STATE OF CONNECTICUT
Regulation of Environmental Protection

Section 22a-174-38. Municipal Waste Combustors

(a) Definitions. For purposes of this section:

(1) "Calendar quarter" means a consecutive three-month period (nonoverlapping) beginning on January 1, April 1, July 1 or October 1.

(2) "Chief operator" means an individual who is in direct charge of the operation of a municipal waste combustor plant and who is responsible for overall on-site supervision, technical direction, management and performance of the plant.

(3) "Cofired combustor" means an emissions unit that combusts municipal solid waste with nonmunicipal solid waste fuel (e.g., coal, industrial process waste) and that is subject to a federally enforceable permit limiting the unit to combusting a fuel feed stream, thirty percent (30%) or less of the weight of which is composed, in the aggregate, of municipal solid waste as measured on a calendar quarter basis.

(4) "Continuous burning" means the continuous, semi-continuous or batch feeding of municipal solid waste for purposes of waste disposal, energy production or providing heat to the combustion system in preparation for waste disposal or energy production. Continuous burning does not include the use of municipal solid waste solely to provide thermal protection of the grate or hearth during the startup period when municipal solid waste is not being fed to the grate.

(5) "Continuous emission monitoring system" or "CEM system" means a monitoring system for continuously measuring the emissions of any pollutant from a MWC unit.

(6) "Dioxin/furan" means tetra-chlorinated dibenzo-p-dioxins and dibenzofurans through octa- chlorinated dibenzo-p-dioxins and dibenzofurans.

(7) "Dscf/mmBTU" means dry cubic feet at standard conditions per million British thermal unit.

(8) "F-factor," "fc" or "fd" means a ratio of combustion gas volumes to heat inputs either unit-specific or as defined in 40 CFR Part 60, Appendix A, Method 19.

(9) "Four-hour block average" or "4-hour block average" means the average of all hourly emission concentrations when a municipal waste combustor is operating and combusting municipal solid waste measured over 4-hour periods from midnight to 4 a.m., 4 a.m. to 8 a.m., 8 a.m. to noon, noon to 4 p.m., 4 p.m. to 8 p.m., and 8 p.m. to midnight.

(10) "Historical actual twenty-four hour daily NOx average" means one or more calendar years of CEM data from no earlier than 1994 or another period of data approved by the commissioner as representative of NOx emissions.

(11) "Malfunction" means any sudden, infrequent and not reasonably preventable failure of air pollution control equipment, process equipment or a process to operate in a normal or usual manner. A failure that is caused in part by poor maintenance or negligent or careless operation shall not be considered a malfunction.

(12) "Mass burn waterwall combustor" means a field-erected combustor that combusts primarily unprocessed municipal solid waste (i.e., municipal solid waste that is not processed-municipal solid waste) in a waterwall furnace.

(13) "Maximum demonstrated municipal waste combustor unit load" means the highest 4-hour arithmetic average municipal waste combustor unit load achieved during four consecutive hours of operation that corresponds to a test run during the most recent dioxin/furan emissions performance test that demonstrates compliance with the applicable limit for dioxin/furan specified in subsection (c) of this section.

(14) "Maximum demonstrated particulate matter control device temperature" means the highest 4-hour arithmetic average flue gas temperature measured at the particulate matter control device inlet during four consecutive hours of operation that corresponds to a test run during the most recent dioxin/furan emissions performance test that demonstrates compliance with the applicable limit for dioxin/furan specified in subsection (c) of this section.

(15) "mg/dscm" means milligrams of air pollutant per dry standard cubic meter.

(16) "Municipal solid waste" means municipal solid waste as defined in section 22a207 of the general statutes.

(17) "Municipal waste combustor," "municipal waste combustor unit" or "MWC" means any part or activity of any stationary source which part or activity emits or has the potential to emit any regulated air pollutant or any hazardous air pollutant, exclusive of associated air pollution control equipment, that combusts municipal solid waste, inclusive of those emissions units combusting a single-item waste stream of tires. Combustors that combust landfill gases collected by landfill gas collection systems are not municipal waste combustors.

(18) "Municipal waste combustor plant" or "plant" means any premises at which one or more municipal waste combustor units are situated.

