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 #2631
OF



NAME OF AGENCY
Department of Environmental Protection

Concerning

SUBJECT MATTER OF REGULATION
Abatement of Air Pollution

SECTION 19-508-3

Section 1.

Subparagraph 19-508-3(1)(1)(vi) of the Regulations of Connecticut State Agencies is amended as follows:

19-508-3
(1(1)(vi) The requirements of paragraphs (1)(3)(ii) and (iii) may be waived for a resource recovery facility, if it can be demonstrated that the operation of the facility would not cause or exacerbate a violation of the primary National or State Ambient Air Quality Standard for particulate matter, lead, nitrogen dioxide, or sulfur dioxide and would produce a significant net environmental improvement to the satisfaction of the Commissioner. IN ADDITION, SUCH AN EXEMPTION MAY BE GRANTED ONLY IF (A) THE APPLICANT DEMONSTRATES THAT IT MADE ITS BEST EFFORTS TO OBTAIN SUFFICIENT OFFSETS, (B) THE APPLICANT APPLIES ALL OFFSETS THAT ARE AVAILABLE, AND (C) THE APPLICANT WILL CONTINUE TO SEEK THE NECESSARY OFFSETS AND APPLY THEM WHEN THEY BECOME AVAILABLE.

Section 2.

Subparagraph 19-508-3 (1)(3)(ii)(h) of the Regulations of Connecticut State Agencies is amended as follows:

19-508-3
(1)(3)(ii)(h)
The offsets must be transacted on a pounds per hour [actual] ALLOWABLE basis. The Commissioner shall consider other averaging periods, e.g., tons per year and pounds per day, in addition to the pounds per hour basis, if necessary to carry out the intent of this paragraph.

Purpose: To require resource recovery facilities to obtain available offsets and to change the basis for calculating offsets from actual emissions to emissions allowed under these regulations.

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e 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[ ] Adopted [X] Amended as hereinabove stated [ ] Repealed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 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 March 25 19 80, 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 25 day of Arpil 19 80

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 ess Whereof: | DATE 8/4/80 | 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 |

[X] Deemed Approved

AUG 14 1980

[ ] 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 10/8/80 | SIGNED *(Clerk of the Legislative Regulation Review Committee)* Elizabeth T. Bremner |
|---|---|---|

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 10, 1980 | SIGNED *(Secretary of the State)* Barbara B Kennelly | BY Laura J. Stafrogan |
|---|---|---|

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 st g 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.