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

I, Michael J. Sullivan, Deputy Commissioner of the Department of Energy and Environmental Protection (DEEP), make the following certifications with respect to the proposal to amend, adopt and repeal certain air quality regulations concerning nitrogen oxide (NOx) emissions from fuel-burning equipment:

1. In satisfaction of section 4-168(a)(1) of the Connecticut General Statutes (CGS), on 3 May 2016, DEEP posted a notice on the eRegulations System of its intention to amend, adopt and repeal air quality regulations concerning NOx emissions from fuel-burning equipment. The posted notice included the information required by CGS section 4-168(a).
2. In satisfaction of CGS section 4-168(a)(2), on 3 May 2016, DEEP posted a copy of the proposal on the eRegulations System.
3. In satisfaction of CGS section 4-168(a)(3), on 3 May 2016, DEEP gave notice electronically to the Environment Committee of the General Assembly. On 3 May 2016, DEEP also notified the Department of Economic and Community Development and the Commerce Committee of the General Assembly in compliance with CGS section 4-168a(c).
4. In satisfaction of CGS section 4-168(a)(4), on 5 May 2016, DEEP gave notice electronically to all persons who made requests for advance notice of its regulation-making proceedings, via DEEP's eAlert system. The eAlert system currently includes about 2,500 electronic mail addresses to which a notification is sent when a new regulatory proposal is noticed on the DEEP website.
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 two fiscal notes (one per new regulatory section), including an estimate of the cost or of the revenue impact of the proposal on the state or any municipality of the state.
7. In satisfaction of CGS section 4-168(a)(6) and 4-168a, DEEP prepared two small business impact statements (one per new regulatory section).
8. On 8 June 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 notes referred to in paragraph (6) and the small business impact statements referred to in paragraph (7).
9. All documents identified in paragraphs (1) through (8), including submitted written comments, were posted on the eRegulations system. In addition, in satisfaction of CGS section 4-168(b), the same documents, with the exception of submitted comments, were posted on DEEP's website.
10. 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

Commissioner's Certification

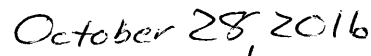
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the proposal as urged in written or oral comments and DEEP's reasons for rejecting such considerations. The statements referred to in (B) and (C) are included in the comment-and-response document.

11. In satisfaction of CGS section 4-168(e), DEEP revised the fiscal notes with respect to the proposal as modified based on comment and posted the revised notes on the eRegulations System.
12. In satisfaction of CGS section 4-168(e), on August 5, 2016, DEEP posted on the eRegulations System notice that it decided to take action on the proposed regulation and has provided such notice electronically or via the US mail to all persons who submitted oral or written comments concerning the proposal.
13. On October 26, 2016, the Legislative Regulations Review Committee rejected the proposal without prejudice. The Legislative Commissioners' Office (LCO) report recommended technical corrections to the proposal.
14. Pursuant to CGS section 4-169, on October 28, 2016, DEEP resubmitted the proposal, including the technical corrections recommended in the LCO report plus additional clarifications, to the Office of the Attorney General for review.



Michael J. Sullivan,
Deputy Commissioner



Date