**Arranged in ascending order of degree of completeness.**

|  | **ARTICLE XXI SECTION(S)** |  **DESCRIPTION OF CHANGE** | **REGULATION SUBCOMMITTEE** | **STATUS / NEXT STEP** | **STATUS OF CORRESPONDING DEP REGULATION** |
| --- | --- | --- | --- | --- | --- |
| (non)SIP99 | §2105.73, “Municipal Solid Waste Landfills.” | Revise for possible ACHD Request for Delegation of Authority of Federal Plan. |  | Preliminary investigation. | DEP held public hearing on January 6, 2022 for their Request for Delegation. |
| SIP98 | TBD | RACT III regulations | Awaiting draft. | ACHD to develop from DEP Regs. | DEP public comment period ended October 12, 2021. EPA commented. |
| SIP80 | §2108.01.e, “Reporting Requirements.” | Correct ‘Emissions Inventory Statements’ waiver language and modify some additional reporting Requirements | Awaiting draft. | ACHD to develop correction to SIP80 and revise other reporting req’s. Possibly two packages. | na |
| SIP94 | §2105.87Control of VOC Emissions from the Oil and/or Natural Gas Industry | Address the requirements of the 2016 EPA CTG. ACHD is ‘incorporating by reference’ the DEP reg. Consider any changes DEP makes in their draft. | Review final draft at January 18, 2022 meeting. | Take to Advisory Comm then to BOH for approval to go to public comment. | DEP presented final form rulemaking to AQTAC December 9. Taking to EQB 1st Qtr. 2022. If no SIP, then offsets June,2022.Highway sanctions & FIP Dec,2022. |
| SIP84C | Non-regulatory | Case-by-Case RACT II SIP | Not involved. | Revised Cheswick permit RACT Plan in public comment until January 11, 2022.  | DEP submitting revised case by case RACT Plans for certain EGUs. |
| SIP84D | Non-regulatory | Non-CTG VOC and Major NOx RACT | No regulation is involved, so the Criteria Subcomm reviewed. Public comment ended Oct 8, 2020. | Submitted to EPA. But, on hold for Cheswick revised permit/RACT Plan to meet court objections. See above. | DEP moving ahead with revising RACT Plans for certain EGUs. |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **SIP FILE #** | **ARTICLE XXI SECTION(S)** |  **DESCRIPTION OF CHANGE** | **REGULATION SUBCOMMITTEE** | **STATUS / NEXT STEP** | **STATUS OF CORRESPONDING DEP REGULATION** |
| SIP87 | §2105.21, ‘Coke Ovens and Coke Oven Gas’ & §2109.01, ‘Inspections.’ | Add coke oven-related test methods and inspection procedures and revise certain limitations. Also, update 2109.01, ‘Enforcement-Inspections’ to add a requirement for sources in general. | To review 2nd Draft January 18, 2022. | Administrative Decision signed December 6, 2021.ACHD has developed 2nd draft to reflect Admin Decision and other resolutions agreed to with the source and is presenting it to Reg Subcomm, as initial step toward returning it to public comment.  | na |
| SIP96 | §2107, ‘Methods’ | Update to reflect the reconfiguration of the Source Testing Manual and revised Coke Oven Regs. |  | Address comments from January 2021 hearing, then re-join with SIP87 after the public comment period for the second draft of SIP87. Expect submittal to Subcommittee in May. | na |
| (nonSIP) | §2105.31, “Waste Derived Liquid Fuel Oil” | Correct testing emission reduction percentages and testing methods. | Incorporating into work being done under SIP96. | With SIP96 work, above. | na |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **SIP FILE #** | **ARTICLE XXI SECTION(S)** |  **DESCRIPTION OF CHANGE** | **REGULATION SUBCOMMITTEE** | **STATUS / NEXT STEP** | **STATUS OF CORRESPONDING DEP REGULATION** |
| SIP95 | §2102 and §2103 sections related to Permit Advertising | Publish notices on ACHD webpage instead of in newspaper ads. | Subcommittee completed its input November 23, 2021. | BOH approved January 5, 2022 for final approval.**To County Council next.** | na |
| (Non)SIP86 | §2104.08, ‘NESHAPS,’ impacted by ACHD withdrawal from Risk Manage Program. | Deleting references to incorporating by reference 112(r) related regulations. | Subcommittee completed its input November 23, 2021. | Same status as SIP95, i.e.,**to County Council next.** | na |
| SIP91 | §2105.14, “Gasoline Dispensing Facilities – Stage II Control.” | Decommissioning Stage II equipment and enhanced leak detect/monitoring requirements for Stage 1.  | Completed input. | BOH approved November 3, 2021.**Submitted to County Council for next legislative session in January.** | DEP’s Final Form rule to EQB Nov 16, 2021.**(**EPA seeks near concurrent issuance.) |
| (Non)SIP89A | §2105.90, ‘Gasoline Volatility’ | Deleting from Article XXI--The requirements were removed from the SIP last year. Now the reg can be removed from Article XXI.  | Completed input. | Same as SIP 91, above, i.e., **to County Council next.** | State is moving ahead with removing their regulation. |
| SIP97 | New Section 2106.06 | Episodic Control Plan | Completed input. | Council approved Sept14. Chief Exec signed Sept15. Effective Sept 25.Submit to DEP in future. | na |

