

EXECUTIVE SUMMARY
Final-Omitted Rulemaking
25 Pa. Code Chapter 127
Electronic Submission of Air Quality General Plan Approval
and General Operating Permit Applications

Summary of the Final-omitted Rulemaking

This final-omitted rulemaking amends 25 Pa. Code § 127.621(b) (relating to application for use of general plan approvals and general operating permits) to add the option of electronic means for delivery of applications to the Department of Environmental Protection (the Department) for the use of air quality general plan approvals (GPA) and general operating permits (GP).

Purpose of the Rulemaking

The regulation that governs the air quality GPA and GP application process, § 127.621(b), specifies that the application shall be either hand delivered or transmitted by certified mail return receipt requested to the Department. Adding an electronic means of submission as another method for submitting an air quality GPA or GP application to the Department will provide flexibility to the regulated community and will enhance Department efficiency through the timely processing and potential issuance of these air quality GPAs and GPs.

Affected Parties

The owner or operator of a regulated air contamination source or process for which an air quality GPA or GP is available will be affected by and benefit from this final-omitted rulemaking amendment to § 127.621(b). Currently, the Department has 18 air quality GPAs and GPs available that regulate various types of air contamination sources and processes in several industrial categories, including small boilers, burn off ovens, lithographic printing presses, mineral processing, storage tanks for volatile organic liquids, powder metal sintering furnaces, natural gas production, pharmaceutical and specialty chemical production, and petroleum dry cleaning. Within the past 5 years, the Department has issued 1,922 new air quality GPAs and GPs and 204 renewals for a total issuance of 2,126 GPAs and GPs. The Department expects a surge of new applications once it finalizes the revised GP-5 for compression stations, processing plants, and transmission stations and the new GP-5a for unconventional natural gas well site operations and remote pigging stations.

Advisory Groups

This final-omitted rulemaking was discussed with, and received the support of, the Air Quality Technical Advisory Committee on June 14, 2018, the Small Business Compliance Advisory Committee on July 25, 2018, and the Citizens Advisory Council (CAC) Policy and Regulatory Oversight Committee on June 15, 2018. The CAC Policy and Regulatory Oversight Committee briefed the members of the CAC on June 19, 2018.

Public Comments

Notice of proposed rulemaking and solicitation of public comments is omitted under section 204(3) of the Commonwealth Documents Law (45 P.S. § 1204(3)). Public notice and comment are unnecessary and contrary to the public interest for the amendment included in this final-omitted rulemaking. This final-omitted rulemaking provides applicants the option of submitting an air quality GPA or GP application through electronic means. This additional means of submission is a beneficial expansion of an existing regulatory requirement.