

whichever occurs first. Emissions of sulfur dioxide from coal burning will be restricted to 0.3 pounds per million BTU gross heat input.

Section 110 of the Clean Air Act requires that the Administrator act on State requests to revise the applicable State Implementation Plan.

**EFFECTIVE DATE:** This action is effective on July 27, 1984.

**ADDRESSES:** A copy of the submittals from the New Jersey Department of Environmental Protection are available for inspection during normal business hours at the following locations:

Environmental Protection Agency, Air Programs Branch, Room 1005, Region II Office, 26 Federal Plaza, New York New York 10278

Environmental Protection Agency, Public Information Reference Unit, 401 M Street, SW., Washington, D.C. 20460

Office of the Federal Register, Room 8401, 1100 L Street, NW., Washington, D.C. 20406

**FOR FURTHER INFORMATION CONTACT:** William S. Baker, Chief, Air Programs Branch, Room 1005, Environmental Protection Agency, Region II Office, 26 Federal Plaza, New York New York 10278 (212) 264-2517

**SUPPLEMENTARY INFORMATION:** On March 23, 1984 (49 FR 11100) the Environmental Protection Agency (EPA) published in the Federal Register a proposal to approve a revision to the New Jersey State Implementation Plan (SIP). This revision allows the use of 2.0 percent sulfur content fuel oil at the U.S. Gypsum Company's Clark, New Jersey plant in either Boiler #1, #2, or #3 until March 15, 1985 or until Boiler #4 is converted to burn coal.

Subchapter 9, "Sulfur in Fuels," of Title 7, Chapter 27 of the New Jersey Administrative Code normally allows the use of fuel oil with 0.3 percent sulfur content, by weight, in the Clark, New Jersey area. However, section 9.5 of this regulation, "Incentive for conversion to coal or other solid fuel," allows certain coal converting sources of sulfur dioxide to burn, for up to three years, fuel oil with a higher sulfur content as long as the use of the higher sulfur content fuel does not cause a violation of the national ambient air quality standards or the Prevention of Significant Deterioration (PSD) increments.

In its March 23, 1984 notice, EPA found that the State had provided an adequate demonstration that no violations of the national ambient air quality standards or PSD increments will occur. EPA received no comments on its proposed action and in today's

notice is taking final action to approve the New Jersey SIP revision.

This action is being made immediately effective because it imposes no hardship on any affected sources, and no purpose would be served by delaying its effective date.

Under section 307(b)(1) of the Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit within 60 days of today. This action may not be challenged later in proceedings to enforce its requirements. (See 307(b)(2))

The Office of Management and Budget has exempted this rule from the requirements of Section 3 of the Executive Order 12291.

#### List of Subjects in 40 CFR Part 52

Air Pollution control, Ozone, Sulfur oxides, Nitrogen dioxide, Lead, Particulate matter, Carbon monoxide, Hydrocarbons, and Intergovernmental relations.

[Secs. 110 and 301 of the Clean Air Act, as amended (42 U.S.C. 7410 and 7600)]

Dated: July 23, 1984.

William D. Ruckelshaus,  
*Administrator, Environmental Protection Agency.*

#### PART 52—[AMENDED]

Title 40, Chapter I, Subchapter C, Part 52 Code of the Federal Regulations is amended as follows:

##### Subpart FF—New Jersey

1. Section 52.1570 is amended by adding new paragraph (c)(36) as follows:

§52.1570 Identification of plan.

\* \* \* \* \*

(c) The plan revision listed below was submitted on the dates specified.

\* \* \* \* \*

(36) A revision submitted by the New Jersey Department of Environmental Protection to allow U.S. Gypsum Co. temporarily to burn fuel oil with a sulfur content of 2.0 percent, by weight, at either Boiler #1, #2, or #3 at its Clark, New Jersey plant. The New Jersey submittal consists of an April 14, 1983 letter transmitting a State issued February 14, 1983 Public Notice and a letter dated March 14, 1983 transmitting an Administrative consent order detailing procedures to be used by the State to determine compliance. This revision will remain in effect until March 31, 1985 or until Boiler #4 is ready to burn coal, whichever occurs first.

