

Regulatory State Implementation Plan (SIP) Revisions

Reasonably Available Control Technology (RACT III)

The rulemaking was published in the *Pennsylvania Bulletin* on November 12, 2022. The Federally mandated deadline for compliance by regulated facilities was January 1, 2023. A SIP revision was submitted to EPA on January 13, 2023, for their review and action. However, 25 Pa. Code § 129.115(c) (relating to written notification, compliance demonstration and recordkeeping and reporting requirements), was not included in the SIP revision due to administrative and mathematical errors in the mass-equivalent basis factors. To correct these errors and a cross-reference error, the Department drafted revised language which it presented to the Air Quality Technical Advisory Committee (AQTAC), the CAC and the EQB on April 4, May 14 and November 12, 2024, respectively. The proposed rulemaking was published for public comment on January 25, 2025. Public hearings were held, and no comments were received from the public or IRRC. DEP presented the final-form rulemaking to AQTAC and CAC on May 8 and May 13, 2025, respectively. On September 9, 2025, DEP presented this rulemaking to the EQB who adopted it unanimously. IRRC approved the final regulation on October 16, 2025. The final rulemaking was published in the *Pennsylvania Bulletin* on December 6, 2025. A request to revise the Pennsylvania SIP to reflect the corrections is currently undergoing administrative review.

Air Quality regional staff have reviewed 65 of 71 RACT II equals RACT III determinations and 42 of 81 case-by-case RACT determinations received from major sources of NO_x and VOC. A public comment period and hearing is being offered for each of these permitting actions. DEP submitted 57 RACT II equals RACT III determinations to EPA on October 30, 2024, and 18 RACT III case-by-case determinations to EPA on January 15, 2025. On October 28, 2025, DEP submitted an additional 20 case-by-case RACT determinations to EPA. On December 23, 2025, DEP sent a letter to EPA committing to complete all determinations within one year of EPA published approval of DEP's RACT III regulation.

State Plans and Delegation of Federal Plans

The Department is proposing to amend 25 Pa. Code Chapter 122 to provide the express legal authority for the Department to request delegation of authority from the EPA to implement and enforce the requirements of an applicable Federal Plan established by the EPA in 40 CFR Part 62. The Department presented the draft proposed regulation to AQTAC, SBCAC and the CAC on April 4, April 17 and May 14, 2024, respectively. The EQB adopted the proposed regulation on April 8, 2025. The notice of the public comment period was published in the *Pennsylvania Bulletin* on June 21, 2025, and closed on August 29, 2025. Twenty-one commentators provided comment during the comment period. IRRC provided comments on September 29, 2025. The draft final-form regulation was presented to AQTAC, SBCAC and CAC on February 5, February 12 and March 10, 2026, respectively and will be presented to EQB in the coming months.

Chapter 121/127 Administrative Amendments

This proposed rulemaking would update administrative provisions in the Department's air pollution control regulations. The regulations include definitions for terms that apply to the air resources management program (Chapter 121) and the permitting and operating plan requirements for air pollution sources in Pennsylvania (Chapter 127). The draft proposed regulation was presented to AQTAC and SBCAC on November 6 and 20, 2025, respectively. Most significantly, an amendment to 25 Pa. Code § 127.505 is needed to correct the deadline for submitting an initial application for a Title V operating permit application to be within 12 months of beginning operation, aligning to the CAA. Additionally, the proposed regulation will incorporate provisions outlined in Act 45 of 2025 amendments to Section 1805 of Article XVIII, Subarticle C. DEP revised the draft proposed regulation to address the statutory provision on general permits and is presenting the revised draft to

the advisory committees in the second quarter of 2026.

Rescind Pennsylvania Heavy-Duty Diesel Emissions Control Program

This proposed rulemaking would rescind Pennsylvania’s Heavy-Duty Diesel Emissions Control Program (PA HDD Program”), 25 Pa. Code Chapter 126 Subchapter E, because it has become unnecessary. This rulemaking would rescind 25 Pa. Code Chapter 126 Subchapter E for the following reasons: (1) The PA HDD Program served its intended purpose by serving as a bridge between the California standards and the subsequently established federal standards. (2) The Department never sought federal approval of the PA HDD Program and never claimed any emission reduction credits from the program to assist Pennsylvania in meeting the federal air quality standards. So, there is no air quality penalty for rescinding the program. (3) There is considerable regulatory uncertainty surrounding the viability of the CA HDD Program, upon which the PA HDD Program is based. Also, based on that regulatory uncertainty, the Department is not enforcing the program. This means that Pennsylvania would be achieving the same level of emission reductions, whether it kept the PA HDD Program or not. However, it is unclear when or if that rule will be finalized. Rescinding the redundant program would alleviate confusion and produce regulatory certainty for industry and consumers. DEP is presenting this draft proposed rulemaking to the advisory committees in the second quarter of 2026.

Cambria-Westmoreland 2010 SO₂ National Ambient Air Quality Standards SIP Revisions

2010 Sulfur Dioxide (SO₂) National Ambient Air Quality Standards (NAAQS) Redesignation

On February 22, 2023, the EPA Region III Administrator sent Governor Shapiro a “120-Day Letter” proposing to reclassify several townships in Westmoreland County and Cambria County from “attainment” to “nonattainment” for the 2010 sulfur dioxide (SO₂) NAAQS. The Department reviewed the technical support document accompanying the “120-Day Letter” and responded with comments on June 22, 2023.

