

# **DEP Update on Rulemakings and State Implementation Plan Revisions**

**August 15, 2019, AQTAC Meeting**

## **Rulemakings**

### ***Final-form Rulemakings***

Title V Fees and Operating Permit Fees – The proposed rulemaking was published in the Pennsylvania Bulletin on April 13, 2019 at 49 Pa.B. 1777. The public comment period opened on April 13, 2019, and closed June 17, 2019. The Board received public comments from approximately 50 commenters including the House and Senate Environmental Resources and Energy Committees and from 49 Representatives. Bureau staff are reviewing the comments and preparing responses. Any revisions to the draft final-form rulemaking will be discussed at a future AQTAC meeting.

PM2.5 Precursors – The proposed rulemaking was published in the Pennsylvania Bulletin on March 16, 2019, at 49 Pa.B. 1146. The public comment period opened March 16, 2019, and closed May 20, 2019. The Board received no adverse public comments. IRRC submitted a letter to the Board on June 19, 2019, stating that it has no objections, comments, or recommendations to offer on the rulemaking. If the Board delivers the final-form regulation without revisions, and the House and Senate Environmental Resources and Energy committees do not take any action, it will be deemed approved. The final-form rulemaking will be discussed at the August 15, 2019 AQTAC meeting and will to be presented to EQB in the 3<sup>rd</sup> quarter of 2019.

### ***Proposed Rulemakings***

Low-Sulfur Fuel – Amends § 123.22 to lower the sulfur content of No. 2 and lighter commercial fuel oil from 500 ppm to 15 ppm to be consistent with the MANE-VU “Ask.” Philadelphia Air Management Services, the Allegheny County Health Department (ACHD) and all surrounding states have already adopted the 15-ppm standard. This proposed rulemaking was approved by the EQB on April 16, 2019 and was published in the Pennsylvania Bulletin on July 6, 2019 with a 60-day public comment period. The public comment period closes September 9, 2019.

### ***Anticipated Rulemakings***

Stage I and II Amendments – The proposed rulemaking would require decommissioning of vacuum-assisted vapor recovery at the pump in the 5-county Philadelphia and 7-county Pittsburgh-Beaver Valley areas. It would also update stage I requirements retained for annual vapor leak testing and monitoring and add low-permeation hose and dripless nozzle requirements. The draft proposed Annex A has been through the AQTAC, SBCAC and CAC committees.

## **State Implementation Plan (SIP) Revisions**

### ***Nonregulatory SIP Revisions***

Low Reid Vapor Pressure (RVP) Noninterference Demonstration (NID) – On December 20, 2018 (83 FR 65301) the EPA issued its notice of final rule approving the NID SIP revision, which removed 25 Pa. Code Chapter 126, Subchapter C as a federally enforceable control measure in the Pennsylvania SIP. This effectively makes the requirements of 25 Pa. Code Chapter 126, Subchapter C no longer applicable to the Pittsburgh-Beaver Valley Area.

Proposed ACHD SIP Revision for Removal of Allegheny County Low RVP Fuel Program from Allegheny County Portion of SIP – On February 28, 2019, ACHD submitted to DEP its SIP revision requesting EPA to remove Allegheny County regulations requiring Low RVP summertime gasoline identical to recently repealed DEP regulations for the same. The revision references the EPA-approved Low RVP NID described above. The final rule was published on July 5, 2019 in the Fed. Reg. (84 FR 32076).

### **2012 PM2.5 NAAQS SIP Revisions:**

- DEP submitted the maintenance plan SIP revision and redesignation request for Delaware County on January 23, 2019.
- DEP submitted the maintenance plan SIP revision and redesignation request for Lebanon County on February 11, 2019.
- On July 16, 2019 (84 FR 33886) the EPA proposed to approve these SIP revisions and to determine that the Delaware and Lebanon county area are in attainment.
- The Allegheny County Health Department developed an attainment demonstration for Allegheny County and is currently reviewing public comments. The public comment period for this SIP revision was from May 10, 2019 to June 11, 2019.

### ***2019 Annual Monitoring Network Plan***

#### **Changes Relating to Natural Gas Extraction and Processing Activities in Shale Gas Regions**

- 1) Install new monitoring sites in Lycoming and Wyoming Counties
- 2) Continue to explore new monitoring sites in Indiana County

#### **Changes Relating to the Annual Assessment of the Ambient Air Quality Monitoring Network**

- 1) Discontinue the Potter Township lead monitoring site (Beaver County)
- 2) Discontinue H2S monitoring at the Warren East site (Warren County)
- 3) Discontinue the Lewisburg (Union County) monitoring station (metals, VOC)