(19) "Municipal waste combustor unit load" means the rate at which steam is produced at a municipal waste combustor (measured in lbs/hr or kg/hr).

(20) "ng/dscm" means nanograms of air pollutant per dry standard cubic meter.

(21) "NOx Emissions Reductions Credit" or "ERC" means an air pollutant reduction created in the nitrogen oxides emissions trading program described by this section.

(22) "Ozone season" means the period of any calendar year beginning on May 1 and ending on September 30.

(23) "Premises" means the grouping of all stationary sources at any one location and owned by or under the control of the same person or persons.

(24) "Processed-municipal solid waste" means a type of municipal solid waste produced by sorting municipal solid waste by size and/or altering the size of municipal solid waste through mechanical means.

(25) "Processed-municipal solid waste combustor" means a steam-generating MWC that burns processed-municipal solid waste in a semisuspension firing mode using air-fed distributors.

(26) "Reciprocating grate waste tire fired incinerator/boiler" means a combustor that burns tires as its principal fuel.

(27) "Scf/mmBTU" means cubic feet at standard conditions per million British thermal unit.

(28) "Shift operator" means an individual who is in direct charge of the operation of a shift of a municipal waste combustor plant and who is responsible for on-site

supervision, technical direction, management and overall performance of the plant during a shift.

(29) "Shutdown period" means the period of time commencing when a municipal waste combustor operator discontinues the feed of municipal solid waste to the combustor in order to cease operation.

(30) "Six-minute arithmetic average" or "6-minute arithmetic average" means the arithmetic mean calculated from thirty-six (36) or more data points equally spaced over each 6-minute period.

(31) "Standard conditions" means a temperature of 20 degrees centigrade and a pressure of 101.3 kilopascals.

(32) "Startup period" means that period of time commencing when a municipal waste combustor begins the continuous burning of municipal solid waste, exclusive of any warmup period when a municipal waste combustor is combusting fossil fuel or other nonmunicipal solid waste fuel, and no municipal solid waste is being fed to the combustor.

(33) "Total mass" or "total mass dioxin/furan" means the total mass of tetra-through octa-chlorinated dibenzo-p-dioxins and dibenzofurans, as determined using EPA Reference Method 23 and the procedures specified under subdivision (4) of subsection (i) of this section.

(34) "Twenty-four hour daily average" means the arithmetic mean of all hourly emission concentrations as required by this section when a unit is operating and combusting municipal solid waste measured over a 24-hour period between midnight and the following midnight.

(35) "Twenty-four hour geometric average" means the geometric mean of hourly emission concentrations regulated by this section when a unit is operating and combusting municipal solid waste measured over a 24-hour period between midnight and the following midnight. The geometric mean shall be calculated using the following equation:

$$E_{ga} = e^{\left[\frac{1}{n}\sum_{j=1}^{n}\left[\ln(E_{hj})\right]\right]}$$

where:

E_{ga} = *daily geometric average pollutant concentration, corrected to 7% O_2 or equivalent percent CO_2;*

E_{hj} = *hourly arithmetic average pollutant concentration, corrected to 7% O_2 or equivalent percent CO_2;*

n = total number of hourly averages for which pollutant concentrations are available within the 24 hour midnight to midnight daily period;

ln = natural log of the indicated value; and

e = the natural logarithmic base (2.718) raised to the value enclosed by the brackets.

(36) "Waterwall furnace" means a combustion unit having energy (heat) recovery in the furnace (i.e., radiant heat transfer section) of the combustor.

(b) Applicability.

(1) This section shall apply to the owner or operator of any municipal waste combustor except for a MWC unit that meets the conditions of either subparagraph (A) or (B) of this subdivision:

(A) The unit is subject to 40 CFR 60 Subpart Eb and the owner has obtained for that unit a permit issued under section 22a-174-3a of the Regulations of Connecticut State Agencies, which permit contains emission limits at least as stringent as those stated in subsection (c) of this section for sulfur oxides and mercury; or

(B) The unit is subject to 40 CFR 60 Subpart AAAA and the owner has obtained for that unit a permit issued under section 22a-174-3a of the Regulations of Connecticut State Agencies, which permit contains emission limits at least as stringent as those stated in subsection (c) of this section for sulfur oxides and mercury.

