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STATE OF CONNECTICUT
REGULATION
OF

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approval of proposed

NAME OF AGENCY
Department of Environmental Protection

Concerning

SUBJECT MATTER OF REGULATION
Abatement of Air Pollution

SEE 45 FR 84769 For FINAL RULE WITHDRAWING 229-174-100 From SIP!

SECTION 19-508-100

Section 19-508-100. Permits for construction [and operation] of indirect sources.

(a) Definition of an indirect source and applications for indirect source construction permits.

(a)(1) Notwithstanding the [provisions of] DEFINITION OF INDIRECT SOURCE IN section 19-508-1 [(h)], for the purpose of this section an indirect source of air pollution means [any highway with a design capacity of 1,000 vehicles per hour in any one direction, or any airport designed to accommodate 50,000 commercial flights per year.] (i) ANY NEW HIGHWAY ON A NEW LOCATION IN THE STATE HIGHWAY SYSTEM, EXCEPT PROJECTS FOR BRIDGE REPLACEMENT OR ELIMINATION OF RAILROAD CROSSING HAZARDS, (ii) ANY NEW EXPRESSWAY INTERCHANGE SERVICE ADDED TO THE STATE HIGHWAY SYSTEM OR (iii) ANY NEW LANE, GREATER THAN A MILE IN LENGTH AND CONNECTING EITHER SIGNALIZED INTERSECTIONS OR EXPRESSWAY INTERCHANGES, ADDED TO THE STATE HIGHWAY SYSTEM. FOR THE PURPOSES OF THIS REGULATION, THE TERM "STATE HIGHWAY SYSTEM" SHALL HAVE THE SAME MEANING AS IS PROVIDED IN CHAPTER 237 OF THE CONNECTICUT GENERAL STATUTES, AS FROM TIME TO TIME MAY BE AMENDED. Effective October 1, 1974, no person shall construct, modify, install or cause the construction, modification or installation of any indirect source of air pollutants or part thereof [as specified in subsections (a)(2) or (a)(3)] without applying for and obtaining an indirect source construction permit from the Commissioner. NO APPLICATIONS FOR PERMITS FOR NEW OR MODIFIED INDIRECT SOURCES RECEIVED BY OR PENDING BEFORE THE COMMISSIONER [PRIOR TO] SEPTEMBER 1, 1979 SHALL BE AFFECTED BY ANY AMENDMENTS TO THIS SECTION [WHICH BECOME EFFECTIVE AFTER SEPTEMBER 1, 1979].

(a)(2) [A new or modified indirect source shall be required to obtain an indirect source construction permit if the operation of the indirect source will or may result directly or indirectly in aggregate total emissions of air pollutants in excess of fifty (50) tons annually. Notwithstanding the provisions of subsection (a)(5), the commissioner shall publish by September 1, 1974, guidelines to assist owners or operators of new or modified indirect sources in determining whether a source is subject to this section.

(a)(3) Other indirect sources subject to permit review.

(i) Effective January 1, 1975, in addition to the requirements of subsection (a)(2), the Commissioner may require an indirect source construction permit of any new or modified indirect source which will or may result in a substantial reduction in the quality of the air resource. Any increase in the ambient pollutant concentration in excess of fifty percent (50%) of the amount determined by subtracting the existing ambient pollutant concentration from the applicable ambient air quality standard shall be deemed to be a substantial reduction in the quality of the air resource. At his discretion, the Commissioner may specify a percentage smaller than fifty (50%) to be used for the purposes of this subsection in any region or subregion of the state.

(ii) The Commissioner shall give thirty (30) CALENDAR days prior notice of his intention to apply the provisions of subsection (a)(3)(i) in a region or subregion and shall specify the percentage that shall apply in that region or subregion. At his discretion, the Commissioner may hold a public hearing in that region or subregion in order to allow interested parties to comment.

(a)(4)] Those new or modified indirect sources which are not required to obtain an indirect source [construction] permit under subsection (a)(1)[, (a)(2) or (a)(3)] shall, upon request of the Commissioner, furnish information to him which may be of a type and form similar to that required of applicants for indirect source [construction] permits.

