

SUMMARY: EPA is taking direct final action on revisions to the Commonwealth of Pennsylvania State Implementation Plan (SIP) submitted by the Pennsylvania Department of Environmental Protection (PADEP). The revision removes alternative emission reduction limitations for air contaminant sources at eight facilities. EPA is approving these revisions to the SIP in accordance with the requirements of the Clean Air Act (CAA).

DATES: This rule is effective on August 4, 2003, without further notice, unless EPA receives adverse written comment by July 3, 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 addressed to Makeba Morris, Chief, Air Quality Planning and Information Services Branch, 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.

FOR FURTHER INFORMATION CONTACT: Kathleen Anderson, (215) 814-2173, or by e-mail at anderson.kathleen@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Background

On March 6, 2000, the Commonwealth of Pennsylvania submitted a formal revision to its State Implementation Plan (SIP). The SIP revision consists of the removal of alternative emission reduction limitations for the facilities and pollutants listed in Table 1. Public hearings were held on July 28, July 30 and August 5, 1997. The final rule removing the alternative emission

reduction limitations became effective on October 19, 1999.

II. Summary of SIP Revision

As part of the Commonwealth's Regulatory Basics Initiative, the PADEP was required to review existing regulations and identify those that were, among other things, obsolete or no longer necessary. As a result of this initiative, PADEP identified certain regulations for source specific alternative emission reduction limitations, codified in title 25, chapter 128 of the Commonwealth's regulations, as no longer necessary due to changes in processes, equipment or the closing of the affected facility. Chapter 128 allows sources to submit proposals to implement an alternative emission reduction option for existing sources known as the "bubble" policy. The specific alternative emission reduction limitations to be removed from the Commonwealth's SIP, including the names of the affected sources and pollutants, are listed in Table 1.

TABLE 1.—LIST OF AFFECTED ALTERNATIVE EMISSION REDUCTION LIMITATIONS

Name of facility	PADEP citation	Pollutant	40 CFR part 52 citation
Andre Greenhouses, Inc., Southampton	§ 128.11	SO ₂	52.2020(c)(35)
Andre Greenhouses, Inc., Doylestown	§ 128.12	SO ₂	52.2020(c)(35)
Andre Greenhouses, Inc., Wyndmoor	§ 128.13	SO ₂	52.2020(c)(35)
U.S. Steel Corp., Fairless Hills	§ 128.15	SO ₂	52.2020(c)(55)
U.S. Steel Corp., Fairless Hills	§ 128.16	Particulate Matter	52.2020(c)(51)
Scott Paper Co., Chester	§ 128.17	SO ₂	52.2020(c)(54)
Arbogast & Bastian, Inc., Allentown	§ 128.18	SO ₂	52.2020(c)(54)
J.H. Thompson, Inc., Kennett Square	§ 128.19	SO ₂	52.2020(c)(54)
Bethlehem Steel Corp., Bethlehem	§ 128.20	Particulate Matter	52.2020(c)(52)

III. Final Action

EPA is approving as a revision to the Pennsylvania SIP the removal of alternative emission reduction limitations, codified under 25 PA Code section 128, for eight facilities.

EPA is publishing this rule without prior proposal because the Agency views this as a noncontroversial amendment and anticipates 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 rule will be effective on August 4, 2003, without further notice unless EPA receives adverse comment by July 3, 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.

IV. 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 have tribal implications because it will not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal government and Indian tribes, or on the distribution of power and responsibilities between the Federal government and Indian tribes, as specified by Executive Order 13175 (65 FR 67249, November 9, 2000). This action also does not have federalism implications because it does not have substantial direct effects on the States,