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STATE OF CONNECTICUT
REGULATION
OF

NAME OF AGENCY
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Concerning

SUBJECT MATTER OF REGULATION
ABATEMENT OF AIR POLLUTION

SECTION 19-508-4

SECTION 19-508-4 OF THE REGULATIONS OF CONNECTICUT STATE AGENCIES IS AMENDED AS FOLLOWS:

Section 19-508-4 Source Monitoring, Record Keeping, Reporting and AUTHORIZATION OF INSPECTION OF AIR POLLUTION SOURCES.

(a) Source Monitoring

(a)(1) The owner or operator of [an] ANY air [pollutant] POLLUTION source shall install, use, and maintain monitoring equipment [sample emissions,] establish and maintain records, and make periodic reports as prescribed HEREIN by the Commissioner [from time to time by regulation].

(a)(2) IN ADDITION TO THE REQUIREMENTS OF SUBSECTIONS (b) AND (c), THE COMMISSIONER MAY REQUIRE THE OWNER OR OPERATOR OF ANY SOURCE TO MONITOR CONTINUOUSLY AIR POLLUTANT EMISSIONS WHERE HE DETERMINES THAT EQUIPMENT AND METHODS FOR SUCH MONITORING ARE REASONABLY AVAILABLE. THE COMMISSIONER MAY DETERMINE THAT CONTINUOUS MONITORING OF AIR POLLUTANT EMISSIONS IS NOT TECHNOLOGICALLY FEASIBLE. IN SUCH CASES, THE COMMISSIONER MAY REQUIRE MONITORING OR INTERMITTENT STACK TESTING OF SUCH SOURCE IN WHATEVER REASONABLE MANNER HE DETERMINES TO BE NECESSARY TO DEMONSTRATE THE SOURCE IS IN COMPLIANCE WITH APPLICABLE REGULATIONS.

(a)(3) NOTHING IN SUBSECTIONS (a)(1) AND (a)(2) SHALL BE CONSTRUED TO REQUIRE INSTALLATION OR USE OF MONITORING DEVICES OR METHODS ON ANY SOURCE FOR THE PURPOSE OF DETERMINING COMPLIANCE WITH APPLICABLE REGULATIONS WHEN SUCH SOURCE CAN BE DEMONSTRATED, TO THE SATISFACTION OF THE COMMISSIONER, TO BE PHYSICALLY INCAPABLE OF VIOLATING SUCH REGULATIONS.

(b) [Continuous Monitoring] SMOKE AND OPACITY MONITORING

(b)(1) Effective [April 1, 1973] JANUARY 1, 1976 the owner or operator OF ANY of the following sources shall install, maintain, and operate [continuously a photoelectric or other equally effective smoke and opacity detector and recorder:] A SMOKE AND OPACITY MONITOR APPROVED

IN ACCORDANCE WITH SUBSECTION (d)(1):

(i) Fuel-burning equipment burning [No. 6 residual oil or] coal;

(ii) [Other] Fuel-burning equipment burning liquid or solid fuels having a maximum rated [capacity] HEAT INPUT of five million (5,000,000) BTU per hour or more;

(iii) Incinerators having a maximum rated INPUT [capacity] in excess of two thousand (2,000) pounds per hour;

(iv) A process source that will emit in excess of twenty-five (25) pounds per hour of particulate matter AS DETERMINED AFTER THE APPLICATION OF CONTROL EQUIPMENT, when operated at maximum rated capacity.

(v) FUEL-BURNING EQUIPMENT BURNING NO. 6 RESIDUAL OIL.

(b)(2) [Effective April 1, 1973, the owner or operator of fuel-burning sources described in subsections (b)(1)(i) and (b)(1) (ii), when those sources burn only liquid or solid fuel containing not in excess of one-half of one percent (0.5%) sulfur (Dry Basis), shall monitor sulfur oxides emissions by satisfactory evidence of the sulfur content and quantity of all fuels burned. Satisfactory evidence of sulfur content of fuels shall be determined by analysis procedures set forth in section 19-508-5. Records of sulfur content and quantity of fuels burned shall be kept current and be reported in a manner and form and at intervals which the Commissioner shall prescribe.]