(a)[(5)](3) The Commissioner may publish and from time to time revise guidelines [for any region or subregion] which will assist owners or operators of new or modified indirect sources in determining whether they are required to obtain an indirect [complex] source [construction] permit under subsection[s] (a)(1), [(a)(2) or (a)(3)] or whether they may be required to furnish information to the Commissioner under subsection (a)[(4)] (2).

(a)[(6)](4) Application for an indirect source [construction] permit shall be made by the owner or operator of the proposed indirect source on forms furnished by the Commissioner. Each application shall include siting information; descriptions of the [buildings,] structures, facilities or installations involved; the nature, source and quantity of uncontrolled and controlled emissions[, both direct and indirect]; traffic flow information; the proximity of

the indirect source to existing and projected transportation services; and such other information as the Commissioner may require.

(a)[(7)](5) No new or modified indirect source shall be exempt from the permit requirements of this subsection because of a division of ownership or because of the pattern or timing of development.

(a)[(8)](6) For the purpose of determining whether construction or modification of an indirect source was commenced prior to October 1, 1974, construction or modification shall be deemed to have commenced for any portion of an indirect source when site preparation, including clearing and grading is complete and the following four steps have been completed:

(i) Detailed plans of the proposed indirect source are available and have received all necessary approvals required by federal, state or local statutes, ordinances, regulations or procedures;

(ii) Environmental impact statements have been prepared and reviewed as required by federal or state statutes, regulations or procedures;

(iii) All necessary building permits for site preparation and foundation construction have been issued in accordance with state or local statutes, ordinances, regulations or procedures;

(iv) The installation of structural components or materials has started as part of a continuous program of construction.

(b) Standards for granting indirect source [construction] permits.

NAME OF AGENCY
Department of Environmental Protection

SECTION 19-508-100

(b)(1) A STAGE I INDIRECT SOURCE PERMIT REVIEW SHALL BE A TRANSPORTATION SYSTEM LEVEL REVIEW. PRIOR TO JULY 1, 1980 NO STAGE I INDIRECT SOURCE PERMIT SHALL BE REQUIRED. AFTER JULY 1, 1980 [N]no STAGE I indirect [construction] SOURCE permit shall be granted until the Commissioner finds, upon evidence submitted by the applicant or otherwise made part of the application record, that[:] THE NEW OR MODIFIED SOURCE FOR WHICH A PERMIT IS REQUESTED IS (i) A PART OF A REGIONAL OR STATEWIDE PLAN DEEMED TO BE IN CONFORMANCE WITH THE MOST CURRENT FEDERALLY APPROVED STATE IMPLEMENTATION PLAN, OR (ii) A PART OF A PLAN DEEMED TO BE IN NON-CONFORMANCE WITH THE STATE IMPLEMENTATION PLAN, BUT DETERMINED TO BE EXEMPT FROM THE NON-CONFORMANCE RESTRICTIONS PLACED ON THAT PLAN.

[(i) The new or modified indirect source for which a permit is requested will be constructed and will operate in accordance with all applicable statutes or regulations administered by the Commissioner.

(ii) Such new or modified source will operate without preventing or interfering, directly or indirectly, with the attainment or maintenance of any applicable ambient air quality standard.

(iii) Such new or modified source will contain such instrumentation or facilities for monitoring, recording, sampling and testing air quality and related factors as the commissioner may reasonably require.

(iv) Such new or modified source will not result, either directly or indirectly, in deterioration of air quality in 1975 or later in any region or subregion of the state.]

(b)(2) [Notwithstanding the provisions of subsection (b)(1)(i) obtaining an indirect source construction permit shall not be considered compliance with the requirements or standards of any statute or regulation administered by the Commissioner other than the requirements of subsection (a)(1).]

