

# Small Business Compliance Advisory Committee

to the Pennsylvania Department of Environmental Protection

PO Box 8468

Harrisburg, PA 17105-8468

July 25, 2018

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

Re: Proposed Rulemaking to Amend 25 Pa. Code Chapter 127, Subchapter E to Adopt Additional Requirements for Fine Particulate Matter in the Nonattainment New Source Review Program (25 Pa. Code Chapters 121 and 127)

Dear Secretary McDonnell:

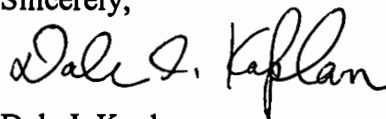
On July 25, 2018, the Small Business Compliance Advisory Committee (Committee) discussed the proposed rulemaking to incorporate Federal requirements issued by the United States Environmental Protection Agency (EPA) on August 24, 2016, for the regulation of precursor emissions to the formation of particulate matter less than and equal to 2.5 micrometers in diameter (PM<sub>2.5</sub>). The EPA's final rule requires states with nonattainment areas for PM<sub>2.5</sub> to amend their new source review (NSR) regulations to include emissions of volatile organic compounds (VOC) and ammonia as PM<sub>2.5</sub> precursors.

The proposed amendments would amend Chapter 127, Subchapter E to limit the emissions of VOC and ammonia as PM<sub>2.5</sub> precursors for new major sources or major sources being modified in certain counties of this Commonwealth that are designated as nonattainment for the PM<sub>2.5</sub> National Ambient Air Quality Standard (NAAQS). This proposed rulemaking would also add PM<sub>2.5</sub> significant impact levels (SIL) to conform with the EPA guidance for SILs published on April 17, 2018, in the Memorandum from Peter Tsigotis, Guidance on Significant Impact Levels for Ozone and Fine Particles in the Prevention of Significant Deterioration Permitting Program. Amendments to Chapter 121 would be made to support the amendments to Chapter 127, Subchapter E. The proposed rulemaking would also provide for the electronic submission of general permit applications for portable sources under Chapter 127, Subchapter H (relating to general plan approvals and operating permits).

The Committee appreciates the Department's presentation regarding this proposed rulemaking. The proposed rulemaking does not appear to impact small businesses. The Committee considers this presentation for information only and does not have comments on the proposed rulemaking.

The Committee voted 4-0-0 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.

Sincerely,



Dale I. Kaplan  
Chair

cc: Krishnan Ramamurthy, Director, PA DEP BAQ  
Susan Hoyle, PA DEP BAQ  
Susan Foster, PA DEP BAQ  
Nancy Herb, PA DEP BAQ