

Notice of Intent to Amend Regulations of Connecticut State Agencies and to Revise the State Implementation Plan for Air Quality

The Commissioner of Environmental Protection hereby gives notice of a public hearing as part of a rulemaking proceeding. The purpose of this proceeding is to amend two sections of the Regulations of Connecticut State Agencies (“R.C.S.A.”) concerning the abatement of air pollution. The public hearing will address proposed amendments to R.C.S.A. section 22a-174-4 concerning source monitoring, record keeping and reporting and R.C.S.A. section 22a-174-7 concerning air pollution control equipment and monitoring equipment operation. These amendments will be submitted to the U.S. Environmental Protection Agency (“EPA”) for review and approval as revisions to the State Implementation Plan (“SIP”) for air quality required by the Clean Air Act Amendments of 1990 (“CAA”). The proposed amendments are described in detail below.

All interested persons are invited to comment on the proposed amendments. Comments should be submitted to the Department of Environmental Protection, Bureau of Air Management, Planning and Standards Division, 79 Elm Street, Hartford, Connecticut 06106-5127. All comments should be directed to the attention of Ellen Walton and must be received by 4:30 PM on October 25, 2002. Comments may be submitted by post, facsimile to (860) 424-4063 or by electronic mail to ellen.walton@po.state.ct.us.

R.C.S.A. section 22a-174-4 – Source monitoring, record keeping and reporting: The amendment to R.C.S.A. section 22a-174-4 (“Section 4”) clarifies an owner or operator’s obligation to monitor air pollutant emissions at a source. The amendment focuses Section 4 only on continuous emission monitoring equipment by making two revisions: (1) all provisions for general monitoring equipment are removed and incorporated into the corresponding amendment of R.C.S.A. section 22a-174-7; and (2) continuous emission monitoring provisions are updated with relevant portions of current Department guidelines. The amendment also revises overall format for consistency with current Department practices.

R.C.S.A. section 22a-174-7 – Air pollution control equipment and monitoring equipment operation: The amendment to R.C.S.A. section 22a-174-7 clarifies the necessary operation of air pollution control equipment and general monitoring equipment required to verify compliance with all emission standards and limitations. Specifically, the amendment: (1) conforms the notification, reporting and compliance requirements for operation of both air pollution control equipment and monitoring equipment to current Department programs and practices; (2) adds the requirements for monitoring equipment from the corresponding amendment of Section 4; (3) states clearly that notice of failure of air pollution control equipment does not excuse a source owner or operator from complying with any required emission limit; and (4) eliminates requirements that are redundant of R.C.S.A. section 22a-174-38 concerning municipal waste combustors.

In addition to accepting written comments, the Department of Environmental Protection will also hold the public hearing described below. Any person appearing at the hearing is requested to

submit a written copy of his or her statement. However, oral comments will also be made a part of the hearing record and are welcome.

PUBLIC HEARING
October 23, 2002 at 9:30 AM
Department of Environmental Protection, 5th Floor, Holcombe Room
79 Elm Street, Hartford, CT

Copies of the amendments described above are available for public inspection during normal business hours and may be obtained from Ellen Walton at the Bureau of Air Management, Planning and Standards Division, 5th Floor, 79 Elm Street, Hartford, CT. Additional copies are also available for review at Law Reference Desk at the Connecticut State Library, Torrington Public Library, New London Public Library and Bridgeport Public Library. For further information, contact Ellen Walton of the Bureau of Air Management at (860) 424-3027.

The Department of Environmental Protection supports the goals of the Americans with Disabilities Act of 1990 ("ADA"). Any individual who needs auxiliary aids for effective communication during this public hearing or in submitting public comments should contact Betty Lirot, ADA Coordinator at (860) 424-3035 or TDD (860) 424-3333 at least one week before the public hearing.

The authority to adopt these amendments is granted by sections 22a-6 and 22a-174 of the Connecticut General Statutes ("C.G.S."). This notice is required pursuant to C.G.S. sections 22a-6 and 4-168 and 40 C.F.R. section 51.102.

August 30, 2002
Date

/s/ Arthur J. Rocque , Jr.
Arthur J. Rocque, Jr.
Commissioner