A STAGE II INDIRECT SOURCE PERMIT REVIEW SHALL BE A TRANSPORTATION CORRIDOR LEVEL REVIEW. NO STAGE II INDIRECT SOURCE PERMIT SHALL BE GRANTED UNTIL THE COMMISSIONER FINDS, UPON EVIDENCE SUBMITTED BY THE APPLICANT OR OTHERWISE MADE PART OF THE APPLICATION RECORD, THAT (i) THE IMPACT OF THE NEW OR MODIFIED SOURCE ON THE CORRIDOR IN WHICH THE SOURCE IS TO BE LOCATED WILL MEET ALL APPLICABLE STATE AND NATIONAL AMBIENT AIR QUALITY STANDARDS NOT ADDRESSED IN THE STAGE I PERMIT REVIEW, FOR WHICH THERE IS AN IMPACT ANALYSIS METHODOLOGY ACCEPTABLE TO THE COMMISSIONER, AND (ii) AFTER JULY 1, 1980 A STAGE I INDIRECT SOURCE PERMIT HAS BEEN GRANTED FOR THE NEW OR MODIFIED SOURCE. A STAGE II INDIRECT SOURCE PERMIT SHALL BE VALID FOR ONE YEAR AFTER ISSUANCE. HOWEVER, UPON ADOPTION BY THE COMMISSIONER OF A METHODOLOGY FOR ASSESSING COMPLIANCE WITH ANY STATE OR NATIONAL AMBIENT AIR QUALITY STANDARDS FOR PARTICULATE MATTER AND LEAD, A STAGE II INDIRECT SOURCE PERMIT SHALL BE VALID UNTIL SUCH TIME AS A STAGE III PERMIT IS ISSUED.

(b)(3) A STAGE III INDIRECT SOURCE PERMIT REVIEW SHALL BE A PROJECT LEVEL REVIEW. NO STAGE III INDIRECT SOURCE PERMIT SHALL BE GRANTED UNTIL THE COMMISSIONER FINDS, UPON EVIDENCE SUBMITTED BY THE APPLICANT OR OTHERWISE MADE PART OF THE APPLICATION RECORD, THAT A STAGE II INDIRECT SOURCE PERMIT HAS BEEN GRANTED FOR THE NEW OR MODIFIED SOURCE AND IS VALID AT THE TIME OF APPLICATION FOR THE STAGE III PERMIT, AND THAT, (i) FOR EACH INTERSECTION IMPACTED BY THE NEW OR MODIFIED SOURCE NO VIOLATIONS OF THE APPLICABLE CARBON MONOXIDE STANDARDS WILL RESULT WHERE SUCH VIOLATIONS DO NOT PRESENTLY EXIST, OR (ii) WHERE VIOLATIONS OF THE APPLICABLE CARBON MONOXIDE STANDARDS DO EXIST, THE NEW OR MODIFIED INDIRECT SOURCE WILL NOT EXACERBATE (INCREASE BY MORE THAN 0.5 PARTS CARBON MONOXIDE PER MILLION PARTS OF AIR, BY VOLUME) ANY EXISTING VIOLATION OF THE CARBON MONOXIDE STANDARD. FOR PURPOSES OF THIS SUBDIVISION (b)(3), THE DETERMINATION AS TO WHETHER OR NOT VIOLATIONS OF THE APPLICABLE CARBON MONOXIDE STANDARDS WILL RESULT WHERE SUCH VIOLATIONS DO NOT PRESENTLY EXIST, AND THE DETERMINATION AS TO WHETHER OR NOT EXISTING VIOLATIONS OF APPLICABLE CARBON MONOXIDE STANDARDS WILL BE EXACERBATED, SHALL BE BASED UPON AN ASSESSMENT OF THE CONCENTRATIONS OF CARBON MONOXIDE PREDICTED TO OCCUR AT ALL TIMES BEYOND ONE YEAR AFTER THE ESTIMATED DATE OF COMPLETION.

(c) Action on applications for indirect source [construction] permits.

(c)(1) An application will not be deemed to have been received by the Commissioner until all information, papers and documents required in support of the application have been submitted in proper form. The Commissioner shall acknowledge the receipt of an application within ten (10) WORKING days. IN CASES IN WHICH THE COMMISSIONER DEEMS

THAT NOT ALL INFORMATION, PAPERS, AND DOCUMENTS REQUIRED OF THE APPLICATION HAVE BEEN SUBMITTED IN PROPER FORM, THE COMMISSIONER SHALL SO NOTIFY THE APPLICANT WITHIN TEN (10) WORKING DAYS OF THE SUBMISSION OF SUCH INFORMATION, PAPERS AND DOCUMENTS.