2. Section 52.1601 is amended by adding new paragraph (c) as follows:

§ 52.1601 Control strategy and regulations: Sulfur oxides.

(c) The U.S. Gypsum Co. in Clark, New Jersey is permitted to burn fuel oil with a sulfur content of 2.0 percent, by weight, at either Boiler #1, #2 or #3 until March 31, 1985 or until Boiler #4 is ready to burn coal, whichever occurs first. Such oil burning must conform with New Jersey requirements and conditions as set forth in applicable regulations and administrative orders.

[FR Doc. 84-15022 Filed 7-23-84; 8:45 am]  
BILLING CODE 6560-50-M

#### 40 CFR Part 52

[EPA Docket No. AM403PA; OAR-FRL-2641-1]

#### Approval of Revisions to the Pennsylvania State Implementation Plan

**AGENCY:** Environmental Protection Agency.

**ACTION:** Final rule.

**SUMMARY:** EPA approves the revision to the Pennsylvania State Implementation Plan (SIP) for Lead (Pb) for each of the three Lead Smelters.

The revisions consist of a narrative portion, Consent Agreements, and technical/modeling analyses for each Smelter operation. The three Smelters are General Battery Corporation (GBC), Laureldale, Berks County; Tonolli Corporation, Nesquehoning, Carbon County and, East Penn Manufacturing Corporation, Lyons, Berks County.

**EFFECTIVE DATE:** This action is effective on August 27, 1984.

**ADDRESSES:** Copies of the SIP revision and the accompanying support documents are available for public inspection during normal business hours at the following locations:

U.S. Environmental Protection Agency, Air Programs Branch (3AM11), Curtis Building, Sixth & Walnut Streets, Philadelphia, PA 19106, Attn: Ms. Eileen M. Glen

Public Information Reference Unit, Room 2922, EPA Library, U.S. Environmental Protection Agency, 401 M. Street, SW. (Waterside Mall), Washington, DC 20460

Pennsylvania Department of Environmental Resources, Bureau of Air Quality, 18th Floor, Fulton Bank Building, 200 W. 3rd Street, Harrisburg, PA 17120, Attn: Mr. James Salvaggio

The Office of the Federal Register, 1100 L. Street, NW., Room 8401, Washington, DC 20408

**FOR FURTHER INFORMATION CONTACT:** Ms. Eileen M. Glen at the EPA, Region III address or telephone (215) 597-8379.

**SUPPLEMENTARY INFORMATION:**

**Background**

Pursuant to section 109 of the Clean Air Act, 42 U.S.C. 7409, EPA promulgated primary and secondary national ambient air quality standards for Lead on October 5, 1978 (43 FR 46246). Under section 110(a)(1), 42 U.S.C. 7410(a)(1), within 9 months of this promulgation each State was required to submit a State Implementation Plan ("SIP") to provide for attainment and maintenance of the Lead standards.

Under section 110(a)(2), 42 U.S.C. 7410(a)(2), each SIP must provide for attainment of a primary standard "as expeditiously as practicable, but in no case later than three years from the date of approval of such plan." Under section 110(e), 42 U.S.C. 7410(e) a state may request a two-year extension of this three-year deadline if it demonstrates that necessary technology will not be available soon enough to provide for attainment within three years.

EPA promulgated regulations establishing specific requirements for Lead SIP's on October 5, 1978 (43 FR 46246). These regulations were codified as CFR 51.80-51.87. They supplement more general SIP requirements codified in 40 CFR Part 51, Subpart 3, and include a requirement that the attainment demonstration as it relates to significant point sources of lead be based on dispersion modeling, 40 CFR 51.84 (1983).

