



FACT SHEET

Additional RACT Requirements for Major Sources of NO_x and VOCs

The Federal Clean Air Act (CAA) requires a reevaluation of Reasonably Available Control Technology (RACT) requirements each time the U.S. Environmental Protection Agency promulgates a National Ambient Air Quality Standard (NAAQS) including the 1997 and 2008 8-hour ozone NAAQS. Section 182(b)(2) and (f) of the CAA requires States to implement RACT requirements for stationary sources that are subject to the EPA Control Technique Guidelines and “major sources” of volatile organic compounds (VOCs) and oxides of nitrogen (NO_x), precursors to the formation of ground-level ozone. Revisions to the State Implementation Plan (SIP) are due to EPA within two years after the effective date of nonattainment designations for the new or revised NAAQS.

The Pennsylvania Department of Environmental Protection (DEP) is responsible for implementing the final-form regulation, “Additional RACT Requirements for Major Sources of NO_x and VOCs” (RACT II), promulgated by the Environmental Quality Board on April 23, 2016 (46 Pa.B. 2036). The RACT II regulation must be implemented statewide because the entire commonwealth is treated as a moderate ozone nonattainment area in the Ozone Transport Region.

What is RACT?

RACT is defined as the “*lowest emission limitation that a particular source is capable of meeting by the application of control technology that is reasonably available considering technological and economic feasibility.*” When establishing NO_x and VOC control technology and emission limitations, DEP must take into consideration reasonably available control technology and the cost of implementing these control measures. Control technology or emission limitations determined by DEP to be cost-prohibitive will not be considered RACT.

The RACT II final-form regulation includes presumptive RACT requirements for various source categories including boilers, cement kilns, electric generating units, and gas turbines. The final-form regulation includes a petition process for an alternative compliance schedule, a facility-wide or system-wide NO_x emissions averaging plan provision, an alternative RACT proposal petition process, and compliance demonstration and recordkeeping requirements. DEP allows, under the alternative RACT proposal petition process, a facility owner/operator to propose RACT requirements on a case-by-case basis by October 24, 2016, six months after the effective date of the final rulemaking. However, any case-by-case RACT determination approved by DEP must be submitted to EPA for approval as a revision to the SIP.

Are additional RACT requirements applicable to my facility?

The RACT II final-form regulation applies to any owner or operator of a “major NO_x-emitting facility” or a “major VOC-emitting facility,” or both, that existed on or before July 20, 2012. The statewide applicability thresholds for NO_x and VOC are 100 and 50 TPY, respectively. The final rulemaking also applies to owners or operators making a modification to their facility after July 20, 2012, that results in the source or facility meeting the definition of a “major NO_x-emitting facility” or a “major VOC-emitting facility,” or both.

How can I comply with these additional RACT requirements?

The RACT II final-form regulation includes three compliance options: (1) Compliance with presumptive RACT requirements and/or emission limitations; (2) Facility-wide or system-wide averaging for compliance with presumptive NO_x emission limitations; and (3) RACT requirements determined on a case-by-case basis for sources that either do not have an applicable presumptive requirement or emission limitation or cannot comply with the applicable presumptive RACT requirement.

What is my compliance demonstration deadline?

An owner or operator of a major NO_x-emitting facility” or a “major VOC-emitting facility as defined in 25 Pa. Code § 121.1 must demonstrate compliance with the RACT II requirements by January 1, 2017. If an owner or operator is proposing to install a control device to meet a presumptive RACT emission limitation or RACT emission limitation determined on a case-by-case basis, the owner or operator may petition the Department for an alternative compliance schedule to go beyond the January 1, 2017, compliance deadline. The petition for an alternative compliance schedule or alternative RACT requirement must be submitted to the appropriate DEP regional office by no later than October 24, 2016.

It should be noted that submittal of any given petition/proposal for extension or RACT alternatives does not provide any sort of “shield” against the January 1, 2017, compliance date. Due to the short time remaining until the compliance date, coupled with DEP’s technical review requirements and potential public notice requirements, DEP will make every effort to act on any given RACT alternative/extension petition/proposal before January 1, 2017. Therefore, in order to provide for review of such petitions/proposals prior to January 1, 2017, DEP recommends that affected facilities submit such requests as soon as possible.

Where can I find the RACT II final rulemaking notice and more information about implementation of this rulemaking?

For more information about the RACT II final rulemaking, contact PA DEP’s Bureau of Air Quality at 717-787-9702, the DEP regional air quality program nearest you, or visit www.dep.pa.gov.

Pennsylvania Bulletin link to the final rulemaking notice:

http://www.pabulletin.com/secure/data/vol46/46-17/46_17_rr.pdf

PowerPoint presentation link:

<http://files.dep.state.pa.us/Air/AirQuality/AQPortalFiles/Permits/RACT/RACT%20II%20Training%20Final%20Presentation%206-20-2016-SCredits.pptx>

FAQ link:

<http://files.dep.state.pa.us/Air/AirQuality/AQPortalFiles/Permits/RACT/RACT%20Final%20FAQ%206-21-2016.docx>