

Instructions for Completing the CAIR Permit Application

Use these instructions to complete the permit application form DEEP-CAIR-APP-400, prepare supporting documents and publish the applicant's notice of permit application. These instructions are not a substitute for the requirements of the relevant statutes and any regulations thereunder. You should review all applicable laws prior to completing this application. Remember, it is your responsibility to comply with all applicable laws.

Introduction

The Clean Air Interstate Rule (CAIR) is intended to reduce regional transport of pollutants and assist downwind nonattainment areas in achieving the National Ambient Air Quality Standards. As of May 1, 2009, the CAIR Nitrogen Oxides (NO_x) Ozone Season Trading Program established in section 22a-174-22c of the Regulations of Connecticut State Agencies will replace the Post-2002 NO_x Budget Program established in section 22a-174-22b of the Regulations of Connecticut State Agencies.

CAIR permit applications will be incorporated into a facility's Title V operating permit as a complete and separable portion of the Title V operating permit. CAIR permits will be administered in accordance with section 22a-174-33(s). For further information concerning CAIR permits, please contact the Bureau of Air Management's Engineering Section at 860-424-4152.

Who Needs a Permit?

Any CAIR NO_x Ozone Season source (as defined in 40 Code of Federal Regulations 96.302) required to have a Title V operating permit shall obtain a CAIR permit. Each CAIR NO_x Ozone Season unit (as defined in section 22a-174-22c of the Regulations of Connecticut

State Agencies) shall be included in the CAIR permit.

An operator or owner seeking a CAIR permit must submit a complete CAIR permit application package. For a CAIR NO_x Ozone Season source with more than three years remaining on the facility's Title V operating permit term, the CAIR permit will be incorporated into the Title V operating permit as a modification to such permit in accordance with section 22a-174-33(s) and section 22a-174-2a(d) of the Regulations of Connecticut State Agencies. For a CAIR NO_x Ozone Season source with less than three years remaining on its Title V operating permit, the CAIR permit will be incorporated into the Title V operating permit at the time of renewal in accordance with section 22a-174-33(s) of the Regulations of Connecticut State Agencies. The CAIR permit expiration date will be the same as the Title V operating permit expiration date.

Any person proposing to continue operating a previously permitted CAIR NO_x Ozone Season source must apply for renewal of the existing permit by submitting a sufficient permit application at least twelve months prior to the expiration date of the existing permit. If your application is or may be untimely, (i.e., submitted less than twelve months before the expiration date), please refer to section 22a-6j of

the Connecticut General Statutes (CGS). If a renewal application is not submitted prior to the expiration date of the existing permit, then the existing permit is deemed to have expired.

If you are applying for a *modification* or a *minor permit amendment* of an active, valid permit, you may be required to submit certain parts of, or an entire, individual permit application. For further information concerning modifications, please contact the Bureau of Air Management's Engineering Section at 860-424-4152.

Notice of Permit Application

Section 22a-6g CGS imposes public notification requirements on applicants for certain permits issued by the Department of Energy and Environmental Protection (DEEP).

In order to comply with these requirements, you must:

1. Immediately after you submit your application to DEEP, publish notice of the permit application in a newspaper of general circulation in the area potentially affected by the activity that is the subject of your permit application. Refer to the following list [newspaper of general circulation](#) for newspapers of general circulation in Connecticut. This notice must follow the format appearing at the end of these notice instructions. The format contains instructions in brackets. You must insert the appropriate information to replace the instructions in the brackets. Be sure to *delete* all instructions that are specified in brackets, in bold and in uppercase type. When a choice is specified in brackets, do not include any of the words in brackets unless they specifically apply to the activity you intend to conduct.
2. Send a copy of the notice to the chief elected official of the municipality in which the regulated activity is proposed. The chief elected official is generally the mayor, 1st selectman, town manager or the chairman or president of the town council, depending on the form of government of the municipality. Specific information for each municipality is listed in The State Register and Manual (often referred to as the Blue Book), which is available on the Secretary of the State's website (<https://portal.ct.gov/SOTS>), and is also usually available at town clerk's offices, the State Library and public libraries. The Secretary of the State's website also has a list of mayors and first selectmen available at [Find Your Town Clerk Registrar of Voters and Elected Officials](#). If you have questions, you can call the Secretary of the State's office at 860-509-6190 or the town clerk of the appropriate municipality.
3. Include a copy of the published notice of permit application and a completed [Certification of Notice Form - Notice of Application](#) (DEEP-APP-005A) as Attachment AA to the permit application.

