



General Assembly

**Amendment**

January Session, 2021

LCO No. 7500



Offered by:

- SEN. NEEDLEMAN, 33<sup>rd</sup> Dist.
- SEN. WINFIELD, 10<sup>th</sup> Dist.
- REP. ARCONTI, 109<sup>th</sup> Dist.
- REP. ALLIE-BRENNAN, 2<sup>nd</sup> Dist.

To: Subst. Senate Bill No. 882

File No. 283

Cal. No. 185

**"AN ACT CONCERNING CLIMATE CHANGE MITIGATION AND HOME ENERGY AFFORDABILITY."**

1 After the last section, add the following and renumber sections and  
2 internal references accordingly:

3 "Sec. 501. Subsection (c) of section 22a-174 of the general statutes is  
4 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
5 *2021*):

6 (c) The commissioner shall have the power, in accordance with  
7 [regulations adopted by him] the provisions of chapter 54, (1) to require  
8 that a person, before undertaking the construction, installation,  
9 enlargement or establishment of a new air contaminant source specified  
10 in the regulations adopted under subsection (a) of this section, submit  
11 to [him] the commissioner plans, specifications and such information as  
12 [he] the commissioner deems reasonably necessary relating to the

13 construction, installation, enlargement, or establishment of such new air  
14 contaminant source; (2) to issue a permit approving such plans and  
15 specifications and permitting the construction, installation, enlargement  
16 or establishment of the new air contaminant source in accordance with  
17 such plans, or to issue an order requiring that such plans and  
18 specifications be modified as a condition to his approving them and  
19 issuing a permit allowing such construction, installation, enlargement  
20 or establishment in accordance therewith, or to issue an order rejecting  
21 such plans and specifications and prohibiting construction, installation,  
22 enlargement or establishment of a new air contaminant source in  
23 accordance with the plans and specifications submitted; (3) to require  
24 periodic inspection and maintenance of combustion equipment and  
25 other sources of air pollution; (4) to require any person to maintain such  
26 records relating to air pollution or to the operation of facilities designed  
27 to abate air pollution as he deems necessary to carry out the provisions  
28 of this chapter and section 14-164c; (5) to require that a person in control  
29 of an air contaminant source specified in the regulations adopted under  
30 subsection (a), obtain a permit to operate such source if the source (A) is  
31 subject to any regulations adopted by the commissioner concerning  
32 high risk hazardous air pollutants, (B) burns waste oil, (C) is allowed by  
33 the commissioner, pursuant to regulations adopted under subsection  
34 (a), to exceed emission limits for sulfur compounds, (D) is issued an  
35 order pursuant to section 22a-178, or (E) violates any provision of this  
36 chapter, or any regulation, order or permit adopted or issued  
37 thereunder; (6) to require that a person in control of an air contaminant  
38 source who is not required to obtain a permit pursuant to this subsection  
39 register with [him] the commissioner and provide such information as  
40 [he] the commissioner deems necessary to maintain [his] the  
41 commissioner's inventory of air pollution sources and the commissioner  
42 may require renewal of such registration at intervals [he] the  
43 commissioner deems necessary to maintain such inventory; (7) to  
44 require a permit for any source regulated under the federal Clean Air  
45 Act, [Amendments of 1990, P.L. 101-549] 42 USC 7401 et seq., as  
46 amended from time to time; (8) to refuse to issue a permit if the  
47 Environmental Protection Agency objects to its issuance in a timely

48 manner under Title V of the federal Clean Air Act; [Amendments of  
49 1990; and] (9) notwithstanding any regulation adopted under this  
50 chapter, to require that any source permitted under Title V of the federal  
51 Clean Air Act [Amendments of 1990] shall comply with all applicable  
52 standards set forth in the Code of Federal Regulations, Title 40, Parts 51,  
53 52, 59, 60, 61, 63, 68, 70, 72 to 78, inclusive, and 82, as amended from time  
54 to time; and (10) to consider, as part of the determination to approve,  
55 modify or reject a permit pursuant to this subsection, whether an air  
56 pollution source for centralized-generation facilities with a nameplate  
57 capacity rating of thirty megawatts or more impacts the state's  
58 greenhouse gas reduction goals established in section 22a-200a, as  
59 amended by this act.

60 Sec. 502. Subdivision (1) of subsection (k) of section 22a-174 of the  
61 general statutes is repealed and the following is substituted in lieu  
62 thereof (*Effective July 1, 2021*):

63 (k) (1) The commissioner may issue a general permit with respect to  
64 a category of new or existing stationary air pollution sources, except  
65 with respect to a source which is already covered by an individual  
66 permit, provided the commissioner considers, as part of the  
67 determination to issue a general permit, whether an air pollution source  
68 for centralized-generation facilities with a nameplate capacity rating of  
69 thirty megawatts or more impacts the state's greenhouse gas reduction  
70 goals established in section 22a-200a, as amended by this act, and  
71 provided the general permit is not inconsistent with the federal Clean  
72 Air Act, [as amended in 1990,] 42 USC [, Sections] 7401 et seq., [and] as  
73 [it may be further] amended from time to time. Any person conducting  
74 an activity for which a general permit has been issued shall not be  
75 required to obtain an individual permit under this section, except as  
76 provided in subdivision (5) of this subsection. The general permit may  
77 regulate a category of sources which, whether or not requiring a permit  
78 under the federal Clean Air Act, (A) involve the same or substantially  
79 similar types of operations or substances, (B) require the same types of  
80 pollution control equipment or other operating conditions, standards or  
81 limitations, and (C) require the same or similar monitoring, and which,

82 in the opinion of the commissioner, are more appropriately controlled  
 83 under a general permit than under an individual permit. The general  
 84 permit may require that any person proposing to conduct any activity  
 85 under the general permit register such activity, including obtaining  
 86 approval from the commissioner, before the general permit becomes  
 87 effective as to such activity, and may include such other conditions as  
 88 the commissioner deems appropriate, including, but not limited to,  
 89 management practices and verification and reporting requirements.  
 90 Any such reports shall be made available to the public by the  
 91 commissioner. The commissioner shall grant an application for  
 92 approval under a general permit without repeating the notice and  
 93 comment procedures provided under subdivision (2) of this subsection,  
 94 and such a grant shall not be subject to judicial review under  
 95 subdivision (4) of this subsection. Registrations and applications for  
 96 approval under the general permit shall be submitted on forms  
 97 prescribed by the commissioner; application forms concerning activities  
 98 regulated under the federal Clean Air Act shall require that the  
 99 applicant provide such information as may be required by that act. The  
 100 commissioner shall prepare, and annually amend, a list of holders of  
 101 general permits under this section, which list shall be made available to  
 102 the public."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	July 1, 2021	22a-174(c)
Sec. 502	July 1, 2021	22a-174(k)(1)