On September 30, 1982, the Commonwealth submitted a Lead SIP demonstrating attainment in eight of the eleven state air quality control areas. EPA approved this submittal on October 12, 1983 at 48 FR 46309. EPA approved the Lead SIP for Allegheny County on February 6, 1984 (49 FR 4379). EPA proposed to approve the lead SIP for Philadelphia on December 29, 1983 (48 FR 57328) and will take final action on it in a separate notice. The remaining areas are the areas in which three of Pennsylvania's Lead Smelters are located. Furthermore, the Commonwealth currently has regulations which set forth procedures to review the lead emitting potential of all new or modified sources as required by 40 CFR 52.10 and 52.21.

On November 21, 1983 and December 2, 1983, PaDER submitted a draft SIP for the three Lead Smelter areas and requested EPA "parallel" process the proposed SIP revisions. EPA reviewed the material submitted and proposed the revisions for approval on January 3,

1984, 49 FR 79. The public comment period expired on March 5, 1984 and no comments were received.

**Public Hearing**

The State provided proof that public hearings, with respect to the Lead SIP, were held as shown below:

Company	Public hearing date	Location
East Penn	May 17, 1984	State Office Building, Room 437, 625 Cherry Street, Reading, PA 19602.
GBC	do	State Office Building, Room 437, 625 Cherry Street, Reading, PA 19602.
Tonolli Corp.	do	Jim Thorpe Courthouse, Courthouse Annex, Carbon County, PA.

**SIP Submittal**

On June 8, 1984, the final signed Consent Agreements, and revisions to the Pennsylvania State Implementation Plan for Lead (Pb), were submitted by the Pennsylvania Department of Environmental Resources (PaDER) to the U.S. Environmental Protection Agency (EPA).

At the Commonwealth's request, EPA issued a contract to Radian Corporation in June 1983 to study the proposed controls at these three Smelters and to develop the modeling analysis and control strategy demonstrations. The Radian reports are included in the SIP appendices and are discussed in detail in the Proposed Rulemaking (49 FR 79).

A detailed discussion of each facility and the associated Consent Agreement follows:

1. East Penn Manufacturing Corp., Lyons, Berks County—the Company is required to install and maintain an onsite ambient monitoring network. This monitoring data, gathered prior to installation of controls, will be used as background data in the revised modeling analysis. The Consent Agreement also required the maintenance of existing controls as well as the installation of the following control measures:

a. Low speed limits shall be imposed and strictly enforced on all smelter roadways by posting of 10 mph speed limit signs, training of employees during regular motive equipment training sessions, and enforced through disciplinary procedures.

b. Dust suppressant shall be routinely applied to all smelter road shoulders and unpaved smelter yard areas on a weekly basis.

c. The wheels and undercarriages of all smelter vehicles shall be washed

before leaving the material storage building.

d. All smelter roads and paved areas shall be cleaned with a brush-type sweeper at least once per day, weather permitting.

e. The discharge of the sanitary baghouse shall be changed to a vertical vent that does not exceed "good engineering practice" stack height.

f. All materials from battery breaking shall be transferred to the ventilated material storage building by conveyors or chutes.

g. The Company shall enclose the slag storage area on three sides.

h. The Company shall ventilate the battery breaking process equipment through a scrubber and the agglomerator furnace process equipment through a baghouse or equivalent Department approved air pollution control equipment.

All of these measures (except for "a") are minor modifications of those found in the Notice of Proposed Rulemaking (49 FR 79). EPA feels that these modifications are as stringent, if not more stringent, than those found in the earlier proposal. Measure "e" is a modification from the proposed in that it limits the necessity for structural change to only the sanitary baghouse because this has been found to be the only significant source of emissions.

EPA notes that as a result of a recent Court of Appeals decision remanding EPA's stack height regulations (*Sierra Club, et al. v. EPA, et al., No. 82-1384 (D.C. Cir. October 11, 1983)*), it is unclear how much credit may be taken in developing a control strategy or in demonstrating attainment for stack height increases at this smelter.