The copy of the published notice of permit application must be a photocopy of the page of the newspaper where the notice was published that displays the notice, the name of the newspaper and the date of publication.

The [Certification of Notice Form - Notice of Application](#) asks you to:
 - a) specify the date and newspaper in which the notice was published;
 - b) certify that a copy of the notice was provided to the chief elected municipal official; and
 - c) identify the municipal official(s) to whom the notice was provided.

If you have any questions about these notice requirements contact the Engineering Section at 860-424-4152.

Your application will be considered insufficient **until** DEEP receives the copy of the notice as described above and a completed Certification of Notice Form - Notice of Application.

In addition, DEEP may notify you that other forms of notice are required, including the posting of a sign in accordance with section 22a-6/ CGS.

The applicant is responsible for publishing legal notice in accordance with the requirements of [CGS section 22a-6g](#). and all applicable laws.

Also, when the application review is complete and DEEP has made a final decision on your permit application, DEEP will publish a Notice of Tentative Determination in the newspaper. Please note that you will receive an invoice for the public notice fee and you will be responsible for payment.

The following format must be used when publishing notice of an application:

Notice of Permit Application

Town(s): **[LIST ALL TOWNS IN WHICH THE REGULATED
ACTIVITY IS LOCATED OR WILL HAVE AN EFFECT]**

Notice is hereby given that **[INSERT NAME OF APPLICANT HERE]** (the "applicant") of **[INSERT ADDRESS OF APPLICANT HERE]** will submit to the Department of Energy and Environmental Protection an application for a permit for a Title V source under section 22a-174 of the Connecticut General Statutes, and section 22a-174-33 of the Regulations of Connecticut State Agencies which are regulated under the Federal Clean Air Act.

Specifically, the applicant proposes to **[INSERT A BRIEF DESCRIPTION OF THE PROPOSED ACTIVITY AND ITS PURPOSE]**. The proposed activity will take place at **[INSERT THE STREET ADDRESS OR DISTANCE TO THE NEAREST INTERSECTING STREETS]**. The proposed activity will potentially affect air resources.

Interested persons may obtain copies of the application from **[INSERT NAME, MAILING ADDRESS AND TELEPHONE NUMBER OF THE APPLICANT'S REPRESENTATIVE]**. The application will be available for inspection at the Department of Energy and Environmental Protection, Bureau of Air Management, Engineering & Enforcement Division, 79 Elm Street, 5th floor, Hartford, CT 06106-5127, 860-424-4152, from 8:30 to 4:30 Monday through Friday. Please call in advance to schedule review of the application.

How To Apply

Your permit application must include the following:

- A *CAIR Permit Application* (DEEP-CAIR-APP-400)
- A copy of the published notice of permit application, as described in these instructions with a completed Certification of Notice form (DEEP-APP-005A).

You must submit the above materials together as a package to:

CENTRAL PERMIT PROCESSING UNIT
DEPARTMENT OF ENERGY & ENVIRONMENTAL
PROTECTION
79 ELM STREET
HARTFORD, CT 06106-5127

Refer to the Available Resources Section at the end of these instructions to obtain all required documents related to the subject permit application.

When additional space is necessary to answer a

question stated in the application, please insert additional sheets by the appropriate question. Label each sheet with the applicant's name as indicated on the application form, along with the corresponding part number and question number indicated on the permit application form. You should retain a copy of all documents for your files.

Permit Application Instructions (DEEP-CAIR-APP-400)

Please read the application form and instructions carefully. They have been designed to obtain specific information and any information that is missing or unclear will cause delays in the review process. If any questions are not applicable to your specific activity, please enter "N/A" in the space provided. If a question is only required for specific activities it will be noted on the application form and in the instructions.

