



STATE OF CONNECTICUT

VS.

ALGONQUIN GAS TRANSMISSION, LLC

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Consent Order No. 2493

CONSENT ORDER

- A. With the agreement of Algonquin Gas Transmission, LLC ("Respondent"), the Commissioner of Environmental Protection ("Commissioner") finds the following:
1. The Respondent owns and operates a natural gas compressor station facility at 252 Shunpike Road, Cromwell Connecticut ("premises").
 2. At the premises, Respondent operates six Cooper-Bessesmer GMWA-8 natural gas-fired reciprocating internal combustion engines ("engines").
 3. The engines each have a maximum rated capacity of 16.3 MMBtu/hr and are located at a premises that is a major stationary source of Nitrogen Oxides ("NOx"). Therefore, Section 22a-174-22e(d)(6) of the Regulations of Connecticut State Agencies ("Regulations") is applicable to the Respondent.
 4. Emission tests conducted in February and June of 2015 showed NOx emissions ranging from 3.14 to 6.44 gm/hp-hr. The applicable Phase 1 emission limit for the engines pursuant to 22e(d)(6) is 2.5 gm/hp-hr.
 5. Pursuant to Section 22a-174-22e(f)(2) of the Regulations, Respondent notified the Commissioner on June 7, 2017 that it intends to cease operating the engines and replace them with two natural gas-fired simple cycle turbines ("turbines").
- B. With the agreement of the Respondent, the Commissioner, acting under §§22a-6, 22a-171, 22a-174, 22a-177, 22a-178, 22a-208, 22a-225 and 22a-250 of the Connecticut General Statutes orders the Respondent as follows:

Date Issued: March 27, 2018

1. Pursuant to 22a-174-22e(f)(2), the Respondent shall cease operating the engines and render them permanently inoperable no later than May 31, 2019.
2. The Respondent shall submit permit revocation requests to the department for the engines within 30 days following such decommissioning.
3. 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.
4. 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 the 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 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.
5. Definitions. As used in this Order, "Commissioner" means the Commissioner or a representative of the Commissioner.
6. 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 submission to the Commissioner of any document required by this Order shall be the 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.
7. 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 may be


punishable as a criminal offense under Section §53a-157b of the Connecticut General Statutes and any other applicable law.”

8. False statements. Any false statement in any information submitted pursuant to this Order may be punishable as a criminal offense under §53a-157b of the Connecticut General Statutes and any other applicable law.
9. Notice of transfer; liability of Respondent. Until Respondent has fully complied with this Order, Respondent shall notify the Commissioner in writing no later than 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.
10. Commissioner's powers. 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 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.
11. Respondent's obligations under law. Nothing in this Order shall relieve Respondent of other obligations under applicable federal, state and local law.
12. 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.
13. Access to premises. Any representative of the Department of Energy & Environmental Protection may enter the premises without prior notice for the purposes of monitoring and enforcing the actions required or allowed by this Order.
14. 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.
15. Notice to Commissioner of changes. Within 15 days of the date Respondent becomes 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.
16. 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 the Respondent to an injunction and penalties.

17. Notification of noncompliance. In the event that Respondent becomes 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 Bureau of Air Management Unit 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.
18. Submission of documents. Any document required to be submitted to the Commissioner under this Order, unless otherwise specified in this Order or in writing by the Commissioner, shall be directed to:

Supervisor
Administrative Enforcement Group
Engineering & Enforcement Division
Bureau of Air Management
Department of Energy & Environmental Protection
79 Elm Street, 5th Floor
Hartford, Connecticut 06106
(860) 424-3702

Respondent consents 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.

Signature: 
Type Name: Thomas V. Wooden, Jr.
Type Title: Vice President - Gas Transmission Operations
Date: 3/6/2018

Issued as a final order of the Commissioner of the Department of Environmental Protection.


Robert Kaliszewski
Deputy Commissioner

3/27/18

Date

TOWN OF CROMWELL
LAND RECORDS
MAILED CERTIFIED MAIL,