Installation of the additional control measures by May 31, 1985, in combination with the existing control measures, will result in a level of control at the plant that is at least RACT for secondary Lead Smelters.

Because the Radian report indicates that this area may not attain the Pb NAAQS even after controls, the Commonwealth has committed to: (a) Obtain the data necessary to refine the attainment demonstration; (b) reevaluate the adequacy of the control strategy approximately one year after implementation of the control measures specified above; (c) require emission reductions beyond RACT; if necessary, to achieve the NAAQS; and (d) submit to EPA by December 31, 1987 a SIP supplement (i) documenting the reevaluation of the control strategy and (ii) specifying, if necessary, the emission control measures beyond RACT that the

East Penn Manufacturing Corporation will implement to achieve the NAAQS.

This reevaluation will include a comparison of dispersion model predicted concentrations with ambient lead measurement. This comparison is critical because of the uncertainty associated with: (a) Quantifying the residual emissions from the enclosure buildings; (b) quantifying fugitive lead emissions from other sources at the plant; and (c) performing dispersion modeling.

Pennsylvania also will attempt to improve the quantification of all residual emissions at the plant and will investigate dispersion and rollback modeling and other techniques to determine the most accurate basis for evaluating the adequacy of the control strategy. If additional emission reductions are determined to be necessary, the East Penn Manufacturing Corporation will be required to install the appropriate controls as expeditiously as practical but not later than the two-year attainment extension permitted under section 110(e) of the Clean Air Act (The basis for this extension is discussed below).

2. General Battery Corporation Laureldale, Berks County—PaDER has a Consent Order and Agreement with GBC, as part of the SIP, which requires the maintenance of existing controls and the installation of the following control measures:

a. The raw material storage areas and the charge storage bins will be enclosed and ventilated through a fabric filter.

b. All lead-bearing raw materials which are not enclosed in a case will be transported in an enclosure maintained under negative pressure except that battery plant scrap and process recyclables may be transported in closed containers between buildings.

c. Additional ventilation of the smelter building will be installed and operated.

d. The slag cooling and storage building will be enclosed and ventilated through a fabric filter.

e. Increased ventilation of the low-speed battery shredder utilizing local hooding will be installed.

f. A program will be undertaken to limit fugitive lead emissions from in-plant roadways, road shoulders and exposed yard areas. The program will include the purchase and use of regenerative type road sweeper, the application of dust suppressant to all road shoulders and exposed yard areas on a routine basis and the imposition and enforcement of low speed limits on all in-plant roadways.

Control measure "a" is an additional control measure not found in the earlier

proposal; measures "b", "c", and "e" are minor modifications of those found in the NPRM (49 FR 79). EPA feels that these modifications are as stringent as if not more stringent than those found in the earlier proposal.

The following measures were in the draft Consent Agreement but are not in the Final Agreement:

a. Enclosure of the slag storage and charge storage areas with ventilation through a fabric dust collector.

b. Ventilation of the reverberatory furnace through the charge material fabric filter system.

c. All horizontal and downward discharge vents changed to vertical vents or stacks and stack heights on all significant sources increased to GEP

Control measure "a" was deleted because the building is already enclosed. The only possible problem is closure of the doors by the workmen; this issue is resolved by paragraph "E", page 4, of the final Consent Agreement, which ensures that the slag cooling and storage building doors are closed except during entrance and exit of vehicles. The deletion of control measure "b" is due to the need for verification of an emissions problem. Paragraph "A", number 6, on page 3 of the final Consent Agreement, calls for the installation of a smelter building ventilation system. Paragraph "D", on page 4 of the C.O., calls for the Company to submit a plan for a study of the effectiveness of the smelter building ventilation system. The deletion of measure "c" is also due to the need for verification of an emissions problem. Paragraph "C" number 1, on page 3 of the C.O., calls for an upward discharge of the Rotary Grid Casting exhaust stack and the Industrial Grid Casting Exhaust stack, Paragraph C, numbers 2 and 4, on pages 3 and 4, respectively, call for stack tests to be conducted and structural changes made if necessary. EPA believes that these changes are appropriate and not significant enough to warrant re-proposal of the SIP.