(c)(2) (i) FOR A STAGE I INDIRECT SOURCE PERMIT, THE COMMISSIONER SHALL RENDER A DECISION WITHIN 5 WORKING DAYS OF ACKNOWLEDGEMENT OF RECEIPT OF A STAGE I PERMIT APPLICATION.

(ii) FOR A STAGE II INDIRECT SOURCE PERMIT AND A STAGE III INDIRECT SOURCE PERMIT, THE COMMISSIONER SHALL COMPLETE THE PRELIMINARY EVALUATION OF THE AIR QUALITY DATA CONTAINED IN THE APPLICATION FOR ANY PERMITS WITHIN 30 WORKING DAYS OF ACKNOWLEDGEMENT OF RECEIPT OF THE APPLICATIONS.

(c)[(2)](3) Notwithstanding the provisions of subsection (c)[(3)](4), the Commissioner shall not issue a decision approving or denying an application for EITHER A STAGE II OR A STAGE III indirect source permit until the applicant:

(i) Shall have made available for thirty (30) CALENDAR days, in the region in which the proposed construction or modification will be located, a copy of the application and a copy of the Commissioner's preliminary evaluation of the air quality data contained in the application; AND SHALL PROVIDE FOR RECEIPT AND CONSIDERATION OF PUBLIC COMMENT DURING THE THIRTY (30) CALENDAR DAY PERIOD.

(ii) Shall have published by prominent advertisement in the region affected a notice of the location of the application, [and evaluation] THE AVAILABILITY OF THE COMMISSIONER'S PRELIMINARY EVALUATION specified in subsection (c)[(3)(i)] (2)(ii), above, and THE PROCEDURE AVAILABLE TO THE PUBLIC TO FILE COMMENTS, AND

(iii) [Shall have posted in a manner prescribed by the Com-

missioner at the site of the proposed indirect source, a notice that a permit has been applied for, and

(iv)] Shall have submitted to the Commissioner an affidavit certifying that the conditions of subsections (c)(3)(i) and (c)(3)(ii) [to (c)(2)(iii)] have been met.

(c)[(3)](4) Except where a public hearing is held under [subsection] SUBDIVISION [(j)] (a)(4), the Commissioner shall inform an applicant for [an] EITHER A STAGE II OR A STAGE III indirect source [construction] permit of the decision of the Commissioner approving or denying the application within [sixty (60)] TEN (10) WORKING days of the [receipt of the application] CLOSE OF THE PUBLIC COMMENT PERIOD SPECIFIED IN SUBDIVISION (c)(3)(i). The Commissioner may, on the notice to the applicant extend the time for acting on the application an additional thirty (30) WORKING days, TO a total time of [ninety (90)] FORTY (40) days. [Said ninety (90) days shall be exclusive of the time allowed in subsection (c)(2).]

(c)[(4)](5) When a public hearing is held under [subsections] SUBDIVISIONS [(j)](h)(4) on an application for an indirect source [construction] permit, the Commissioner shall inform the applicant of the decision approving or denying the application within thirty (30) WORKING days following receipt of the record of the hearing.

(c)[(5)](6) The Commissioner shall briefly set forth in any notice of approval or denial of an application for an indirect source [construction] permit the basis for the determination.

(c)[(6)](7) The Commissioner may impose any reasonable requirements, standards, or conditions upon approval of any permit. [to construct or modify.]

(d) Revocation or modification of indirect source [construction] permits.

(d)(1) The Commissioner may revoke or modify an indirect source [construction] permit if:

(i) [The construction or modification authorized by the permit is not begun within one year from the date of issuance or such other period as is allowed by the permit; or]
PRIOR TO THE COMMENCEMENT OF CONSTRUCTION OR MODIFICATION AUTHORIZED BY THE PERMIT IT IS DETERMINED BY THE COMMISSIONER THAT THE NEW OR MODIFIED INDIRECT SOURCE IS IN NON-COMPLIANCE WITH THE CONDITIONS OF THE PERMIT; OR

(ii) THE CONSTRUCTION OR MODIFICATION AUTHORIZED BY THE PERMIT IS NOT BEGUN WITHIN FIVE YEARS FROM THE DATE OF ISSUANCE OF THE STAGE III INDIRECT SOURCE CONSTRUCTION PERMIT, OR SUCH OTHER PERIOD AS IS ALLOWED BY THE PERMIT; OR

[(ii)](iii) During construction or modification, work is suspended for one year or more, or for such other period as is specified in the permit.

