**RCSA Section 22a-174-4 (Section 4)**

**Draft Table of Issues and Recommendations and**

**Mapping Tool**

**January 2021**

Subsections by color

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| **Topic** | **Current section 4 citation** | **Issue** | **Recommendation** | **Revised November draft section 4 citation** | **Existing / new / modified / moved / deleted language**  |
| --- | --- | --- | --- | --- | --- |
| Definitions | Subsection (a) | Need to update the definitions for section 4. | Revise outdated definitions and delete definitions that are no longer needed or used in the regulation. Include definitions that are needed in the amended regulation. | Subsection (a) | New, modified, existing |
| Applicability per pollutant basis | NA | Need to make section 4 applicable on a per pollutant basis. | Change the language in several places of section 4 to indicate that the regulation applies on a per pollutant basis. | Throughout section 4 | New |
| Reporting | Subsection (d)(1) | Current section 4 encompasses source monitoring in general, as the title of the regulation indicates. It is widely used to provide authority for monitoring. However, the regulation makes emphasis on continuous emissions monitors. A general applicability provision is needed to cover all monitors then a more specific applicability follows for CEMS and COMS. | Move this provision from the recordkeeping and reporting subsection to the beginning of the applicability subsection to include a general provision for the applicability of all sorts of monitors as the first subdivision of the applicability subsection. | Subsection (b)(1) | Existing, moved |
| Applicability | NA | Lack of real applicability of the regulation and focus on opacity monitors. Need to introduce applicability for CEMS. | Include a provision under the applicability subsection that makes section 4 applicable to all sources required to install, operate and maintain a COMS or CEMS to monitor a pollutant by a federal regulation; or a regulation, permit or order issued by the State of Connecticut. | Subsection (b)(2) | New |
| Applicability | Subsection (b)(1)(A)-(D) | Applicability for opacity monitors is included in current section 4. | No action needed. | Subsection (b)(3)(A)-(D) | Existing |
| Applicability | Subsection (c)(1)-(2) | Subdivisions (1) and (2) of subsection (c) seem to fit better under the applicability subsection (b). | Move section 4(c)(1) and section 4(c)(2) to subsection (b). | Subsection (b)(4)-(5) | Existing, modified, moved |
| Exemptions | Subsection (b)(2)(A)-(C) | Exemptions are not clear, and they are not consolidated in one separate subsection. | Consolidate and clarify all the exemptions into one subsection. | Subsection (c)(1)(A)-(C) | Existing, moved |
| Exemptions | Subsection (b)(3)(A)-(B) | Exemptions are not clear, and they are not consolidated in one separate subsection. | Consolidate and clarify all the exemptions into one subsection. | Subsection (c)(2)(A)-(B) | Exiting, moved |
| Exemptions | Subsection (b)(5)(A)-(D) | Exemptions are not clear, and they are not consolidated in one separate subsection. | Consolidate and clarify all the exemptions into one subsection. | Subsection (c)(3)(A)-(D) | Existing, moved |
| Exemptions | Subsection (b)(6) | Exemptions are not clear, and they are not consolidated in one separate subsection. | Consolidate and clarify all the exemptions into one subsection. | Subsection (c)(4) | Existing, moved |
| Exemptions | Subsection (e) | Exemptions are not clear, and they are not consolidated in one separate subsection. This provision provides an exemption. | Consolidate and clarify all the exemptions into one subsection. Move subsection (e) to subsection (c), exemptions. | Subsection (c)(5) | Existing, moved |
| Exemptions | Subsection (f)(1)-(3) | Exemptions are not clear, and they are not consolidated in one separate subsection. These provisions provide an exemption. | Consolidate and clarify all the exemptions into one subsection. Move subsection (f) and subdivisions (1) through (3) to the exemptions subsection (c). | Subsection (c)(6)(A)-(C) | Existing, moved |
| Performance specifications | Subsection (c)(4) | Lack of clearly defined performance specifications for CEMS and COMS. | Include a reference to the appropriate federal regulations that define the performance specifications or CEMS and COMS. | Subsection (d)(1)(A) and (B) | New |
| Performance specifications | Subsection (c)(4)(A) | Performance specifications and quality assurance requirements are defined under one subdivision of the same subsection of the current version of section 4. | Separate the performance specifications for Part 60 and Part 75 sources and move to a new subsection for performance specifications, independent from the quality assurance requirements. | Subsection (d)(2) | Modified, moved |
| Performance specifications | Subsection (c)(4) | Lack of performance specifications for pollutants not included in 40 CFR 60, Appendix B. | Include a provision for pollutants not included in 40 CFR 60, Appendix B. | Subsection (d)(3) | New |
| Performance specifications | Subsection (c)(4)(B) | Language from the federal regulations is repeated. | Delete the language from the federal regulation and just include a reference to the right Part and/or Appendix of the corresponding federal regulation. | NA | Deleted |
| Monitoring plan | Subsection (c)(3)(A)-(D) | Lack of clearly defined guidelines to elaborate an initial monitoring plan and a revised monitoring plan. | Clearly define the necessary elements required in an initial monitoring plan and in a revised monitoring plan. | Subsection (e)(1) and (2) | New, existing, modified, moved |