The installation of these control measures by March 31, 1985, in combination with the existing control measures, will result in a level of control at the plant that is at least RACT for secondary Lead Smelters.

Again, an analysis performed by the Radian Corporation indicates that the Pb NAAQS may not be attained even after installation of RACT. See 49 FR 79, 80, January 3, 1984. In recognition of this potential problem, Pennsylvania committed: (a) To obtain the data necessary to refine the attainment demonstration; (b) to reevaluate the adequacy of the control strategy approximately one year after implementation of the control measures

identified in items a through i above, the measures related to stack and vent configuration; (c) to require emission reductions beyond RACT, if necessary, to achieve the NAAQS; and (d) to submit to EPA by December 31, 1987 a SIP supplement (i) documenting the reevaluation of the control strategy and (ii) specifying, if necessary, the emission control measures beyond RACT the General Battery Corporation will implement to achieve NAAQS. As specified in (see 49 FR 79, 81) the Notice of Proposed Rulemaking, there is a list of requirements which must be met by General Battery Corporation in order to support this commitment.

The data obtained from the ambient Lead and meteorological measurement networks, which are required to meet this commitment, will be used to reevaluate the adequacy of the SIP after implementation of RACT. This reevaluation will include a comparison of dispersion model predicted concentrations with ambient Lead measurements. This comparison is critical because of the uncertainty associated with: (a) Quantifying the residual emissions from the enclosure buildings; (b) quantifying fugitive Lead emissions from other sources at the plant; and (c) performing dispersion modeling in complex terrain.

Pennsylvania also will attempt to improve the quantification of all residual emissions at the plant and will investigate dispersion and rollback modeling and other techniques to determine the most accurate basis for evaluating the adequacy of the control strategy. If additional emission controls are determined to be necessary, the General Battery Corporation will be required to install the appropriate controls as expeditiously as practical but not later than the two-year attainment extension permitted under section 110(e) of the Clean Air Act. (The basis for this extension is discussed below.)

3. Tonolli Corporation, Nesquehoning, Carbon County—PaDER has negotiated a Consent Order and Agreement, Appendix A to the SIP. There has been no change in the Consent Agreement with regard to the installation of various control measures subsequent to the Notice of Proposed Rulemaking (see 49 FR 79, 81).

The installation of these control measures by May 31, 1986, in combination with the existing control measures, results in level of control at the plant that is at least Reasonably Available Control Technology (RACT) for secondary Lead Smelters.

An analysis of the residual emissions that would occur at the plant after the implementation of the additional control measures was performed by the Radian Corporation. A copy of the Radian analysis is attached as Appendix B to the SIP. The Radian analysis indicates that implementation of the type of controls proposed may result in attainment of the National Ambient Air Quality Standards. This conclusion is based on Radian's "best available judgments" on fugitive emission rates, building design, lead-in-air concentrations, air exchange rates and meteorological data.

Although Radian used the best available information, there are two noteworthy points associated with the adequacy of the analysis. First, on-site meteorological data is not available. Therefore, Radian used one year of "off-site" meteorological data from the Allentown Airport in the dispersion modeling analysis. The Tonolli Corporation plant, however, is located in complex terrain and the application of the Allentown data may not adequately describe the meteorological conditions that occur at the plant site. This could substantially affect the location and magnitude of the predicted maximum lead concentration reported in the Radian report.

