



June 19, 2018

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Secretary Patrick
McDonnell, Ex-officio

Honorable Patrick McDonnell
Secretary
Department of Environmental Protection
Rachel Carson State Office Building
P.O. Box 2063
Harrisburg, PA 17105-2063

Re: Draft Air Quality Final-Omitted Rulemaking: Electronic Submission of
General Permit Applications (*25 Pa. Code* Chapter 127)

Dear Secretary McDonnell:

On June 19, 2018, the Citizens Advisory Council (“CAC” or “Council”) discussed the draft final-omitted rulemaking Annex A to amend *25 Pa. Code* Chapter 127 (relating to general plan approvals and operating permits). The draft Annex A adds a phrase to § 127.621, which provides for general plan approvals and general permits for stationary sources, to allow the Department to accept electronic applications.

While the CAC certainly supports expedited adoption of language allowing for electronic submission of applications, it also recommends that the Department and Environmental Quality Board consider amending §127.261 (and other regulatory sections providing for submission of various types of applications) to allow for submission of hard copies via reputable express services. The current language suggests that applications can only be received “by hand” or by “certified mail.” The fact is that a number of applications are submitted via services such as Federal Express and UPS, and the current rule language might be misread to indicate that if materials are received in this fashion, the applications are defective. Reflecting common practice, all sections that provide for application submission should allow for submission via reputable express service providers.

At the meeting on June 19, 2018, the Council voted to concur with the Department’s recommendation to present the final-omitted rulemaking to the Environmental Quality Board for consideration and adoption, with the suggested amendment noted above.

Sincerely,



Donald S. Welsh, Chair
Citizens Advisory Council

cc: Krishnan Ramamurthy, Director, PA DEP BAQ
Kirit Dalal, PA DEP BAQ
Viren Trivedi, PA DEP BAQ
Susan Hoyle, PA DEP BAQ
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