

33.0 CONFIDENTIALITY AND ACCESSIBILITY OF RECORDS

33.1 General

Any records or other information furnished to the Department concerning one or more air contaminant sources, which records or information, as certified by the owner or operator, relate to production or sales figures or to processes or production unique to the owner or operator, shall be only for the confidential use of the Department or the Board in the administration of these regulations, unless such owner or operator shall expressly agree to their publication or availability to the general public or unless the disclosure of such information is required for the prosecution of a violation of these regulations thereunder. Such confidential information shall be kept in the Department safe. Nothing herein shall be construed to prevent the use of such records or information by the Department in compiling or publishing analyses or summaries relating to the general condition to the outdoor atmosphere, provided that such analyses or summaries do not identify any owner or operator or reveal any information otherwise confidential under this section.

33.2 Exemptions

- A. The composition of air contaminants and emission data shall not be considered confidential. Such data shall be accessible to the public at the office of the Department during normal working hours.
- B. Written records, including, but not limited to the granting of variances and permits, are accessible to the public at the office of the Department of Air Pollution Control and such records are subject to review by the Board.
- C. Written records shall be maintained of all actions taken by the Department and such records shall be accessible to the public at the office of the Air Pollution Control Department during normal working hours.

| | Date Submitted to EPA | Date Approved by EPA | Federal Register |
|--------------|----------------------------------|---------------------------------|-----------------------------|
| Original Reg | Aug 17, 1972 | Oct 28, 1972 | 37 FR 23085 |
| 1st Revision | Jul 07, 1986 | Aug 03, 1989 | 54 FR 31953 |