6739 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

NAME OF AGENCY
Department of Environmental Protection

Concerning

SUBJECT MATTER OF REGULATION
Abatement of Air Pollution - Oxygenated Gasoline

SECTION 1

Subsection (a) of section 22a-174-28 of the Regulations of Connecticut State Agencies is amended to read as follows:

22a-174-28 Oxygenated Gasoline.

(a) Definitions

For the purposes of this section:

[(1)] "ASTM" means the American Society for Testing and Materials.

[(2)] "Carrier" means any person who transports, stores or causes the transportation or storage of gasoline at any point in the gasoline distribution network, without taking title to or otherwise having ownership of the gasoline and without altering the quality or quantity of the gasoline.

[(3)] "Central Control Area" means the cities and towns within the Hartford Consolidated Metropolitan Statistical Area. These towns are: Andover, Avon, Barkhamsted, Berlin, Bloomfield, Bolton, Bristol, Burlington, Canton, Colchester, Columbia, Coventry, Cromwell, Durham, East Granby, East Haddam, East Hampton, East Hartford, East Windsor, Ellington, Enfield, Farmington, Glastonbury, Granby, Haddam, Hartford, Hebron, Manchester, Marlborough, Middlefield, Middletown, New Britain, New Hartford, Newington, Plainville, Plymouth, Portland, Rocky Hill, Simsbury, Somers, South Windsor, Southington, Stafford, Suffield, Tolland, Vernon, West Hartford, Wethersfield, Willington, Windsor and Windsor Locks.

[(4)] "Control area" means either the Central Control Area or the Southwestern Control Area.

[(5)] "Control period" means the period from [November 1 to February 28 for the Central Control Area and the period from] October 1 to April 30 for the Southwestern Control Area. CONTROL PERIOD ALSO MEANS THE PERIOD FROM NOVEMBER 1 TO THE LAST DAY OF FEBRUARY FOR THE CENTRAL CONTROL AREA IF A VIOLATION OF THE AMBIENT AIR QUALITY STANDARD FOR CARBON MONOXIDE, AS LISTED IN SUBSECTION 22A-174-24(H) OF THE REGULATIONS OF CONNECTICUT STATE AGENCIES AS DETERMINED IN ACCORDANCE WITH THE PROCEDURES SPECIFIED IN TITLE 40 CODE OF FEDERAL REGULATIONS PART 50, OCCURS WITHIN SUCH CONTROL AREA AFTER NOVEMBER 1, 1993. IF SUCH VIOLATION OCCURS BETWEEN DECEMBER 1 AND SEPTEMBER 1, THE CONTROL PERIOD FOR THE CENTRAL CONTROL AREA BEGINS THE FOLLOWING NOVEMBER. IF SUCH VIOLATION OCCURS BETWEEN SEPTEMBER 1 AND DECEMBER 1, THE CONTROL PERIOD FOR THE CENTRAL CONTROL AREA BEGINS SIXTY (60) DAYS AFTER SUCH VIOLATION FOR THE INITIAL CONTROL PERIOD AND BEGINS NOVEMBER 1 FOR EACH SUCCEEDING YEAR.

[(6)] "Distributor" means any person who transports or stores or causes the transportation or storage of gasoline at any point between any gasoline refinery or importer's facility and any retail outlet or wholesale purchaser-consumer's facility.

[(7)] "Gasoline" means any fuel sold for use in motor vehicles and motor vehicle engines, and commonly or commercially known or sold as gasoline.

[(8)] "Importer" means a person who imports gasoline or gasoline blending stocks from a foreign country into the United States.

[(9)] "Oxygenate" means any substance which, when added to gasoline, increases the amount of oxygen in that gasoline blend. Lawful use of any combinations of these substances requires that they be "Substantially Similar" under section 211(f)(1) of the Clean Air Act, or be permitted under a waiver granted by the Administrator under the authority of section 211(f)(4) of the Clean Air Act.

[(10)] "Oxygenated gasoline" means a gasoline with an oxygen content of at least two and seven tenths percent (2.7 %) but no more than three and five tenths percent (3.5 %) of oxygen by weight.

[(11)] "Oxygen content" means the percentage of oxygen by weight contained in gasoline, based upon its percentage oxygenate by volume, excluding denaturants and other non-oxygen containing components.

[(12)] "Refinery" means a plant at which gasoline is produced.

[(13)] "Retail outlet" means any establishment at which gasoline is sold, offered for sale or dispensed to the ultimate consumer for use in motor vehicles.

[(14)] "Retailer" means any person who owns, leases, operates, controls or supervises a retail outlet.

[(15)] "Southwestern Control Area" means the cities and towns within the Connecticut portion of the New Jersey - New York - Connecticut Consolidated Metropolitan Statistical Area. These towns are: Ansonia; Beacon Falls; Bethel; Bridgeport; Bridgewater; Brookfield; Danbury; Darien; Derby; Easton; Fairfield; Greenwich; Milford; Monroe; New Canaan; New Fairfield; New Milford; Newtown; Norwalk; Oxford; Redding; Ridgefield; Seymour; Shelton; Sherman; Stamford; Stratford; Trumbull; Weston; Westport; and Wilton.

[(16)] "Terminal" means a facility at which gasoline is sold or dispensed into trucks for transportation to a retailer or wholesale purchaser-consumer.

[(17)] "Wholesale purchaser-consumer" means any person who:

(A) is an ultimate consumer of gasoline;

(B) purchases or obtains such gasoline from a distributor or carrier; and

(C) receives such gasoline into a storage tank with a capacity of 550 gallons or more which is substantially under the control of such person.

STATEMENT OF PURPOSE: To eliminate the requirement for oxygenated gasoline for the Hartford-Middletown-New Britain Consolidated Metropolitan Statistical Area.

CERTIFICATION
R 39 REV 1 77

4485

Be it known that the foregoing:

[X] Regulations [ ] Emergency Regulations

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

By the aforesaid agency pursuant to:

[X] Section 22a-174 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 July 27 19 93, 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 26th day of August 19 93

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____.

Witness Whereof:	DATE 10/28/93	SIGNED *(Head of Board, Agency or Commission)* Robert T. Hone	OFFICIAL TITLE, DULY AUTHORIZED Deputy Commissioner
Approved by the Attorney General as to legal sufficiency in accordance with Sec. 4-169, as amended, C.G.S.:		SIGNED [illegible]	OFFICIAL TITLE, DULY AUTHORIZED Received and filed 11/12/93 Assoc. Atty. General

[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 11/16/93	SIGNED *(Chairman, the Legislative Regulation Review Committee)* [illegible]

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 November 30, 1993	SIGNED *(Secretary of the State.)* Pauline R. Kezer	BY Peter J. Boulmer

Approved by Legislative Regulation Review Committee or General Assembly

Published in Connecticut Law Journal

Approved by Attorney General

Received and filed in the office of the Secretary of the State

CONCERNING

Regulations OF

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.

RECEIVED

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SECRETARY OF THE STATE