



Citizens Advisory Council

to the Department of Environmental Protection

P.O. Box 8459 • Rachel Carson State Office Building
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May 18, 2022

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Mark Hammond
Director
Bureau of Air Quality
P.O. Box 8468
Harrisburg, PA 17105-8468

Dear Mr. Hammond:

Pursuant to the requirements of Section 7.6 of the Air Pollution Control Act, on April 14, 2022, staff from the Bureau of Air Quality briefed the Citizens Advisory Council's (Council) Policy and Regulatory Oversight Committee (Committee) and the full Council on the draft final rulemaking entitled Additional RACT Requirements for Major Sources of NOX and VOCs for the 2015 Ozone NAAQS (RACT III).

At our May 18, 2022 meeting, recognizing the Commonwealth's need to adopt and implement RACT III regulations pursuant to requirements in the Federal Clean Air Act, the Council voted to support the advancement of the above-referenced draft final rulemaking to the Environmental Quality Board for action with the following comments:

1. The Council urges the Department to work with the regulated community and U.S. EPA to implement a process to transition existing facilities from RACT II requirements to RACT III requirements. The unfortunate timing of the adoption of this regulation (which includes some significant changes from the proposed rule) in light of the looming federal RACT III compliance deadline of January 1, 2023, presents serious concerns. It appears clear that for a number of facilities, the process for review and approval of case-by-case RACT determinations will extend beyond the compliance deadline, and, where additional controls are needed to meet RACT III limits, time will be needed for permitting, equipment acquisition and installation. Understanding and cooperation between the regulatory agencies and affected facilities will be needed to assure a reasonable and ultimately effective transition to RACT III.

2. The Department should continue its dialogue with the regulated community about its expectations concerning implementation of this rulemaking and specifically focus its outreach on facilities that will be uniquely impacted by RACT III requirements.

Council appreciates the Department's cooperation in providing detailed briefings on air rulemakings. If you have any questions regarding Council's action on the above-referenced rulemaking, please contact our Executive Director at 717.787.8171 or by email at ksalador@pa.gov.

Sincerely,

A handwritten signature in blue ink that reads "Jerome Shabazz". The signature is written in a cursive style with a long, sweeping underline.

Jerome Shabazz
Chair