

**DATES:** This rule is effective on July 21, 2003, without further notice, unless EPA receives adverse written comment by June 19, 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 Makeba Morris, Acting 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, 1301 Constitution Avenue, NW., Room B108, Washington, DC 20460; and the Pennsylvania Department of Environmental Protection, Bureau of Air Quality Control, PO Box 8468, 400 Market Street, Harrisburg, Pennsylvania 17105.

**FOR FURTHER INFORMATION CONTACT:** Ellen Wentworth at (215) 814-2034, or via e-mail at [wentworth.ellen@epa.gov](mailto:wentworth.ellen@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 February 4, 2003, 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 one of those sources. The other sources are subject to separate rulemaking actions. The RACT determinations and requirements in this SIP revision are included in the operating permit (OP) issued by PADEP. Lafayette College,

Easton Campus, is located in the City of Easton, Northampton County, Pennsylvania, and is considered a major source of NO<sub>x</sub>. In this instance, RACT has been established and imposed by PADEP in an operating permit. On February 4, 2003, PADEP submitted operating permit No. OP 48-0034 to EPA as a SIP revision. This operating permit incorporates RACT determinations for NO<sub>x</sub> for the following sources: One (1) Titusville boiler; Boiler No. 1; two (2) Keller boilers, Boiler Nos. 2 and 3; one (1) Babcock & Wilcox boiler; Boiler No. 4; six (6) oil-fired boilers; two (2) gas-fired boilers; seventeen (17) natural gas-fired emergency generators; three (3) propane-fired emergency generators; twenty-one (21) natural gas-fired water heaters; and thirty-seven (37) natural gas-fired hot air furnaces.

NO<sub>x</sub> RACT for the two (2) Keeler boilers at maximum heat input of 28.44MMBtu/hr. and the one (1) Babcock & Wilcox boiler at maximum heat input of 49.0MMBtu/hr., shall be the maintenance and operation of the sources according to the manufacturer's specifications in accordance with the presumptive RACT emission limitations found in 25 Pa. Code, Chapter 129.93(b)(2)-(3). The sources shall be operated and maintained in accordance with good air pollution control practices. NO<sub>x</sub> RACT for the seventeen (17) natural gas-fired emergency generators and the three (3) propane-fired emergency generators shall be regulated under the presumptive RACT emission limitations as described under 15 Pa. Code, Chapter 129.93(c)(5). Each generator must operate less than 500 hours in a consecutive 12-month period. Presumptive RACT shall be the maintenance and operation of the sources in accordance with the manufacturer's specifications. The sources shall also be operated and maintained in accordance with good air pollution control practices. NO<sub>x</sub> RACT for the Titusville boiler at maximum heat input of 10.82MMBtu/hr., six (6) oil-fired boilers, two (2) natural gas-fired boilers, twenty-one (21) water heaters, and thirty-seven (37) hot air heaters shall be regulated under the presumptive RACT emission limitations described under 25 Pa. Code, Chapter 129.93(c)(1). Each source shall be limited to a maximum heat input of 20MMBtu/hr. The sources shall also be operated and maintained in accordance with good air pollution control practices. The facility shall maintain a file containing all records and other data required to be collected pursuant to 25 Pa. Code section 129.95. These records

must provide sufficient data and calculations to clearly demonstrate that the requirements of 25 Pa. Code sections 129.91 through 94 are met. All measurements, records and other data required to be maintained by the company shall be retained for at least two years following the date on which such measurements, records or data are recorded. If requested by PADEP, the facility shall perform a stack test in accordance with the provisions of 25 Pa. Code Chapter 139 within the time specified by PADEP.

### III. EPA's Evaluation of the SIP Revision

EPA is approving this SIP submittal 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 the revision to the Commonwealth of Pennsylvania's SIP which establishes and requires RACT for Lafayette College, Easton Campus, (OP 48-0034) located in Northampton County, Pennsylvania. 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 21, 2003, without further notice unless we receive adverse comment by June 19, 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.

### 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