

**Commonwealth of Pennsylvania  
Department of Environmental Protection**



**pennsylvania**

DEPARTMENT OF ENVIRONMENTAL PROTECTION

**STATE IMPLEMENTATION PLAN REVISION**

**Section 110(a)(2) Infrastructure Requirements  
for Fine Particulate Matter  
(1997 and 2006 Fine Particulate Matter National Ambient Air Quality Standards)**

**March 2010**

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**Commonwealth of Pennsylvania**  
**Section 110(a)(2)(A)-(M) Clean Air Act Requirements for the Fine Particulate Matter**  
**Infrastructure State Implementation Plan Revision**

Section 110(a)(2) of the Clean Air Act (CAA) describes how states must implement, maintain and enforce National Ambient Air Quality Standards (NAAQS). This State Implementation Plan (SIP) revision fulfills the requirements of section 110(a)(2) set forth herein for the fine particulate matter (PM<sub>2.5</sub>) NAAQS established by the U.S. Environmental Protection Agency (EPA) in October 2006 (71 FR 6144; October 17, 2006), and fulfills the requirement of section 110(a)(2)(G) of the CAA for the PM<sub>2.5</sub> NAAQS established by EPA in 1997 (62 FR 38652; July 18, 1997). Once approved by the EPA, the SIP revision will provide a federally enforceable plan of how the Commonwealth of Pennsylvania will comply with the requirements of Section 110(a)(2) set forth herein for the 2006 24-hour PM<sub>2.5</sub> NAAQS and the Section 110(a)(2)(G) requirements for the 1997 PM<sub>2.5</sub> NAAQS.

This SIP revision addresses the following requirements (quoted in full in the table below) contained in Section 110(a)(2) for the 24-hour 2006 PM<sub>2.5</sub> NAAQS:

- enforceable emission limitations and other control measures to meet the standard and fulfill other requirements of the Act;
- ability to monitor, compile, and analyze data on ambient air quality, and to report such data to EPA;
- ability to enforce control measures and regulate modification and construction of stationary sources, including a permit program;
- adequate personnel, funding, and authority under state (and, as appropriate, local) law to carry out such implementation plan;
- oversight authority for local government agencies that have responsibility for implementing portions of the SIP;
- ability to require owners or operators of stationary sources to install, and maintain emission monitoring equipment, and report emissions data, as well as the ability of the state to use such reports for compliance;
- authority for emergency episode plans;
- ability to revise plans upon revision of the NAAQS, improved information on attainment methods and should EPA require revision;
- for nonattainment areas, the ability to meet the applicable requirements of the CAA part D, including conformity, requirements for the Ozone Transport Region and New Source Review;
- a program to prevent significant deterioration of air quality and to protect visibility;
- provide for participation for local political subdivisions affected by the plan;
- the ability to perform air quality modeling; and
- requirements for the owner or operator of each major stationary source to pay appropriate fees.

In addition, the SIP revision addresses emergency episode plans for the 1997 PM2.5 NAAQS.

On September 25, 2009, the EPA issued a memorandum entitled *Guidance on SIP Elements Required Under Sections 110(a)(1) and (2) for the 2006 24-Hour PM2.5 NAAQS*. The guidance addressed consultation with EPA regions, criteria for complete submissions, impacts of incomplete submissions, and criteria for satisfying the Sections 110(a)(2)(D) and 110(a)(2)(G) requirements of the CAA. The Department of Environmental Protection (Department or A DEP) considered this guidance during the development of the Infrastructure SIP revision for fine particulate matter.

Requirements for a public comment process are set forth in Section 110(a)(2) of the CAA and 40 CFR 51.102(d). Notice of a public comment period and opportunity for a public hearing if requested were provided in the *Pennsylvania Bulletin* (39 Pa. B. 7924, December 26, 2009) and in newspapers of general circulation across the Commonwealth. During the public comment period, which closed on January 29, 2010, the Department did not receive any comments on the proposed SIP revision or requests for a hearing. Therefore, the hearing was cancelled as per the public notice procedure.

Legislative authority for the Department's Air Quality Program is set forth in the Pennsylvania Air Pollution Control Act (APCA), 35 P.S. §§ 4001 – 4015 (APCA), including Section 4 of the APCA, which gives the Department the power and duty to implement the provisions of the CAA in the Commonwealth. 35 P.S. § 4004(1).

