



Affirmative Action/Equal Opportunity Employer

Consent Order #8377

MIDDLETOWN POWER LLC
MONTVILLE POWER LLC
CONNECTICUT JET POWER LLC
DEVON POWER LLC

A. At the request and with the agreement of NRG Connecticut, the Commissioner finds the following:

1. NRG Connecticut owns and operates electric generation facilities in Connecticut (premises). At these premises NRG Connecticut owns and operates emissions units that supply power to the ISO New England electric power grid and are subject to RCSA Section 22a-174-22e pertaining to the control of NOx emissions.
2. In accordance with Section 22a-174-22e(h)(1), an owner or operator may request the Commissioner's approval for a case-by-case emissions limit for an emissions unit if the owner or operator demonstrates to the Commissioner's satisfaction that an emissions limit of RCSA Section 22a-174-22e(d) is not economically or technically feasible for the emissions unit.
3. In accordance with RCSA Section 22a-174-22e(h)(2), a request for a case-by-case NOx RACT determination shall be submitted to the commissioner for review no later than January 1, 2021 for a Phase 2 emissions limit.
4. On March 20, 2019, NRG Connecticut submitted applications requesting the Commissioner's approval of a Phase 2 case-by-case NOx RACT emissions limit for the emissions units described in Table A.1. At the request of the Commissioner, additional submissions were made on April 11, 2019 and June 28, 2019.

Table A.1 - Case-by-Case NOx RACT Demonstration Emissions Unit Description		
Unit ID/Location	Unit Description	Permit/ Registration Number
Devon 10 734 Naugatuck Ave, Milford	20 MW P&W FT4A-8 Simple Cycle Turbine	P #105-0026
Middletown 10 1866 River Road, Middletown	20 MW P&W FT4A-8 Simple Cycle Turbine	R #104-0102
Branford 10 272 East Main Street, Branford	20 MW P&W FT4A-8 Simple Cycle Turbine	R #014-0008
Franklin Drive 10 99 Franklin Drive, Torrington	20 MW P&W FT4A-8 Simple Cycle Turbine	R #183-0049
Torrington Terminal 10 1250 South Main Street, Torrington	20 MW P&W FT4A-8 Simple Cycle Turbine	R #183-0059
Montville 10 74 Lathrop Road, Uncasville	2.75 MW Internal Combustion (IC) Engine	R #107-0021
Montville 11 74 Lathrop Road, Uncasville	2.75 MW IC Engine	R #107-0022

5. In accordance with RCSA Section 22a-174-22e(h)(5), concurrent with the request for a case-by-case NOx RACT determination, the owner or operator of an emissions unit that is the subject of the case-by-case demonstration may request the imposition of a limit on the potential NOx emissions or limit on fuel use, raw materials processed or hours of operation for such emissions unit for the Commissioner's review and written approval.
6. NRG Connecticut requested the following limits on allowable fuel combusted:
 - Middletown 10 – 850,000 gallons/year (which is equivalent to 500 hours/year at full load);
 - Devon 10 – 874,000 gallons/year (which is equivalent to 465 hours/year at full load).
7. In accordance with RCSA Section 22a-174-22e(h)(1)(A), a request for a case-by-case NOx RACT determination shall demonstrate that the use of available emissions control technology and each compliance option designated in RCSA Section 22a-174-22e(g) is either technically or economically infeasible for the emissions unit that is the subject of the demonstration. Economic feasibility is determined on a dollar/ton basis, where any value determined using a method approved by the Commissioner that is equal to or less than \$13,635/ton of NOx reduced for a Phase 2 demonstration is presumed economically feasible.

