IMPORTANT: Read Instructions on bottom of Certification Page before completing this form. Failure to comply with instructions may cause disapproval of proposed Regulations.

STATE OF CONNECTICUT
REGULATION
OF

4474

ORIGINAL

NAME OF AGENCY

Department of Environmental Protection

Concerning

SUBJECT MATTER OF REGULATION

Abatement of Air Polution - Control of Organic Compounds

SECTION 1

Subsection 22a-174-20(ee) of the Regulations of Connecticut State Agencies is amended to read as follows:

(ee) ["]Reasonably Available Control Technology["] for [large] MAJOR ["]sources.["].

(ee)[(1)] The owner or ["]operator["] of any ["premise"] PREMISES with ["]potential emissions ["of one hundred (100) tons per year or more] of ["]volatile organic compounds["] shall use ["]Reasonably Available Control Technology["] IN ACCORDANCE WITH THE PROVISIONS OF SECTION 22A-174-32 OF THE REGULATIONS OF CONNECTICUT STATE AGENCIES on each [all unregulated] source to limit the discharge of ["]volatile organic compounds["] UNLESS ALL THE SOURCES EMITTING VOLATILE ORGANIC COMPOUNDS AT SUCH PREMISES ARE REGULATED BY:

(1) SUBSECTIONS (a), (b) OR (1) THROUGH (y), INCLUSIVE, OF SECTION 22A-174-20 OF THE REGULATIONS OF CONNECTICUT STATE AGENCIES;

(2) SECTION 22A-174-30 OF THE REGULATIONS OF CONNECTICUT STATE AGENCIES; OR

(3) AN ORDER TO IMPLEMENT REASONABLY AVAILABLE CONTROL TECHNOLOGY ISSUED BY THE COMMISSIONER PURSUANT TO THIS SUBSECTION PRIOR TO NOVEMBER 15, 1992 AND APPROVED BY THE ADMINISTRATOR PRIOR TO MAY 31, 1995. AN ORDER OR PERMIT TO LIMIT POTENTIAL EMISSIONS OF VOLATILE ORGANIC COMPOUNDS TO LESS THAN 100 TONS PER YEAR FOR ANY TWELVE (12) CONSECUTIVE MONTHS SHALL NOT BE CONSIDERED AN ORDER TO IMPLEMENT REASONABLY AVAILABLE CONTROL TECHNOLOGY.

[by December 31, 1985 unless a compliance plan is filed under subdivision (ee)(3) of section 22a-174-20. In calculating "potential emissions" of a "stationary source" any physical or operational restriction on the capacity of the source to emit a pollutant, including air pollution control equipment, or restrictions on production rates, hours of operation, and types of materials processed, stored or combusted which limit the maximum rated capacity shall be treated as part of its design if the limitation or the effect the limitation would have on emissions is "federally enforceable."

(ee)(2) For the purpose of determining the "potential emissions" from a "premise", the emissions from any "stationary source" which must meet any provisions of subsection (a), (b) or (1) through (y) inclusive of section 22a-174-20 shall not be included.

(ee)(3) The "Commissioner" may allow the owner or "operator" of any "premise" subject to the provisions of subdivision 22a-174-20(ee)(1) to submit a compliance plan by July 1, 1985

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which demonstrates compliance with "reasonably available control technology" as expeditiously as practicable but not later than December 31, 1987. The "Commissioner" may, by permit or order, accept restrictions on emissions such that the emissions for any twelve (12) consecutive months do not exceed one hundred (100) tons per year in lieu of requiring the use of "reasonably available control technology" only for those "premises" which have not had "actual emissions" in excess of one hundred (100) tons for any year since 1980.

(ee)(4) The "Commissioner" shall provide public notice and a public hearing for any compliance determination under subdivision 22a-174-20(ee)(1) or acceptance of a compliance plan under subdivision 22a-174-20(ee)(3). The "Commissioner" shall issue an order requiring the use of "reasonably available control technology" and submit any such order for approval by the "administrator" in accordance with the provisions of 42 U.S.C. 7401-7642.]

