

## ENCLOSURE D

### RESPONSE TO PUBLIC COMMENTS

#### **Regarding Revision to the State Implementation Plan for Air Quality Demonstration that Connecticut Complies with the Infrastructure Requirements of Clean Air Act Section 110(a)(1) and (2) for the 2012 PM<sub>2.5</sub> National Ambient Air Quality Standard**

On November 1, 2015, the Deputy Commissioner of the Department of Energy and Environmental Protection (the Department) published a notice of intent to revise the State Implementation Plan (SIP) for Air Quality. The SIP revision addresses the requirement of Clean Air Act (CAA) §110(a)(1) and §110(a)(2) to demonstrate that Connecticut's infrastructure and authority is adequate to implement, maintain and enforce the 2012 fine particle (PM<sub>2.5</sub>) national ambient air quality standard (NAAQS). Pursuant to such notice, public comments were accepted through December 7, 2015. In addition, the notice included the opportunity for members of the public to request a public hearing. No such requests were made, so a public hearing was not held.

#### **I. Overview**

This document summarizes the SIP revision as proposed for public review, the comments received and the Department's responses.

#### **II. Summary of the Revisions as Proposed**

Sections 110(a)(1) and (2) of the CAA require all states to submit any necessary revisions to their State Implementation Plans (SIP) to provide for the implementation, maintenance and enforcement of any revised or new NAAQS. Such revisions are commonly referred to as "infrastructure SIPs." The U.S. Environmental Protection Agency (EPA) revised the PM<sub>2.5</sub> NAAQS in December of 2012. Therefore the Department is submitting the Connecticut infrastructure SIP for the said revised PM<sub>2.5</sub> NAAQS.

The current SIP revision, detailed in Enclosure A, includes five SIP elements, to ensure adequate infrastructure elements for the protection of public health with respect to the PM<sub>2.5</sub> NAAQS.

- Revisions to CGS 16a-21a: Low sulfur fuel requirements, addressing CAA section 110(a)(2)(A)
- Revisions to RCSA 22a-174-1(19): Definition of "brush", addressing CAA section 110(a)(2)(A)
- Revisions to RCSA 22a-174-36: Low emission vehicle requirements, addressing CAA section 110(a)(2)(A)
- Revisions to RCSA 22a-174-5: Test methods for fuel sulfur content, addressing CAA section 110(a)(2)(F)
- Revisions to CGS Chapter 54: Electronic regulations system, addressing CAA section 110(a)(2)(J)

### III. Comments and Responses

DEEP received comments from EPA Region 1, letter dated December 7, 2015.

#### **Comment:**

EPA noted that the proposed SIP revision appears to satisfy the Clean Air Act, with the exception of the following SIP elements:

1. 110(a)(2)(C)(ii) – PSD program for major sources and major modifications of sources
2. 110(a)(2)(D)(i)(II) – With respect to the PSD elements of “Prong 3”
3. 110(a)(2)(J)(iii) – also related to the PSD program.

EPA noted that these elements were proposed as conditionally approved in the September 10, 2015 Federal Register<sup>1</sup> for Connecticut’s infrastructure SIPs for the 2008 lead NAAQS, 2008 Ozone NAAQS, 2010 Sulfur Dioxide NAAQS and 2010 Nitrogen Dioxide NAAQS. EPA’s proposed conditional approval<sup>2</sup> was based on Connecticut’s August 5, 2015 letter committing to address the elements of concern. EPA’s comments on the PM2.5 SIP identified the same deficiencies as for the other pollutants. EPA stated that full EPA approval of these elements for all infrastructure SIPs is predicated on Connecticut’s adoption and submission of the required revisions to EPA for approval.

#### **Response:**

Connecticut re-affirms the commitments made in the Department’s August 5, 2015 letter. Connecticut plans to implement these commitments, and the Department will work with EPA and other stakeholders in adopting these revisions into the appropriate state regulations and submitting them to EPA for approval.

---

<sup>1</sup> 80 FR 54471

<sup>2</sup> EPA’s December 7, 2015 comment letter also indicated that the proposed conditional approval for the other pollutants was finalized by the Regional Administrator on December 3, 2015, and is expected to appear in the Federal Register in the near future.