

DC 20460; and Pennsylvania Department of Environmental Protection, Bureau of Air Quality, P.O. Box 8468, 400 Market Street, Harrisburg, Pennsylvania 17105.

FOR FURTHER INFORMATION CONTACT: Rose Quinto, (215) 814-2182, or by e-mail at 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 VOC and NO_x 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 SIP Revision

On August 15, 2003, the Pennsylvania Department of Environmental Protection (PADEP) submitted formal revisions to its SIP to establish and impose case-by-case RACT for several major sources of VOC and NO_x. 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 an operating permit (OP) issued by PADEP.

Hercules Cement Company owns and operates a Portland Cement producing facility located in Stokertown Borough, Northampton County, Pennsylvania and is considered a major source of NO_x. In this instance, RACT has been established and imposed by PADEP in an operating permit. On August 15, 2003, PADEP submitted operating permit No. 48-0005A to EPA as a SIP revision. This operating permit addresses three Raw Mills, two HB Smith Boilers, and Cement Kilns 1 and 3.

NO_x RACT for the three Raw Mills and the two HB Smith Boilers shall be the installation, maintenance and operation of these sources according to the manufacturer's specifications also in accordance with the emission limitations in 25 Pa. Code Chapter 129.93(c)(1). The facility will maintain records of these sources in accordance with the recordkeeping requirements of 25 Pa. Code Chapter 129.95.

The allowable NO_x emissions limit established for both the operation of

Cement Kilns 1 and 3, including the No. 1 preheater Cement Kiln, is 492.0 pounds per hour on a 30-day rolling average. Continuous emission monitors (CEM) shall be installed, operated and maintained to monitor NO_x emissions for Cement Kilns 1 and 3. Continuous monitoring shall be conducted in accordance with 25 Pa. Code Chapter 139 and 40 CFR part 60, subpart F. The recordkeeping and reporting requirements for the facility is to maintain a file containing all records and other data to be collected pursuant to the various provisions of the operating permit for Cement Kilns 1 and 3. This file shall include, but is not limited to, all air pollution control system performance evaluations and records of calibration checks, adjustments and maintenance performed on all equipment which is subject to this operating permit. All measurements, records and other data required to be maintained by the facility shall be retained for at least two years following the date on which such measurements, records or data are recorded. In addition, all CEM reports shall be submitted to PADEP within 30 days after each quarter but not later than the time frame established in PADEP's latest Continuous Source Manual.

III. EPA's Evaluation of the SIP Revisions

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 recordkeeping, 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 Hercules Cement Company (48-0005A) 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 January 23, 2004 without further notice unless we receive adverse comment by December 24, 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.

You may submit comments either electronically or by mail. To ensure proper receipt by EPA, identify the appropriate rulemaking identification number PA203-4217 in the subject line on the first page of your comment. Please ensure that your comments are submitted within the specified comment period. Comments received after the close of the comment period will be marked "late." EPA is not required to consider these late comments.

1. *Electronically.* If you submit an electronic comment as prescribed below, EPA recommends that you include your name, mailing address, and an e-mail address or other contact information in the body of your comment. Also include this contact information on the outside of any disk or CD-ROM you submit, and in any cover letter accompanying the disk or CD-ROM. This ensures that you can be identified as the submitter of the comment and allows EPA to contact you in case EPA cannot read your comment due to technical difficulties or needs further information on the substance of your comment. EPA's policy is that EPA will not edit your comment, and any identifying or contact information provided in the body of a comment will be included as part of the comment that is placed in the official public docket. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment.

i. *E-mail.* Comments may be sent by electronic mail (e-mail) to morris.makeba@epa.gov, attention: PA203-4217. EPA's e-mail system is not an "anonymous access" system. If you send an e-mail comment directly without going through [Regulations.gov](http://www.regulations.gov), EPA's e-mail system automatically captures your e-mail address. E-mail addresses that are automatically captured by EPA's e-mail system are included as part of the comment that is placed in the official public docket.

ii. *Regulations.gov.* Your use of [Regulation.gov](http://www.regulations.gov) is an alternative method of submitting electronic comments to EPA. Go directly to <http://www.regulations.gov>, then select "Environmental Protection Agency" at the top of the page and use the "go" button. The list of current EPA actions available for comment will be listed.