(2) A physical or operational change including installation of control equipment made to a municipal waste combustor primarily to comply with any emission standard required by permit, order or regulation is not considered in determining whether the unit is a modified or reconstructed facility under this section.

(3) The owner or operator of any municipal waste combustor required to have a permit under section 3005 of the Solid Waste Disposal Act (42 U.S.C.A. section 6925) is not subject to this section for the operation of such unit.

(4) The owner or operator of any recycling facility as defined in section 22a-207 of the general statutes, including a primary or secondary smelter, that combusts waste for the primary purpose of recovering metals is not subject to this section for the operation of such unit.

(5) The owner or operator of a cement kiln firing municipal solid waste is not subject to this section for the operation of such unit.

(6) The owner or operator of a municipal waste combustor unit to which this section applies shall not be subject to section 22a-174-22e of the Regulations of Connecticut State Agencies for such unit.

(c) Emission limits.

* * *

(8) On and after the date specified in subsection (m) of this section, no owner or operator of a municipal waste combustor shall cause or allow the emission of nitrogen oxides (NOx) in excess of the applicable emission limit as follows:

(A) Prior to the date specified in subparagraph (B) of this subdivision, in excess of the applicable emission limit listed in Table 38-2 of this subdivision; and

(B) Commencing twelve (12) months after the effective date of this subparagraph, in excess of the applicable emission limit listed in Table 38-2A of this subdivision.

Table 38-2. Nitrogen Oxides Emission Limits.

Municipal waste combustor technology	Nitrogen oxides emission limit, measured in parts per million volume, corrected to seven percent oxygen, dry basis, or equivalent percentage carbon dioxide as specified in subdivision (12) of this subsection

Mass burn refractory combustor	177
Mass burn waterwall combustor for which construction commenced on or before December 31, 1985	200
Mass burn waterwall combustor for which construction commenced after December 31 ,1985	177
Processed-municipal solid waste combustor	146
Reciprocating grate waste tire fired incinerator/boiler	79

Table 38-2A. Nitrogen Oxides Emission Limits.

Municipal waste combustor technology	Nitrogen oxides emission limit, measured in parts per million volume, corrected to seven percent oxygen, dry basis, or equivalent percentage carbon dioxide as specified in subdivision (12) of this subsection
Mass burn refractory combustor	177
Mass burn waterwall combustor	150
Processed-municipal solid waste combustor	146
Reciprocating grate waste tire fired incinerator/boiler	79

(9) Continuous compliance with the nitrogen oxides emission limits contained herein shall be based on a 24-hour daily arithmetic average.

* * *

(11) The emission limits specified in this subsection shall apply at all times except during periods of startup, shutdown or malfunction as specified in this subdivision:

(A) The duration of each startup, shutdown or malfunction period shall be limited to three hours per occurrence for all MWC * * * ; and

(B) The provisions of subparagraph (A) of this subdivision shall not apply to opacity limits. However, during each period of startup, shutdown or malfunction, the opacity limits shall not be exceeded during more than five (5) 6-minute arithmetic average measurements.

(12) All emission limits in this subsection, except for those identified for opacity, shall be corrected to seven percent oxygen (7% O_2), unless the owner or operator submits information to justify a correction to an equivalent percent carbon dioxide (% CO_2) and receives the commissioner's written approval. If the owner or operator of a MWC seeks to use an equivalent % CO_2, the owner or operator must demonstrate the relationship between O_2 and CO_2 levels as specified in subparagraph (J) of subdivision (4) of subsection (i) of this section and submit a written report to the commissioner summarizing the results of the demonstration. This relationship may be reestablished during any performance test conducted pursuant to subsection (i) of this section.

(13) * * *

(14) Notwithstanding subparagraph * * * (E) * * * of subdivision (4) of subsection (i) of this section, for the purpose of submitting compliance certifications or for the purpose of the commissioner establishing whether the owner or operator has violated or is in violation of any emission limit or standard in this subdivision, nothing shall preclude the commissioner's use, including the exclusive use, of any appropriate performance test results, credible evidence or information relevant to demonstrating compliance with the applicable requirements of this section.

