

The Honorable Robert W. Varney
Regional Administrator
U.S. Environmental Protection Agency
EPA New England, Region I
1 Congress Street, Suite 1100
Boston, Massachusetts 02114-2023

Re: ***Revision to State Implementation Plan -- Connecticut Ozone Attainment Plans; and
Revision to the State Plan for Large Municipal Waste Combustors.***

Dear Administrator Varney:

Pursuant to 40 C.F.R. Part 51, Appendix V, Section 2.1(a), I am submitting an original and five copies of this letter and supporting materials on behalf of the State of Connecticut Department of Environmental Protection ("Department") to request that the United States Environmental Protection Agency ("EPA") approve the attached revision to the Connecticut State Implementation Plan ("SIP") for air quality. In addition, pursuant to Sections 111 and 129 of the Clean Air Act and 40 CFR 60, subpart B, I am submitting a request for EPA to approve the enclosed regulation as a revision to the State Plan for Large Municipal Waste Combustors.

SIP Revision

This Revision supplements a plan for Connecticut's compliance with the 1-hour ozone national ambient air quality standard (NAAQS). The Revision consists of four elements: (1) the Post-99 Rate of Progress Plan; (2) oxides of nitrogen ("NOx") reductions at municipal waste combustion facilities; (3) a commitment to pursue two additional control measures to eliminate the "shortfall" of emission reductions identified by EPA; and (4) a commitment to submit a mid-course review to EPA by December 31, 2004.

Post-99 Rate of Progress Plan

The Post-1999 ROP Plan, included as Enclosure A, provides SIP documentation demonstrating that adopted control measures will produce sufficient emission reductions by 2007 in Southwest Connecticut to meet the rate-of-progress (ROP) and contingency measure requirements of the Clean Air Act, as amended in 1990 (CAA).

NOx Reductions at Municipal Waste Combustor Facilities

The amendment to Section 22a-174-38 of the Regulations of Connecticut State Agencies ("R.S.C.A.") effective in the state on October 26, 2000 establishes NOx emission limits and related provisions to reduce NOx emissions in 2003 from all (i.e., both large and small) municipal waste combustor ("MWC") facilities. Section 22a-174-38, included as Enclosure B, is submitted for approval into the SIP so that Connecticut may receive credit towards compliance with the 1-hour ozone NAAQS, and thus includes for approval NOx limits required of MWC

units in 2003. Emission limits and related provisions for pollutants other than NO_x are stricken from the text of this version.

Additional Control Measures

The Department is currently pursuing the regulatory adoption process to finalize two additional control measures in order to eliminate the EPA-identified emission reduction shortfalls in Southwest Connecticut and attain the 1-hr ozone NAAQS. The measures the Department commits to pursue approval to adopt are (1) additional restrictions on VOC emissions from mobile equipment refinishing operations and (2) requirements to reduce VOC emissions for certain consumer products, both as based on model rules included at Enclosure D. Together with the MWC NO_x requirements described above, these measures will achieve reductions that satisfy the EPA-identified attainment shortfall.

Mid-Course Review

The Department's February 8, 2000 SIP revision included a commitment to complete and submit mid-course reviews for the Southwest Connecticut and Greater Connecticut nonattainment areas by the end of 2003. However, in light of the revised compliance date for the NO_x SIP Call, the Department is hereby amending that commitment to include a mid-course review submittal date of December 31, 2004.

This SIP revision package includes a hearing report, together with the following attachments, prepared in satisfaction of the requirements of 40 C.F.R. Part 51, Appendix V, Section 2:

1. List of Commentors
2. A statement and explanation of the revision entitled "Updates to the Ozone Attainment Plans for the Southwest Connecticut and Greater Connecticut Ozone Nonattainment Areas;"
 - Enclosure A – Post 1999 Rate-of-Progress (ROP) Plan for Southwest Connecticut
 - Enclosure B – Municipal Waste Combustor Regulation: SIP Revision
 - Enclosure C – Ozone Transport Commission (OTC) Model Rule Report
 - Enclosure D – OTC Model Rules
3. Notice of Public Hearing; and
4. Certification of Public Hearing.

In addition, by way of this letter, the Department is finalizing the report "Reasonably Available Control Measures (RACM) Analysis for the Connecticut Portion of the NY-NJ-CT Severe Ozone Nonattainment Area", previously submitted to EPA on August 2, 2001. The EPA proposed to approve the RACM analysis on August 10, 2001 (66 FR 42172) and no comments were received during the public review period.

Revision to the State Plan for Large Municipal Waste Combustors

In addition to the SIP revision package, this submission includes a second version of Section 22a-174-38 submitted as requested by EPA to replace the version submitted on November 28, 2000 as a revision of the State Plan for Large MWCs. The version includes the 2003 NOx limits also submitted with the SIP revision package. Since small and new MWC units are not subject to the requirements of 40 CFR Part 60, Subpart Cb, such provisions are not submitted for approval within the State Plan for Large MWCs. Those provisions of Section 22a-174-38 are stricken from the text and include standards for units constructed after September 20, 1994, more stringent state mercury limits and a shutdown provision for mass burn refractory MWC units.

Please call Carmine DiBattista, Chief of the Bureau of Air Management, at 860-424-3026 if the Department may provide assistance in the approval of this SIP revision or this revision to the State Plan for Large MWCs. Thank you for your consideration.

Sincerely,

Arthur J. Rocque, Jr.
Commissioner
Department of Environmental Protection

AJR/MAG/mag

Enclosures

cc: Michael Kenyon
Carmine DiBattista
David Wackter