



Bureau of Air Quality



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

**Environmental Quality Board Meeting
August 21, 2018**

Tom Wolf, Governor

Patrick McDonnell, Secretary

Background

- Currently, 25 Pa. Code § 127.621(b) specifies that the application for the use of an air quality general plan approval (GPA) or general operating permit (GP) shall be either hand delivered or transmitted by certified mail return receipt requested to the Department.
- The sole change proposed in this rulemaking is to add an electronic means of submission for GPAs and GPs.

Final-Omitted Rulemaking

- An agency may use the final-omitted process if the agency finds for good cause that notice of proposed rulemaking is impracticable, unnecessary, or contrary to the public interest.
- Public comment is unnecessary as there is no change to current forms of transmittal.
- The final-omitted rulemaking is in the public interest as it will enhance the Department's efficiency through the timely processing and review of air quality GPAs and GPs.

Interested Parties

- Currently, DEP has developed and issued 19 separate GPAs and GPs that regulate air contamination sources and processes in several industrial categories.
- Within the past 5 years, DEP has approved 1,922 first-time applications for the use of a GPA or GP and 204 applications for the renewal of the use of a previously approved applicable GPA or GP.
- DEP is expecting a surge of new applications for the use of the recently revised GP-5 for compression stations, processing plants, and transmission stations, and for the new GP-5A for unconventional natural gas well site operations and remote pigging stations.

Advisory Committee Review

- This final-omitted rulemaking was discussed with, and received the support of, the Air Quality Technical Advisory Committee (AQTAC) on June 14, 2018, the Small Business Compliance Advisory Committee (SBCAC) on July 25, 2018, and the Citizens Advisory Council (CAC) Policy and Regulatory Oversight Committee on June 15, 2018.
- The Policy and Regulatory Oversight Committee briefed the members of the CAC on June 19, 2018.
- The CAC provided the Board with a letter of concurrence supporting the final-omitted amendment with a comment suggesting the regulatory language include the option for the use of ‘reputable express service providers.’

Recommendation

DEP recommends that the Board adopt this final-omitted rulemaking which amends § 127.621(b) to allow for the submission of a GPA or GP application electronically.



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