

PROPOSED REVISION TO THE STATE IMPLEMENTATION PLAN; RACT III FOR 58 FACILITIES

The Pennsylvania Department of Environmental Protection (Department, DEP) has made a preliminary determination that the owners and operators of 58 permitted facilities will demonstrate compliance with the 2015 8-hour ozone National Ambient Air Quality Standard (NAAQS) (known as Reasonably Available Control Technology (RACT) III) by complying with their existing RACT II permit conditions as currently written into the Commonwealth's State Implementation Plan (SIP). The provisions in 25 Pa. Code § 129.114(i)(1) and (2) allow for the owners and operators of facilities which have not been modified or changed, and which have previously complied with RACT II for the 1997 and 2008 ozone NAAQS through the provisions of 25 Pa. Code § 129.99, to use the same case-by-case conditions previously adopted as RACT II to comply with RACT III.

The Department has made a preliminary determination that these case-by-case RACT II requirements remain RACT for RACT III. These provisions and requirements are intended to address the Commonwealth's RACT obligations under sections 182 and 184 of the Clean Air Act (42 U.S.C.A. §§ 7511a and 7511c) for the 2015 ozone NAAQS. If finally approved, The Department intends to submit all relevant documentation, including facility notifications submitted per 25 Pa. Code § 129.115(a), DEP's determination that RACT II requirements continue to demonstrate compliance with RACT III requirements, respective review memos, and other relevant documentation to the United States Environmental Protection Agency (EPA) with a request for EPA to approve DEP's declaration that no changes to the Pennsylvania SIP are required for RACT III at these facilities. The SIP revision will reflect the Department's declaration that RACT II remains RACT for RACT III at these facilities. The details of the 58 facilities and all documents which will be submitted to EPA are available for review in the directory at the location below.

<https://files.dep.state.pa.us/Air/AirQuality/AQPortalFiles/Permits/RACT/RACT%20II%20is%20RACT%20III/>

The first file in this directory, named facility list, is an excel file which makes it easy to search for facilities located in a specific county, by DEP regional office, or by permit number.

Public Comment Details: A public comment period is provided for persons wishing to file a written protest, objection, comments or additional information which they believe should be considered prior to the submission of the proposed revision of the SIP to the EPA. The written comments, information, protests or objections may be submitted to Virendra Trivedi, Program Manager, Air Quality Program, 400 Market St, Harrisburg, PA 17101, or at RA-EPAIRCOMMENTS@pa.gov on or before the closing date of this public comment period. The public comment period closes on April 26th, 2024. Each written submission must contain the name, address and telephone number of the person submitting the comments, identification of the RACT II is RACT III proposal, including the permit number, and a concise statement regarding the issue with the RACT III proposal on which the person is commenting and the relevancy of the information or objections to the fact that the owner or operator of the facility is complying with RACT III via their case by case RACT II conditions which are already in the Pennsylvania SIP. Public hearing. A public hearing will be held on April 12th, 2024, at 10:00 a.m. at the DEP Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110, to accept oral comments on the RACT II is RACT III proposal and the proposed SIP revision. To register to speak at the hearing, please send an email to RA-EPAIRCOMMENTS@pa.gov.

Speakers must pre-register to testify at the hearing. The last day to pre-register to speak at the hearing is April 5th, 2024. Oral testimony at the hearing will be limited to a maximum of 5 minutes per individual and two written copies of the oral testimony are requested to be provided to the Hearing Chairperson. Each organization is requested to designate one witness to present testimony on its behalf. Persons unable to attend the hearing may submit a written statement and exhibits within 10 days thereafter to Virendra Trivedi, Program Manager, Air Quality Program, 400 Market St, Harrisburg, PA 17101, or at RA-EPAIRCOMMENTS@pa.gov.