On February 7, 2024, EPA proposed creating a new 2010 SO₂ NAAQS non-attainment area, specifically Lower Yoder Township (Cambria County); St Clair Township, Seward Borough (Westmoreland County), and New Florence Borough (Westmoreland County). EPA published a 45-day public comment period on February 12, 2024. On December 17, 2024, EPA published reclassification of the area from “attainment” to “nonattainment” effective January 16, 2025. Within 18 months of the effective date, DEP is required to submit a state implementation plan (SIP) to EPA demonstrating how the 2010 SO₂ NAAQS will be attained in these partial counties. On February 17, 2025, Seward Generation filed a Petition for Administrative Reconsideration with EPA. DEP is moving forward with revising the SIP and the companies are working with EPA to submit a modeled clean data determination.

2015 Ozone National Ambient Air Quality Standards

On July 30, 2024, EPA approved Pennsylvania, Delaware, Maryland, and New Jersey’s request to voluntarily reclassify the multistate Philadelphia Area from moderate to serious for the 2015 ozone standard. The reclassification avoids an EPA finding of failure to attain the 2015 ozone standard, disapproval of DEP’s September 2023 attainment demonstration and a sanction clock. The serious nonattainment area SIP revision was due to EPA by January 1, 2026, with a new attainment date of August 3, 2027. DEP anticipates submitting the SIP revision to EPA in the second quarter of 2026.

On January 2, 2026, EPA proposed to approve Maryland’s and Delaware’s request to revise the existing Philadelphia nonattainment area boundary into three distinct nonattainment areas that together cover the identical geographic area of the existing area - the Cecil County, MD nonattainment area, the New Castle County, DE nonattainment area, and the revised Philadelphia-Atlantic City, PA-NJ nonattainment area.

Warren SO₂ Redesignation Request and Maintenance Plan

On May 10, 2025, DEP opened the public comment period for the Warren Redesignation Request and Maintenance Plan for the 2010 1-hour primary SO₂ NAAQS. The public comment period closed on June 20,

2025. A public hearing to receive comments was held on June 17, 2025, at the Warren Public Library. The SIP was submitted to EPA on September 19, 2025.

Harrisburg/York PM 2.5 Air Quality Maintenance Plan

On September 28, 2024, DEP opened the public comment period for the Harrisburg/York Air Quality Maintenance Plan for the 2006 PM2.5 NAAQS. The Department provided the opportunity for a public hearing on October 30, 2024, at Rachel Carson State Office Building. The public comment period ended on November 1, 2024. After preparing a Comment and Response document, DEP submitted the SIP revision to EPA on February 7, 2025.

PM2.5 NAAQS

On February 7, 2024, EPA lowered the annual National Ambient Air Quality Standards for Fine Particulate Matter (PM2.5 NAAQS) from 12.0 to 9.0 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$). EPA identified seven Pennsylvania counties in non-attainment based on 2020-2022 air quality monitoring data. On December 21, 2024, DEP published four proposed non-attainment areas: Allegheny County; Cumberland, Dauphin and York Counties; Lancaster County; and Delaware, Montgomery and Philadelphia Counties. Public hearings were held on January 21 and 23 and the public comment period was extended to January 28, 2025. DEP submitted its PM2.5 non-attainment recommendations to EPA on April 24, 2025. More recently, EPA has filed a Motion for Vacatur in the United States Court of Appeals on November 24, 2025 to vacate the 2024 PM2.5 NAAQS. The agency has not yet promulgated the designations for the 2024 PM2.5 NAAQS.

2008 Ozone NAAQS VOC RACT

On August 13, 2018, DEP submitted to EPA two SIP revisions to satisfy certain RACT requirements for sources of VOC emissions required for the 2008 8-hour ozone NAAQS. On December 14, 2020, EPA published full approval of the SIP submittals. The approval was challenged in the Third Circuit U.S. Court of Appeals and on September 3, 2021, the court granted EPA's request for remand without vacatur of the Agency's final full approval. After reconsideration, EPA proposed on May 17, 2024, to partially approve and partially disapprove the August 13, 2018, SIP submittals. EPA proposed disapproval of the SIP submittals related to Control Technique Guidelines (CTGs) and control of VOC emissions from industrial cleaning solvents. DEP submitted comments on June 13, 2024. On August 16, 2024, EPA published its partial approval/disapproval with an effective date of September 16, 2024, starting an 18-month sanctions clock. The DEP published a proposed SIP Revision on September 27, 2025, for public comment. The public comment period closed on October 31, 2025. DEP submitted the RACT Certification SIP to EPA on January 21, 2026.

O&G Methane State Plan (OOOOC)

BAQ presented the Department's proposal to incorporate the federal Emissions Guidelines for Greenhouse Gas (GHG) Emissions from Existing Crude Oil & Natural Gas Facilities (40 CFR Part 60 Subpart OOOOC) into a State Plan to AQTAC, SBCAC, MSC, CAC/EJAB and CDAC on October 10, October 23, October 29, November 12 and December 12, respectively. The Department presented its proposal a second time to AQTAC and SBCAC on February 6 and 26, 2025, respectively. The Department hosted a public webinar concerning the OOOOC State Plan on April 1, 2025. The proposed OOOOC State Plan was published for public comment in the May 31, 2025, issue of the *Pennsylvania Bulletin*. The Department held six in-person and two virtual hearings. The comment period closed on July 30, 2025. The Department must submit its State Plan to EPA no later than January 22, 2027.