| Monitoring plan | Subsection (c)(3)(A)-(D) | Lack of a link between the monitoring plan portion of section 4 and the monitoring, reporting and record keeping requirements of section 4. | Include clear links between the monitoring plan subsection and the reporting and record keeping subsections, including the timeline for submission of these plans and the records that the sources need to keep. | Subsection (e)(1)-(5) | New |
| Monitoring plan | Subsection (c)(3)(A)-(D) | Need to obtain initial or revised monitoring plans for all owners or operators of CEMS or COMS in Connecticut. Not all sources have a monitoring plan reviewed by the Department, and there is no authority to request one at this time. | Include a clear requirement to request monitoring plans for all sources that operate CEMS or COMS in Connecticut. | Subsection (e)(4) | New |
| Quality assurance requirements | Subsection (c)(4) | Lack of quality assurance requirements for CEMS as the current section 4 focuses on COMS (opacity CEM). | Include quality assurance requirements for CEMS and include the reference to the federal regulation that defines the required elements of quality assurance for COMS. | Subsection 4(f)(1)-(5) | Existing, modified, moved, new |
| Quality assurance requirements | Subsection (c)(4) | Lack of link between the quality assurance portion of section 4 and the reporting and record keeping requirements of section 4. | Include clear links between the quality assurance subsection and the reporting and record keeping subsections, including the timeline for submission of the QA requirements. | Subsection (f) | New |
| Quality assurance requirements | Subsection (c)(4)(A) | Sources subject to 40 CFR 75 should follow the quality assurance requirements of this federal regulation. | Improve the language in this provision and move it to a separate subsection for quality assurance requirements. | Subsection (f)(2)(A) | Existing, modified, moved |
| Quality assurance requirements | Subsection (c)(4) | The portion of the federal regulation that covers the quality assurance procedures required for CEMS and COMS that are not subject to 40 CFR 75 should be specified. | Include new provisions that references the portion of the federal regulation that the owners or operators of CEMS and COMS should follow to comply with the quality assurance requirements. | Subsection (f)(2)(B) | New |
| Quality assurance requirements | Subsection (c)(4)(B) | The language for quality assurance requirements for COMS does not have to be set out in section 4. | Include references to the appropriate federal regulations and delete the details from section 4. | NA | Deleted |
| Quality assurance requirements | Subsection (c)(4)(C) | The language for invalid data does not have to be specified in section 4 since it is included in the federal regulation. | Include references to the appropriate federal regulations and delete the details from section 4. | NA | Deleted |
| Data availability | Subsection (c)(5)(A) | Need to extend the data availability provisions of the regulation to owner/operators of CEMS. | Include a provision for owners or operators of CEMS to meet the data availability requirements of section 4. | Subsection (g)(1) | Existing and modified |
| Data availability | Subsection (c)(5)(A)(i) | No issue. | No recommendation. | Subsection (g)(2) | Existing |
| Data availability | Subsection (c)(5)(A)(ii) | No issue. | No recommendation. | Subsection (g)(4) | Existing, modified, moved |
| Data availability | Subsection (c)(5)(A)(iii) | No issue. | No recommendation. | Subsection (g)(3) | Existing, modified, moved |
| Data availability | Subsection (c)(5)(A)(iv) | Need to correct the definition of monitoring downtime. | Fix the definition of monitoring downtime. | Subsection (g)(5) | Existing, modified, moved. |
| Data availability | Subsection (c)(5)(B), (C), (D) | It was not the intent of section 4 to give an automatic exemption to the sources mentioned in subparagraphs (B) and (C) of the current version of section 4. | Amend the language of section 4 to allow the Department some enforcement discretion. | Subsection (g)(6) | Modified |
| Data availability | NA | Need to include a provision for out-of-control periods. | Include a new provision for out-of-control periods. | Subsection (g)(7) | New |
| Recordkeeping and reporting | Subsection (d) | Lack of link between the recordkeeping and reporting portion of section 4 and all other requirements in section 4. | Include clear links between the recordkeeping and reporting subsections and all the other requirements in section 4. | Subsection (h) and (i) | Existing, new, modified, moved. |
| Recordkeeping | Subsection (d)(3) | Need to have two separate subsections for recordkeeping (h) and reporting (i). | Include a new subsection (h) with a general provision for recordkeeping. | Subsection (h) | Existing, moved. |
| Reporting | Subsection (d)(2) | Need to keep the provision but also to fix a reference to the right regulation of Connecticut State Agencies. | Reference the correct regulation of Connecticut State Agencies. | Subsection (i)(8) | Existing, modified, moved. |
| Reporting | Subsection (d)(4)(A)-(D) | This subdivision is incomplete. | Re-write this provision and make it more specific and complete. | Subsection (i)(4)(A)-(D) | Deleted and new |
| Reporting | Subsection (d)(5) | The language in this subdivision can be improved. | Re-write this provision and improve the current language. | Subsection (i)(3) | Modified and moved |