Section 110(a) element	<i>Each implementation plan submitted by a State under this Act shall:</i>	Pennsylvania Implementation	SIP Status
§110(a)(2)(A)	<i>include enforceable emission limitations and other control measures, means, or techniques (including economic incentives such as fees, marketable permits, and auctions of emissions rights), as well as schedules and timetables for compliance as may be necessary or appropriate to meet the applicable requirements of this Act.</i>	<p>The Commonwealth’s enforceable emission limitations and other control measures are covered in the APCA and those provisions of Pennsylvania Code Title 25, Environmental Protection, Article III, Chapters 121-145 (25 Pa. Code Chapters 121-145), Title 67, Chapters 175 – 177 listed in 40 CFR §52.2020(c)(1), Allegheny County Health Department (ACHD) Regulations, Parts A through I to Articles XX and XXI listed in 40 CFR 52.2020(c)(2), Philadelphia Title 3 Air Management Code and Philadelphia AMS Regulations I, II, III, IV, V, VII, VIII, XI, and XIII listed in 40 CFR 52.2020(c)(3), and source specific provisions codified at 40 CFR 52.2020(d)(1) and (2).</p> <p>The regulations in the Pennsylvania Code are duly adopted by the Pennsylvania Environmental Quality Board. Where these provisions relate to section 110 requirements, State Implementation Plan (SIP) revisions have been submitted to and approved by EPA. EPA-approved SIP revisions are codified at 40 CFR part 52, subpart NN. The Commonwealth has an EPA-approved air permitting program for both major and minor facilities, which ensures that all applicable requirements are included in the facility permit.</p>	40 CFR 52.2020(c)(1), 52.2020(c)(2), 52.2020(c)(3) and 52.2020(d)
§110(a)(2)(B)	<i>provide for establishment and operation of appropriate devices, methods, systems, and procedures necessary to monitor, compile, and analyze data on ambient air quality, and upon request, make such data available to the Administrator;</i>	Section 4(17) of the APCA, 35 P.S. § 4004, provides the authority for DEP to “determine by means of field studies and sampling the degree of air pollution existing in any part of the Commonwealth.” DEP establishes, operates, and maintains a network of ambient air monitors throughout Pennsylvania, excluding Philadelphia and Allegheny Counties. Philadelphia Air Management Services (AMS) operates its monitoring network as a Pennsylvania approved program under the “Agreement for Implementation of the Philadelphia County Air Pollution Control Program,” dated July 1, 1998. The Allegheny County Health Department (ACHD) operates its monitoring network as a Pennsylvania approved program under the “Agreement for Implementation of the Allegheny County Air Pollution Control Program,” dated October 31, 1998. These agreements address data collection, data access and reporting.	SIP Revision submitted 11/2007