The table spans the period over which the following reviews and approvals are typically conducted:

1. Regulation Subcommittee is presented with a draft Article XXI regulation change for the first time and provides comments.
2. Regulation Subcommittee is presented with as many subsequent updated drafts of the regulation as necessary to resolve its concerns.
3. Regulation Subcommittee recommends the draft regulation revision for review by the Air Quality Advisory Committee.
4. Advisory Committee reviews and, if it finds the revision satisfactory, recommends to the BOH that the proposed regulation revision go to public comment.
5. BOH reviews the proposed regulation revision and if it finds it satisfactory, approves a public comment period and public hearing.
6. ACHD conducts a public comment period and public hearing.
7. ACHD resolves comments and submits proposed regulation revision, with any incorporated changes made necessary by the public comments, to the Regulation Subcommittee for its review.
8. Regulation Subcommittee reviews and provides its recommendation for or against approval of the proposed regulation to the Advisory Committee for consideration.
9. Advisory Committee reviews and provides its recommendation for or against approval of the proposed regulation to the Board of Health.
10. Board of Health reviews and approves or rejects the proposed regulation.
11. If BOH approves the proposed regulation, ACHD Administration seeks approval via the County Manager of an Executive Action to submit regulation to Council, pending the outcome of Step 12. Note: Given new Step 12, the necessity of Step 11 is to be reviewed.
12. Once an approved Executive Action is obtained, ACHD Administration prepares and submits a proposed Ordinance Package to County Government for eventual submittal to Council pending discussion with Chief Executive and/or Chief Executive’s Staff.
13. County Council receives the proposed regulation revision/Ordinance at regularly scheduled full Council meeting and refers it to the Committee on Health & Human Services, which typically meets within two weeks of receiving the item.
14. The Committee on Health & Human Services reviews and, if it is acceptable, refers the regulation revision to the full Council for approval.
15. The full County Council reviews and, if acceptable approves the regulation revision and forwards it to the County Chief Executive for approval.
16. The County Chief Executive reviews and, if acceptable, approves the regulation revision.
17. The ACHD establishes the effective date of the regulation – typically 10 days after County Executive approval.

Note: If the revised regulation is also a SIP change, following the final approval of the Chief Executive, the ACHD submits a SIP Revision Request to the PA DEP with a request that DEP approve the SIP Revision and recommended it to the U.S. EPA for EPA approval. This table does not include the status of that process. Relatedly, please note that disapproval of such a SIP Revision Request by either PA DEP or U.S. EPA does not invalidate the approval status of the County approved Article XXI regulation revision.