



STATE OF CONNECTICUT)
)
 VS.)
)
 HAMILTON SUNDSTRAND)
 CORPORATION a UTC AEROSPACE)
 SYSTEMS COMPANY)
)

Order No. 2473

CONSENT ORDER

- A. With the agreement of Hamilton Sundstrand Corporation ("Respondent"), the Commissioner of Energy and Environmental Protection ("Commissioner") finds the following:
1. The Respondent designs and manufactures aerospace components at 1 Hamilton Road in Windsor Locks, CT ("the facility").
 2. The facility is a "Title V source", as defined in Section 22a-174-33(a)(10) of the Regulations of Connecticut State Agencies ("RCSA"). The facility's most recent Title V permit renewal was issued on 8/5/2014.
 3. At the facility, the Respondent owns operates a Rockhard coating booth (the "booth"). The booth has potential emissions of Volatile Organic Compounds ("VOCs") greater than fifteen (15) tons per year. In lieu of obtaining a New Source Review permit, the Respondent opted to limit the booth's potential emissions by operating the unit under Section 22a-174-3b(g) of the RCSA.
 4. Pursuant to Section 22a-174-3b(g)(1) of the RCSA, the VOC content of the coating(s) used by an owner and/or operator during surface coating operations shall not exceed 6.3 pounds per gallon, as applied.
 5. Pursuant to Section 22a-174-33(p)(1) of the RCSA, a Title V permittee must submit to the Department in writing, any deviation of the emission limit(s) of their Title V permit.

Date Issued: August 10, 2017

6. On 4/5/2016, the Respondent submitted a Title V Prompt Deviation Report, in accordance with Section 22a-174-33(p)(1) of the RCSA. In it, the Respondent stated that the booth has been applying coatings that have a VOC content greater than the 6.3 pounds per gallon limit allowed under Section 22a-174-3b(g)(1)(A) of the RCSA. According to the Respondent, they have been applying such coatings with the booth since 4/1/2011.
 7. On 4/28/2016, the Department issued Notice of Violation (“NOV”) No. 17678 to the Respondent for violation of Section 22a-174-3b(g)(1)(A) of the RCSA.
 8. The Respondent submitted a compliance statement in response to the issuance of the NOV, stating that the violation has been corrected. According to the Respondent, the violation was caused by improperly written mixing instructions for the preparation of the coating that is used in the booth.
 9. In the compliance statement, dated 5/26/2016, the Respondent states that they have taken several measures to correct the violation, including: reformulating the coating; revising the mixing instructions; mixing coatings only under controlled laboratory conditions; retraining staff; and by the removal of any remaining non-compliant coating from the factory floor.
 10. By virtue of the above, the Respondent violated Section 22a-174-3b(g)(1)(A) of the RCSA.
- B. With the agreement of the Respondent, the Commissioner, pursuant to Sections 22a-6, 22a-171, 22a-174, 22a-177, and 22a-178 of the Connecticut General Statutes, orders as follows:
1. The Respondent shall fully comply with the requirements of Section 22a-174-3b(g) of the RCSA.
 2. Civil Penalty. The Respondent shall pay a penalty of \$5,625 as the total civil penalty to be sought by the Commissioner for those, and only those, violations described in paragraphs A.3. through A.10. of this Consent Order.
 3. Payment of penalties. Payment of penalties under this consent order shall be mailed or personally delivered to the Department of Energy and Environmental Protection, Bureau of Financial and Support Services, Accounts Receivable Office, 79 Elm Street, Hartford, CT 06106-5127, and shall be by certified or bank check payable to the “Connecticut Department of Energy and Environmental Protection”. The check shall state on its face, “*Air Engineering & Enforcement Division, civil penalty Consent Order No. 2473*”.
 4. Full Compliance. Respondent shall not be considered in full compliance with this Order until all actions required by this Order have been completed as approved and to the Commissioner’s satisfaction.
 5. Approvals. Respondent shall use best efforts to submit to the Commissioner all documents required by this Order in a complete and approvable form. If the Commissioner notifies Respondent that any document or other action is deficient, and does not approve it with conditions or modifications, it is deemed disapproved, and Respondent shall correct the deficiencies and resubmit it within the time specified by the Commissioner or, if no time is specified by the Commissioner, within thirty (30) days of the Commissioner's notice of deficiencies. In approving any document or other action

under this Order, the Commissioner may approve the document or other action as submitted or performed or with such conditions or modifications as the Commissioner deems necessary to carry out the purposes of this Order. Nothing in this paragraph shall excuse noncompliance or delay.