Please be advised that these instructions are not a substitute for any state or federal statutes or

regulations. Be sure to refer to the applicable statutes and regulations while completing your application.

Check the “Available Resources” section at the end of these instructions for assistance in obtaining guidelines, maps, etc. which are referenced in these instructions.

Part I: Application Type

Please indicate whether you are applying for a new permit, for a renewal of an existing permit, for a modification of an existing permit, or for a revision due to a change in ownership, by checking the appropriate box. A permit is deemed to be "existing", *only* if it has not yet expired on the date you file your application.

If applicable, please provide the existing CAIR permit number, existing Title V operating permit number and expiration date. Indicate the remaining term of the Title V operating permit.

Part II: Fee and Public Notice Information

1. There is no fee associated with this application.
2. *Public Notice Information* - The public notice of application must be published **prior** to submitting an application, as required in CGS section 22a-6g. A copy of the published notice of application, as described in these instructions, and the completed Certification of Notice Form must be included as Attachment AA to this application. Your application will **not** be processed if Attachment AA is not included. Indicate the public notice date of publication.

Part III: Applicant Information

If there are any changes or corrections to your company/facility or individual mailing or billing address or contact information, please complete and submit the [Request to Change Company/Individual Information](#) to the address indicated on the form. If there is a change in name of the entity holding a DEEP license or a change in ownership, contact the Office of

Innovative Partnerships and Planning at DEEP.OPPD@ct.gov . For any other changes you must contact the specific program from which you hold a current DEEP license.

When completing this part, please use the following standards:

- *Name* - Provide the full, legal *company/firm* name. (If identifying an entity registered with the Secretary of the State, fill in the name exactly as it is shown on the registration. Please note, for those entities registered with the Secretary of State, the registered name will be the name used by DEEP. This information can be accessed at [onlineBusinessSearch \(ct.gov\)](#). If identifying an *individual*, provide the legal name (include suffix) in the following format: First Name; Middle Initial; Last Name; Suffix (Jr, Sr., II, III, etc.). If the applicant is a governmental body, identify the city or town of such body followed by the relevant department, board or division.
 - *Phone* - Unless otherwise indicated, the phone number provided should be the number where the corresponding individual can be contacted during daytime business hours.
 - *Contact Person* - Provide the name of the specific individual within the company whom DEEP may contact.
 - *E-Mail* – Applicants must provide an accurate e-mail address when completing their application form. The e-mail address may be used for future correspondence from DEEP to your business.
1. *Applicant* - Fill in the applicant's information exactly as it appears on the *Permit Application Transmittal Form*.
 2. *Equipment Operator* – List the entity responsible for *managing* the facility operation. The operator may be different than the owner. Examples of separate owner and operator are a lessee of the land or buildings on which the facility is located, or

a person under contract specifically to conduct the day-to-day business of the facility.

3. *Equipment Owner* - List the information for the entity which owns the facility or equipment. The owner may be different than the operator. Examples of separate owner and operator are a lessee of the land or buildings on which the facility is located, or a person under contract specifically to conduct the day-to-day business of the facility.
4. *Engineers or Consultants* – List the information for any engineers or other consultants employed or retained to assist in preparing the application. Also indicate the type of service or assistance provided. (Note: You are not required to employ or retain an engineer or consultant to prepare this application.)

Part IV: Premises/Site Information

1. The premises/site name, if applicable, should be the name by which the site is commonly known and/or uniquely identified.

The information given as the location address should be the address of the property at which the proposed activity will take place. Include the street address and municipality. If the property does not have a street number, describe the location in terms of the distance and direction from an obvious landmark such as an intersection with another roadway, a bridge, or a river. For example, “. . . on River Street, approximately 1000 feet north of its intersection with Bear Swamp Road.”

2. **ORIS/Facility Code:** This code is a unique identifier that is assigned to each power plant by the Energy Information Administration (EIA). ORIS originally referred to the Office of Regulatory Information Systems in the Department of Energy’s Energy Information Administration. EIA can be reached at 202-

586-2402.