The second point concerns the estimated lead emission rates, controlled and uncontrolled, from the Tonolli plant. Fugitive emissions are by far the major contributor to plant lead emissions. However, all fugitive lead emission rates are rough estimates and may be inaccurate by an order of magnitude. Likewise, the amount of residual emissions after the implementation of the control measures is very difficult to quantify. Although the enclosure building will substantially reduce lead emissions from the plant, insufficient data is available prior to construction of the building to precisely estimate the residual emissions. Major problem areas are, estimates of the lead-in-air concentration that will occur inside the building and the air exchange rate with the ambient air outside the building. These estimates are critical in determining the residual lead emissions and the resultant ambient concentrations.

In recognition of these points, Pennsylvania commits: (a) To obtain the data necessary to refine the attainment demonstration; (b) to reevaluate the adequacy of the control strategy approximately one year after implementation of the additional control measures; (c) to require emission reductions beyond RACT, if necessary,

to achieve, and maintain the NAAQS; and (d) to submit to EPA by December 31, 1987 a SIP supplement (i) documenting the reevaluation of the control strategy and (ii) specifying, if necessary, the emission control measures beyond RACT that the Tonolli Corporation will implement to achieve the NAAQS.

To support this commitment the Consent Order and Agreement requires the Tonolli Corporation to operate and maintain ambient lead and meteorological measurement networks at the plant. The data obtained from these networks will be used to reevaluate the adequacy of the SIP after the construction of the enclosure building and the removal of the plastic storage pile. This reevaluation will include a comparison of dispersion model predicted concentrations with ambient lead measurements. This comparison is critical because of the uncertainty associated with: (a) Quantifying the residual emissions from the enclosure building; (b) quantifying fugitive lead emissions from other sources at the plant; and (c) performing dispersion modeling in complex terrain.

In general, Pennsylvania will investigate dispersion and rollback modeling and other techniques to determine the most accurate basis for evaluating the adequacy of the control strategy. If additional emission reductions are determined to be necessary, the Tonolli Corporation will be required to install the appropriate controls as expeditiously as practical but not later than the two-year attainment extension permitted under section 110(e) of the Clean Air Act. (The basis for this extension is discussed below).

Further, should a measured violation of the ambient lead NAAQS occur after the construction of the enclosure building and removal of the plastic storage pile, the Consent Order and Agreement requires the company to install air pollution control equipment on the enclosure building or institute equivalent control measures.

#### EPA Evaluation

EPA has reviewed the Commonwealth's submittal including the Radian reports and Consent Orders. We are approving Pennsylvania's Lead SIP revisions based on the determination that they meet the scope and intent of 40 CFR sections 51.80 through 51.88 (control strategy—Lead).

The State indicated in its SIP that a two-year extension may be needed to attain the NAAQS for lead for each of the three smelter areas. EPA is approving an extension of up to two

years. The plan relies on measures that constitute Reasonably Available Control Technology (RACT), but the plan does not actually demonstrate attainment, and the State may need to develop and implement measures that require technology not currently available. Neither EPA nor the State will be able to identify such measures without further study. Therefore, an extension appears to meet the requirements of section 110(e) of the Clean Air Act (42 U.S.C. 7410(e) and EPA's regulations (40 CFR 51.30 (1983)). The basis for granting this extension is discussed in a technical support document in the SIP docket.

The Office of Management and Budget has exempted this rule from the requirements of section 3 of Executive Order 12291.

Under section 307(b)(1) of the Clean Air Act, judicial review of this action is available *only* by the filing of a petition for review in the United States Court of Appeals for the appropriate circuit within 60 days of today. Under section 307(b)(2) of the Clean Air Act, the requirements which are the subject of today's notice may *not* be challenged later in civil or criminal proceedings brought by EPA to enforce these requirements.

#### List of Subjects in 40 CFR Part 52

Air Pollution Control, Ozone, Sulfur oxides, Nitrogen oxide, Lead, Particulate matter, Carbon monoxide, Hydrocarbons, Intergovernmental Relations.

Authority: 42 U.S.C. 7410 and 7601.

Dated: July 23, 1984.

William D. Ruckelshaus,

Administrator.

