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Connecticut DEP Reissues General Permit to Limit Potential to Emit

On November 30, 2010, the Connecticut Department of Environmental Protection (CTDEP) released a revised General Permit to Limit Potential to Emit (GPLPE). The GPLPE enables an emissions source to limit its potential emissions to below Title V permit thresholds under the Clean Air Act and derivative CTDEP regulations.

Although the outgoing GPLPE does not terminate until approximately February 24, 2011, the new GPLPE is effective from November 19, 2010 (its official issuance date) through November 19, 2015.

Some of the more notable changes in the new GPLPE include the following:

- **Expanded record keeping requirements:** In addition to meeting monthly record keeping requirements, as under the outgoing GPLPE, a source registered under the new GPLPE must calculate and log its annual emissions to verify compliance with the emission limits in the GPLPE.
- **Narrowed emission reporting requirements:** Under the new GPLPE, a source must submit an annual emissions report to CTDEP only if its actual emissions exceed 80 percent of the GPLPE emission limits (rather than 50 percent, as under the outgoing GPLPE).
- **Annual compliance certification submittal date:** A registered source now has until March 1 of each year to submit to CTDEP an annual certification that the source is in compliance with the GPLPE. The deadline under the outgoing GPLPE has been January 30.
- **Limit on greenhouse gas (GHG) emissions:** In addition to limiting emissions of "traditional" pollutants, as under the outgoing GPLPE, the new GPLPE limits GHG emissions to 100,000 tons of CO₂e (a metric by which all GHGs are equalized relative to carbon dioxide on the basis of their potential to cause global warming). The GHG limit is intended to allow a registered source to avoid the recent expansion of Title V permit requirements to GHGs under EPA's May 2010 "tailoring rule," which takes effect January

2, 2011.

- **Reduced fee:** The registration fee for the new GPLPE has been reduced to \$2,760 (down from \$5,000 for the outgoing GPLPE).

To be covered under the new GPLPE, a source must submit a completed registration form to CTDEP and receive written CTDEP approval.

The reissued GPLPE, along with the registration form and other related materials, is available on CTDEP's [Web site](#).

FOR MORE INFORMATION

Robinson & Cole LLP's Environmental and Utilities Practice Group has assisted clients in a broad array of industries with the GPLPE. For questions regarding the reissued GPLPE and related issues, please contact one of the following attorneys:

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