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INDEPENDENT REGULATORY
REVIEW COMMISSION

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

Re: PROPOSED RULEMAKING, ENVIRONMENTAL QUALITY BOARD, 25
PA. CODE CH. 127, Permit Streamlining, 37 Pa.B. 1317, Saturday, March 24, 2007

Dear Sir or Madam:

Dominion appreciates the opportunity to comment on Pennsylvania's proposed rules for air quality permit streamlining.

Dominion's natural gas pipeline and electric generation facilities in Pennsylvania will benefit from these streamlining efforts and we support the Pennsylvania Department of Environmental Protection's (PADEP) efforts in this area. We support the change to Section 127.12b that extends the temporary shakedown period for a facility from 120 to 180 days. This will provide Dominion and other affected entities more time to ensure that equipment can be operated in accordance to the terms and conditions of a permit.

We have additional comments on ways the proposed rules could be improved.

Industrial facilities seeking Plan Approvals for their operations develop detailed plans and timelines for implementing these operations. In order to facilitate this planning, companies schedule engineering, permitting, equipment procurement, contractor mobilization, construction and many other activities months, even years, in advance. It would therefore greatly enhance this scheduling process if there were certainty in the amount of time it takes to process a Plan Approval.

Dominion recommends PADEP adopt a deadline for: (1) issuance of the Completeness determination under §127.12d and (2) issuance (or denial) of a Plan Approval once the Completeness Determination under section 127.12d has been established. This could easily be accomplished by adding the following language in bold in Section 127.12d(a) *"The Department will determine if an application for plan approval is administratively complete and will provide written notice of the completeness determination to the applicant within 15 calendar days of receipt* and a new section as follows in bold: **§127.12e. Permit Issuance. The Department shall, within a reasonable amount of time not to exceed sixty calendar days after receipt of a complete application, issue or deny a Plan Approval for sources subject to these rules.** "

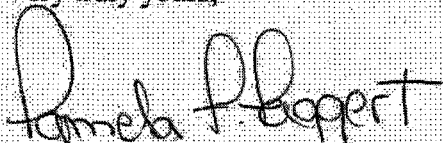
In Section 127.12d(b), Dominion requests that the term "other documents" be expanded to be more specific. We request that the PADEP establish minimum guidelines on what needs to be submitted in a permit application. For example, other documents could be defined to be all required application forms, compliance history, application fee, maps, proof of permit notification to local/township, emissions inventory and Best Available Technology (BAT) review (if needed). Increasing the specificity of requirements allows us to submit complete applications that can then be reviewed for substance rather than completeness.

In Section 127.12d(c), Dominion requests addition of the language that follows in bold: **"If the Department determines that the application is not administratively complete, the Department will submit a written request to the Permittee to provide the required documents before deeming the application complete."** Addition of this language can reduce the time needed to process an application if only a few minor documents are missing from the application package. The applicant can quickly provide those documents to the PADEP without needing to resubmit the whole application package. We do not support language allowing for the return of the application and fees to the applicant, along with a written statement of the specific information, maps, fees and documents that are required to make the application administratively complete.

In Section 127.44(c), Dominion suggests addition of the language that follows in bold: **"The notice required by subsection (b)(1)-(4) will be completed and sent by the Department to the applicant, the EPA, and any state within 50 miles of the facility and any state whose air quality may be affected and that is contiguous to this Commonwealth. The applicant shall, within 10 working days of receipt of notice, publish the notice on at least 3 separate days in a prominent place and size in a newspaper of general circulation in the county in which the sources is to be located; proof of the publication shall be filed with the Department within ~~1 week~~ 10 working days thereafter. A plan approval will not be issued by the Department in the event of failure by the applicant to submit the proof of publication."** It is sometimes very difficult to quickly place an advertisement in a publication and obtain proof of publication. We suggest that PADEP consider slightly increasing the amount of time allowed to applicants for these activities.

We very much appreciate the opportunity to comment on these proposed rule changes and thank you again for considering permit streamlining efforts. If you have any questions regarding these comments, please contact Lisa Moerner at (804) 273-2998.

Very truly yours,



Pamela F. Faggert