

Update on Rulemakings and State Implementation Plan (SIP) Revisions

AQTAC – October 12, 2023

Final Rulemakings

There are no final air quality rulemakings currently in process.

Proposed Rulemakings

There are no proposed air quality rulemakings currently in process.

Regulatory State Implementation Plan (SIP) Revisions

Control of Existing Sources of VOC Emissions from the Oil and Natural Gas Industry

A SIP revision was submitted to the EPA on December 12, 2022. Next steps include the EPA's forthcoming evaluation of the approvability of this SIP submission in accordance with the applicable technical and RACT requirements under the CAA.

RACT III Major Sources of NO_x and VOC for the 2015 Ozone NAAQS

A SIP revision was submitted to the EPA on January 13, 2023. Next steps include the EPA's forthcoming evaluation of the approvability of this SIP submission in accordance with the applicable technical and RACT requirements under the CAA.

Large Petroleum Dry Cleaners, Shipbuilding and Repair Coatings Operations, and SO₂ Reactors, Distillation, and Air Oxidation Processes

A SIP revision was submitted to the EPA on May 12, 2023. Next steps include the EPA's forthcoming evaluation of the approvability of this SIP submission in accordance with the applicable technical and RACT requirements under the CAA.

Non-Regulatory SIP Revisions

2010 Sulfur Dioxide (SO₂) NAAQS Attainment Demonstration SIP Revisions

On August 18, 2022 EPA published a Final Partial Approval/Partial Disapproval of the Department's SIP revision for Indiana and Armstrong Counties. The partial disapproval focused on the calculation of the SO₂ permit limit averaging periods. DEP must submit and EPA must approve a SIP revision within 18 months (by March 2024) or sanctions will apply. DEP

published its proposed SIP revision on April 15, 2023. Three comments were received during the public comment period which closed on May 25, 2023. DEP will be submitting its SIP revision in the very near future.

On February 22, 2023 the EPA Region III Administrator sent Governor Shapiro a “120-Day Letter” proposing to reclassify several townships in Westmoreland County and Cambria County from “attainment” to “nonattainment” for the 2010 sulfur dioxide (SO₂) NAAQS. The area lies immediately outside of the current Indiana County SO₂ nonattainment area for which the Bureau is preparing a SIP revision. The Department reviewed the technical support document accompanying the 120-Day Letter and responded with comments on June 22, 2023. If a new designation is finalized, DEP is required within 18 months to submit a SIP revision demonstrating how the 2010 SO₂ NAAQS will be attained in these partial counties.

Determinations of Attainment by the Attainment Date (DAAD) 2015 Ozone NAAQS

On October 7, 2022, EPA published a final rule: Determinations of Attainment by the Attainment Date, Extensions of the Attainment Date, and Reclassification of Areas Classified as Marginal for the 2015 Ozone National Ambient Air Quality Standard (NAAQS). Of the 28 nonattainment areas nationwide, five areas attained the standard, 22 failed to attain it, and one area received an extension. Areas were required to attain the standards by August 3, 2021. The Philadelphia-Wilmington-Atlantic City (PA-NJ-MD-DE) Area was reclassified to moderate nonattainment. The “bumped up” area includes Bucks, Chester, Delaware, Montgomery, and Philadelphia counties and is now required to attain the standards by August 3, 2024. The Department worked with EPA, NJ, MD and DE on the needed modeling and published the proposed SIP revision in the *Pennsylvania Bulletin* on August 5, 2023. A public hearing was held on September 6, and the comment period closed on September 7, 2023.