<p><b>§110(a)(2)(B)</b> <b>(continued)</b></p>		<p>The Pennsylvania network consists only of monitors that have been designated by EPA as either Reference or Equivalent monitors. All ambient air monitors are subjected to the Quality Assurance requirements of 40 CFR Part 58, Appendix A. In addition, all samplers are located at sites that have met the minimum siting requirements of Part 58, Appendix E.</p> <p>As required in 40 CFR Section 58.10, an annual network design plan is required to be submitted to the EPA Regional Administrator by July 1 for concurrence with the proposed monitoring changes. The network design document informs both EPA and the public of any planned changes to the sampling network for the next year. The annual network design plan provides a description of the current monitoring network, a reason for each change, and any other information relevant to the change. In addition, DEP and the local air agencies provide EPA Region III with prior notification of any planned changes to the network between formal network design submissions. As needed, details of these changes are communicated to and approved by EPA.</p> <p>DEP and the local agencies collect and report to EPA all ambient air quality data for SO<sub>2</sub>, CO, O<sub>3</sub>, NO<sub>2</sub>, PB, PM<sub>10</sub>, and PM<sub>2.5</sub>. The reports comply with the federal requirements of 40 CFR 58.35. As necessary, the submitted data is reviewed, edited, validated, and entered into the EPA air quality system (AQS) for updating pursuant to prescribed AQS procedures. The EPA AQS receives each report within 90 days after the end of the quarterly reporting period.</p> <p>DEP analyzes such air quality data (including data from the local agencies) to determine attainment status or progress.</p>	
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<p><b>§110(a)(2)(C)</b></p>	<p><i>include a program to provide for the enforcement of the measures described in subparagraph (A) and regulation of the modification and construction of any stationary source within the areas covered by the plan as necessary to assure that national ambient air quality standards are achieved, including a permit program as required in parts C and D;</i></p>	<p>Sections 4 and 8 of the APCA, 35 P.S. §§ 4004 and 4008, provide adequate authority for DEP to enforce appropriate limitations and other control measures. Section 6.1(k) of the APCA, 35 P.S. § 4006.1(k), provides that DEP shall require revisions to any permit to incorporate applicable standards and regulations promulgated under the Clean Air Act after issuance of a Title V permit.</p> <p>Section 9.1 of the APCA, 35 P.S. § 4009.1, provides that DEP may assess civil penalties for violations of the APCA, regulations adopted under the APCA, Department orders or terms, and conditions of plan approvals and operating permits. Additionally, Section 7.1 of the APCA, 35 P.S. § 4007.1, authorizes DEP to withhold plan approvals, state operating permits, or Title V permits where an applicant or related party has shown a lack of ability or intention to comply with the APCA.</p> <p>The Commonwealth’s enforceable emission limitations and other control measures are covered in those provisions of the APCA and Pennsylvania Code, Title 25, Environmental Protection, Article III, Chapters 121-145 (25 Pa. Code Chs. 121-145); Title 67, Chapters 175 – 177 that are listed in 40 CFR §52.2020(c)(1); ACHD Regulations, Parts A through I to Articles XX and XXI that are listed in 40 CFR 52.2020(c)(2); Philadelphia Title 3 Air Management Code and Philadelphia AMS Regulations I, II, III, IV, V, VII, VIII, XI, and XIII that are listed in 40 CFR 52.2020(c)(3); and source specific provisions codified at 40 CFR 52.2020(d)(1).</p> <p>Elements of the program for enforcement are found in the monitoring, recordkeeping and reporting requirements for sources in these control measures as well as those provisions of: 25 Pa. Code Chapter 127, subchapters D and E that are listed in 40 CFR 52.2020(c)(1); those provisions of ACHD Regulations, Parts H and I to Articles XX and XXI that are listed in 40 CFR 52.2020(c)(2); and those provisions of the Philadelphia Title 3 Air Management Code and Philadelphia AMS Regulation I that are listed in 40 CFR 52.2020(c)(3).</p>	<p>SIP revision submitted 12/7/2007</p>
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<p><b>§110(a)(2)(E)(i)</b></p>	<p><i>provide</i>  <i>(i) necessary assurances that the state (or, except where the Administrator deems inappropriate, the general purpose local government or governments, or a regional agency designated by the state or general purpose local governments for such purpose) will have adequate personnel, funding, and authority under state (and, as appropriate, local) law to carry out such implementation plan (and is not prohibited by any provision of federal or state law from carrying out such implementation plan or portion thereof);</i></p>	<p><b>State Agency Legal Authority:</b> The Commonwealth’s enforceable emission limitations and other control measures are covered in the APCA and those provisions of Pennsylvania Code Title 25, Environmental Protection, Article III, Chapters 121-145 (25 Pa. Code Chs. 121-145) and Title 67, Chapters 175-177 that are listed in 40 CFR § 52.2020(c)(1); those provisions of ACHD Regulations, Parts A through I to Articles XX and XXI that are listed in 40 CFR §52.2020(c)(2); those provisions of Philadelphia Title 3 Air Management Code and Philadelphia AMS Regulations I, II, III, IV, V, VII, VIII, XI, and XIII that are listed in 40 CFR 52.2020(c)(3); and source specific provisions codified at 40 CFR 52.2020(d)(1). The regulations in the Pennsylvania Code are duly adopted by the Environmental Quality Board. Those adopted by the local air agencies, namely ACHD and Philadelphia AMS, are duly adopted by the county Board of Health, enacted by the County Council and approved by the Chief Executive and the Air Pollution Control Board, respectively, pursuant to section 12 of the APCA (35 P.S. § 4012). Where these provisions relate to section 110 requirements, SIP revisions have been submitted to and approved by EPA. EPA-approved SIP revisions are codified at 40 CFR part 52, subpart NN. The Commonwealth has an EPA-approved air permitting program for both major and minor facilities, which ensures that all applicable requirements are included in the facility permit.</p> <p><b>Local Agency Legal Authority:</b> Section 12 of the APCA (35 P.S. § 4012) establishes the ability of the two pre-existing local air agencies to continue to operate their own programs. Authority for AMS is provided by Title 3, Air Management Code and for ACHD by Article XXI and County Ordinance 16782</p> <p><b>State Revenue:</b> Section 6.3 of the APCA (35 P.S. § 4006.3) authorizes the Department to establish fees sufficient to cover the indirect and direct costs of administering the plan approval and operating permit program including Title V and costs of administering certain committees. 25 Pa. Code §127.701 as is currently approved in the SIP establishes fees to cover the direct and indirect costs of administering the air pollution control planning process, operating permit program, certain committee operation</p>	<p>SIP revision submitted 12/7/2007</p>
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<p><b>§110(a)(2)(E)(i)</b> <b>(continued)</b></p>		<p>and to support the air pollution control program authorized by state statute. The APCA also authorizes the establishment of fees to cover non-Title V costs. The air quality program also receives revenue from fines and penalties (Clean Air Fund) and federal funds under Section 105 and 103 of the CAA and state general appropriations.</p> <p><b>Local Revenue:</b> The local agencies receive Section 105 and 103 funds directly from EPA, have their own authority to collect Title V and other fees, and also receive revenue from fines and penalties that are restricted for air quality program purposes.</p> <p><b>State Staffing:</b> DEP believes that Pennsylvania has adequate personnel to carry out the SIP with respect to the PM2.5 NAAQS requirements. Should EPA determine that the DEP lacks adequate personnel to carry out the SIP, EPA may issue a finding with respect to that deficiency, which DEP would have a legal obligation to correct.</p> <p>DEP's agreements with ACHD and AMS (referenced above) assure that these local agencies similarly have the personnel, funding and authority to carry out their respective obligations under the SIP.</p>	
<p><b>§110(a)(2)(E)(ii)</b></p>	<p><i>(ii) requirements that the state comply with the requirements respecting state boards under section 128, and</i></p>	<p>The requirement is not applicable. Permits and enforcement orders are issued directly by the DEP, not state boards.</p>	<p>NA</p>
<p><b>§110(a)(2)(E)(iii)</b></p>	<p><i>(iii) necessary assurances that, where the state has relied on a local or regional government, agency, or instrumentality for the implementation of any plan provision, the state has responsibility for ensuring adequate</i></p>	<p>Section 12 of the APCA, 35 P.S. § 4012, reserved powers to political subdivisions to enact air pollution control ordinances, which are not less stringent than the requirements of the Clean Air Act, the APCA, and regulations adopted under the acts. The APCA authorizes only two local air pollution control programs in the Commonwealth, which are administered by the Philadelphia AMS and the ACHD. DEP maintains agreements with the two local air agencies that DEP relies on for implementation of the SIP in Allegheny and Philadelphia counties. DEP has approved the local programs in the areas of financial assistance, annual</p>	<p>SIP revision submitted 12/7/2007</p>

