

in the service of the Armed Forces of the United States pursuant to the military order of the President dated July 26, 1941, including organized guerrilla forces under commanders appointed, designated, or subsequently recognized by the Commander in Chief, Southwest Pacific Area, or other competent authority in the Army of the United States, if such person at the time of death—

(1) Was a citizen of the United States or an alien lawfully admitted for permanent residence in the United States; and

(2) Resided in the United States.

(Authority: 38 U.S.C. 501, 2402)

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[PA183-4198a; FRL-7465-4]

#### Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; NO<sub>x</sub> RACT Determinations for Five Individual Sources

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Direct final rule.

**SUMMARY:** EPA is taking direct final action to approve revisions to the Commonwealth of Pennsylvania's State Implementation Plan (SIP). The revisions were submitted by the

Pennsylvania Department of Environmental Protection (PADEP) to establish and require reasonably available control technology (RACT) for five major sources of nitrogen oxides (NO<sub>x</sub>) located in Pennsylvania. EPA is approving these revisions to establish RACT requirements in the SIP in accordance with the Clean Air Act (CAA).

**DATES:** This rule is effective on June 2, 2003, without further notice, unless EPA receives adverse written comment by May 1, 2003. If EPA receives such comments, it will publish a timely withdrawal of the direct final rule in the **Federal Register** and inform the public that the rule will not take effect.

**ADDRESSES:** Written comments should be mailed to Walter K. Wilkie, Deputy Branch Chief, Air Quality Planning & Information Services Branch, Air Protection Division, Mailcode 3AP21, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103. Copies of the documents relevant to this action are available for public inspection during normal business hours at the Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103; the Air and Radiation Docket and Information Center, U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460; and the Pennsylvania Department of Environmental Protection, Bureau of Air Quality Control, P.O. Box 8468, 400 Market Street, Harrisburg, Pennsylvania 17105.

#### FOR FURTHER INFORMATION CONTACT:

Betty Harris at (215) 814-2168 or Rose Quinto at (215) 814-2182 or via e-mail at [harris.betty@epa.gov](mailto:harris.betty@epa.gov) or [quinto.rose@epa.gov](mailto:quinto.rose@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Background

Pursuant to sections 182(b)(2) and 182(f) of the CAA, the Commonwealth of Pennsylvania (the Commonwealth or Pennsylvania) is required to establish and implement RACT for all major volatile organic compound (VOC) and NO<sub>x</sub> sources. The major source size is determined by its location, the classification of that area, and whether it is located in the ozone transport region (OTR). Under section 184 of the CAA, RACT, as specified in sections 182(b)(2) and 182(f) applies throughout the OTR. The entire Commonwealth is located within the OTR. Therefore, RACT is applicable statewide in Pennsylvania.

##### II. Summary of the SIP Revision

On December 21, 2001, PADEP submitted formal revisions to its SIP to establish and impose case-by-case RACT for several major sources of VOC and NO<sub>x</sub>. This rulemaking pertains to five of those sources. The other sources are subject to separate rulemaking actions. The RACT determinations and requirements are included in plan approvals (PA) or operating permits (OP) issued by PADEP.

The following table identifies the individual plan approval or operating permit that EPA is approving for each source.

#### PENNSYLVANIA—NO<sub>x</sub> RACT DETERMINATIONS FOR INDIVIDUAL SOURCES

Source	County	OP or PA #	Source type	Major source pollutant
Lafarge Corporation .....	Lehigh .....	OP-39-0011B	Cement Facility .....	NO <sub>x</sub> .
The Peoples Natural Gas Company .....	Cambria .....	OP-11-000-356	Natural Gas Reciprocating Engines .....	NO <sub>x</sub> .
Horsehead Resource Development Company, Inc. ....	Carbon .....	OP-13-0001	Recycling Operation .....	NO <sub>x</sub> .
Williams Generation Company .....	Luzerne .....	OP-40-0031A	Natural Gas Turbine .....	NO <sub>x</sub> .
Pennsylvania Power and Light Company, Holtwood. ....	Lancaster .....	PA-36-2016	Steam Generating Station .....	NO <sub>x</sub> .

##### A. Lafarge Corporation

Lafarge Corporation owns and operates a cement producing company. This facility is located in Lehigh County, Pennsylvania and is considered a major NO<sub>x</sub> emitting facility. In this instance, RACT has been established and imposed by PADEP in an operating permit. On December 21, 2001, PADEP submitted operating permit No. OP-39-

0011B to EPA as a SIP revision. This permit requires Lafarge Corporation and any associated air cleaning devices to be operated and maintained in a manner consistent with good operating and maintenance practices. This permit contains firing rate limitations for the boiler of 37.5 gallons per hour of No. 2 oil, and 35.5 gallons per hour of No. 5 oil. The facility shall record the amount

of the oil fired in the boiler in an hourly and yearly basis and submit to PADEP by March 31 of the following year. Based on a 30-day rolling average, the permit contains NO<sub>x</sub> emission limits for the operation of the cement kilns without burning tires of 297.7 pounds per hour for Kiln No. 2, and 202.3 pounds per hour for Kiln No. 3. Also based on a 30-day rolling average, the