Sec. 22a-174-8. Compliance plans and schedules

(a) All new sources must comply with all regulations as of startup of operations.

(b)(1) Existing sources must comply with subsections 22a-174-17(b), 22a-174-18(b), 22a-174-18(d), and 22a-174-23(a) by June 1, 1972.

(b)(2) Existing sources must comply with subsections 22a-174-18(a), 22a-174-18(c), 22a-174-18(e), 22a-174-18(f), 22a-174-19(b) through (f) inclusive, 22a-174-20(a) through (e) inclusive, subdivisions 22a-174-20(f)(1), 22a-174-20(f)(2), 22a-174-20(f)(5), 22a-174-20(f)(6), 22a-174-20(f)(7), 22a-174-20(f)(8), 22a-174-20(f)(9), 22a-174-20(f)(10), 22a-174-21(a) and (b) and 22a-174-22(a)through (c) inclusive as expeditiously as practicable but not later than June 1, 1973.

(b)(3) Sources subject to subdivision 22a-174-20(f)(4) must submit to the Commissioner a proposed compliance plan and schedule by November 1, 1972, which plan must provide for compliance with appropriate regulations as expeditiously as practicable but not later than April 1, 1975. Sources that do not submit such a plan must be in compliance by June 1, 1973.

(b)(4) Fuel merchants must comply with subdivision 22a-174-19(a)(2) by September 1, 1972, and fuel users must comply with that section by April 1, 1973.

(b)(5) Paint merchants must comply with subdivision 22a-174-20(g)(1) by January 1, 1974, and paint users must comply with subdivisions 22a-174-20(g)(2) and (g)(3) by January 1, 1975.

(b)(6) The owner or operator of a source subject to the requirements of subsections 22a-174-20(*l*) through (r) must comply by October 1, 1980.

(b)(7) The owner or operator of a source subject to the requirements of subsections 22a-174-20 (s) through (w) must comply by October 1, 1981.

(c)(1) Any existing "source" required to comply with subdivision (b)(2) which is unable to comply by the

date specified therein must submit to the "Commissioner" a proposed compliance plan and schedule by October 1, 1972, which plan must provide for compliance with appropriate regulations as expeditiously as practicable but not later than April 1, 1974.

(c)(2) The owner or "operator" of any "source" which cannot comply with the requirements of subdivision (b)(6) shall submit a compliance plan by July 1, 1980 which provides for compliance as expeditiously as practicable but not later than July 1, 1982.

(c)(3) The owner or "operator" of any "source" which cannot comply with the requirements of subdivision (b)(7) shall submit a compliance plan by July 1, 1981 which provides for compliance as expeditiously as practicable but not later than July 1, 1982.

(c)(4) Notwithstanding the provisions of subdivision (b)(7) the owner or "operator" of a "source" subject to the requirements of subsection 22a-174-20(v) which has "potential emissions" of one hundred tons or less per year shall submit a compliance plan by July 1, 1984 which provides for compliance by July 1, 1985.

(c)(5) Notwithstanding the provisions of subdivisions (c)(2) and (c)(3) the "Commissioner" may accept a compliance plan with a final date of compliance not later than July 1, 1985 if the "Commissioner" determines by permit or order that the plan calls for new or innovative technology such as the use of low solvent coatings.

(d) Compliance plans and schedules pursuant to subdivision (b)(3) and (c) must:

(d)(1) be submitted on forms furnished or prescribed by the Commissioner;

(d)(2) set forth a proposed date for compliance with each applicable regulation; and

(d)(3) specify in detail the manner in which compliance will be achieved. Said schedule shall also include dates for achievement of increments of progress toward compliance and provide for the source to verify completion of each increment to the Commissioner as it is achieved.

(e) The Commissioner may approve, approve with conditions or disapprove a proposed compliance plan and schedule. The

Commissioner shall approve such plan and schedule if he determines that:

(e)(1) The source cannot comply with the regulation at any earlier time, even using the best available control technology, or cannot install such technology any earlier;

(e)(2) Adherence to such plan and schedule will not jeopardize the attainment or maintenance of a national standard by the required time;

(e)(3) The plan and schedule provide for the earliest possible compliance by the source; and

(e)(4) The plan and schedule provide for interim control measures to be taken before the compliance date.

(f) If the Commissioner rejects a proposed plan and schedule or portion thereof, then the source or sources involved must be in compliance with applicable regulations not later than October 1, 1980.

(g) All decisions of the Commissioner regarding a proposed plan and schedule shall be in writing and shall briefly state the basis for the decision.

(h) The commissioner shall issue periodic reports at intervals of not less than once a month, available on request to any interested party, which shall contain information regarding:

(h)(1) proposed compliance schedules received; and

(h)(2) determinations of the Commissioner regarding such schedules.

(i) Following submission to the Commissioner of a proposed compliance plan and schedule, any person may file written objections to the plan, in whole or in part, specifying the basis for those objections. The Commissioner may, at his discretion and after appropriate notice, hold public hearings upon proposed compliance plans and schedules.

(j) The commissioner shall, if petitioned by a minimum of twenty-five (25) persons or by an association having not less than twenty-five members, hold an investigative hearing once each

calendar year beginning January 1, 1980 for the purpose of determining the feasibility of expanding the applicability of the provisions of subsection 22a-174-20(cc) concerning alternative emission reduction plans for volatile organic compounds to other sections of these regulations to permit owners and operators of stationary sources to submit alternative emission reduction plans for other pollutants consistent with the requirements of the administrator. The hearing shall be conducted in accordance with section 22a-4-8 of the regulations of Connecticut state agencies.