

# Air Quality Technical Advisory Committee

to the Pennsylvania Department of Environmental Protection

PO Box 8468

Harrisburg, PA 17105-8468

August 4, 2011

Honorable Michael L. Krancer  
Secretary  
Department of Environmental Protection  
Rachel Carson State Office Building  
P.O. Box 2063  
Harrisburg, PA 17105-2063

Re: Final-omitted rulemaking for the repeal of portable fuel containers regulation

Dear Secretary Krancer:

On June 23, 2011, and August 4, 2011, the Air Quality Technical Advisory Committee (Committee) discussed the final-omitted rulemaking to repeal requirements in *25 Pa. Code* Chapter 130 (relating to standards for products), Subchapter A (relating to portable fuel containers), promulgated at *32 Pa.B.* 4819 (October 4, 2002).

The Commonwealth-specific regulation is no longer necessary since a more stringent Federal regulation, applicable Nationwide, was promulgated at *72 FR* 8428 (February 26, 2007) that applies to all portable fuel, diesel, and kerosene containers and spouts manufactured or imported on and after January 1, 2009. The Federal requirements are codified at *40 CFR* §§ 59.600-59.699, regarding control of evaporative emissions from new and in-use portable fuel containers.

The Committee voted 12-2-2 to concur with the Department's recommendation to present the final-omitted rulemaking to the Environmental Quality Board for consideration.

Sincerely,



Patrick K. O'Neill, Esq.  
Chair

cc: Joyce Epps  
Susan Hoyle  
Chris Trostle  
Arleen Shulman