(15) * * *

(16) On and after January 1, 2018, no owner or operator of a municipal waste combustor unit using a selective non-catalytic reduction system for control of nitrogen oxides shall cause or allow the emission of ammonia in excess of the applicable emission limit identified in Table 38-4.

Table 38-4. Ammonia Emission Limits.

Air pollutant	Emission limit
Ammonia	20 parts per million by volume (ppmvd) at 7% oxygen

(17) Continuous compliance with the ammonia emission limit established in subdivision (16) of this subsection shall be determined based on either annual stack testing as specified in subsection (i)(4)(L) of this section or a CEM system as specified in subsection (j)(4) of this section.

(d) [Reserved.]

(e) [Reserved.]

(f) * * *

(g) * * *

(h) * * *

(i) Performance testing.

(1) Each MWC owner or operator shall conduct an initial performance test to determine compliance with the emission limits specified in this section. All performance tests shall be conducted under representative full load operating conditions. The initial performance test for each pollutant for which a limit is specified in this section shall be completed within 180 days after the final compliance date identified in subsection (m) of this section.

* * *

(4) Each MWC owner or operator shall employ the following methodologies:

(A) * * *

(B) * * *

(C) * * *

(D) * * *

(E) Compliance with the nitrogen oxide emission limit shall be determined by using the CEM system specified in subsection (j)(1) of this section;

(F) * * *

(G) * * *

(H) * * *

(I) * * *

(J) Testing for the relationship between carbon dioxide and oxygen shall be conducted in accordance with the following procedures:

(i) At least three (3) test runs of CO_2 and O_2 diluent data shall be obtained using the procedures and methods contained in 40 CFR Part 60, Appendix A, Reference Method 3A or 3B,

(ii) For each test run, using the following equation, a calculation shall be made of the CO_2 correction factor which is equivalent to a 7% O_2 correction factor:

$$CO_2 \text{ correction factor} = \frac{13.9}{(20.9 - O_{2\,\text{measured}})} \times CO_{2\text{measured}}$$

, and

(iii) Calculation of a unit-specific equivalent CO_2 correction factor shall be the arithmetic mean of the result obtained from the three (3) test runs and the calculation of the CO_2 correction factor for each test run pursuant to subparagraph (J)(ii) of this subdivision, rounded to the nearest whole number;

(K) * * *

(5) The initial performance test for ammonia, as applicable, shall be conducted at the time the first annual performance test after January 1, 2018 is conducted. Subsequent annual performance tests for ammonia shall be conducted not earlier than nine (9) calendar months and not later than fifteen (15) calendar months following the previous performance test for ammonia.

(j) Compliance monitoring

(1) Continuous compliance with the emission limits specified in subsection (c) of this section for * * * nitrogen oxides (NOx) * * * shall be determined based on continuous emission monitoring system data. No later than the applicable compliance date specified in subsection (m) of this section, the owner or operator of a municipal waste combustor shall install, operate and calibrate such continuous emission monitoring system in a manner acceptable to the commissioner and certify to the commissioner, in writing, that the equipment specifications for the continuous emission monitoring system have been and are being met. In addition to the aforementioned continuous monitoring systems, the owner or operator of a municipal waste combustor shall also install, operate, calibrate and maintain continuous monitoring systems for measuring the final particulate control device inlet temperature, municipal waste combustor unit load and the oxygen or carbon dioxide content of the flue gas at each location where

carbon dioxide, sulfur dioxide or nitrogen oxide emissions are monitored. CEM systems shall meet the following requirements:

(A) * * *

(B) O_2 and CO_2 monitors shall meet the applicable performance and quality assurance requirements of 40 CFR Part 60, Appendix B, Performance Specification 3; 40 CFR Part 60, Appendix F, Procedure 1; and 40 CFR section 60.13;

(C) * * *

(D) NO_x monitors shall meet the applicable performance and quality assurance requirements of 40 CFR Part 60, Appendix B, Performance Specification 2; 40 CFR Part 60, Appendix F, Procedure 1; and 40 CFR section 60.13; and

(E) * * *

(2) A MWC owner or operator shall comply with the following minimum data requirements:

(A) Data available for gaseous and process CEMS shall not be less than ninety percent (90%) of the total operating hours in any one calendar quarter;

(B) * * *

(C) At least three equally spaced data points per hour shall be used to calculate a one-hour average; and

(D) The percentage of data available shall be calculated in accordance with the procedures specified on forms furnished or prescribed by the commissioner.

