which demonstrates compliance with "reasonably available control technology" as expeditiously as practicable but not later than December 31, 1987. The "Commissioner" may, by permit or order, accept restrictions on emissions such that the emissions for any twelve (12) consecutive months do not exceed one hundred (100) tons per year in lieu of requiring the use of "reasonably available control technology" only for those "premises" which have not had "actual emissions" in excess of one hundred (100) tons for any year since 1980.

(ee)(4) The "Commissioner" shall provide public notice and a public hearing for any compliance determination under subdivision 22a-174-20(ee)(1) or acceptance of a compliance plan under subdivision 22a-174-20(ee)(3). The "Commissioner" shall issue an order requiring the use of "reasonably available control technology" and submit any such order for approval by the "administrator" in accordance with the provisions of 42 U.S.C. 7401-7642.]

The Regulations of Connecticut State Agencies are amended by the addition of Section 22a-174-32 as follows:

(NEW)

Section 22a-174-32. Reasonably Available Control Technology for volatile organic compounds.

(a) Definitions. For the purposes of this section:

"Affected portion" or "affected portion of a premises" means any source or combination of sources at a premises the emissions of which are included as potential emissions of volatile organic compounds in accordance with subsection (b) of this section.

"CFR" means Code of Federal Regulations.

"CTG" or "control techniques guideline" means a document published by the Administrator in accordance with Section 108 of the federal Clean Air Act describing techniques for controlling volatile organic compound emissions.

"System to capture and control" means a system to capture, convey and control VOC emissions released by VOC-emitting equipment, including any device that destroys, recovers, or otherwise removes VOC emissions and permanently reduces VOC emissions into the atmosphere.

"Uncontrolled VOC emissions" means VOC emissions from the affected portion of a premises prior to the application of a system to capture and control.

"VOC" means volatile organic compound.

"VOC-emitting equipment" means any equipment, building, or activity that results in the emission of volatile organic compounds through a stack or as fugitive emissions.

(b) Applicability.

Department of Environmental Protection

SECTION 2 (1) The provisions of this section shall apply to the owner or operator of any premises where the potential emissions of VOCs from the affected portion of such premises are:

(A) fifty (50) tons or more per calendar year in a serious nonattainment area for ozone; or

(B) twenty-five (25) tons or more per calendar year in a severe nonattainment area for ozone.

(2) When calculating potential emissions for the purposes of this section, any limitation on the capacity of a source to emit VOCs, including air pollution control equipment, or any restriction which limits maximum rated capacity shall be treated as part of the design of the source, only if such limitation or restriction or the effect that such limitation or restriction would have on VOC emissions is federally enforceable.

(3) In calculating potential emissions of an affected portion of a premises, the owner or operator of such premises shall include all potential emissions of volatile organic compounds occurring at the premises. However, such owner or operator may, when calculating potential emissions from the affected portion of a premises, exclude any source of potential emissions of VOCs which is:

(A) regulated under 40 CFR Part 61;

(B) subject to Best Available Control Technology or Lowest Achievable Emission Rate for VOCs required pursuant to a federally enforceable order or permit which contains specific VOC emission limitations;

(C) VOC-emitting equipment subject to one of the eleven (11) CTGs which the Administrator is required to develop pursuant to section 183(a) of the federal Clean Air Act and which was listed in the Federal Register of April 28, 1992 (57 FR 18077, App. E);

(D) regulated under 40 CFR Part 264, subparts AA or BB, or 40 CFR Part 265, subparts AA or BB;

(E) fuel burning equipment; or

(F) subject to Reasonably Available Control Technology required pursuant to:

(i) subsections (a), (b) or (l) through (y) inclusive of section 22a-174-20 of the Regulations of Connecticut State Agencies;

(ii) section 22a-174-30 of the Regulations of Connecticut State Agencies; or

(iii) an order or permit to implement Reasonably Available Control Technology issued by the Commissioner prior to November 15, 1992 and approved by the Administrator prior to May 31, 1995.

(c) Orders to limit VOC emissions.

