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 3769
OF

NAME OF AGENCY

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Concerning

SUBJECT MATTER OF REGULATION

ABATEMENT OF AIR POLLUTION

SECTION 1

Subsection (b) of section 22a-174-29 of the Regulations of Connecticut State Agencies is amended to read as follows:

(b) "Maximum Allowable Stack Concentrations"

(b)(1) On or after October 1, 1986, no "person" shall cause or permit the "emission" of any "hazardous air pollutant" listed in Table 29-1 from any "stationary source" at a concentration at the "discharge point" in excess of the "maximum allowable stack concentration", unless the "stationary source" is operating in accordance with the terms of an order or permit of the "Commissioner" specifically allowing the continued operation of the "stationary source" in violation of this subdivision while coming into compliance or the "source" is in compliance with the provisions of subdivision 22a-174-29(d)(3).

(b)(2) No person shall cause or permit the emission of any "hazardous air pollutant" from any "resources recovery facility", or "incinerator" or from any "stationary source" or "modification" for which the person applies for and obtains a permit under section 22a-174-3 on or after July 1, 1986 at a concentration at the "discharge point" in excess of the "maximum allowable stack concentration" unless the source is in compliance with the provisions of subdivision (d)(3) of this section. The "Commissioner" shall not apply the provisions of this subdivision to the owner or "operator" of any "stationary source" who [applies] APPLIED for a "permit TO CONSTRUCT" under [these regulations] SECTION 22a-174-3 prior to March 1, 1986 and [receives] RECEIVED a notice of a complete application prior to [the effective date of these regulations] JULY 1, 1986 or to any other owner or "operator" who [receives] RECEIVED a "permit TO CONSTRUCT" under these regulations prior to [the effective date of these regulations] JULY 1, 1986. NOTWITHSTANDING THE FOREGOING, ALL "RESOURCES RECOVERY FACILITIES" AND ALL "INCINERATORS" SHALL MEET THE STANDARDS OF THIS SUBDIVISION FOR ALL "HAZARDOUS AIR POLLUTANTS".

(b)(3) If the owner or "operator" of a "stationary source" which emits or may emit a "hazardous air pollutant" is in compliance with the "MASC" at the "discharge point" of that source, but the "Commissioner" determines, through ambient monitoring, that the "HLV" is exceeded, then the "Commissioner" may require that the concentration of the "hazardous air pollutant" at the "discharge point" be further reduced.

(b)(4) The owner or "operator" of any "stationary source" or "modification" not subject to the provisions of subdivision [(b)(2)] 22a-174-29(b)(2) which emits or may emit a "hazardous air pollutant" shall comply with the requirements of subdivision [(b)(2)] 22a-174-29(b)(2) if the "Commissioner" determines, through ambient monitoring, that the "HLV" is exceeded as a result of the "emission" from that "stationary source".

(b)(5) For the purposes of subdivisions [(b)(3) and (4)] 22a-174-29(b)(3) AND 22a-174-29(b)(4), any person who performs ambient air monitoring shall use methods and procedures approved by the "Commissioner".

STATEMENT OF PURPOSE: To clarify the fact that all resources recovery facilities and incinerators must not exceed the maximum allowable stack concentration for all hazardous air pollutants.

CERTIFICATION
R-21 REV. 1/77

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 June 21, 19 88, of the notice of the proposal to:

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

(If applicable): [ ] And the holding of an advertised public hearing on _____ day of _____ 19____

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 8/31/88	SIGNED (Hand of Board, Agency or Commission) Julie Carothers	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 [illegible]	OFFICIAL TITLE, DULY AUTHORIZED Deputy	SEP. 02 1988

[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 10/18/88	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 October 21, 1988	SIGNED (Secretary of the State) Julia H. Jashgian	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.

RECEIVED
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ADMIN. DIV. SEC'Y. OF STATE