THE PROVISIONS OF SUBSECTION (b)(1)(i) SHALL NOT APPLY TO:

(i) ANY COAL BURNING SPACE HEATER WHICH WAS INSTALLED IN ANY SINGLE FAMILY HOME ON OR BEFORE MAY 1, 1975 PROVIDED ONLY ANTHRACITE COAL WITH A SULFUR CONTENT OF LESS THAN 0.75% BY WEIGHT (DRY BASIS) IS USED FOR FUEL.

(ii) ANY COAL BURNING EQUIPMENT IN A COMMERCIAL ESTABLISHMENT IN REGULAR OPERATION ON OR BEFORE MAY 1, 1975, PROVIDED ONLY ANTHRACITE COAL WITH A SULFUR CONTENT OF LESS THAN 0.75% BY WEIGHT (DRY BASIS) IS USED FOR FUEL AND THAT LESS THAN SEVENTY-FIVE (75) TONS PER YEAR IS CONSUMED.

(iii) ANY COAL BURNING EQUIPMENT USED PRIMARILY FOR EDUCATIONAL OR HISTORICAL DEMONSTRATIONS OR EXHIBITS. THESE SOURCES SHALL INCLUDE, BUT ARE NOT LIMITED TO, BLACKSMITHS' FORGES, STEAM LOCOMOTIVES, AND STEAMBOATS PROVIDED, HOWEVER, THAT SAID SOURCES DO NOT BURN FUEL WHICH CONTAINS SULFUR IN EXCESS OF ONE AND ONE-HALF PERCENT (1.5%) BY WEIGHT (DRY BASIS).

(b)(3) [Effective April 1, 1973, the owner or operator of a fuel-burning source burning fuel containing in excess of one-half of one percent (0.5%) sulfur (Dry Basis) shall monitor in accordance with the provisions of sections 19-508-19 (a)(3) and 19-508-19 (a)(6).]

THE PROVISIONS OF SUBSECTIONS (b)(1) (ii) AND (b)(1)(v) SHALL NOT APPLY TO:

(i) STANDBY FUEL BURNING EQUIPMENT WHICH IS USED ONLY TO PROVIDE EMERGENCY HEAT OR POWER AND WHICH OPERATES NOT MORE THAN A TOTAL OF ONE HUNDRED SIXTY-EIGHT (168) HOURS IN ANY CALENDAR YEAR. THE COMMISSIONER MAY REQUEST SUCH PROOF AND REPORTS OF OPERATIONS AS HE DEEMS NECESSARY.

(ii) GAS TURBINES EQUIPPED WITH ANY SMOKE CONTROL APPARATUS WHICH, IN THE COMMISSIONER'S JUDGEMENT, IS ADEQUATE TO PREVENT VISIBLE DISCHARGE OF AN OPACITY GREATER THAN THAT DESIGNATED AS NO. 1 ON THE RINGELMANN CHART, OR 20% OPACITY.

(b)(4) [In addition to the requirements of subsections (b)(1), (b)(2), and (b)(3), the Commissioner may require sources to monitor continuously their air pollutant emissions where he determines that equipment and methods for such monitoring are reasonably available. Where the Commissioner determines that continuous monitoring of air pollutant emissions is not reasonably available, he may require monitoring or intermittent testing of such sources in whatever reasonable manner he determines to be necessary to demonstrate that the sources are in compliance with applicable regulations.]

THE OWNER OR OPERATOR OF ANY SOURCE LISTED IN SUBSECTION (b)(1) WHO ON OR BEFORE SEPTEMBER 1, 1974 HAS INSTALLED AND CONTINUES TO PROPERLY OPERATE A SMOKE AND OPACITY DETECTOR AND RECORDER NOT APPROVED BY THE COMMISSIONER SHALL NOT BE REQUIRED TO INSTALL A SMOKE AND OPACITY MONITOR

APPROVED BY THE COMMISSIONER UNTIL JANUARY 1, 1985. THE COMMISSIONER MAY REQUEST SUCH PROOF OF DATE OF PURCHASE AS HE DEEMS NECESSARY.

(b)(5) [Nothing in subsection (b)(4) shall be construed as requiring the installation or use of monitoring devices or methods on any source for the purpose of determining compliance with applicable regulations when such source can be demonstrated, to the satisfaction of the Commissioner, to be physically incapable of violating such regulations.]

