



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Region 1  
5 Post Office Square, Suite 100  
Boston, MA 02109-3912

RECEIVED  
2012 FEB 27 PM 1:29  
DEPARTMENT OF  
ENVIRONMENTAL PROTECTION  
BUREAU OF AIR MANAGEMENT

FEB 15 2012

Daniel C. Esty, Commissioner  
Department of Energy and Environmental Protection  
79 Elm Street  
Hartford, CT 06106-5127

**RE: Regional Haze State Implementation Plan**

Dear Commissioner Esty:

On January 15, 2009, EPA published a rulemaking notice in the Federal Register making a finding that the State of Connecticut failed to submit a State Implementation Plan (SIP) addressing Regional Haze in mandatory class I Federal areas (our Nation's National Parks and wilderness areas) as required by the Clean Air Act (CAA) and federal regulations. The regional haze SIP was due to EPA by December 17, 2007. As a result of this finding, EPA was obligated within two years to promulgate a federal implementation plan (FIP) as required by CAA section 110(c)(1) or to fully approve a state SIP submission that corrects the deficiency.

On November 9, 2011, through a consent decree, EPA agreed to a schedule for EPA action upon the Regional Haze SIPs. For Connecticut, the consent decree requires EPA to propose action by March 15, 2012 and to sign a notice of final rulemaking which either approves the Regional Haze SIP for Connecticut or promulgates a FIP by July 13, 2012.

On November 18, 2009, Connecticut Department of Environmental Protection submitted a final Regional Haze SIP. As one component of Connecticut's alternative Best Available Retrofit Technology (BART) strategy, the Connecticut Regional Haze SIP relies on ozone season emission limits that are contained in the regulation Connecticut adopted pursuant to EPA's Clean Air Interstate Rule (CAIR). The remand of CAIR and Connecticut's subsequent exclusion from EPA's Cross State Air Pollution Rule (CSAPR) required Connecticut to submit a new regulation providing for equivalent ozone season NOx emission reductions.

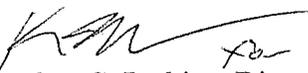
On November 2, 2011, Connecticut proposed Regulations of Connecticut State Agencies (RCSA) 22a-174-22d, Post-2011 Connecticut Ozone Season Nitrogen Oxides (NOx) Budget Program for public comment. On December 30, 2011, the United States Court of Appeals for the D.C. Circuit issued a ruling to stay CSAPR pending judicial review. Therefore, Connecticut's CAIR rule remains in effect for the time being. However, to ensure that ozone season reductions continue beyond 2012, it is still very important for Connecticut to quickly

proceed forth with adoption of its RSCA 22a-174-22d rule and submittal to EPA as part of your Regional Haze SIP.

Since we understand that Connecticut is unable to adopt a final rule before March 15, 2012, we are asking the State to submit by March 1, 2012 a request that EPA parallel process the proposed version of RSCA 22a-174-22d. In that request for parallel processing, Connecticut should commit to final adoption and submission of the adopted version of RSCA 22a-174-22d by no later than June 1, 2012.

If you have any questions, please call me or Anne Arnold, Manager of the Air Quality Planning Unit, at 617-918-1047.

Sincerely,

  
Stephen S. Perkins, Director  
Office of Ecosystem Protection

cc: Anne Gobin, CT DEEP  
Peter C. Babich, CT DEEP  
Wendy Jacobs, CT DEEP