to EPA
07/08/20 Public Hearing, if requested (hearing canceled, no hearing requested)
05/27/20 Pre-Hearing CISWI 111(d) State Plan revision submitted to EPA

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Recently Completed Air Regulatory Projects

Recently completed projects are listed in reverse chronological order by effective date of rule adoption/repeal or by most recent date of submittal to EPA.

15. Proposed 2017 Amendment to Florida’s Commercial Industrial Solid Waste Incinerator (CISWI) 111(d) State Plan.

08/25/25 EPA proposed final approval to the initial CISWI 111(d) Plan submitted to EPA on 01/20/17. The final approval was published in Federal Register on 08/25/25 (90 FR 41303, effective 09/24/25)
06/04/18 EPA proposed approval of Proposed CISWI 111(d) State Plan
05/31/17 Proposed 111(d) Plan submitted to EPA
02/22/17 Public Hearing, if requested (hearing canceled, no hearing requested)
01/20/17 Pre-Hearing Draft Proposed 111(d) State Plan amendment submitted to EPA and Notice of Hearing, if requested published in the FAR.

16. Asbestos Program – Proposed Amendments to Chapter 62-257, F.A.C.

03/03/25 Certification package filed with DOS 03/03/25; rule amendments adopted, effective 03/23/25
12/11/24 NOPR published in the FAR
05/07/24 Notice of Rule Development published in the FAR

17. Adoption by Reference of EPA Regulations.

01/21/25 Certification package filed with DOS 01/21/25; rule amendments adopted, effective 01/21/25
11/13/24 Notice of Intent to Adopt (Fast Track) published in the FAR

18. Operation Permits for Major Sources of Air Pollution – Proposed Amendments to Chapter 62-213, F.A.C.

01/08/25 Certification package filed with DOS 01/08/25; rule amendments adopted, effective 01/28/25
11/05/24 NOPR published in the FAR
12/05/23 Notice of Rule Development published in the FAR