

Small Business Compliance Advisory Committee

to the Pennsylvania Department of Environmental Protection

PO Box 8468

Harrisburg, PA 17105-846

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

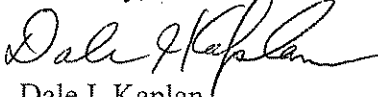
October 29, 2010

Re: Air Quality Fee Final-Form Rulemaking

Dear Secretary Hanger:

As the Air Quality Fee Final-Form Rulemaking approaches its final steps in the rulemaking process, I'd like to take one more opportunity to request that the Department consider the impact of increased fees on Pennsylvania's small businesses. In particular, the proposed \$400 fee for submission of a Request for Determination (RFD) for an Operating Permit or Plan Approval is very concerning. Small businesses generally do not have the expertise or resources to review whether process or equipment modifications will trigger permit applicability with the Department. EMAP, the Department's small business technical service provider, does a wonderful job of providing free, confidential, permit and other technical assistance to Pennsylvania small businesses but it is still true that a written determination from the Department on permit issues is invaluable. Instituting a fee for this to cover Department staff time is reasonable but there should be some consideration given as provided by Section 7.7(h) of the Air Pollution Control Act to reduce or waive the proposed RFD fee for small businesses to take into account the financial resources of small business stationary sources. Small businesses, as defined in the Pennsylvania Air Pollution Control Act, are those that employ 100 or fewer workers. Thank you for your consideration.

Sincerely,



Dale I. Kaplan
Chair

cc: Joyce Epps, Director, PA DEP BAQ
Dean Van Orden, Assistant Director, PA DEP BAQ
Susan Foster, PA DEP BAQ
Susan Hoyle, PA DEP BAQ

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