



The State of New Hampshire  
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

January 12, 2010

The Honorable Naida Kaen, Chairman  
House Science, Technology and Energy Committee  
Legislative Office Building, Room 304  
Concord, NH 03301

**Re: HB 1534 relative to the issuance of air permits and certain fees relative to air permits**

Dear Chairman Kaen and Members of the Committee:

The Department of Environmental Services (DES) is pleased to testify in support of House Bill 1534, which clarifies DES's authority to issue general permits for certain source categories of air pollutants and provides the Commissioner of DES with the authority to adopt rules to establish a permit-by-notification with respect to certain source categories. In addition, the bill is intended to provide further explanation of the fees that regulated entities may be required to pay to cover the cost of implementing the air permit program.

DES currently issues the following types of air permits: temporary permits (*i.e.*, construction permits), operating permits (state and Title V) and general permits (a single permit which covers multiple similar small sources). DES would like to modify and expand its approach and establish a permit-by-notification for certain types of sources that by their nature may relocate operations periodically (such as rock crushing operations) or minor sources that require a low level of technical review (such as small natural gas-fired boilers). Requiring such sources to obtain site-specific air permits can create significant administrative burdens on both the facility owners and DES with no additional environmental benefit. The permit-by-notification process would allow DES to track and monitor these sources for emissions inventories, planning purposes and compliance status in a streamlined manner.

A permit-by-notification program would establish a mechanism for regulating these types of sources to ensure compliance with applicable state and federal air regulations through a more streamlined approach. Under this program, a source would register its equipment and notify DES of its location in the state (and of any changes in location). It is DES's intention to administer this program through an online web-based system.

This type of program would help to streamline DES's efforts to regulate emissions from these sources and to reduce the administrative burden. This legislation also clarifies the Department's authority to charge fees for permitted sources. Currently, these sources are subject to an annual emissions-based fee. Under this program, the Department would modify the fee requirements for these sources and charge an appropriate registration fee.

Thank you for the opportunity to provide testimony. Should you have further questions or need additional information please feel free to contact Robert R. Scott, Director, Air Resources Division (271-1088, [robert.scott@des.nh.gov](mailto:robert.scott@des.nh.gov) ) or Michele Roberge, Permitting and Environmental Health Bureau Administrator (271-6793, [michele.roberge@des.nh.gov](mailto:michele.roberge@des.nh.gov)).

Sincerely,



Thomas S. Burack  
Commissioner