



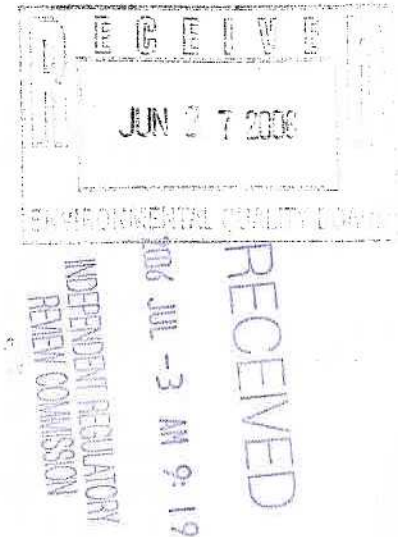
Wheatland Tube Company

Wheatland Division

June 23, 2006

Environmental Quality Board
P.O. Box 8477
Harrisburg, PA 17105-8477

RE: Comments on Proposed Rulemaking
25 PA Code Chapters 121 and 127
Nonattainment New Source Review



Gentlemen:

In general, it is disappointing to read that the Commonwealth feels that it needs to develop an NSR regulation that is more stringent than the Federal requirements, especially since these regulations are aimed more toward industrial and manufacturing viability and growth than toward other sources of air pollution. In order to promote job-producing activities in the Commonwealth, there should not be any more restrictions on these facilities than there are in surrounding states.

In the preamble, the Department states that the "look back" period for establishing the PAL baseline is 5 years, but this does not appear in the language for the proposed Section 127.218 (relating to PALs). With respect to a 5-year versus 10-year "look back" period, the longer period would certainly be more indicative of business cycles and production variations, providing a much more accurate picture of baseline conditions.

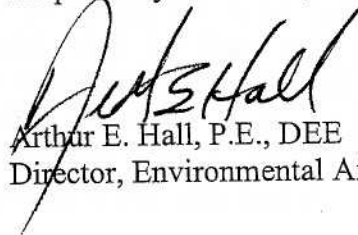
It's not clear from the proposed rule as to how a PAL permit is to interact with existing plan approvals and/or operating permits. It sounds like it is to be a separate permit with possibly different effective and expiration dates from existing permits. Does a 10-year PAL permit replace a 5-year Title V or State-only permit? Does a PAL permit eliminate emission limits on specific emission units/sources imposed by a Title V or State-only permit? Rather than having a separate PAL permit for each pollutant as proposed, it would make more sense to have a PAL included as a modification to an existing permit. At the time of permit renewal, the PAL could be reviewed and either extended or modified. Separate PAL permits for each pollutant only serve to increase the likelihood of conflicts with existing permit requirements and unnecessarily increase recordkeeping and reporting requirements.

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The requirement under §127.218(g)(10) that any new source under a PAL must achieve BAT defeats the purpose of the PAL by eliminating the flexibility of a facility to allocate its allowable emissions among its sources. Does this mean that even de minimus and trivial new sources must demonstrate BAT? A facility should be able to operate under its PAL without the need for Department approval of every new emission source. At the very least, there should be no Department review required as long as the new source's emissions do not exceed the thresholds for a major modification.

Finally, the language under §127.218(k)(4)(ii) regarding adjustment of the PAL unilaterally by the Department during permit renewal is much too vague and invites arbitrary actions. The PAL should only be adjusted as a result of regulation changes or SIP changes that have undergone full public comment and review.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Arthur E. Hall", is written over the typed name and title.

Arthur E. Hall, P.E., DEE
Director, Environmental Affairs