R-39 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

Environmental Protection

Concerning

ABATEMENT OF AIR POLLUTION

Amendment of:
Sections 22a-174-1(29) and (94); 22a-174-2a(e)(1); 22a-174-2a(e)(3); 22a-174-2a(f)(1); 22a-174-2a(f)(2); 22a-174-2a(f)(4); 22a-174-2a(j); 22a-174-3b(a), (b), (c), (d) and (f); 22a-174-3c(a) and (b); 22a-174-5(b), (e)(2) and (g); 22a-174-19a(a)(1), (a)(7), (g)(1) and (h)(5); 22a-174-20(m), (n), (o), (p), (q), (r), (s) and (v); 22a-174-22(a)(17), (j) and (k); 22a-174-22a(f)(5); 22a-174-22b(c); 22a-174-22b(i)(6); 22a-174-23(h); 22a-174-24(b); 22a-174-29(b), (d) and (e); and 22a-174-33(d)(3)

Sec. 29. Subdivision (3) of subsection (d) of section 22a-174-33 of the Regulations of Connecticut State Agencies is amended to read as follows:

(3) A permit or order shall not be issued pursuant to this subsection, and any such permit or order shall not be federally enforceable, unless the commissioner:

(A) Requires to owner or operator of a subject premises to comply with each provision of subdivision (2) of this subsection;

(B) For a general permit, complies with the requirements for notice and opportunity for public comment pursuant to section [22a-174(l)(2)] 22a-174 of the Connecticut General Statutes;

(C) For an individual order, sends a copy of a notice to those listed in subparagraph (D)(i) to (vi), inclusive, of this subdivision, and, at least thirty (30) days before approving or denying a proposed order under this subsection, publishes or causes to be published, at the respondent's expense, once in a newspaper having substantial circulation in the affected area, such notice of the proposed order regarding the subject premises. In addition, the commissioner may require the owner or operator to publish such notice in other media and in languages other than English. Such notice shall contain the following:

(i) the name and mailing address of the owner or operator of the subject premises and the address of the location of the proposed activity,

(ii) the draft order number,

(iii) the summary of the draft order provisions regarding the proposed activity,

(iv) the type of authorization sought, including a reference to the applicable statute or regulation,

(v) a description of the location of the proposed activity and any natural resources affected thereby,

(vi) the name, address and telephone number of any agent of the owner or operator from whom interested persons may obtain copies of the draft order,

(vii) a brief description of all opportunities for public participation provided by statute or regulation, including the length of time

available for submission of public comments to the commissioner on the draft order, and

(viii) such additional information as the commissioner deems necessary to comply with any provision of the Regulations of Connecticut State Agencies or with the Act; and

(D) For a tentative determination regarding a permit application under this subsection, other than a general permit, sends a copy of the notice required by section 22a-6h of the Connecticut General Statutes to those identified in, and as required by, section 22a-174-2a(b)(5)(A) to (G) inclusive, of the Regulations of Connecticut State Agencies.

CERTIFICATION

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 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 January 25, 2005 of the notice of the proposal to:

Adopt [x] Amend Repeal such regulations

(If applicable): [x] And the holding of a public hearing on the 1st day of March 2005

WHEREFORE, the foregoing regulations are hereby:

Adopted [x] Amended as herein above stated Repealed

Effective:

[x] When filed with the Secretary of State.

(OR)

The __ day of _____ 200_.

	DATE	SIGNED *(Head of Board, Agency or Commission)*	OFFICIAL TITLE, DULY AUTHORIZED
In Witness Whereof:	12/23/05	Gina McCarthy	Commissioner

	SIGNED	DATE	OFFICIAL TITLE, DULY AUTHORIZED
Approved by the Attorney General as to legal sufficiency in accordance with Sec. 4-169, as amended, C.G.S.:	William B. Gundling	01/09/06	Assoc. Attorney Gener

[x] Approved with technical corrections

Disapproved

Disapproved in part, *(Indicate Section Numbers disapproved only)*

Rejected without prejudice.

	DATE	SIGNED *(Clerk of the Legislative Regulation Review Committee)*
By the Legislative Regulation Review Committee in accordance with Sec. 4-170 amended, of the General Statutes.	03/28/06	Pamela B. Booth

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	SIGNED *(Secretary of the State.)*	BY

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.

Office of Secretary of the State
State of Connecticut
30 Trinity Street, P.O. Box 150470, Hartford, CT 06115-0470

RECEIVED
APR 07 2006
DEPT. OF ENVIRONMENTAL PROTECTION
OFFICE OF THE COMMISSIONER

Susan Bysiewicz
Secretary of the State

April 5, 2006

Hon. Gina McCarthy, Commissioner
Department of Environmental Protection
79 Elm Street
Hartford, CT 06105

RECEIVED
APR 12 2006
DEPT. OF ENVIRONMENTAL PROTECTION
OFFICE OF DEPUTY COMMISSIONER

Re: Agency Regulation Concerning:
Abatement of Air Pollution
Regulation Review Committee Docket Number: 2006-009
Secretary of the State File Number: 5686

Dear Commissioner McCarthy:

This is to acknowledge receipt of two certified copies of the above referenced regulation issued by the Department of Environmental Protection.

We request that you please forward the original or a copy of this acknowledgement letter to your agency's Legal Services Department for its files.

Said regulation was received and filed in this office on April 4, 2006. The effective date of this regulation is April 4, 2006.

One of the two copies has been forwarded to the Commission on Official Legal Publications as required by law.

Sincerely,

Barbara Sladek
RLS Assistant Coordinator
860-509-6147

CC: Commission on Official Legal Publications (Letter and Copy of Regulation)

File