(1) The Commissioner may issue an order or permit in lieu of requiring one of the Reasonably Available Control Technology methods pursuant to subdivision (e)(1) of this section when owner or operator of a premises demonstrates to the Commissioner's

satisfaction that actual emissions of VOCs from an affected portion of such premises did not exceed, in every calendar year after December 31, 1989: (A) fifty (50) tons per calendar year in a serious nonattainment area for ozone; or (B) twenty-five (25) tons per calendar year of in a severe nonattainment area for ozone.

(2) To demonstrate that actual emissions did not exceed such levels, the owner or operator shall, at a minimum, submit to the Commissioner written documentation of the actual emissions from such affected portion for every calendar year, or portion thereof, from December 31, 1989 through the calendar year in which such information is submitted. Such owner or operator shall also submit a report which includes the information specified in subparagraphs (d)(1)(B) through (d)(1)(E), inclusive, of this section.

(3) If the Commissioner issues a permit or order pursuant to this subsection, such permit or order shall require that the owner or operator not exceed the VOC emissions levels set forth in subdivision (c)(1) of this section at such affected portion of the premises. Nothing herein shall require the Commissioner to issue such order.

(d) Compliance plans.

(1) By May 1, 1994 the owner or operator of an affected portion of a premises shall submit to the Commissioner a written compliance plan which includes the following:

(A) a description of the Reasonably Available Control Technology method that the owner or operator shall perform pursuant to subdivision (e)(1) of this section;

(B) an description of each piece of VOC-emitting equipment at such premises;

(C) the maximum rated capacity of each piece of VOC-emitting equipment at such affected portion;

(D) the total amount of potential emissions of VOCs, expressed in tons per year, from such affected portion; and

(E) a certification, signed by (1) the person who prepared the compliance plan, (2) the owner of the premises, and (3) the operator of the premises, which reads as follows:

"I have personally examined and am familiar with the information submitted in this compliance plan and all attachments and certify that based upon reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, the submitted information is true, accurate and complete to the best of my knowledge and belief. I understand that any false statement made in the submitted information may be punishable as a criminal offense, in accordance with Section 22a-6 of the Connecticut General Statutes, pursuant to Section 53a-157 of the Connecticut General Statutes and in accordance with any other applicable standard."

(2) The owner or operator of an affected portion of a premises installing a system to capture and control VOCs pursuant

SECTION 2 ~~to~~ subparagraph (e)(1)(A) of this section shall also include in the compliance plan the following:

(A) a description of such system to capture and control; and

(B) a schedule for installing such system.

(3) The owner or operator of an affected portion of a premises reducing VOC use and VOC emissions pursuant to subparagraph (e)(1)(B) of this section shall also include in the compliance plan the following:

(A) with respect to each coating used in coating operations at the affected portion of a premises during calendar year 1990, the following information:

(i) the name and address of the coating manufacturer;
(ii) the coating name and identification number;
(iii) the coating density, in pounds per gallon;
(iv) the VOC content by weight in pounds;
(v) the water and exempt VOC content by weight in pounds;
(vi) solids content by volume and by weight in pounds;
(vi) the amount used, in gallons; and
(vii) the total amount of diluent used for the coating, in pounds and in gallons;

(B) a calculation of the weighted arithmetic mean of the VOC content of all coatings used at the affected portion of the premises during calendar year 1990, expressed in terms of pounds of VOCs per gallon of solids; and

(C) with respect to each coating that the owner or operator plans to use to demonstrate compliance with subparagraph (e)(1)(B) of this section, the following information:

(i) the name and address of the coating manufacturer;
(ii) the coating name and identification number;
(iii) the coating density, in pounds per gallon;
(iv) the VOC content by weight in pounds;
(v) the water and exempt VOC content by weight in pounds;
(vi) solids content by volume and by weight in pounds; and
(vii) the total amount of diluent proposed to be used for each coating, in pounds and in gallons.

(4) The owner or operator of an affected portion of a premises using alternative emission reductions or emission reduction credits pursuant to subparagraph (e)(1)(C) of this section shall also include in the compliance plan the following:

(A) the information required pursuant to section 22a-174-20(cc) of the Regulations of Connecticut State Agencies; or

(B) A description of the proposed plan to purchase emission reduction credits.

