

ADMINISTRATIVE REGULATIONS

Regulations and notices published herein, pursuant to General Statutes Sections 4-168 and 4-173, are printed exactly as submitted by the forwarding agencies. These, being official documents submitted by the responsible agencies, are consequently not subject to editing by the Commission on Official Legal Publications.

A cumulative list of effective amendments to the Regulations of Connecticut State Agencies may be found in the Connecticut Law Journal dated November 6, 2012.

DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION

Notice of Intent to Adopt a Section and Amend a Section of the Air Quality Regulations

The Commissioner of the Department of Energy and Environmental Protection (DEEP) hereby gives notice of a public hearing as part of a proceeding to adopt an air quality permit-by-rule for combined heat-and-power (CHP) systems as new section 22a-174-3d of the Regulations of Connecticut State Agencies (RCSA). A minor revision to RCSA section 22a-174-3a(a)(2) is also proposed to take into account the proposed adoption of RCSA section 22a-174-3d.

The proposed permit-by-rule is available to the owners of CHP projects of less than 10 MW capacity that meet the applicability requirements for an individual permit under DEEP's new source review (NSR) permit program. An owner of such a CHP project may operate under the permit-by-rule as an alternative to obtaining a NSR permit. Operation under the permit-by-rule reduces the time for the owner of a new CHP system to obtain a permit from about seven months to zero days and provides the owner with certainty as to the requirements under which the CHP system will operate. The proposed rule includes all the restrictions necessary to limit emissions of air pollutants from a regulated CHP system to a level that protects air quality and public health.

All interested persons are invited to comment on the proposal. Comments should be submitted no later than December 13, 2012 to Merrily A. Gere, DEEP, Bureau of Air Management, Engineering & Enforcement, 79 Elm Street, Hartford, Connecticut 06106-5127. Comments may be submitted by post, facsimile to (860) 424-4064 or by electronic mail to merrily.gere@ct.gov.

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

PUBLIC HEARING
December 13, 2012
1:30 PM
DEEP, 5th Floor, Holcombe Room
79 Elm Street, Hartford, CT

Copies of the proposal described above, the fiscal impact analysis, and a statement required by section 22a-6(h) of the Connecticut General Statutes (CGS) are available

for public inspection during normal business hours from Merrily A. Gere at the Bureau of Air Management, Engineering & Enforcement, 5th Floor, 79 Elm Street, Hartford, CT. The same documents are posted on DEEP's website at the following location:

http://www.ct.gov/dep/cwp/view.asp?a=2684&q=331220&depNav_GID=1619 For further information, contact Merrily A. Gere of the Bureau of Air Management at (860) 424-4152 or by electronic mail to merrily.gere@ct.gov.

DEEP is an affirmative action/equal opportunity employer and service provider. In conformance with the Americans with Disabilities Act, DEEP makes every effort to provide equally effective services for persons with disabilities. Any person with a disability who may need information in an alternative format may contact the agency's ADA Coordinator at 860-424-3194, or at deep.hrmed@ct.gov. Persons who are hearing impaired should call the State of Connecticut relay number 711. Requests for accommodations must be made at least two weeks prior to the program date.

The authority to adopt the proposal is granted by CGS sections 22a-6 and 22a-174.

October 31, 2012
Date

Daniel C. Esty
Commissioner

DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION

Amendment of Section 22a-638-1 of the Regulations of Connecticut State Agencies

Section 1. Section 22a-638-1(a) of the Regulations of Connecticut State Agencies is amended to read as follows:

(a) **Definitions.** As used in this section and section 22a-630(d)-1 of the Regulations of Connecticut State Agencies:

(1) "Cathode ray tube" or "CRT" means cathode ray tube as defined in section 22a-629 of the Connecticut General Statutes;

(2) "Commissioner" means the Commissioner of Energy and Environmental Protection or the Commissioner's designee;

(3) "Computer" means an electronic, magnetic, optical, electrochemical or other high-speed data processing device performing logical, arithmetic or storage functions and includes, but is not limited to, a central processing unit or both a computer central processing unit and a monitor, such as a notebook, laptop or portable device. Computer does not include an automated typewriter or typesetter, a portable handheld calculator, a portable digital assistant or other similar device;

(4) "Consumer" means a person from a household.

(5) "Covered electronic device" or "CED" means a desktop or personal computer, computer monitor, portable computer, printer, CRT-based television and non-CRT-based television sold to consumers, but does not include any of the following, including any component of the following:

(A) an electronic device that is a part of a motor vehicle or any component part of a motor vehicle assembled by, or for, a vehicle manufacturer or franchise dealer, including replacement parts for use in a motor vehicle;