(d)(2) FOR THE PURPOSES OF SUBDIVISION (d)(1), IF BY ORDER OF A COURT OF COMPETENT JURISDICTION THE CONSTRUCTION OR MODIFICATION AUTHORIZED BY THE PERMIT IS NOT BEGUN OR IS SUSPENDED, THEN THE PERIOD OF SUCH COURT-ORDERED DELAY SHALL NOT BE INCLUDED IN THE TIME PERIOD ALLOWED BY THE PERMIT.

(d)(3) IF CONSTRUCTION OF THE NEW OR MODIFIED SOURCE WILL NOT BE UNDERTAKEN WITHIN THE TIME PERIOD SPECIFIED IN THE STAGE III INDIRECT SOURCE PERMIT, THE HOLDER OF SUCH PERMIT SHALL APPLY FOR RENEWAL OF THE PERMIT AT LEAST FORTY-FIVE (45) CALENDAR DAYS PRIOR TO THE EXPIRATION DATE OF SAID PERMIT.

[(iii) He determines that any condition imposed under subsection (c)(6) has not been or is not being met.]

[(e) Indirect source operating permits.

(e)(1) No person shall operate or cause the operation of a new or modified indirect source without first obtaining an indirect source operating permit from the Commissioner in accordance with the requirements of this section.

(e)(2) No indirect source operating permit shall be required under subsection (e)(1) unless the source was required to obtain an indirect source construction permit under subsection (a).

(e)(3) No separate application shall be required under subsection (e) for those sources which have been granted an indirect source construction permit.

(e)(4) Prior to issuance of an indirect source operating permit, the Commissioner may require the owner or operator of a new or modified indirect source to provide such additional information as the Commissioner shall have requested either before or at the time of the issuance of the construction permit and has not already been included in the application for a construction permit.

(e)(5) In circumstances where he deems it appropriate, the Commissioner may issue a temporary permit to commence operations for a period not to exceed sixty (60) days. For good cause shown, the period may be extended by the Commissioner for any additional period required. Prior to the expiration of the period covered by the temporary permit, the Commissioner shall notify the owner or operator in writing of his approval or denial of the indirect source operating permit and the reasons therefor.

(e)(6) Indirect source operating permits required by subsection (e)(1) shall be issued or renewed for the expected life of the indirect source, unless the Commissioner shall determine that a shorter period is appropriate under the circumstances of operation of any particular indirect source.

(e)(7) Application for the renewal of an indirect source operating permit shall be made at least 120 days prior to the expiration of the existing operating permit.

(e)(8) The Commissioner may impose as conditions on any indirect source operating permit only those conditions which were explicitly stated as conditions at the time the indirect source construction permit was issued.]

[(f) Standards for granting, renewing and reissuing indirect source operating permits.

(f)(1) The Commissioner shall grant an indirect source operating permit if he determines that:

(i) The indirect source has been granted an indirect source construction permit;

(ii) The indirect source has been constructed in accordance with the requirements, standards, and conditions set forth in the construction permit.

(f)(2) The Commissioner shall renew an indirect source operating permit if he determines that the indirect source has been operated in accordance with the requirements, standards, and conditions set forth in the operating permit.

(f)(3) In the event of a revocation or modification of an indirect source operating permit pursuant to subsection (h), the indirect source operating permit (h), the indirect source operating permit shall be reinstated upon a satisfactory showing to the Commissioner by the owner or operator that the failure or failure(s) specified in the revocation or modification have been corrected.

(g)](e) Transfer of indirect source [operating] permits. The holder of an indirect source [operating] permit may not transfer it without prior written notification to the Commissioner. Each new owner or operator or holder of the indirect source permit shall be responsible for complying with all applicable regulations and with the conditions of the permit.

