R 32 REV. 1.77

IMPORTANT: Read Instructions on bottom of Certification Page before completing this form. Failure to comply with instructions may cause disapproval of proposed Regulations.

STATE OF CONNECTICUT
REGULATION
OF

2866

NAME OF AGENCY
Department of Environmental Protection

Concerning

SUBJECT MATTER OF REGULATION
Control of Air Pollution

SECTION _____

The Regulations of Connecticut State Agencies are amended by the addition of Section 19-508-26 as follows:

(NEW) 19-508-26 PERMIT FEES

(a) Filing fee

(a)(1) After the effective date of this regulation any person who is required to file an application for a permit under sections 19-508-3 (except subdivision 3(g)(5)), 17, 19, or 100 shall submit with the application a filing fee of fifty dollars ($50.00) to the Department.

(a)(2) Any fee submitted by any applicant shall be accompanied by forms furnished to the applicant by the Commissioner.

(a)(3) Any filing fee submitted under the requirements of this subsection shall be nonrefundable.

(b) Permit fees

(b)(1) After the effective date of this regulation any person who obtains a permit under sections 19-508-3, 17, 19, or 100 shall submit a permit fee to the Department in accordance with the fee schedule in subsection (c) before the permit is issued.

(c) Fees

(c)(1) The highest actual yearly premise emissions, in tons per year, of any pollutant emitted into the ambient air by the source for which the permit is required under sections 19-508-3, 17, 19 or 100, including those increases in actual emissions resulting from granting the subject permit, will be used to determine the appropriate permit fee under this subdivision.

(c)(2) Fee Schedule

	Type of Permit	Regulation 19-508-	Actual Yearly Premise Emissions, in tons per year, as determined in subdivision (c)(1): 100 or More	15 or More But Less Than 100	Less than 15
(i)	Initial construction and operation	3(b),3(f) and 3(l)	$ 2,000.00	$ 1,000.00	$ 250.00
(ii)	Operation and construction renewals	3(g)(5) and 3(d)(7)	$ 1,000.00	$ 500.00	$ 250.00
(iii)	Use of solid fuel	19(a)(2)(i)	$ 2,000.00	$ 1,000.00	$ 250.00
(iv)	Air pollution control/ energy trade	19(a)(3)	$ 5,000.00	$ 2,500.00	$ 1,250.00
(v)	Indirect Source	100	$ 5,000.00	$ 5,000.00	$ 5,000.00
(vi)	Open Burning	17	$ 50.00	$ 50.00	$ 50.00

(c)(3) The fee required under subparagraph 19-508-26(c)(2)(i) shall be fifty percent (50%) of the appropriate amount delineated in the fee schedule under subdivision 19-508-26(c)(2) when no ambient air quality impact modeling is required.

(c)(4) The owner or operator of a stationary source shall pay one thousand dollars ($1,000.00), in addition to the fee required under subparagraph 19-508-26(c)(2)(i), when a Best Available Control Technology (BACT) review is required under subdivision 19-508-3(c)(11) unless the new stationary source or modification will have actual emissions of less than fifty (50) tons per year of each pollutant for which the permit is required or the impact on ambient air quality of each of these pollutant emissions is insignificant as defined in subparagraph 19-508-3(c)(7)(i).

(c)(5) The owner or operator of a stationary source shall pay one thousand dollars ($1,000.00), in addition to the fee required under subparagraph 19-508-26(c)(2)(i), when a Lowest Achievable Emission Rate (LAER) review is required under subdivision 19-508-3(l)(3).

(c)(6) Notwithstanding the above fee schedule in subparagraph 19-508-26(c)(2)(ii) the maximum fee for any individual premise under subparagraph 19-508-26(c)(2)(ii) shall be five (5) times the appropriate fee for the renewal of all stationary source operating permits which are renewed simultaneously.

(c)(7) The required fee shall be three (3) times the appropriate total amount under subparagraph 19-508-26(c)(2)(i) and subdivisions 19-508-26(c)(3), (c)(4), and (c)(5) when a permit to construct and operate under section 19-508-3 and subparagraph 19-508-26(c)(2)(i) is either filed late or if the owner or opertor of a stationary source required to obtain a permit under subpargraph 19-508-26(c)(2)(i) and section 19-508-3 either commences construction or begins operation of such source prior to obtaining such required permit.

(c)(8) Any fee shall be waived for any local government or Connecticut state agency for permits required under sections 19-508-17 and 19-508-100.

(c)(9) Permits required under section 19-508-17 either obtained from a local open burning official or those pertaining to private residential burning are not subject to the above permit fees.

Statement of Purpose. To adopt regulations enabling the Department to collect fees for the filing of permit applications and their subsequent evaluation as required by the Clean Air Act of 1977. Authority to collect such fees is granted under Public Act 19-508 (g) and Public Act 82-91 Section 17.

CERTIFICATION
F-39 REV 1/77

Be it known that the foregoing:

[X] Regulations [ ] Emergency Regulations

[X] Adopted [ ] 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 15 19 82, of the notice of the proposal to:

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

(If applicable): [X] And the holding of an advertised public hearing on 15th day of July 19 82

WHEREFORE, the foregoing regulations are hereby:

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

Effective:

[ ] When filed with the Secretary of the State.

(OR)

[X] The 30th day of September 19 82.

Witness Whereof:	DATE 8/5/82	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	OFFICIAL TITLE, DULY AUTHORIZED Deputy Attorney General

AUG 6 _ 1982

[X] Approved

[ ] Disapproved

[ ] Disapproved in part, (Indicate Section Numbers disapproved only)

[ ] Rejected without prejudice.

By the Legislative Regulation Review Committee in accordance with Sec. 4-170, as amended, of the General Statutes.	DATE 9/21/82	SIGNED (Clerk of the Legislative Regulation Review Committee) Ruth A. Goodrich

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 Sept 24, 1982	SIGNED (Secretary of the State) Maura L Kelley	BY Agnes L Kerr

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.