

Small Business Compliance Advisory Committee

to the Pennsylvania Department of Environmental Protection

PO Box 8468

Harrisburg, PA 17105-8468

April 22, 2020

Honorable Patrick McDonnell
Secretary
Department of Environmental Protection
Rachel Carson State Office Building
P.O. Box 2063
Harrisburg, PA 17105-2063

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APR 27 2020

Compliance & Enforcement Division

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Re: Proposed Rulemaking for Additional RACT Requirements for Major Sources of NO_x and VOCs for the 2015 Ozone NAAQS (25 Pa. Code Chapters 121 and 129)

Dear Secretary McDonnell:

On April 22, 2020, the Small Business Compliance Advisory Committee (Committee) discussed the proposed rulemaking draft Annex A to amend 25 Pa. Code Chapters 121 and 129 (relating to general provisions; and standards for sources). The proposed rulemaking draft Annex A would add §§ 129.111—129.115 (relating to additional RACT requirements for major sources of NO_x and VOCs for the 2015 Ozone NAAQS) (RACT 3) to establish additional presumptive reasonably available control technology (RACT) requirements and RACT emission limitations for certain major stationary sources of nitrogen oxide (NO_x) and volatile organic compound (VOC) emissions including combustion units, boilers, process heaters, combustion turbines, stationary internal combustion engines, municipal solid waste landfills, municipal waste combustors, cement kilns, glass melting furnaces and other sources not regulated elsewhere in Chapter 129. The proposal would amend § 121.1 (relating to definitions) to add two terms to support the amendments to Chapter 129. These RACT requirements are reasonably necessary to implement in this Commonwealth to attain and maintain the 2015 Ozone National Ambient Air Quality Standard (NAAQS). Previous RACT requirements were established for most of these sources under §§ 129.91—129.95 (relating to stationary sources of NO_x and VOCs) (RACT 1) for the 1-hour Ozone NAAQS and §§ 129.96—129.100 (relating to additional RACT requirements for major sources of NO_x and VOCs) (RACT 2) for the 1997 and 2008 8-hour Ozone NAAQS.

The Committee voted 7-0-0 (yes/no/abstain) to concur with the Department's recommendation to present the proposed rulemaking amendments to the Environmental Quality Board for consideration for adoption and publication as a proposed rulemaking for public comment.

Sincerely,


Dale I. Kaplan
Chair

cc: Nancy Herb, PA DEP BAQ
Lucas Hershey, PA DEP BAQ
Susan Foster, PA DEP BAQ
Susan Hoyle, PA DEP BAQ
Viren Trivedi, PA DEP BAQ
Sean Wenrich, PA DEP BAQ