[(h) Revocation or modification of indirect source operating permits. The Commissioner may revoke or modify an existing indirect source operating permit for failure to comply with any conditions imposed in the operating permit.]

[(i)](f) Notice of approval, denial, revocation or modification of indirect source [construction] permits [and operating permits].

[(i)](f)(1) Notice of denial, revocation or modification of any indirect source [construction] permit [or of any indirect source operating permit] shall set forth the reasons for the action taken and such denial, revocation or modification shall take final effect thirty (30) days after the date of service of the notice, unless a hearing is requested prior to the expiration of the thirty (30) day period.

(f)(2) Any party aggrieved by the approval, denial, revocation or modification of a [construction or operating] permit may obtain an adjudicative hearing thereon by filing a written answer and request for a hearing in accordance with Section 22a-8-2 of the Rules of Practice of the Department within thirty (30) days of the date of service of the notice. [Filing of the answer and request for the hearing shall postpone the effective date of the approval, denial, revocation or modification until the conclusion of the hearing and issuance of the final decision of the commissioner.]

[(i)](f)(3) The revocation or modification of an indirect source [operating] permit pursuant to subsection [(h)](d) shall not be effective if the failure [so] to comply WITH THE

REQUIREMENTS is remedied to the satisfaction of the Commissioner within thirty (30) CALENDAR days after service of the notice of revocation or modification.

[(j)](g) Public information and hearing procedures.

[(j)](g)(1) In all cases where there is a requirement of legal notice the Commissioner shall cause the applicant for an indirect source permit to publish at his own expense all notices of hearings and other notices required by law.

[(j)](g)(2) The Commissioner shall inform the public of:

(i) All indirect source permit applications received;

(ii) [all pending operating permits for indirect sources subject to the requirements of subsection (e)(1);

(iii)] all decisions approving, denying, revoking, or modifying any indirect source permit.

[(j)](g)(3) While a decision is pending on an indirect source permit application [or an operating permit for sources subject to the provisions of subsection (e)(1)] any person may file a written comment or may file a written objection setting forth the basis of the objection in detail and opposing the approval of the permit in its entirety or requesting that specific conditions be attached to it. Objection may be accompanied by a request for hearing.

[(j)](g)(4) A public hearing on EITHER A STAGE II OR A STAGE III permit application may be held by the Commissioner:

(i) Pursuant to a request for a hearing according to subsection [(j)](g)(3);

(ii) Whenever it is required by these regulations or by any applicable state or federal law;

(iii) At the discretion of the Commissioner; or

(iv) Upon the request of any municipality.

ANY PUBLIC HEARING REQUIRED BY THIS REGULATION MAY BE HELD AS PART OF A PUBLIC HEARING REQUIRED BY OTHER STATE OR FEDERAL LAWS OR REGULATIONS. Following the close of the hearing, the Commissioner shall make a decision based on all available evidence, including the record of the hearing and the recommendation of the hearing examiner, IF ANY, as to whether to approve or deny the indirect source permit. Notice of such decision shall be published according to subsection [(j)](g)(2).

[(k)](h) Signature. No indirect source permit issued under this section shall be effective until the applicant or his duly authorized representative shall have signed the permit, which signature shall constitute an agreement to abide by any terms and conditions therein.

[(L)](i) Local and regional participation in indirect source review.

[(L)](i)(1) Upon the request of the governing body of any municipality or other political subdivision, the Commissioner may designate the municipal planning and zoning agency, the regional planning agency, or any other responsible municipal or regional agency or official as the designee of the

municipality for the purpose of making comments and recommendations on applications for indirect source construction permits.

[(L)](i)(2) The Commissioner may publish and revise, from time to time, guidelines which shall assist the designated agencies in assessing the impact of any proposed indirect source on the development or resource allocation goals of the municipality or region.

[(L)](i)(3) In addition to the other evaluations made pursuant to this section the Commissioner may evaluate the effect of the proposed construction or modification upon any plan for development or plan for resource allocation proposed by the municipality or region.

