



Connecticut
Department of Energy &
Environmental Protection

VIA eREGULATIONS SYSTEM

December 12, 2024

The Honorable William Tong
Attorney General
165 Capitol Avenue
Hartford, Connecticut 06106

***Re: Legal Sufficiency Review of Proposal to Amend the
Air Quality Regulations, PR2024-017***

Dear Attorney General Tong:

Pursuant to Section 4-169 of the Connecticut General Statutes (CGS), I submit for your consideration and approval a proposal to amend sections 22a-174-24, 22a-174-33, and 22a-174-44 of the Regulations of Connecticut State Agencies (RCSA) to make three minor changes to the air quality regulations, two of which satisfy outstanding obligations to the U.S. Environmental Protection Agency (EPA).

The three changes are as follows:

- The addition of the 0.070 parts per million ozone standard in RCSA section 22a-174-24 maintains consistency between the Connecticut ambient air quality standards and EPA's National Ambient Air Quality Standard for ozone. DEEP committed to EPA to make this addition in 2018 in the "infrastructure" State Implementation Plan for the 2015 ozone NAAQS to satisfy Clean Air Act section 110(a)(2).
- The removal of the affirmative defense provision from RCSA section 22a-174-33 maintains consistency with a final rule which EPA published on July 21, 2023 removing the emergency affirmative defense provisions from the Clean Air Act operating permit program (title V) regulations.¹
- The correction to RCSA section 22a-174-44 clarifies the volatile organic compound (VOC) calculation methods available for adhesive and sealant products. This change more precisely states the VOC content determinations for low-solids products. The lack of clarity arises from a minor error made in the development of the Ozone Transport Commission Model Rule for Adhesives and Sealants, on which RCSA section 22a-174-44 is based.

As evidenced by the documents associated with the tracking number PR2024-017, this proposal has been processed in accordance with the notice and hearing provisions of CGS Section 4-168.

¹ Removal of Title V Emergency Affirmative Defense Provisions From State Operating Permit Programs and Federal Operating Permit Program, 88 FR 47029 (July 21, 2023).



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If you have any questions regarding this submittal, please get in touch with Jordana Graveley of the Bureau of Air Management by electronic mail to jordana.graveley@ct.gov. Thank you for your assistance with this matter.

Sincerely,

A handwritten signature in blue ink that reads "Katherine S. Dykes".

Katherine S. Dykes
Commissioner