**Sec. 7 The Regulations of Connecticut State Agencies are amended by deleting section 22a-174-2.**

**Sec. 8 The Regulations of Connecticut State Agencies are amended by deleting section 22a-174-3.**

**Statement of Purpose of proposed section 22a-174-1:** To consolidate in one location, to the extent practicable, the definitions of terms which are used in multiple sections of the regulations for the abatement of air pollution. This amendment also clarifies and streamlines existing definitions to allow for the implementation of federal requirements.

**Statement of purpose of Section 22a-174-2a:** To adopt regulations to establish a minor permit revision procedure for holders of Title V operating permits in accordance with 40 CFR 70.7(e)(2); and to provide adequate, streamlined, and reasonable procedures for expeditiously processing permit modifications in accordance with the conditions imposed on the Connecticut Department of Environmental Protection by the United States Environmental Protection Agency (EPA) in the proposed interim approval of the Connecticut Title V program. See proposed interim approval of the Connecticut Title V program by EPA, 61 *Federal Register* 64656 (December 6, 1996), finalized by EPA at 62 *Federal Register* 13830 (March 24, 1997). In addition, this proposal establishes modification and revision procedures for permits issued pursuant to former section 22a-174-3 or section 22a-174-3a of the Regulations of Connecticut State Agencies. This proposal also consolidates many procedural requirements that must be met prior to the issuance of new source review permits under proposed section 22a-174-3a of the Regulations of Connecticut State Agencies and Title V operating permits under section 22a-174-33 of the Regulations of Connecticut State Agencies.

**Statement of Purpose of section 22a-174-3a:** This amendment streamlines the applicability of the requirement to obtain an air permit, thereby reducing the administrative burden of having to apply for, but not obtain an air permit. This amendment provides the application requirements and standards for granting a permit and permit modification in subsections 3a(b) through 3a(m) of this section. This amendment increases the threshold for state specific program from 5 tons potential to 15 tons potential thereby reducing the burden of having to apply for permits that are not otherwise federally required. This amendment also provides for exemptions from new source review under certain specific conditions. In addition, this amendment provides the specifications for using secured emission reduction credits to offset emission increases which provides industry with flexibility while continuing to ensure compliance. In addition, this amendment distinguishes between a major modification and the requirement to obtain a permit modification or revision in accordance with subsection 22a-174-2a.

Subsection (m) has been amended to include federal Clean Air Act requirements; specifically, to incorporate Maximum Achievable Control Technology (MACT) requirements for major stationary sources of hazardous air pollutants into new source review permits pursuant to Section 112(g) of the Clean Air Act.

**Statement of Purpose for Section 22a-174-3b:** This section establishes emissions limitations, operating practices, and recordkeeping requirements for certain categories of stationary sources of air pollution to restrict emissions to levels that are not significant contributions to air pollution; and exempts such sources from the permitting process by removing owners and operators from the duty to apply for and obtain individual operating permits.

**Statement of Purpose of section 22a-174-3c:** This section establishes limitations on fuel purchase and use and coating and solvent use for certain categories of stationary sources of air pollution to restrict emissions to levels that do not contribute significantly to air pollution. An owner or operator of a source operating in compliance with this section does not need to obtain an individual operating permit or operate the source to comply with the requirements of section 22a-174-3b of the Regulations of Connecticut State Agencies.

**Statement of Purpose of section 22a-174-33:** This amendment deletes several definitions that were moved to the general definition section of the regulations for the abatement of air pollution. (See, proposed amendment to section 22a-174-1, R.C.S.A.) This amendment also deletes several procedural requirements that were consolidated into one new section, 22a-174-2a R.C.S.A. Therefore, much of the contents of the following subsections were deleted and moved into sections 22a-174-1 and 22a-174-2a R.C.S.A.: (a) definitions, (b)signatory responsibilities, (*l*) notices, (m) public hearings, (r) modifications (except for operational flexibility and off permit changes), (s) transfers, and (t) revocations. This amendment also addresses a number of issues raised by EPA in "Clean Air Act Interim Approval of Operating Permits Program; Delegation of Section 111 and 112 Standards; State of Connecticut," Proposed Rule, 61 Fed. Reg. 64651 (December 6, 1996). The EPA issues not addressed herein are addressed in proposed amendments to sections 22a-174-1 and 22a-174-3a and the addition of section 22a-174-2a R.C.S.A.

...hown that the foregoing:

☒ Regulations ☐ Emergency Regulations

...e:

☒ Adopted ☒ Amended as hereinabove stated ☒ Repealed

By the aforesaid agency pursuant to:

☐ Section 22a-6 and 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 17 20 01, of the notice of the proposal to:

☒ Adopt ☒ Amend ☒ Repeal such regulations

*(If applicable):* ☒ And the holding of a public hearing on 5th day of September 20 01

WHEREFORE, the foregoing regulations are hereby:

☒ Adopted ☒ Amended as hereinabove stated ☒ Repealed

Effective:

☐ When filed with the Secretary of State.
(OR)

☒ The 15th day of March 20 02.

| In Witness Whereof: | DATE 11-21-01 | SIGNED *(Head of Board, Agency or Commission)* | 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 Assoc. Atty/Gen 11/30/01 |

☒ 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 12/18/01 | SIGNED *(Clerk of the Legislative Regulation Review Committe* |
|---|---|---|

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 December 27, 2001 | SIGNED *(Secretary of the State.)* Susan Bysiewicz | 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 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.

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*Susan Bysiewicz*
*Secretary of the State*
*Maria M Greenslade*
*Deputy Secretary of the State*

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JAN 9 2002
Dept. of Environmental Protection
Office of the Commissioner

January 2, 2002

DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF AIR MANAGEMENT
OFFICE OF BUREAU CHIEF

JAN 1 0 2002

RECEIVED

Hon. Arthur Rocque, Jr., Commissioner
Dept. of Environmental Protection
79 Elm Street
Hartford, CT 06105

Dear Commissioner Rocque:

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

Abatement of Air Pollution.

Said regulation was received and filed in this office on December 27, 2001. The effective date of this regulation is December 27, 2001.

Very truly yours,

Peter J. Bartucca
Manager, Records and Legislative Services

PJB:lm
File

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