8. In accordance with RCSA Section 22a-174-22e(g)(4), the following compliance options are available for a simple cycle turbine:
 - Install and operate water injection technology;
 - Reduce the average emission rate by at least 40% from a 2019 baseline; or
 - Retire another unit or units located at the same facility.
9. NRG Connecticut determined that installation of high pressure water injection (HPWI) and selective catalytic reduction (SCR) are technologies capable of lowering the emissions rate of a P&W FT4A-8 turbines by at least 40%. No units were identified that could be retired at the premises where the turbines are located.
10. In accordance with RCSA Section 22a-174-22e(g)(6), the following compliance options are available for an IC engine:
 - Reduce the average emission rate by at least 40% from a 2019 baseline; or
 - Retire another unit or units located at the same facility.
11. NRG Connecticut determined that SCR is a technology capable of lowering the emissions rate of the IC engines by at least 40%. No units located at the Montville facility were identified that could be retired.
12. In accordance with RCSA Section 22a-174-22e(h)(6)(A), an owner or operator shall identify all NOx emission control alternatives available for use on the emissions unit that is the subject of the demonstration.
13. NRG Connecticut determined that SCR and HPWI are the NOx control technologies available for the P&W FT4A-8 turbines and that SCR is the control technology available for the IC engines.
14. In accordance with RCSA Section 22a-174-22e(h)(6)(B), an owner or operator shall eliminate infeasible options from further consideration after identifying the physical, chemical or engineering circumstance that would preclude successful use of the control option.
15. NRG Connecticut determined that SCR is not technically feasible for Middletown 10, Branford 10, Franklin Drive 10 and Torrington Terminal 10 due to lateral and vertical space constraints.
16. In accordance with RCSA Section 22a-174-22e(h)(6)(C), an owner or operator shall evaluate the control effectiveness of feasible alternatives in terms of NOx emissions reduced based on the potential emissions of the emissions unit prior to use of the control alternative.
17. In accordance with RCSA Section 22a-174-22e(h)(6)(D), an owner or operator shall evaluate the cost of each feasible control alternative using a method approved by the Commissioner.

18. In accordance with RCSA Section 22a-174-22e(h)(6)(E), an owner or operator shall evaluate the cost effectiveness of each feasible control alternative on an annual basis as the cost in US dollars per ton of NOx reduced (\$/ton).
19. In accordance with RCSA Section 22a-174-22e(h)(7), the case-by-case NOx RACT determination approved by the commissioner shall be no less stringent than the lowest NOx emission rate achievable from the emissions unit using a cost effective control alternative.
20. NRG Connecticut calculated the NOx reduction efficiency, annualized cost and cost effectiveness for each of the technically feasible control technologies. The annualized cost and cost effectiveness were calculated using the *Air Pollution Control Cost Effectiveness Assessment Template* provided by the Commissioner. The results of these calculations are summarized in Table A.2. Based on these results, NRG Connecticut has demonstrated that the technically feasible control technologies available for the subject emissions units are not economically feasible.

Table A.2 - Summary of Control and Cost Effectiveness Evaluations				
Emissions Unit	Control Technology	Control Effectiveness (%)	Annualized Cost (\$/year)	Cost Effectiveness (\$/ton)
Devon 10	SCR	74.7	\$674,292	\$22,321
	HPWI	60	\$332,304	\$13,699
Middletown 10	HPWI	60	\$334,791	\$14,704
Branford 10	HPWI	60	\$451,252	\$16,237
Franklin Drive 10	HPWI	60	\$468,158	\$15,165
Torrington Terminal 10	HPWI	60	\$460,278	\$14,917
Montville 10	SCR	80.1	\$180,395	\$17,297
Montville 11	SCR	79.3	\$180,151	\$18,178

21. In accordance with RCSA Section 22a-174-22e(h)(1)(B), an owner or operator shall recommend a case-by-case RACT emissions limit that represents the lowest emissions limit reasonable for the emissions unit. An owner or operator may also recommend additional actions that will reduce NOx emissions from stationary or mobile sources in Connecticut.
22. NRG Connecticut proposes to continue operating the subject units without installing NOx controls. To achieve NOx emissions reductions and obtain a net air quality benefit, NRG Connecticut proposes to install and operate NOx emissions control equipment on Montville Unit 5 by January 1, 2020, on Middletown Unit 4 by May 1, 2020 and on Montville Unit 6 by January 1, 2021 and over-control the units to the Phase 2 emissions limits specified in RCSA Section 22a-174-22e(d)(2)(C) during the Phase 1 compliance period.