<p><b>§110(a)(2)(E)(iii)</b> <b>(continued)</b></p>	<p><i>implementation of such plan provision;</i></p>	<p>workload projection, emissions reporting, source monitoring and reporting, enforcement, ambient air monitoring and reporting, and air quality permitting. The Department has responsibility for ensuring adequate implementation of SIP provisions by local authorities under section 12 of the APCA, 35 P.S. § 4012. The submission of a description of the implementation of the local air pollution control program along with a detailed accounting of the costs of implementation is required on an annual basis.</p>	
<p><b>§110(a)(2)(F)</b></p>	<p><i>require, as may be prescribed by the Administrator—</i></p> <p><i>(i) the installation, maintenance, and replacement of equipment, and the implementation of other necessary steps by owners or operators of stationary sources to monitor emissions from such sources,</i></p> <p><i>(ii) periodic reports on the nature and amounts of emissions and emissions-related data from such sources, and</i></p> <p><i>(iii) correlation of such reports by the state agency with any emission limitations or standards established pursuant to this Act, which reports shall be available at reasonable times for public inspection;</i></p>	<p>Requirements of §110(a)(2)(F)(i) and (ii) of the CAA are already addressed in the approved SIP. Regulatory requirements have been codified in 25 Pa. Code Chapter 139 (pertaining to sampling and testing). Requirements in 25 Pa. Code Section §135.3 provide for the reporting of emissions inventories by source owners and operators in a format established by DEP on a schedule set forth in the section. In addition, 25 Pa. Code § 135.21 requires the submission of emission statements as required by the CAA. Area, mobile, and non-road data are reported to EPA on a 3-year cycle, consistent with 40 CFR Part 51.</p> <p>The Commonwealth’s enforceable emission limitations and other control measures are covered in the APCA and those provisions of Pennsylvania Code Title 25, Environmental Protection, Article III, Chapters 121-145 (25 Pa. Code Chs. 121-145), Title 67, Chapters. 175 – 177 listed in 40 CFR §52.2020(c)(1), Allegheny County Health Department (ACHD) Regulations, Parts A through I to Articles XX and XXI listed in 40 CFR 52.2020(c)(2), Philadelphia Title 3 Air Management Code and Philadelphia AMS Regulations I, II, III, IV, V, VII, VIII, XI, and XIII listed in 40 CFR 52.2020(c)(3) , and, source specific provisions codified at 40 CFR 52.2020(d)(1) and (2). Elements of the program for enforcement are found in the monitoring, recordkeeping and reporting requirements for sources in these control measures as well as 25 PA Code Chapter 127, subchapters D and E, ACHD Regulations, Parts H and I to Articles XX and XXI and Philadelphia AMS Regulation I.</p> <p>The Commonwealth has the responsibility of making all records, reports or information obtained by the Department or referred to at public hearings under the provisions of the APCA available to the public, except to the</p>	<p>40 CFR 52.2020(c)(1), 52.2020(c)(2), 52.2020(c)(3) and 52.2020(d)</p> <p>SIP revision submitted 12/7/2007</p>

