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Affirmative Action/Equal Opportunity Employer

## **Notice of Intent to Adopt Air Quality Regulations and Revise the State Implementation Plan**

In accordance with the provisions of section 4-168(a) of the Connecticut General Statutes (CGS), the Connecticut Department of Energy and Environmental Protection (DEEP) hereby gives notice of a proposal to adopt sections 22a-174-33a and 22a-174-33b of the Regulations of Connecticut State Agencies (RCSA) concerning limitations on premises-wide actual emissions below Title V source thresholds. This proposal will be submitted to the U.S. Environmental Protection Agency (EPA) for approval as a revision to the State Implementation Plan.

The authority to adopt the proposal is granted by CGS sections 22a-6 and 22a-174. This notice is required pursuant to CGS section 4-168, and 40 Code of Federal Regulations 51.102.

### **Purpose.**

The main purpose of this proposal is to provide a practicably enforceable alternative to comply with Title V of the Clean Air Act (CAA), given the impending expiration of the current General Permit to Limit Potential to Emit from Major Stationary Sources of Air Pollution (GPLPE). The GPLPE is a less burdensome means for certain sources of air pollution to limit potential emissions to levels below Title V source thresholds, to the benefit of the participating businesses and DEEP, while maintaining air quality protection.

The current GPLPE expires on November 8, 2020. Given that EPA has indicated that a renewal will not be approved, DEEP does not intend to renew the GPLPE. Consequently, absent an alternative, all the participating businesses will need to obtain Title V permits, a costly and time consuming process. However, EPA has indicated that a regulatory alternative to the GPLPE will likely be approvable. As such, DEEP is pursuing adoption of the proposed regulations, new RCSA sections 22a-174-33a and 22a-174-33b, as a replacement program for the GPLPE.

### **Description.**

As previously noted, RCSA sections 22a-174-33a and 22a-174-33b are intended to replace the current GPLPE as alternative means of compliance with Title V of the CAA. For this reason, operation in accordance with RCSA section 22a-174-33a or section 22a-174-33b is entirely optional. The provisions of the proposed regulations reflect most of the terms and requirements of the current GPLPE, with some minor changes.

RCSA section 22a-174-33a(b) allows the owner or operator of any premises operating in accordance with that section to emit any regulated air pollutant at levels below 50% of the applicable major stationary source thresholds. RCSA section 22a-174-33b(b) allows the owner or operator of any premises operating in accordance with that section to emit any regulated air

pollutant at levels below 80% of the applicable major stationary source thresholds, provided that such emissions are from one or more of the source categories specified in RCSA section 22a-174-33b(b). Each section provides emissions restrictions, record keeping, reporting and notification requirements appropriate to allow DEEP to determine compliance with the applicable requirements.


**Written comments.** Interested persons are invited to comment on the proposal. DEEP is particularly interested in comment on the source categories and associated requirements identified in RCSA section 22a-174-33b. Comments should be submitted no later than 5 pm on November 22, 2019 via the eRegulations System (Tracking Number PR2019-002) or by U.S. mail or electronic mail to Raquel Herrera, DEEP, Bureau of Air Management, Engineering, 79 Elm Street, Hartford, CT 06106-5127 ([Raquel.Herrera@ct.gov](mailto:Raquel.Herrera@ct.gov)).

**Public hearing.** In addition to accepting written comments, DEEP will also hold a public hearing. Any person giving oral comment at the hearing will be asked to submit a written copy of such comments.

**PUBLIC HEARING**  
**November 20, 2019**  
**1:30 PM**  
**DEEP, 5th Floor, Holcombe Room**  
**79 Elm Street, Hartford, CT**

**Additional information.** The proposal described above, fiscal impact analysis, small business impact analysis and a statement required by CGS section 22a-6(h) are available for public inspection during normal business hours from Raquel Herrera at the Bureau of Air Management, Engineering, 5th Floor, 79 Elm Street, Hartford, CT. The same documents are posted on the Connecticut eRegulations System. For further information, contact Raquel Herrera of the Bureau of Air Management at (860) 424-3150 or by electronic mail to [Raquel.Herrera@ct.gov](mailto:Raquel.Herrera@ct.gov).

DEEP is an Affirmative Action/Equal Opportunity Employer that is committed to complying with the requirements of the Americans with Disabilities Act. Any person with a disability who may need a communication aid or service may contact DEEP's ADA Coordinator at 860-424-3194 or at [deep.hrmed@ct.gov](mailto:deep.hrmed@ct.gov). Any person needing a hearing accommodation may call the State of Connecticut relay number - 711. Any person with limited proficiency in English, who may need information in another language, may contact DEEP's Title VI Coordinator at 860-424-3035 or at [deep.aaoffice@ct.gov](mailto:deep.aaoffice@ct.gov). ADA or Title VI discrimination complaints may be filed with DEEP's EEO Manager at 860-424-3035 or at [deep.aaoffice@ct.gov](mailto:deep.aaoffice@ct.gov). Requests for accommodations must be made at least two weeks prior to any agency hearing, program or event.

  
 Katherine S. Dykes  
 Commissioner

10/11/19  
 Date