(5) The owner or operator of an affected portion of a premises using the alternative compliance plan method pursuant to subparagraph (e)(1)(D) of this section shall submit such alternative compliance plan for the Commissioner's written approval. The compliance plan shall also include the following:

(A) an examination of the technological and economic feasibility of additional VOC control devices or equipment on all sources of VOCs, including those sources excluded from

the calculation of an affected portion of a premises pursuant to subdivision (b)(3) of this section;

(B) an examination of the feasibility of changing to low VOC-emitting processes including establishing a leak detection program;

(C) the proposed amount of VOC reduction from all VOC-emitting equipment at the affected portion of the premises;

(D) An examination of the feasibility of obtaining emission reduction credits or of the feasibility of using alternative emission reductions to achieve equivalent levels of control as required by subparagraphs (e)(1)(A) or (e)(1)(B) of this section;

(E) a description of any research that will be conducted by the owner or operator to further reduce VOC emissions beyond the level of emissions proposed; and

(F) any other information the Commissioner may require pursuant to sections 22a-174-4 or 22a-174-5 of the Regulations of Connecticut State Agencies.

(e) Reasonably Available Control Technology methods.

(1) By May 31, 1995, the owner or operator of an affected portion of a premises shall perform one of the following Reasonably Available Control Technology methods on such affected portion:

(A) install and operate pursuant to subdivision (e)(2) of this section a system to capture and control VOCs ;

(B) implement a program of reformulation or process change pursuant to subdivision (e)(3) of this section to reduce VOC use and VOC emissions from surface coating sources;

(C) use alternative emission reductions or emission reduction credits, pursuant to subdivision (e)(4) of this section, in accordance with a permit or order issued the Commissioner; or

(D) implement an alternative compliance plan pursuant to subdivision (e)(5) of this section, in accordance with a permit or order issued by the Commissioner.

(2) When the owner or operator of an affected portion of a premises installs and operates a system to capture and control, then:

(A) such system shall reduce VOC emissions to the atmosphere from such affected portion by at least eighty-five percent (85%) of uncontrolled emissions;

(B) such system, if designed to destroy VOCs by incineration, shall oxidize into carbon dioxide and water at least ninety-five percent (95%) of the non-methane VOCs, measured as total combustible carbon, which enter the incinerator each hour; and

(C) such system, if designed to recover or otherwise remove VOCs, shall be operated so that the VOC mass emission rate

leaving the outlet does not exceed ten percent (10%), in the aggregate, of the VOC mass emission rate entering such system.

(3) When the owner or operator of an affected portion of a premises reformulates or changes a process or processes to reduce actual VOC use and VOC emissions, such owner or operator shall achieve, on each day that such affected portion emits VOCs, an eighty percent (80%) reduction in VOC emissions from the weighted arithmetic mean during calendar year 1990 calculated pursuant to subparagraph (d)(3)(B) for each coating used.

(4) When an owner or operator of an affected portion of a premises uses either alternative emission reductions pursuant to section 22a-174-20(cc) of the Regulations of Connecticut State Agencies or emission reduction credits, such owner or operator shall achieve equivalent emission reductions to those required by either subparagraph (e)(1)(A) or (e)(1)(B) of this section. In addition, any such use or purchase of emission reduction credits shall be consistent with the United States Environmental Protection Agency's "Economic Incentive Program Rules; Proposed Rules," of January 23, 1993 (58 FR 11110), and the United States Environmental Protection Agency's "Emission Trading Policy Statement" of December 4, 1986 (51 FR 43814). The Commissioner may only allow the use of this method through the issuance of a permit or order which shall be put into effect no later than May 31, 1995. The Commissioner shall submit such permit or order to the Administrator for approval in accordance with the provisions of 42 U.S.C. 7401-7671q. Nothing herein shall require the Commissioner to issue such order.

