NOTE

This document contains the Connecticut regulations for the abatement of air pollution with the recently adopted revisions to the regulations that became effective April 4, 2006. This document was prepared by the State of Connecticut Department of Environmental Protection and is provided for the convenience of the reader. This is not the official version of the regulations. The official regulations are published by the State of Connecticut, Judicial Branch, Commission on Official Legal Publications in the Connecticut Law Journal. Official legal publications may by obtained from the Commission on Official Legal Publications, 111 Phoenix Ave Enfield, CT 06082 (telephone: (860) 741-3027, or www.jud.state.ct.us/colp/ColpDefault.htm**). In the event there is an inconsistency between this document and the regulations as published in the Connecticut Law Journal, the Connecticut Law Journal will serve as the official version.**

Effective April 4, 2006

Section 22a-174-5. Methods for sampling, emission testing, sample analysis, and reporting.

(a) All sampling, emission testing, and reporting shall be done in accordance with procedures prescribed by or acceptable to the Commissioner under subsection 22a-174-5(d).

(b) Sampling and emission testing methods.

(1) Analysis for the sulfur content of liquid fuels shall be done according to the American Society for Testing and Materials method D 4294, or the most current methods approved by the American Society for Testing and Materials for the analysis of sulfur content of liquid fuels.

(2) Analysis for sulfur content of solid fuel shall be done according to the most current approved methods of the American Society for Testing and Materials, as follows:

(A) Mechanical sampling by method D 2234 or the most current method approved by the American Society for Testing and Materials for mechanical sampling for sulfur content of solid fuels;

(B) Sample preparation by method D 2013 or the most current method approved by the American Society for Testing and Materials for sample preparation; and

(C) Sample analysis by method D 3176 or D 3180 or the most current method approved by the American Society for Testing and Materials for the analysis of solid fuel sulfur content.

(3) The emission testing method for sulfur dioxide emissions from stationary sources shall be that specified as Method 6 in 40 CFR 60.

(4) The emission testing method for sulfur oxides emissions from sulfuric acid plants, and from any other source as the commissioner shall determine by regulation, shall be that specified as Method 8 in 40 CFR 60.

(5) The emission testing method for particulate emissions from all stationary sources shall be that specified as Method 5 in 40 CFR 60.

(6) Emission tests for organic compound emissions including dioxin emissions shall be conducted in a manner approved by the commissioner.

(7) The emission testing method for nitrogen oxide emissions from stationary sources shall be that specified as Method 7E in 40 CFR 60.

(c) All emissions tests undertaken to comply with this section shall be made under the direction of persons qualified by training or experience in the field of sampling emissions from air pollution sources.

(d) Sampling and emission testing methods as specified in subsection (b) of this section may be modified or adjusted with the written approval of the Commissioner as required by the specific sampling conditions or needs and in accordance with good engineering practice, judgment and experience. For the purposes of demonstrating compliance with any regulation adopted under the provisions of section 22a-174 of the General Statutes, any test shall be performed with the prior approval of the Commissioner as to the test method, sampling protocol and sample analysis procedures. The Commissioner shall provide forms for obtaining prior approval of testing methods, sampling protocol and sample analysis procedures.

(e)(1) The owner or operator of a stationary source of air pollution with maximum uncontrolled emissions of any particular air pollutant greater than one hundred (100) tons per year shall be required to carry out emission tests as prescribed by the Commissioner. Such test or tests shall be conducted at such intervals as the Commissioner may specify for an individual stationary source.

(e)(2) In addition to the emission tests required in subdivision 22a-174-5(e)(1), the commissioner may require the owner or operator of any stationary source to conduct emission tests of emissions. Tests required under the provisions of subdivision 22a-174-5(e)(1) and this subdivision shall be conducted in a manner satisfactory to the commissioner. All such tests shall be conducted at the expense of the owner or operator of the pollution source being tested, and the commissioner or his representative shall be entitled to observe the tests, including initial sampling, subsequent laboratory analysis and other related procedures.

(f) Fees for visual tests.

(1) The owner or operator of a stationary source who is required to conduct an emission test under either subsection (e)(1) or (e)(2) of this section may be required to conduct a visual test through the use of a dust compound in lieu of the emission testing otherwise required. Such testing shall be conducted annually or at an interval determined by the commissioner and in a manner satisfactory to the commissioner.

(2) The owner or operator of a stationary source who, under the provisions of subdivision (1) of this subsection, is required to conduct a visual test shall pay a fee of five hundred and sixty-two dollars and fifty cents ($562.50).

(3) The commissioner may increase the fee specified in subdivision (2) of this subsection to a maximum fee of six hundred and forty-five dollars ($645.00) if the test conditions under subdivision (1) of this subsection are deemed hazardous as determined by valid Connecticut State Employee Collective Bargaining Agreements.

Effective April 4, 2006

(4) The commissioner may reduce the fee specified in subdivision (2) of this subsection to no less than three hundred and ninety-seven dollars and fifty cents ($397.50) or the fee specified in subdivision (3) of this subsection to no less than four hundred and thirty-five dollars ($435.00) if the test condition under subdivision (1) of this subsection require that the Department use one staff person to monitor the visual test under this subsection.

(5) The owner or operator of a stationary source who is required to pay a fee under this subsection shall submit such fee to the commissioner accompanied by forms furnished by the commissioner.