6. Definitions. As used in this Order, "Commissioner" means the Commissioner or a representative of the Commissioner.
7. Dates. The date of "issuance" of this Order is the date the Order is deposited in the U.S. mail or personally delivered, whichever is earlier. The date of the submission to the Commissioner of any document required by this Order shall be date such document is received by the Commissioner. The date of any notice by the Commissioner under this Order, including but not limited to notice of approval or disapproval of any document or other action, shall be the date such notice is deposited in the U.S. mail or is personally delivered, whichever is earlier. Except as otherwise specified in this Order, the word "day" as used in this Order means calendar day. Any document or action which is required by this Order to be submitted or performed by a date which falls on a Saturday, Sunday or a Connecticut or federal holiday shall be submitted or performed by the next day which is not a Saturday, Sunday, or Connecticut or federal holiday.
8. Certification of documents. Any document, including but not limited to any notice, which is required to be submitted to the Commissioner under this Order shall be signed by Respondent or, if Respondent is not an individual, by Respondent's chief executive officer or a duly authorized representative of such officer, as those terms are defined in §22a-430-3(b)(2) of the Regulations of Connecticut State Agencies, and by the individual(s) responsible for actually preparing such document, and Respondent or Respondent's chief executive officer and each such individual 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, based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, that 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 is punishable as a criminal offense under §53a-157b of the Connecticut General Statutes and any other applicable law."
9. Noncompliance. This Order is a final Order of the Commissioner with respect to the matters addressed herein, and is nonappealable and immediately enforceable. Failure to comply with this Order may subject Respondent to an injunction and penalties.
10. False statements. Any false statement in any information submitted pursuant to this Order is punishable as a criminal offense under §53a-157b of the Connecticut General Statutes and any other applicable law.
11. Notice of transfer; liability of Respondent. Until the Respondent have fully complied with this Order, Respondent shall notify the Commissioner in writing no later than fifteen (15) days after transferring all or any portion of the facility, the operations, the site or the business which is the subject of this Order or after obtaining a new mailing or location address. Respondent's obligations under this Order shall not be affected by the passage of title to any property to any other person or municipality.

12. Commissioner's powers. Except as provided hereinabove with respect to payment of civil penalties, nothing in this Order shall affect the Commissioner's authority to institute any proceeding or take any other action to prevent or abate violations of law, prevent or abate pollution, recover costs and natural resource damages, and to impose penalties for past, present, or future violations of law. If at any time the Commissioner determines that the actions taken by the Respondent pursuant to this Order have not successfully corrected all violations, fully characterized the extent or degree of any pollution, or successfully abated or prevented pollution, the Commissioner may institute any proceeding to require Respondent to undertake further investigation or further action to prevent or abate violations or pollution.
13. Respondent's obligations under law. Nothing in this Order shall relieve Respondent of other obligations under applicable federal, state and local law.
14. No assurance by Commissioner. No provision of this Order and no action or inaction by the Commissioner shall be construed to constitute an assurance by the Commissioner that the actions taken by Respondent pursuant to this Order will result in compliance or prevent or abate pollution.
15. Access to site. Any representative of the Department of Energy and Environmental Protection may enter the facility without prior notice for the purposes of monitoring and enforcing the actions required or allowed by this Order.
16. No effect on rights of other persons. This Order neither creates nor affects any rights of persons or municipalities that are not parties to this Order.
17. Notice to Commissioner of changes. Within fifteen (15) days of the date Respondent become aware of a change in any information submitted to the Commissioner under this Order, or that any such information was inaccurate or misleading or that any relevant information was omitted, Respondent shall submit the correct or omitted information to the Commissioner.
18. Notification of noncompliance. In the event that Respondent become aware that it did not or may not comply, or did not or may not comply on time, with any requirement of this Order or of any document required hereunder, Respondent shall immediately notify by telephone the individual identified in the next paragraph and shall take all reasonable steps to ensure that any noncompliance or delay is avoided or, if unavoidable, is minimized to the greatest extent possible. Within five (5) days of the initial notice, Respondent shall submit in writing the date, time, and duration of the noncompliance and the reasons for the noncompliance or delay and propose, for the review and written approval of the Commissioner, dates by which compliance will be achieved, and Respondent shall comply with any dates which may be approved in writing by the Commissioner. Notification by Respondent shall not excuse noncompliance or delay, and the Commissioner's approval of any compliance dates proposed shall not excuse noncompliance or delay unless specifically so stated by the Commissioner in writing.
19. Submission of documents. Any document required to be submitted to the Commissioner under this Order shall, unless otherwise specified in this order or in writing by the Commissioner, be directed to:

Lakisha Stephenson
Department of Energy and Environmental Protection
Bureau of Air Management
Air Engineering & Enforcement Division
79 Elm Street, 5th Floor
Hartford, Connecticut 06106-5127

Respondent consent to the issuance of this Consent Order without further notice. The undersigned certifies that he/she is fully authorized to enter into this Consent Order and to legally bind the Respondent to the terms and conditions of the Consent Order.

**HAMILTON SUNDSTRAND
CORPORATION-a UTC AEROSPACE
SYSTEMS COMPANY**

Signature: Gail Baker

Type Name: GAIL BAKER

Type Title: VP, ISRS

Date: 8/1/2017

Issued as a final Order of the Commissioner of Energy and Environmental Protection.

Robert E. Kaliszewski
Robert E. Kaliszewski
Deputy Commissioner
Department of Energy & Environmental Protection

8/10/17
Date