

annual stack testing on Boilers 18 and 19 within 10 weeks after the installation of Low NO_x Burners. Stack testing shall be performed on Boiler 23 on or before the stack testing date set for Boilers 18 and 19. A pre-test procedure shall be submitted at least 30 days prior to actual testing. PADEP shall be notified at least two weeks in advance of the date and time of stack testing. Two copies of the complete test reports shall be submitted within 60 days after the source test.

The plan approval requires the facility to comply with 25 Pa. Code section 129.95 for recordkeeping requirements.

The plan approval contains emission limits of NO_x for Boiler No. 21 and the Recovery Boiler based on a 30-day rolling average of 0.54 lbs./MMBTU and 0.20 lbs./MMBTU, respectively. Both Boiler No. 21 and the Recovery Boiler are equipped with a NO_x continuous emission monitoring (CEM) system, which will be used to show compliance with the NO_x RACT limit.

VOC emissions from the pulp production area, paper mill, and recausticizing areas shall be maintained at the lowest possible level.

International Paper shall maintain a program of continual evaluation of available chemical formulations for replacement where possible with chemical formulations containing a lower level of VOC. International Paper shall maintain records of usage of VOC containing materials in accordance with 25 Pa. Code section 129.95, and shall inform PADEP upon changes in currently used VOC containing chemical formulations.

C. Natural Fuel Gas Supply Corporation

The National Fuel Gas Supply Corporation, Heath Compressor Station, is located in Jefferson County, Pennsylvania and is considered a major NO_x emitting facility. This facility consists of seven natural gas compressors and a standby generator. All seven compressors are reciprocating internal combustion engines fueled by pipeline quality natural gas. The standby generator is driven by a 35 HP internal combustion engine fueled by natural gas. In this instance, RACT has been established and imposed by PADEP in an operating permit for one of the compressors, the Waukesha Unit #9. On December 21, 2001, PADEP submitted operating permit No. PA-33-144A to EPA as a SIP revision. The RACT plan approval is for the installation of an air fuel ratio controller and catalytic converter on the Waukesha Unit #9. Emission limits for the Waukesha Unit #9 will be reduced 80 percent to a low NO_x emission rate of 7.7 lb./hr. The NO_x RACT emission

limits will be waived for one hour period following the sources start up or shutdown. Stack testing to determine the emission rates shall be performed within 60 days of startup of the unit and every five years thereafter. The facility shall perform semi-annual stack tests using a portable analyzer on the Waukesha Unit. The protocol shall be approved by PADEP and may require annual tests in accordance with EPA reference methods pending the submission of the semi-annual stack tests. At least 30 days prior to the scheduled stack test, a test procedure and a sketch with dimensions indicating the location of sampling ports and other data to ensure the collection of representative samples shall be submitted to PADEP for approval. Also, at least two weeks prior to the test, PADEP shall be informed of the date and time of the test. Two copies of the stack test results shall be submitted to PADEP for review within 60 days of completion of the testing. The facility shall submit to PADEP all recordkeeping reports for all sources subject to RACT requirements within 30 days of the end of each calendar year. The facility shall also comply with 25 Pa. Code section 129.95 for recordkeeping requirements. For the standby generator, this source shall be installed, maintained, and operated in accordance with the manufacturer's specification, be operating less than 500 hours in a consecutive 12 month period, and also be operated and maintained in accordance with good air pollution control practices. For Snow units 1, 2, 3, 4, 6, and 8; and the other sources listed in Table 2 of the RACT plan approval, these sources shall be installed, maintained and operated in accordance with the manufacturer's specifications, and also be operated and maintained in accordance with good air pollution control practices.

III. EPA's Evaluation of the SIP Revisions

EPA is approving these SIP submittals because the Commonwealth established and imposed requirements in accordance with the criteria set forth in SIP-approved regulations for imposing RACT or for limiting a source's potential to emit. The Commonwealth has also imposed record-keeping, monitoring, and testing requirements on these sources sufficient to determine compliance with these requirements.

IV. Final Action

EPA is approving revisions to the Commonwealth of Pennsylvania's SIP which establish and require RACT for these three major sources of VOC and

NO_x: (1) Bethlehem Structural Products Corporation in Northampton County; (2) International Paper Company in Erie County; and (3) National Fuel Gas Supply in Jefferson County. EPA is publishing this rule without prior proposal because we view this as a noncontroversial amendment and anticipate no adverse comment. However, in the "Proposed Rules" section of today's **Federal Register**, EPA is publishing a separate document that will serve as the proposal to approve the SIP revision if adverse comments are filed. This direct final rule will be effective on July 1, 2003, without further notice unless we receive adverse comment by June 2, 2003. If EPA receives adverse comment, EPA will publish a timely withdrawal in the **Federal Register** informing the public that the rule will not take effect. EPA will address all public comments in a subsequent final rule based on the proposed rule. EPA will not institute a second comment period on this action. Any parties interested in commenting must do so at this time. Please note that if EPA receives adverse comment on an amendment, paragraph, or section of this rule and if that provision may be severed from the remainder of the rule, EPA may adopt as final those provisions of the rule that are not the subject of an adverse comment.

V. Statutory and Executive Order Reviews

A. General Requirements

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not a "significant regulatory action" and therefore is not subject to review by the Office of Management and Budget. For this reason, this action is also not subject to Executive Order 13211, "Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use" (66 FR 28355, May 22, 2001). This action merely approves State law as meeting Federal requirements and imposes no additional requirements beyond those imposed by State law. Accordingly, the Administrator certifies that this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). Because this rule approves pre-existing requirements under State law and does not impose any additional enforceable duty beyond that required by State law, it does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4). This rule also does not