THE COMMISSIONER MAY REVOKE OR MODIFY AN EXEMPTION UNDER SUBSECTIONS (a)(3), (b)(2)(ii) AND (iii), (b)(3) AND (b)(4) IF IT IS DETERMINED THAT REPEATED VIOLATIONS OF SUBSECTION 19-508-18 (a) OR VIOLATIONS OF ANY SPECIFIC APPLICABLE CONDITIONS IN THESE EXEMPTIONS HAVE OCCURRED OR IF IT IS DETERMINED THAT OPERATION OF THE SOURCE WILL PREVENT OR INTERFERE WITH THE ATTAINMENT OR MAINTENANCE OF APPLICABLE AMBIENT AIR QUALITY STANDARDS, CREATE A HEALTH HAZARD OR CREATE A NUISANCE.

(c) [The owner or operator of a source emitting 100 tons per year or more of pollutants shall be required to carry out an emission test or tests as prescribed by the Commissioner, within twelve months of the effective date of these regulations. Such test or tests shall be repeated at least once every two years thereafter or at such intervals as the Commissioner may specify for an individual source.

(d)] Record Keeping and Reporting

(c)(1) THE COMMISSIONER MAY REQUIRE THE SUBMISSION OF ANY RECORDS OR REPORTS OF MONITORING DATA AND OTHER INFORMATION AS HE DEEMS NECESSARY TO FULFILL THE PURPOSE AND POLICIES CONTAINED IN THESE REGULATIONS. SUCH RECORD KEEPING AND REPORTING MAY BE REQUIRED OF ANY POINT SOURCE OR ANY INDIRECT SOURCE OF AIR POLLUTION. Records and reports [prescribed] REQUIRED by the Commissioner concerning air pollutants, fuels, and operational information shall be recorded, compiled, and submitted on forms furnished or prescribed by the Commissioner. [Such records and reports] AND shall be signed or verified in writing by [the corporate president, or vice president reporting directly to the president, or highest] A ranking corporate officer or managing official with offices located in the state [or by an

equivalently responsible officer in the case of organizations other than corporations]. Such signature shall constitute personal affirmation that such officer has exercised due diligence in verifying the accuracy of the record or report and that, to the best of his knowledge and belief, the record or report is true [and] complete, [complying] AND COMPLIES fully with applicable state requirements. Such signature shall subject the responsible official to liability [under these rules and regulations] for false or misleading statements.

[(1) Emissions shall be reported in units which shall be specified by the Commissioner. Such units shall be in the same form as the units of the emission standards found in the applicable regulations (e.g. pounds per million BTU gross heat input, pounds per pound of process material, pounds per 1000 pounds of exhaust gas), or in any other meaningful units specified by the Commissioner.

(2) Commissioner may require the submission of any additional records or reports of monitoring data and other information as he deems fit and necessary to fulfill the purposes and policies contained in these regulations.

(e)] (c) (2) [All] ANY monitoring data required [by the Commissioner] OF ANY SOURCE UNDER SUBSECTION (a) or (b) OF THIS SECTION shall be kept current and in a form allowing easy inspection and shall be retained by the source for a period of [at least] three years. [In order to allow meaningful correlation of the monitoring data or other information with the applicable emission standards as set forth in these regulations, a summary of such monitoring data and information shall be submitted by the source to the Commissioner every three (3) months or at such time and in a form to be prescribed by him.]

(c) (3) THE OWNER OR OPERATOR OF ANY SOURCE DESCRIBED IN SUBSECTION (b)(1) WITH THE EXCEPTION OF FUEL BURNING EQUIPMENT HAVING A MAXIMUM GROSS HEAT INPUT CAPACITY OF LESS THAN TWO HUNDRED FIFTY MILLION (250,000,000) BTUs PER HOUR, SHALL SUBMIT TO THE COMMISSIONER ON FORMS FURNISHED OR PRESCRIBED BY HIM A REPORT SUMMARIZING OPACITY MONITORING DATA FOR THE PRECEDING THREE MONTHS. SUCH REPORTS SHALL BE DUE NOT LATER THAN THIRTY (30) DAYS FOLLOWING THE END OF EACH CALENDAR QUARTER.