Part V: Type of CAIR NOx Ozone Season Unit

For each CAIR NOx Ozone Season unit as defined in section 22a-174-22c of the Regulations of Connecticut State Agencies, enter the emissions unit (EU) number. The EU number should be the same number designated in the Title V operating permit for the unit. Identify the type of CAIR NOx Ozone Season unit for each EU.

Part VI: Permit Standard Requirements

Please read the permit standard requirements listed under this part in the application form. You will be certifying, in Part VII of the application form, that you have read these requirements and that the activities that are the subject of your application are eligible for a CAIR permit.

Part VII: Applicant Certification

After the application has been completed it must be reviewed and signed by the CAIR designated representative, the Title V authorized representative and the individual(s) who actually prepared the application. This includes consultants, professional engineers, etc. By their signature, they certify that to the best of their knowledge and belief, the information contained in the application, including all attachments, is true, accurate and complete.

The certification of the application package must be signed as follows:

1. For an individual(s) or sole proprietorship: by the individual(s) or proprietor, respectively;
2. For a corporation: by a principal executive officer of at least the level of vice president;
3. For a limited liability company (LLC): a manager, if management of the LLC is vested in a manager(s) in accordance with the company’s “Articles of Organization”, or a member of the LLC if no authority is

- vested in a manager(s);
4. For a partnership: by a general partner; or
 5. For a municipal, state, or federal agency or department: by either a principal executive officer, a ranking elected official, or by other representatives of such applicant authorized by law.

An application will be considered insufficient unless all required signatures are provided.

Available Resources:

Below is a list of possible resources for specific information required for this application. Be sure to also check the DEEP website, [Department of Energy and Environmental Protection](http://www.ct.gov/deep) and your local town hall or library for maps and other reference materials.

The DEEP File Room;
DEEP.RecordsCenter@ct.gov, 860-424-4180 is located on the store level at 79 Elm Street, Hartford, CT. Please call in advance for hours of operation.

The [DEEP Store](http://deep.store), deep.store@ct.gov, 860-424-3555 is only available on line or by phone.

Below is a list of possible resources for specific information required for this application. Be sure to also check the DEEP website, www.ct.gov/deep and your local town hall or library for maps and other reference materials.

Both the DEEP Maps and Publications 860-424-3555 and the DEEP File Room 860-424-4180 are located on the store level at 79 Elm Street, Hartford, CT. Please call the appropriate office in advance for hours of operation.

For general assistance regarding the subject permit application contact the Bureau of Air Management's Engineering Section at 860-424-4152.

For the subject permit application form, instructions and other required documents visit the DEEP website at: [Air Emissions Permits and General Permits](http://www.ct.gov/deep).

- State and federal statutes and regulations are available for review at various locations:

On the web:

- State Statutes: [Legislative Commissioners' Office of the Connecticut General Assembly](http://www.ct.gov/deep)
- DEEP website for Statutes and Regulations: [Laws and Regulations \(ct.gov\)](http://www.ct.gov/deep)
- US EPA website for Federal Laws, Regulations (Code of Federal Regulations; CFR), Policy, Guidance and Legislation: [Laws & Regulations | US EPA](http://www.epa.gov)

Book Format:

- State Library (Hartford)
- University Law Schools (UConn-Hartford, Yale)
- Superior Courthouse Libraries (located throughout the state)
- Town Halls and Libraries (statutes)

Affirmative Action, Equal Employment Opportunity and Americans with Disabilities

The Connecticut Department of Energy and Environmental Protection is an Affirmative Action/Equal Opportunity Employer that is committed to complying with the requirements of the Americans with Disabilities Act. Please contact DEEP Office of Diversity and Equity at (860) 418-5910 or by email @ deep.accommodations@ct.gov if you are requesting a communication aid or service, have limited proficiency in English, need some other type of accommodation, or if you wish to file an ADA or Title VI discrimination complaint. In order to facilitate efforts to provide an accommodation, please request all accommodations as soon as possible following notice of any agency hearing, meeting, program or event.