<p><b>§110(a)(2)(F)</b> <b>(continued)</b></p>		<p>extent the records, reports or information are protected by confidentiality pursuant to the APCA section 13.2, 35 P.S. § 4013.2. The types of records DEP routinely provides access to include notifications, inspection reports, notices of violation, enforcement orders, applications, permit review letters, sample results, monitoring reports, permits, approvals and denials that would relate to §110(a)(2)(F) of the CAA. DEP generally makes information available for public access through its website, but also makes hard copy reports available upon written request.</p>	
<p><b>§110(a)(2)(G)</b></p>	<p><i>provide for authority comparable to that in section 303 and adequate contingency plans to implement such authority;</i></p>	<p>For both the 2006 and 1997 PM<sub>2.5</sub> NAAQS, no specific emergency episode plans are necessary given that existing monitored levels have not exceeded the level of 140.4 micrograms per cubic meter identified by EPA in its September 25, 2009 <i>Guidance on SIP Elements Required Under Sections 110(a)(1) and (2) for the 2006 24-hour Fine Particle (PM<sub>2.5</sub>) National Ambient Air Quality Standards (NAAQS)</i>, pp. 6-7. Pennsylvania has appropriate general emergency powers to address PM<sub>2.5</sub>-related episodes. Enabling authority for “Emergency Powers” is contained in Sections 5(5) and 6.2 of the APCA (35 P.S. §§ 4005(5) and 4006.2). The EQB has adopted 25 Pa. Code Chapter 137, ACHD has adopted Part F to Article XX/XXI and Philadelphia AMS has adopted Regulation IV, all of which cover air pollution episodes and the occurrence of an emergency due to the effects of pollutants on the health of persons. 25 Pa. Code Chapter 137, Part F to Article XX/XXI and Philadelphia AMS Regulation IV were approved into the SIP on May 31, 1972 (37 FR 10842), June 16, 1993 (58 FR 33203), June 12, 1998 (63 FR 32126), June 11, 2002 (67 FR 39854), and November 14, 2002 (67 FR 68935).</p>	<p>40 CFR 52.2020(c)(1), 52.2020(c)(2), 52.2020(c)(3) and 52.2020(d)</p>
<p><b>§110(a)(2)(H)</b></p>	<p><i>provide for revision of such plan— (i) from time to time as may be necessary to take account of revisions of such national primary or secondary ambient air quality standard or the availability of improved or</i></p>	<p>Section 4(1) of the APCA, 35 P.S. § 4004(1), gives the Department the authority and duty to implement the provisions of the CAA. Section 5 of the APCA, 35 P.S. § 4005, gives the Environmental Quality Board the authority to adopt rules and regulations for the prevention, control, reduction and abatement of air pollution. In addition, 25 Pa. Code Chapter 122 adopts the federal NAAQS by reference. The Department has revised and will continue to revise the SIP as may be necessary when EPA revises the primary or secondary NAAQS and when, if ever, EPA finds the SIP is substantially inadequate to attain the NAAQS which it implements</p>	<p>SIP revision submitted 12/7/2007</p>