[(L)](i)(4) The Commissioner shall submit a copy of the application for an indirect source [construction] permit along with his evaluation and analysis, to the designated agency of any affected municipality for its review. Any designated agency wishing to make comments or recommendations with regard to a pending application must respond within thirty (30) WORKING days following its receipt of the application from the commissioner.

[(L)](i)(5) Upon request of any municipality which has a designated agency under the provisions of subsection [(L)](i)(1), the Commissioner may assist the municipality in formulating a plan for development or a plan for air resource allocation for the purpose of allowing the municipality and region to maximize the benefits of its utilization of the air resource within the limits imposed by air quality considerations.

[(L)](i)(6) The Commissioner may establish an indirect source advisory committee composed of municipal and regional officials to advise the Commissioner on procedures concerning the evaluation of indirect source [construction] permits [and indirect source permits to operate] and to assist the commissioner in fostering increased municipal and regional cooperation in attaining and maintaining applicable ambient air quality standards.

Statement of Purpose: To revise the indirect source permit program by deleting airports from indirect source permit review, by redefining the road projects which require a permit to cover only additions to the state highway system, and by replacing the current review procedure for highways with a three tiered review.

CERTIFICATION
R-39 REV. 1/77

Be it known that the foregoing:

[X] Regulations [ ] Emergency Regulations

Are:

[ ] Adopted [X] Amended as hereinabove stated [ ] Repealed

By the aforesaid agency pursuant to:

[X] Section 19-508 of the General Statutes.

[ ] Section _____ of the General Statutes, as amended by Public Act No. _____ of the _____ Public Acts.

[ ] Public Act No. _____ of the Public Acts.

After publication in the Connecticut Law Journal on June 19 19 79, of the notice of the proposal to:

[ ] Adopt [X] Amend [ ] Repeal such regulations

(If applicable): [X] And the holding of an advertised public hearing on 24th day of July 19 79

WHEREFORE, the foregoing regulations are hereby:

[ ] Adopted [X] Amended as hereinabove stated [ ] Repealed

Effective:

[X] When filed with the Secretary of the State.

(OR)

[ ] The _____ day of _____ 19__

In Witness Whereof:	DATE 9/4/79	SIGNED (Head of Board, Agency or Commission) Stanley J. Pac	OFFICIAL TITLE, DULY AUTHORIZED Commissioner
Approved by the Attorney General as to legal sufficiency in accordance with Sec. 4-169, as amended, C.G.S.		SIGNED [signature]	OFFICIAL TITLE, DULY AUTHORIZED Deputy Attorney General

SEP 10 1979

[X] Partially Approved

[ ] Disapproved

[X] Disapproved in part; ~~(Indicate Section Numbers disapproved only)~~ *See below

[ ] Rejected without prejudice.

By the Legislative Regulation Review Committee in accordance with Sec. 4-170, as amended, of the General Statutes.	DATE 11/1/79	SIGNED (Clerk of the Legislative Regulation Review Committee) Elizabeth T. Bauer

Two certified copies received and filed, and one such copy forwarded to the Commission on Official Legal Publications in accordance with Section 4-172, as amended, of the General Statutes.

DATE December 14, 1979	SIGNED (Secretary of the State) Barbara B. Kennelly	BY [signature]

INSTRUCTIONS

1. One copy of all regulations for adoption, amendment or repeal, except emergency regulations, must be presented to the Attorney General for his determination of legal sufficiency. Section 4-169 of the General Statutes.

2. Seventeen copies of all regulations for adoption, amendment or repeal, except emergency regulations, must be presented to the standing Legislative Regulation Review Committee for its approval. Section 4-170 of the General Statutes.

3. Each regulation must be in the form intended for publication and must include the appropriate regulation section number and section heading. Section 4-172 of the General Statutes.

4. Indicate by "(NEW)" in heading if new regulation. Amended regulations must contain new language in capital letters and deleted language in brackets. Section 4-170 of the General Statutes.

* Material disapproved

The words "PRIOR TO" and the words "WHICH BECOME EFFECTIVE AFTER SEPTEMBER 1, 1979" as they appear on the last three lines of Subdivision (1) under Subsection (a) of Section 19-508-100.