

Small Business Compliance Advisory Committee

to the Pennsylvania Department of Environmental Protection

PO Box 8468

Harrisburg, PA 17105-8468

October 27, 2010

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

Re: High Electric Demand Days Generation Units proposed rulemaking

Dear Secretary Hanger:

On October 27, 2010, the Small Business Compliance Advisory Committee (Committee) discussed proposed amendments to 25 *Pa. Code* Chapters 121 and 129 (relating to general provisions; and standards for sources) to lower nitrogen oxide (NOx) emissions from the use of older, high NOx-emitting High Electric Demand Day (HEDD) generation units on air quality action days for ozone.

The proposed rulemaking would add provisions to Chapter 129 to establish requirements to address NOx emissions from HEDD generation units rated above 100 kilowatts not regulated under Pennsylvania's Clean Air Interstate Rule (CAIR) or the CAIR replacement rule. The proposed rulemaking would add provisions for registration, sampling and testing, and recordkeeping and reporting for HEDD generation units to Chapter 129, and add definitions to § 121.1 (relating to definitions) to support the HEDD generation unit provisions added to Chapter 129.

The Committee voted 6-0-0 to concur with the Department's recommendation to present the HEDD generation units proposed rulemaking to the Environmental Quality Board for consideration for publication as a proposed rulemaking.

Sincerely,



Dale I. Kaplan
Chair

cc: Susan Foster, PA DEP BAQ
Susan Hoyle, PA DEP BAQ