(d) Approved Monitors

(d)(1) THE COMMISSIONER SHALL, FROM TIME TO TIME, PUBLISH THE DESIGN, PERFORMANCE, AND INSTALLATION SPECIFICATIONS FOR AN APPROVABLE SMOKE AND OPACITY MONITOR. NO SMOKE AND OPACITY MONITOR SHALL BE CONSIDERED APPROVED UNTIL THE MANUFACTURER HAS SUBMITTED EVIDENCE THAT THE MONITOR MEETS ALL SPECIFICATIONS REQUIRED BY THE COMMISSIONER AND UNTIL AN INDEPENDENT LABORATORY VERIFIES THAT A RANDOMLY SELECTED INSTRUMENT OR INSTRUMENTS REPRESENTATIVE OF THE INSTRUMENT FOR WHICH APPROVAL IS SOUGHT, MEETS ALL SPECIFICATIONS REQUIRED BY THE COMMISSIONER. THE COMMISSIONER RESERVES THE RIGHT TO DISAPPROVE ANY MONITOR AND TO REVOKE HIS PREVIOUS APPROVAL IF HE BELIEVES THAT THE MONITOR WILL NOT, IN FACT, MEET HIS SPECIFICATIONS.

[(f)](e) Operation

(e)(1) Equipment [or methods for monitoring a source] as may be required pursuant to [subsection (b)] THIS SECTION shall be maintained in operation at any time that the source is in operation.

[(1)](e)(2) EXCEPT FOR NECESSARY MAINTENANCE, no person shall deliberately shut down any monitoring device or method required under these regulations while the source being monitored is in operation or is emitting air pollutants, [except for necessary maintenance which cannot be accomplished when the monitored source is not in operation].

[(2)](e)(3) In the case of deliberate shut down or of a breakdown or failure of any monitoring device or method during which time the source will be in operation, all reasonable measures shall be taken to assure resumption of monitoring as soon as possible. In the event such shut down of monitoring equipment is expected, or may reasonably be expected, to continue for longer than 72 hours, and if the source is to be operated at any time during that period, the Commissioner shall be promptly notified in writing. Such notification shall specify the steps being taken to restore monitoring, the expected duration of the monitoring shut down, and the length of time that the source will be in operation during the shut down.

[(3)](e)(4) Failure of any monitoring equipment in no way relieves the owner or operator of any [emission] source from the responsibility to comply with applicable air pollutant emission regulations or standards.

[(h)](e)(5) It shall be a violation of these regulations to adjust or alter any monitoring device or method so as to falsify its readings or results.

[(g)](f) Source Inspection

(f)(1) The Commissioner or his designated agent, upon presentation of his credentials may:

(i) Enter at all reasonable times upon any public or private property, except a private residence, for the purpose of inspection and investigation to ascertain possible violations of these regulations, in accordance with constitutional limitations;

(ii) At reasonable times have access to records and may obtain copies thereof; and

(iii) At any reasonable time inspect any monitoring equipment or method and sample any emissions.

[(i) If the Commissioner has reason to believe that any emission standard is being exceeded or that any regulation is being violated, he may require such tests as he deems necessary to demonstrate compliance.]

PURPOSE: THESE CHANGES TO SECTION 19-508-4 ARE INTENDED TO:

1. EASE THE REPORTING REQUIREMENTS FOR PERSONS AFFECTED BY THIS SECTION.

2. CLARIFY THE REQUIREMENTS FOR SOURCE MONITORING, RECORD KEEPING, AND REPORTING FOR POINT SOURCES AND INDIRECT SOURCES OF AIR POLLUTION.

CERTIFICATION
R-39 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 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 May 3, 1977, 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 7th day of June 1977

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 9-30-77	SIGNED (Head of Board, Agency or Commission) Stanley J. Pac	OFFICIAL TITLE, DULY AUTHORIZED Commr.
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 Attorney General

[X] Approved OCT 3 1977

[ ] 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 10/25/77	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 of Official Legal Publications in accordance with Section 4-172, as amended, of the General Statutes.

DATE October 31, 1977	SIGNED (Secretary of the State) Gloria Schaffer	BY Louis D. Pepe

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.

Regulations
OF

Environmental Protection

CONCERNING

Abatement of Air Pollution

Received and filed in the office of the Secretary of the State

October 31, 19 77

Approved by Attorney General

October 3, 19 77

Approved by Legislative Regulation Review Committee or General Assembly

October 25, 19 77

Published in Connecticut Law Journal

November 29 19 77

[illegible] FILED

OCT 31 [illegible]

SE[illegible]