

**Proposed Request for Delegation of Authority to Implement the  
Federal Plan Requirements for Municipal Solid Waste Landfills that  
Commenced Construction On or Before July 17, 2014, and Have Not Been Modified or  
Reconstructed since July 17, 2014; Public Comment Period and Public Hearing**

The Department of Environmental Protection (Department) is requesting delegation of authority from the United States Environmental Protection Agency (EPA) to implement the Federal Municipal Solid Waste (MSW) Landfills Plan.

Section 111 of the Clean Air Act (CAA) (42 U.S.C.A. § 7411) and 40 CFR 60.27(c) and (d) (relating to actions by the administrator) requires the EPA to develop, implement and enforce a Federal Plan for existing MSW landfills located in any state that does not have an approved state plan that implements the 2016 MSW Landfills Emission Guidelines (EG). Under section 111 of the CAA, the EPA proposed a Federal Plan on August 22, 2019 to implement the 2016 EG for MSW landfills located in states that did not have approved and effective state plans at 84 FR 43745.

On May 21, 2021, the EPA promulgated “Federal Plan Requirements for Municipal Solid Waste Landfills That Commenced Construction On or Before July 17, 2014, and Have Not Been Modified or Reconstructed Since July 17, 2014” at 86 FR 27756. This final action implements the EPA’s 2016 EG for MSW landfills adopted on August 29, 2016, in states that do not have an approved state plan implementing the EG in place by the effective date of this Federal Plan.

Copies of the Delegation Request may be examined on the Department’s web site at <http://www.dep.pa.gov/Business/Air/BAQ/Pages/default.aspx> under the heading: “Proposals Open for Comment.”

The Department is seeking comments on the Request for Delegation of the Federal MSW Plan through Thursday, January 13, 2022. Comments submitted by facsimile will not be accepted. All comments, including comments submitted by e-mail, must include the commenter's name and address. Commenters are encouraged to submit comments using the Department's online eComment tool at [www.ahs.dep.pa.gov/eComment](http://www.ahs.dep.pa.gov/eComment) or by e-mail to [ecomment@pa.gov](mailto:ecomment@pa.gov). Written comments can be mailed to the Department of Environmental Protection, Policy Office, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105-2063.

The Department will also hold a public hearing regarding the Request for Delegation of the Federal MSW Plan on January 6, 2022, from 10 a.m. to 12 p.m. in the Rachel Carson State Office Building, Room 105, 400 Market Street, Harrisburg, PA 17101. Persons wishing to present testimony at the public hearing must contact Amanda Rodriguez, Bureau of Air Quality, at (717) 787-9702 or [amarodrigu@pa.gov](mailto:amarodrigu@pa.gov) no less than 24 hours in advance of the public hearing to reserve a time. Speakers will be limited to 10 minutes and should bring a written copy of their comments.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Amanda Rodriguez at (717) 787-9702 or [amarodrigu@pa.gov](mailto:amarodrigu@pa.gov) or through

the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

Questions related to the delegation of the Federal MSW Plan can be directed to Sean Wenrich at [sewenrich@pa.gov](mailto:sewenrich@pa.gov) or (717) 772-3979.

PATRICK McDONNELL,  
Secretary