<p><b>§110(a)(2)(H)</b> <b>(continued)</b></p>	<p><i>more expeditious methods of attaining such standard, and</i> <i>(iii) except as provided in paragraph (3)(C), whenever the Administrator finds on the basis of information available to the Administrator that the plan is substantially inadequate to attain the national ambient air quality standard which it implements, or to otherwise comply with any additional requirements established under this Act;</i></p>	<p>or otherwise to comply with the CAA. The Department has revised and will continue to revise the SIP to take advantage of improved or more expeditious methods to attain the NAAQS.</p>	
<p><b>§110(a)(2)(I)</b></p>	<p>in the case of a plan or plan revision for an area designated as a nonattainment area, meet the applicable requirements of part D (relating to nonattainment areas);</p>	<p>Amendments to these requirements to fulfill recent federal requirements were submitted to EPA on August 9, 2007. In preparing SIPs under Part D, Pennsylvania complies with all applicable requirements for each nonattainment area under sections 110 and Part D, subpart 1 of the CAA.</p> <p>The New Source Review requirements in 25 Pa. Code Chapter 127, Subchapter E, New Source Review, implement the requirements of part D for nonattainment areas. On May 16, 2008, the EPA published its final rule for the “Implementation of the New Source Review (NSR) Program for Particulate Matter Less Than 2.5 Micrometers (PM2.5)” (73 FR 28321). This Federal regulation requires states with PM2.5 nonattainment areas to submit revised nonattainment NSR programs to the EPA within three years from the date of publication of the final rule for SIP approval, or by May 16, 2011.</p> <p>Pennsylvania works extensively with the Ozone Transport Commission established under CAA Section 184 and other regional planning agencies. See information under (A) and (C) for compliance with Section 173 and</p>	

<b>§110(a)(2)(I)</b> <b>(continued)</b>		information under (J) for compliance with transportation conformity established by CAA Section 176.	
<b>§110(a)(2)(J)</b> <b>(PSD)</b>	<i>meet the applicable requirements of ... part C (relating to prevention of significant deterioration of air quality and visibility protection);</i>	DEP has incorporated by reference into Chapter 127, Subchapter D, the requirements in 40 CFR 52 under section 161 of the CAA (42 U.S.C.A. § 7471) for prevention of significant deterioration in their entirety. These provisions were codified by EPA in 52.2058, as part of the Commonwealth's SIP.	40 CFR 52.2020(c)(1) Subchapter D and 40 CFR 52.2058; 52.2020(c)(2); and 52.2020(c)(3). Allegheny County SIP revision submitted 6/2008.
<b>§110(a)(2)(J)</b> <b>and</b> <b>§110(a)(2)(M)</b> <b>(participation)</b>	<i>meet the applicable requirements of section 121 (relating to consultation) and section 127 (relating to public notification), provide for consultation and participation by local political subdivisions affected by the plan;</i>	<p>The APCA provides adequate authority for DEP's practices of consultation and participation in SIPs, as required under CAA Sections 121 and 127 and notification of NAAQS violations as required in CAA Section 127. It also provides authority for the public education efforts described in CAA Section 127. Section 4 of the APCA, 35 P.S. § 4004, provides general enabling authority for interaction with the public and local government.</p> <p>DEP makes real-time and historical air quality information available on its Web site. In the four areas where violations have been most common in the past, DEP has formed, funded, and provided technical resources to Air Quality Partnerships. The Partnerships receive forecasts of potentially unhealthy air quality (including, but not limited to, violations of the NAAQS), and encourage specific actions that can be taken to prevent standards from being exceeded.</p>	SIP revision submitted 12/7/2007
<b>§110(a)(2)(K)</b>	<i>provide for:</i> <i>(i) the performance of such air quality modeling as the Administrator may prescribe for the purpose of predicting the effect on ambient air quality of any emissions of any air</i>	<p>Section 4(1) of the APCA provides that it is the power and duty of the Department to implement the provisions of the CAA in this Commonwealth. 35 P.S. § 4004 (1). Inherent in this grant of power and duty is the obligation to meet the NAAQS established under Section 107 of the CAA.</p> <p>Section 4(15) of the APCA provides that it is the power and duty of the Department of Environmental Protection (Department) to conduct or cause</p>	SIP revision submitted 6/2008

