

Air Quality Technical Advisory Committee

to the Pennsylvania Department of Environmental Protection

PO Box 8468

Harrisburg, PA 17105-8468

February 12, 2009

John Hanger
Acting Secretary
Department of Environmental Protection
Rachel Carson State Office Building
P.O. Box 2063
Harrisburg, PA 17105-2063

Dear Acting Secretary Hanger:

On December 11, 2008, and February 12, 2009, the Air Quality Technical Advisory Committee discussed proposed amendments to 25 *Pa. Code* Chapters 121 (relating to general provisions), 127 (relating to construction, modification, reactivation and operation of sources) and 139 (relating to sampling and testing). The proposed amendments would add new terms and definitions and revise the definition of the term "CEMS" in § 121.1 (relating to definitions), would revise certain provisions and add new provisions to §§ 127.701-127.705 and 127.708 (relating to general provisions; plan approval fees; operating permit fees under Subchapter F; Title V operating permit fees under Subchapter G; emission fees; and risk assessment) and would add new Subchapter D (relating to testing, auditing and monitoring fees) to Chapter 139.

The proposed amendments would increase plan approval and operating permit fees; emission fees; and impose testing, auditing and monitoring fees. A suggestion was made to consider changing the terms "person" and "people" in Table I of the proposed new § 139.202 (relating to schedule of testing, auditing and monitoring fees) to the term "observers" and define this term as "trained and qualified staff members" to provide some certainty to the regulated community paying the fees as to the number of staff for which they would be charged.

The Committee concurred with the Department's recommendation to present the proposed amendments to the Environmental Quality Board for approval for publication as a proposed rulemaking with a minimum 60-day public comment period.

Sincerely,



Roger C. Westman, Ph. D.
Chair