(3) * * *

(4) The owner or operator of a municipal waste combustor unit at which a selective non-catalytic reduction system is installed and operated for control of NOx emissions may install, operate and calibrate, in a manner acceptable to the commissioner, a CEM system for measuring ammonia emissions and certify to the commissioner, in writing, that the equipment specifications for the CEM

system have been met. Continuous compliance with the emission limit for ammonia shall be determined based on a 24-hour daily average. The owner or operator using a CEM system to measure ammonia emissions shall meet the following requirements:

(A) Ammonia CEM system performance specifications and quality assurance procedures are subject to review by the commissioner and shall not be implemented until approval from the commissioner has been received; and

(B) The owner or operator shall be required to monitor ammonia slip at each MWC unit, as follows:

(i) Data available for the ammonia CEM system shall not be less than ninety percent (90%) of the total operating hours in any one calendar quarter and not less than ninety-five percent (95%) of the total operating hours in any one calendar year,

(ii) Obtain valid 1-hour averages for seventy-five percent (75%) of the operating hours per day for ninety percent (90%) of the operating days per calendar quarter during which the unit combusts any municipal solid waste,

(iii) At least three equally spaced data points per hour shall be used to calculate a one hour average,

(iv) Notify the commissioner according to subsection (l)(3)(A)(v) of this section in the event of failure to obtain the minimum data required by subparagraphs (B)(i) and (B)(ii) of this subdivision, and

(v) The percentage of data available shall be calculated as follows:

(I) In accordance with the procedures specified on forms furnished or prescribed by the commissioner, and

(II) Using all data obtained from a CEM system to calculate emissions concentrations and percent reductions as required by this section regardless of whether the minimum data availability requirements of subparagraphs (B)(i) and (B)(ii) of this subdivision are obtained.

(k) Record keeping requirements.

(1) The owner or operator of a municipal waste combustor shall maintain records of the information specified in subdivisions (2) through (11) of this subsection, as applicable, labeling each record with the calendar date on which the data was generated. Each record shall be maintained for a period of at least five (5) years from the date the record was created.

(2) Operator training and certification records shall be maintained on an annual basis, as follows:

(A) The names of the chief operators and shift operators, certified by the commissioner, and employed at the plant, including the dates of initial and renewal certifications and documentation of current certification;

(B) The names of the chief operators and shift operators who have completed an operator training course as required under subdivision (3) of subsection (h) of this section; and

(C) The names of the persons at the plant who have completed a training program as required under subdivision (5) of subsection (h) of this section.

(3) Emission concentrations and parameters, measured using a CEM system, shall be recorded as specified in this subdivision:

(A) * * *

(B) * * *

(C) * * *

(D) All one-hour average nitrogen oxides emission concentrations; and

(E) All * * * municipal waste combustor unit load measurements, and particulate matter control device inlet temperatures.

(4) Average concentrations and percent reductions, as applicable, shall be maintained as specified in this subdivision:

(A) * * *

(B) All 24-hour daily arithmetic average nitrogen oxides emission concentrations;

(C) * * *

(D) All 4-hour block arithmetic average municipal waste combustor unit loads and particulate matter control device inlet temperatures.

(5) The calendar dates when any of the average emission concentrations, * * * operating parameters * * * recorded under subdivisions (3) or (4) of this subsection are above the applicable limit shall be identified. The reasons for such exceedances, a description of corrective actions taken and a description of the measures taken to prevent future exceedances shall also be recorded.

(6) The calendar dates for which the minimum number of hours of any of the date required by this section have not been obtained shall be identified, the reasons for not obtaining sufficient data, a description of corrective actions taken and a description of the measures taken to prevent future losses of data.

(7) Where * * * nitrogen oxides emissions data or operational data (i.e., * * * municipal waste combustor unit load and particulate matter control device temperature) have been excluded from the calculation of average emission concentrations or parameters, the owner or operator shall be identify such exclusion as well as the reason(s) for excluding the data.