The Regulations of Connecticut State Agencies are amended by the addition of Section 22a-174-32 as follows:

(NEW)

Section 22a-174-32. Reasonably Available Control Technology for volatile organic compounds.

(a) Definitions. For the purposes of this section:

"Affected portion" or "affected portion of a premises" means any source or combination of sources at a premises the emissions of which are included as potential emissions of volatile organic compounds in accordance with subsection (b) of this section.

"CFR" means Code of Federal Regulations.

"CTG" or "control techniques guideline" means a document published by the Administrator in accordance with Section 108 of the federal Clean Air Act describing techniques for controlling volatile organic compound emissions.

"System to capture and control" means a system to capture, convey and control VOC emissions released by VOC-emitting equipment, including any device that destroys, recovers, or otherwise removes VOC emissions and permanently reduces VOC emissions into the atmosphere.

"Uncontrolled VOC emissions" means VOC emissions from the affected portion of a premises prior to the application of a system to capture and control.

"VOC" means volatile organic compound.

"VOC-emitting equipment" means any equipment, building, or activity that results in the emission of volatile organic compounds through a stack or as fugitive emissions.

(b) Applicability.

[illegible]HCATION
[illegible]EV. 1 77

4474

[illegible] known that the foregoing:

[X] Regulations [ ] Emergency Regulations

[illegible]re:

[illegible]dopted [X] Amended as hereinabove stated [ ] Repealed

By the aforesaid agency pursuant to:

[X] Section 22a-174 of the General Statutes.

[ ] Section _____ of the General Statutes, as amended by Public Act No. _____ of the _____ Public Acts.

[ ] Public Act No. _____ of the Public Acts.

After publication in the Connecticut Law Journal on December 8, 1992, of the notice of the proposal to:

[ ] Adopt [X] Amend [ ] Repeal such regulations

(If applicable): [X] And the holding of an advertised public hearing on 5th, 6th & 7th day of January 1993

WHEREFORE, the foregoing regulations are hereby:

[ ] Adopted [X] Amended as hereinabove stated [ ] Repealed

Effective:

[X] When filed with the Secretary of the State.

(OR)

[ ] The _____ day of _____ 19____.

[illegible]n Witness Whereof:	DATE 9/15/93	SIGNED *(Head of Board, Agency or Commission)* [illegible]	OFFICIAL TITLE, DULY AUTHORIZED Deputy Commissioner
Approved by the Attorney General as to legal sufficiency in accordance with Sec. 4-169, as amended, C.G.S.:	SIGNED [illegible]	9/24/93	OFFICIAL TITLE, DULY AUTHORIZED Assoc. Atty Gen.

[illegible]pproved

[ ] Disapproved

[ ] Disapproved in part, *(Indicate Section Numbers disapproved only)*

[ ] Rejected without prejudice.

By the Legislative Regulation Review Committee in accordance with Sec. 4-170, as amended, of the General Statutes.	DATE 11/16/93	SIGNED *(Clerk of the Legislative Regulation Review Committee)* [illegible]

Two certified copies received and filed, and one such copy forwarded to the Commission on Official Legal Publications in accordance with Section 4-172, as amended, of the General Statutes.

DATE November 18, 1993	SIGNED *(Secretary of the State.)* Pauline R. Kezer	BY Peter J. Boulter

INSTRUCTIONS

1. One copy of all regulations for adoption, amendment or repeal, except emergency regulations, must be presented to the Attorney General for his determination of legal sufficiency. Section 4-169 of the General Statutes.

2. Seventeen copies of all regulations for adoption, amendment or repeal, except emergency regulations, must be presented to the standing Legislative Regulation Review Committee for its approval. Section 4-170 of the General Statutes.

3. Each regulation must be in the form intended for publication and must include the appropriate regulation section number and section heading. Section 4-172 of the General Statutes.

4. Indicate by "(NEW)" in heading if new regulation. Amended regulations must contain new language in capital letters and [illegible]eleted language in brackets. Section 4-170 of the General Statutes.

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NOV 18 1993

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SECRETARY OF [illegible]