Note.—Incorporation by reference of the Implementation Plan for the Commonwealth of Pennsylvania was approved by the Director of the Office of the Federal Register on July 1, 1982.

Part 52 of the Title 40, Code of Federal Regulations is amended as follows:

#### PART 52—[AMENDED]

##### Subpart NN—Pennsylvania

In Section 52.2020, paragraph (c)(62) is added to read as follows:

#### § 52.2020 Identification of Plan

\* \* \* \* \*

(c) \* \* \*

(62) A State Implementation Plan for the control of Lead (Pb) emissions in Pennsylvania was submitted on June 8, 1984 by the Secretary of the

Pennsylvania Department of  
Environmental Resources.

[FR Doc. 84-19880 Filed 7-26-84; 8:45 am]  
BILLING CODE 6550-50-M

40 CFR Part 52

[EPA Docket No. AW040PA; OAR-FRL-  
2640-4]

Approval of Revisions to the  
Pennsylvania State Implementation  
Plan

AGENCY: Environmental Protection  
Agency.

ACTION: Final rule.

**SUMMARY:** The Commonwealth of Pennsylvania has submitted to the Environmental Protection Agency (EPA) amendments to its Air Resources Regulations and has requested that they be reviewed and processed as revisions to the Pennsylvania State Implementation Plan (SIP). These amendments, submitted on September 23, 1983, consist of (35) minor revisions to the Air Resources Regulations (Article III) which amend Chapters 121, 123, 127, 129, 131, 139, and 141 in order to correct typographical errors, clarify ambiguities, specify "reasonably available control measure" for one category of emission sources, establish exemptions for certain minor sources, delete outdated provisions, update current references, modify public notice requirements, and correct errors in earlier rulemaking.

**DATE:** This action will be effective on September 25, 1984 unless notice is received by August 27, 1984 that someone wishes to submit adverse or critical comments.

**ADDRESSES:** Copies of the proposed SIP revisions, as well as accompanying support documentation submitted by the Commonwealth, are available for public inspection during normal business hours at the following locations.

U.S. Environmental Protection Agency,  
Air Programs Branch (3AM11), Curtis  
Building, 6th & Walnut Streets,  
Philadelphia, Pennsylvania 19106,  
ATTN: Ms. Donna Abrams

Commonwealth of Pennsylvania,  
Department of Environmental  
Resources, Bureau of Air Quality  
Control, Harrisburg, PA 17120, ATTN:  
Gary Triplett

Public Information Reference Unit,  
Library Systems Branch,  
Environmental Protection Agency, 401  
M Street, SW., Washington, D.C.  
20460

Office of the Federal Register, 1100 L  
Street, SW., Room 8401, Washington,  
D.C. 20408

All comments should be submitted to  
Mr. Glenn Hanson, Chief of the PA/  
WVA Section at the EPA, Region III,  
Curtis Building, 6th & Walnut Street,  
Philadelphia, PA 19106, EPA Docket No.  
AW040PA.

**FOR FURTHER INFORMATION CONTACT:**  
Ms. Donna Abrams at the EPA, Region  
III address stated above or telephone  
(215) 597-9134.

**SUPPLEMENTARY INFORMATION:**

**Background**

On September 23, 1983, the  
Commonwealth of Pennsylvania  
submitted a package containing (35)  
minor regulatory revisions to the Air  
Resources Regulations (Article III) to the  
Environmental Protection Agency (EPA).  
These revisions amend Chapters 121,  
123, 127, 129, 131, 139 and 141 by  
correcting typographical errors,  
clarifying ambiguities, specifying  
"reasonably available control  
measures" for one category of emission  
sources, establishing exemptions for  
certain minor sources, deleting outdated  
provisions, updating current references,  
modifying public notice requirements,  
and correcting errors in earlier  
rulemaking.