(8) The results of daily calibrations and quarterly accuracy determinations for * * * nitrogen oxides * * * and oxygen or carbon dioxide continuous emission monitoring systems shall be recorded.

(9) The test reports and supporting calculations documenting the results of an initial performance test conducted to determine compliance with the emission limits specified in this section for * * * ammonia, shall be recorded. The maximum demonstrated municipal waste combustor unit load and maximum demonstrated particulate matter control device temperature shall be recorded for the initial performance test * * * . The test results, and supporting calculations documenting the relationship between carbon dioxide and oxygen concentrations established in accordance with this section shall be recorded if established during the initial performance test.

(10) The test reports and supporting calculations documenting the results of all annual performance tests conducted to determine compliance with the emission limits specified in this section for * * * ammonia shall be recorded. * * * The relationship between carbon dioxide and oxygen concentrations shall be recorded if the relationship is reestablished during the annual performance test.

(11) * * *

(l) Reporting requirements.

(1) The MWC owner or operator shall submit an initial performance test report to the commissioner within sixty (60) days after the date of completion of the initial performance test as specified in subsection (i) of this section. Such an initial test report shall include the following:

(A) The initial performance test data for * * * nitrogen oxides, municipal waste combustor unit load and particulate matter control device inlet temperature;

(B) * * *

(C) The performance evaluation for the continuous emission monitoring system using the applicable performance specifications and procedures cited in subsection (j) of this section;

(D) The maximum demonstrated municipal waste combustor unit load and maximum demonstrated particulate matter control device inlet temperature(s) established during the initial * * * performance test;

(E) For those units for which the relationship between carbon dioxide and oxygen is established as required by subdivision (12) of subsection (c) of this section, the owner or operator shall submit the results of the tests establishing the relationship, including test results, identification of the unit test, the date and time of each test run, and, as necessary, a schedule for making the appropriate modifications to the CEM system to incorporate the equivalent % CO_2 correction factor;

(F) * * *

(G) * * *

(2) The MWC owner or operator shall submit a quarterly report to the commissioner within thirty (30) days following the end of each calendar quarter in which the data were collected. The first quarterly report shall be submitted within thirty (30) days following the end of the calendar quarter in which the initial performance test is conducted. Each quarterly report shall include the following:

(A) All emissions data recorded pursuant to this section during the calendar quarter;

(B) Each calendar date during the calendar quarter reported when any of the average emission concentrations, * * * operating parameters * * * recorded exceeded the applicable limit identified in this section; the reasons the limit was exceeded and a description of the corrective actions taken;

(C) * * *

(D) The data and results of any CEM quality assurance testing conducted pursuant to this section.

(3) Except as set forth in subparagraph (D) of this subdivision, the MWC owner or operator shall submit an annual report to the commissioner no later than January 30 of each year following the calendar year in which the data were collected. The first annual report shall be submitted no later than January 30 of the first year following the end of the calendar year in which the initial performance test is conducted. Each annual report shall include the following:

(A) A summary of data collected for each pollutant regulated under this section and all applicable parameters, as follows:

(i) A list of the * * * ammonia emission levels, achieved during all initial and annual performance tests.

(ii) A list of the highest emission level recorded for * * * nitrogen oxides * * * and, as applicable, ammonia based on the data recorded for * * * 24-hour daily arithmetic averages,

(iii) * * *

(iv) The relationship between carbon dioxide and oxygen, if such relationship is reestablished, including test results, identification of the units tested and the date and time of each test run, and, as necessary, a schedule for making the appropriate modifications to the CEM system to incorporate the equivalent % CO_2 correction factor,

(v) The total number of days that the minimum number of hours of data for * * * nitrogen oxides * * * and ammonia were not obtained, and

(vi) The total number of hours that data for * * * nitrogen oxides * * * and ammonia were excluded from the calculation of average emission concentrations or parameters;

(B) The information required by subparagraph (A)(i), (A)(ii) and * * * of this subdivision for the previous calendar year;

(C) The data summaries required by subparagraphs (A) and (B) of this subdivision shall highlight any emission or parameter levels that did not achieve the emission or parameter limits specified under this section; and

(D) If a MWC owner or operator is subject to more stringent annual reporting requirements pursuant to a permit issued under Title V of the Clean Air Act and section 22a-174-33 of the Regulations of Connecticut State Agencies, those requirements shall supersede the requirements of this subsection.

