



Connecticut Department of  
**ENERGY &  
 ENVIRONMENTAL  
 PROTECTION**

79 Elm Street • Hartford, CT 06106-5127

www.ct.gov/deep

Affirmative Action/Equal Opportunity Employer

## COMMISSIONER'S CERTIFICATION TO THE OFFICE OF THE ATTORNEY GENERAL

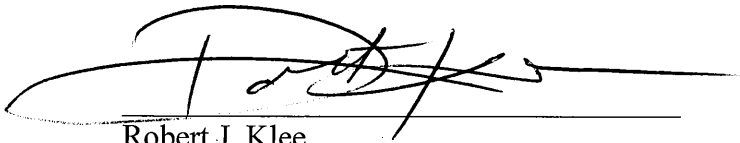
I, Robert J. Klee, Commissioner of the Department of Energy and Environmental Protection (DEEP), make the following certifications with respect to the proposal to amend and adopt certain air quality regulations concerning the consumer products, architectural industrial and maintenance (AIM) coatings and the prevention of significant deterioration (PSD) programs:

1. In compliance with section 4-168(a)(1) of the Connecticut General Statutes (CGS), on November 8, 2016, DEEP posted on the eRegulations System a notice of its intention to amend and adopt certain air quality regulations concerning the consumer products, AIM coatings and the PSD programs. The posted notice included the information required by CGS section 4-168(a).
2. In compliance with CGS section 4-168(a)(2), on November 8, 2016, DEEP posted a copy of the proposal on the eRegulations System.
3. In compliance with CGS section 4-168(a)(3), on November 8, 2016, DEEP (through the eRegulations System), gave electronic notice to the Environment Committee and the Commerce Committee of the General Assembly of its intent to amend air quality regulations. Also on November 8, 2016, DEEP notified the Department of Economic and Community Development of its intent to amend and adopt air quality regulations that may have an adverse impact on small businesses.
4. In satisfaction of CGS section 4-168(a)(4), on October 20, 2016, DEEP gave notice electronically, via DEEP's eAlert system, to all persons who made requests for advance notice of its regulation-making proceedings, that DEEP was no longer posting notices of proposed regulations on the agency's website or through eAlerts. Also, the notice encouraged individuals interested in Connecticut's regulation-making proceedings to sign up to receive eAlerts from the eRegulations system.
5. In satisfaction of CGS section 4-168(a)(5), DEEP received no requests for a paper copy or electronic version of the proposed regulation.
6. In satisfaction of CGS section 4-168(a)(6), DEEP prepared a fiscal note, including an estimate of the cost or of the revenue impact of the proposal on the state or any municipality of the state. Also, DEEP prepared a regulatory flexibility analysis with an estimate of the impact on small businesses pursuant to CGS section 4-168a and P.A. 16-32.
7. On December 14, 2016, DEEP held a public hearing on its own initiative pursuant to CGS section 4-168(b). All interested persons were given reasonable opportunities to submit data, views or arguments concerning the proposal, orally at the hearing or in writing, and to inspect and copy or view online and print the fiscal note and the flexibility analysis referred to in paragraph (6).
8. All documents identified in paragraphs (1) through (6), including submitted written comments, were posted on the eRegulations system.
9. DEEP considered fully all written and oral submissions respecting the proposed regulation and has prepared a comment-and-response document that provides DEEP's considered responses to every submitted comment. DEEP has posted on the eRegulations System: (A) The final wording of the proposal; (B) a statement of the principal reasons in support of the proposal; and (C) a statement of the principal considerations in opposition to the proposal as urged in written or oral comments and DEEP's reasons for rejecting such considerations. The statements referred to in (B) and (C) are included in the comment-and-response document.

Commissioner's Certification

Page 2

10. In satisfaction of CGS section 4-168(e), DEEP revised the fiscal note and flexibility analysis with respect to the proposal as modified based on comment and posted the revised documents on the eRegulations System.
11. In satisfaction of CGS section 4-168(e), on April 19, 2017, DEEP posted on the eRegulations System notice that it decided to take action on the proposed regulation and the eRegulations system has provided such notice electronically to all persons who submitted comments concerning the proposal.



Robert J. Klee,  
Commissioner

4/18/2017  
Date