(5) The Commissioner may issue a permit or order to the owner or operator of an affected portion of a premises to implement an alternative compliance plan when such owner or operator demonstrates, to the Commissioner's satisfaction, through the information submitted pursuant to subdivision (d)(1) and (d)(5) of this section, that compliance with subparagraphs (e)(1)(A) through (e)(1)(C) of this section, inclusive, is not technologically or economically feasible. Such permit or order shall specify that the implementation of the approved alternative compliance plan shall be Reasonably Available Control Technology for such affected portion. Such owner or operator shall perform the alternative compliance plan and comply with such permit or order issued by the Commissioner which shall be put into effect no later than May 31, 1995. In issuing such a permit or order the Commissioner may consider the VOC emissions and the VOC emission reductions made at the affected portion of the premises after 1986. The Commissioner shall submit such permit or order to the Administrator for approval in accordance with the provisions of 42 U.S.C. 7401-7671q. Nothing herein shall require the Commissioner to issue such order.

(f) Test Methods.

(1) Upon written notification by the Commissioner of his intent to require emissions testing to demonstrate compliance with this section, the owner or operator of an affected portion of a premises shall conduct such emission tests in accordance with section 22a-174-5 of the Regulations of Connecticut State Agencies.

(2) Where an owner or operator uses a system to capture and control pursuant to subparagraph (e)(1)(A) of this section, such owner or operator shall demonstrate compliance with this section

ECTION 2by using the sampling and analytical procedures set forth in 40 CFR Part 60, Appendix A or 40 CFR Part 52.741, Appendix B.

(3) Where an owner or operator uses any Reasonably Available Control Technology methods pursuant to subparagraphs (e)(1)(B) through (e)(1)(D) inclusive, the Commissioner may require such owner or operator to demonstrate compliance with this section by:

(A) using sampling and analytical procedures set forth in 40 CFR Part 60, Appendix A;

(B) using a mass balance procedure based on known quantities of materials purchased, stored in inventory, and/or reclaimed using good engineering practice as approved by the Commissioner; or

(C) using other methods or procedures approved by the Administrator.

(g) Recordkeeping.

(1) After December 31, 1993, the owner or operator of an affected portion of a premises shall maintain for at least three years at such premises, and make available at such premises for the Commissioner's inspection upon demand, the following records:

(A) purchase records for all materials which contain VOCs and which are used or stored at such premises;

(B) when VOC emissions result from coating operations, the name of each coating, the coating density expressed in pounds per gallon or pounds per unit, the VOC content by weight of each coating, the water and exempt VOC content of each coating by weight, the amount of each coating used in gallons, and the total amount of diluent used for each coating in pounds and in gallons;

(C) when any VOC emissions testing is performed pursuant to subsection (f) of this section, the results of such testing; and

(D) any other records required to be kept by the Commissioner pursuant to a permit or order.

STATEMENT OF PURPOSE: To adopt standards for major stationary sources as required by the Clean Air Act Amendments of 1990.

CERTIFICATION
35 REV 1 77

Be it known that the foregoing:

[X] Regulations [ ] Emergency Regulations

4474

are:

[ ] 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 December 8, 1992, 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 5th, 6th & 7th day of January 1993

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 9/15/93	SIGNED *(Head of Board, Agency or Commission)* [signature]	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 [signature]	9/29/93	OFFICIAL TITLE, DULY AUTHORIZED Assoc. Atty Gen.

[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 *(Clerk of the Legislative Regulation Review Committee)* [signature]

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 18, 1993	SIGNED *(Secretary of the State.)* Pauline R. Kezer	BY Peter J. Bontime

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

NOV 18 1993

RECORDS & LEGISLATIVE SERVICES
SECRETARY OF THE STATE

SECRETARY OF THE STATE
30 TRINITY STREET
HARTFORD, CT 06106

November 22, 1993

Hon. Timothy R.E. Keeney
Commissioner of Environmental Protection
79 Elm St.
Hartford, CT 06106

Dear Commissioner Keeney:

This is to acknowledge receipt of two certified copies of the following regulation(s) issued by your department concerning:

Abatement of Air Pollution - Printing Operations

Said regulation(s) were received and filed in this office on November 18, 1993 and became effective on that date.

Very truly yours,

Peter J. Bartucca
Manager
Records & Legislative Services

PJB:lm
File