The State has submitted  
documentation that public hearings  
regarding these revisions were held in  
accordance with 40 CFR 51.4. The date  
and locations of the public hearings are  
listed below:

**Date and Location**

January 11, 1983—Kossman Building,  
Room 809, 100 Forbes Avenue,  
Pittsburgh, PA

January 12, 1983—State Office Building,  
First Floor Conference Room, 1875  
New Hope Street, Norristown, PA

January 13, 1983—Fulton Bank Building,  
Second Floor Conference Room, 200  
North Third Street, Harrisburg, PA

The regulation number, as well as a  
brief description of the minor regulatory  
revisions submitted by the State, are  
summarized below:

Regulation No.	Encl Description
121.1	Definitions. Beaver Valley Air Basin redefined as the Upper and Lower Beaver Valley Air Basins. Cell Coating is revised to apply to only continuous hot metal sheets or strips. Motor Medication is revised to include Curtain Medication sources.
121.5	References from associations. Deleted.
121.6	Request for hearings. Deleted.
123.2	Fugitive particulate matter 123.2(a) is deleted and 123.2(b) is revised in order to clearly reflect fugitive particu- late emissions limitations.
123.13	Processes.

Regulation No.	Encl Description
123.13(b)(1)	is revised by deleting the pro- cess group crushers, graders or screens and its corresponding process factor. The process factor for phosphoric acid manufacturing is clarified by replacing "phosphoric burner" with "P <sub>2</sub> O <sub>5</sub> pro- duced"
123.44	Limitations of volatile fugitive air contami- nants from operation of any coke oven battery. Revisions to 123.44(b)(3) now require that the observer shall attempt to reobserve any obstructed doors. Revisions in 123.44(b)(4) clarify the posi- tion the observer shall take while travers- ing the battery.
127.14	Exemptions. 127.14(a) is revised to exempt certain minor sources.
127.33	Notice of sale equipment. Deleted.
127.41, 127.42, and 127.43	Coke oven battery abatement plans. This subchapter has been replaced in its entirety in order to delete outdated pro- visions. It is replaced by "Public notice procedures," and 127.41 (Abatement of coke oven battery emissions) is re- placed by a new 127.41 (Purpose).
127.44	Notice of Curing. The heading of this section has been changed to "Public Notice." Additional changes include the renumbering of this section to 127.42, deletion of outdated provisions, and the stipulation in 127.42(a) that an applicant does not have to publish an advertisement of a plan approval if the department intends to deny the application.
127.45	Contents of notice. 127.45 is renumbered to 127.43 and the language is modified to clarify ambigu- ities.
127.46	Filing protests. 127.46 is renumbered to 127.44 with minor wording changes.
127.47	Consideration of protests. 127.47 is renumbered to 127.45 with minor wording changes.
127.43	Conferences and hearings. 127.43 is renumbered to 127.46 with minor wording changes.
127.49	Informal hearing procedure. 127.49 is renumbered to 127.47. Revisions in 127.49(a) now allow ten days instead of five to submit copies of a written statement.
127.50	Informal hearing record. 127.50 is renumbered to 127.48 and the language is modified in order to delete outdated provisions.
127.51	Actions on a petition. The heading of this section has been changed to "Plan Approval License." Notices of every permit action will be published, by the department, in the Pennsylvania Bulletin. Additional re- visions include minor wording changes, deletion of outdated provisions, and the renumbering of this section to 127.49.
127.52	Existing air pollution abatement orders gov- erning coke oven emissions. Deleted.
127.63	Sources subject to special permit require- ments. Revised to correct typographical errors.
129.51	General standards for sources of volatile organic compounds. Revisions include the amending of 129.51(a) (monitoring requirements) and minor wording changes in 129.51(a).
129.53	Alternative standards allowing internal off- sets for surface coating and graphic arts facilities. Revisions clarify one of the definitions used in the equation.
129.55	Storage tanks greater than 40,000 gallons (152,000 liters) capacity containing vola- tile organic compounds. Revisions in 129.55(2) (vapor recovery system) delete repetitive language.
129.57	Petroleum refined fugitive sources.