(4) At least ninety (90) days before any MWC owner or operator plans to conduct any performance test required under this subsection, such owner or operator shall submit a performance test plan for review and written approval of the commissioner. Such plan shall contain, at a minimum, the following information:

(A) sampling locations;

(B) test methods;

(C) sampling protocols;

(D) sample analysis procedures; and

(E) any other information required by the commissioner.

(5) The MWC owner or operator shall provide written notification to the commissioner three (3) business days prior to conducting any performance test required under this subsection.

(6) The MWC owner or operator shall provide written notification to the commissioner within seventy-two (72) hours of the time at which such owner or operator receives information regarding performance test results indicating that any * * * ammonia * * * emission levels exceed the applicable pollutant emission limits or standards defined in this section.

(7) Any report required to be submitted to the commissioner by this section must include a certification signed by a responsible corporate officer or a duly authorized representative of such officer, as those terms are defined in subdivision (2) of subsection (b) of section 22a-430-3 of the Regulations of Connecticut State Agencies, and by the individual or individuals responsible for actually preparing such document, each of whom shall examine and be familiar with the information submitted in the document and all attachments thereto, and shall make inquiry of those individuals responsible for obtaining the information to determine that the information is true, accurate, and complete, and each of whom shall certify in writing as follows:

> "I have personally examined and am familiar with the information submitted in this document and all attachments thereto, and I certify that based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, the submitted information is true, accurate and complete to the best of my knowledge and belief. I understand that any false statement made in the submitted information may be punishable as a criminal offense under section 22a-175 of the Connecticut General Statutes or, in accordance with section 22a-6 of the Connecticut General Statutes, under section 53a-157b of the Connecticut General Statutes, and in accordance with any other applicable statute."

(8) The MWC owner or operator shall submit all reports and notifications required by this subsection on forms furnished or prescribed by the commissioner.

(9) The MWC owner or operator shall submit all reports specified under this subsection as a paper copy, with supporting data in either paper or electronic format, postmarked on or before the submittal dates specified in this subsection, and maintain such reports at the premises as a paper copy with any supporting data in the format submitted for a period of five (5) years from the date of submission to the commissioner.

(m) Compliance schedule.

(1) * * *

(2) * * *

(3) The owner or operator of a MWC for which construction, modification or reconstruction commenced on or after September 20, 1994 shall achieve final compliance with the applicable emission limits specified in subsections (c) and (f) of this section, with the exception of the emission limits of Tables * * * 38-

3a, no later than December 19, 2000 or the date of initial operation, whichever is later.

(4) * * *

(5) The owner or operator of any MWC shall achieve final compliance with the applicable emission limit specified in Table 38-3a of subsection (c) of this section no later than May 1, 2003 or the date of initial operation, whichever is later.

(6) The owner or operator of a MWC subject to this section who is unable to comply with the requirements of this section within the final compliance dates specified in this subsection shall cease operation. Within one year of the effective date of this section such an owner or operator shall either immediately cease operation or, at the discretion of the commissioner, enter into a legally enforceable cease operation agreement with the commissioner that includes a date no later than December 19, 2000 on which operation will cease.

(7) On and after the date one year from the effective date of this section, any MWC that has been operated in full compliance with all requirements of this section for nitrogen oxides shall be exempt from the following provisions of the Regulations of Connecticut State Agencies:

(A) Section 22a-174-22(k) concerning nitrogen oxides emissions testing and monitoring; and

(B) Section 22a-174-22(l) concerning reporting and record keeping for nitrogen oxides.

(8) Any MWC that is operating in full compliance with all requirements of this section for nitrogen oxides, as determined by the commissioner, shall be exempt from the May 31, 1999 deadline contained in Section 22a-174-22, subsection (e), subdivision (2) of the Regulations of Connecticut State Agencies as of the effective date of this section.

EPA NOTE : Portions or words of Connecticut's Section 22a-174-38 which were not incorporated by referenced into the state implementation plan do not appear in the above text and are represented by * * * to indicate missing text.