<p><b>§110(a)(2)(K)</b> <b>(continued)</b></p>	<p><i>pollutant for which the Administrator has established a national ambient air quality standard, and</i> <i>(ii) the submission, upon request, of data related to such air quality modeling to the Administrator;</i></p>	<p>to be conducted studies and research with respect to air contaminants, their nature, causes and effects, and with respect to the control, prevention, abatement and reduction of air pollution and air contamination. 35 P.S. § 4004 (15). This power and duty include the power and duty to perform air quality modeling and data submissions prescribed by the Administrator of EPA under Section 110(a)(2)(K) of the CAA.</p> <p>Inherent in Pennsylvania’s obligation to meet the NAAQS and to conduct or cause to be conducted studies and research is the authority and obligation for the Department to perform modeling as required under the CAA to demonstrate attainment of the NAAQS. Pennsylvania will continue to perform modeling as required under the CAA to demonstrate attainment. Pennsylvania will continue to submit the air quality modeling data as part of its relevant SIP submissions and through federal grant commitments or in other ways that EPA may request.</p> <p>Pennsylvania participates in a multi-state effort for air quality modeling demonstrating the attainment of the 2006 PM2.5 standard in cooperation with the Mid-Atlantic Regional Air Management Association, the Ozone Transport Commission and the Northeast States for Coordinated Air Use Management (NESCAUM). This collaborative effort is to perform modeling for both the 2006 PM2.5 standard and for the revised ground-level ozone standard established by EPA in March 2008.</p> <p>The procedures followed in the modeling analysis for the 2006 PM2.5 attainment demonstrations will be in accordance with EPA’s <i>Guidance on the Use of Models and Other Analyses for Demonstrating Attainment of Air Quality Goals for Ozone, PM2.5, and Regional Haze</i> (EPA-454/B-07-002, April 2007) or its successors.</p>	
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<p><b>§110(a)(2)(L)</b></p>	<p><i>require the owner or operator of each major stationary source to pay to the permitting authority, as a condition of any permit required under this Act, a fee sufficient to cover—</i></p> <p><i>(i) the reasonable costs of reviewing and acting upon any application for such a permit, and</i></p> <p><i>(ii) if the owner or operator receives a permit for such source, the reasonable costs of implementing and enforcing the terms and conditions of any such permit (not including any court costs or other costs associated with any enforcement action), until such fee requirement is superseded with respect to such sources by the Administrator's approval of a fee program under title V.</i></p>	<p>The fee requirements of 25 Pa. Code Chapter 127, Subchapter I, were approved by EPA as meeting the CAA requirements and were incorporated into the Commonwealth's SIP. The Commonwealth's Title V operating permit program in 25 Pa Code Chapter 127, Subchapter G, was approved (61 Fed. Reg. 39597).</p>	<p>40 CFR 52.2020(c)(1), Appendix A — Approval Status of State and Local Operating Permits Programs to 40 CFR Part 70, approved by EPA at 61 Fed. Reg. 39597, July 30, 1996</p>
<p><b>§110(a)(2)(M)</b></p>	<p><i>Provide for consultation and participation by local political subdivisions affected by the plan.</i></p>	<p>See §110(a)(2)(J) above.</p>	