23. In accordance with RCSA Section 22a-174-22e(h)(1)(C), a case-by-case RACT demonstration shall provide a net air quality benefit including real and quantifiable reductions in NOx emissions from any facility in Connecticut under control of the owner or operator submitting the demonstration. The owner or operator shall calculate the NOx emission reductions achievable by implementing the recommended emissions limit and additional actions and compare that emissions reduction to the NOx emissions reductions that would have occurred if the emissions units complied with the emissions limits specified in RCSA Section 22a-174-22e(d).
24. NRG Connecticut calculated the NOx emissions reductions achievable during the Phase 1 compliance period resulting from implementing the proposal to install and operate NOx emissions controls on Montville Unit 5 by January 1, 2020, on Middletown Unit 4 by May 1, 2020 and on Montville Unit 6 by January 1, 2021 to be 3.4 tons for Montville Unit 5, 16.3 tons for Middletown Unit 4 and 16.9 tons for Montville Unit 6, for a total of 36.7 tons of NOx reductions. NRG Connecticut calculated the NOx emissions reductions that would have occurred if the subject emissions units complied with the emissions limits specified in RCSA Section 22a-174-22e(d) during the Phase 2 compliance period to be 32.6 tons. NRG Connecticut calculated the net air quality benefit of the proposal to be 4 tons of NOx reductions.
25. In accordance with RCSA Section 22a-174-22e(h)(8), the net air quality benefit obtained from the case-by-case RACT determination shall not include the reduction in potential emissions of NOx associated with the imposition of a limit on the potential NOx emissions or a limit on fuel use, raw materials processed or hours of operation.
26. The NOx reduction calculations assume that the dispatch profiles remain similar to those experienced during the 2014 through 2018 time period and did not include the reduction in potential emissions of NOx associated with the imposition of the requested limits on the hours of operation of Middletown 10 and Devon 10.
27. In accordance with RCSA Section 22a-174-22e(h)(9)(A), the owner or operator submitting a request for a case-by-case RACT determination shall, prior to submitting the request, publish notice of such request in a newspaper of general circulation in the area in which the emissions unit operates. The notice must include the information specified in RCSA Section 22a-174-22e(h)(12), including the scheduling of a public informational hearing to be held if any request for such hearing is submitted. RCSA Section 22a-174-22e(h)(10) requires that a copy of the notice be submitted to the Commissioner.
28. In accordance with RCSA Section 22a-174-22e(h)(11), the owner or operator submitting a request for a case-by-case RACT determination shall hold an informational hearing to explain the purpose of and basis for the request if a request to hold such hearing is made.
29. NRG Connecticut certified that notices were published in the newspapers identified in Table A.3.

Table A.3 - Public Participation/Notice and Public Hearing				
Municipality	Publication	Date Published	Offered Hearing Date	Hearing Requested?
Devon	Milford Mirror	12/20/2018	1/22/2019	No
Middletown	Middletown Press	12/14/2018	1/15/2019	No
Branford	New Haven Register	12/14/2018	1/21/2019	No
Torrington	Register Citizen	12/14/2018	1/16/2019	No
Montville	The Day	12/14/2018	1/14/2019	No

30. In accordance with RCSA Section 22a-174-22e(h)(9)(B), the owner or operator submitting a request for a case-by-case RACT determination shall, prior to submitting the request, notify the chief elected official of the municipality in which the emissions unit that is the subject of the request is located.
31. In accordance with RCSA Section 22a-174-22e(h)(10), the owner or operator shall include a signed statement certifying that the owner or operator notified the chief elected official of the municipality in which the emissions unit that is the subject of the request is located.
32. NRG Connecticut certified that the chief elected officials identified in Table A.4 were notified of the request for a case-by-case RACT determination. A copy of each chief elected official notification letter was submitted to the Commissioner.

Table A.4 - Public Participation/Chief Elected Official Notification			
Municipality	Chief Elected Official	Date of Letter	Date of Certification
Devon	Mayor Blake	12/14/2018	3/14/2019
Middletown	Mayor Drew	12/14/2018	3/14/2019
Branford	First Selectman Cosgrove	12/14/2018	3/14/2019
Torrington	Mayor Carbone	12/14/2018	3/14/2019
Montville	Mayor McDaniel	12/14/2018	3/14/2019

33. Based on the information described in Paragraphs A.7 through A.20, the Commissioner finds that NRG Connecticut has demonstrated that the emissions limits specified in RCSA Section 22a-174-22e(d) are not technically and economically feasible for the subject emissions units. The cost effectiveness calculated for the technically feasible control alternatives were greater than \$13,635/ton of NOx reduced for all the subject units, which is above the threshold for presumed economic feasibility for a Phase 2 demonstration.

34. Based on the information described in Paragraphs A.21 through A.26, the Commissioner finds that NRG Connecticut has demonstrated that the case-by-case NOx RACT proposal achieves a net air quality benefit.
35. Based on the information described in Paragraphs A.27 through A.32, the Commissioner finds that NRG Connecticut has complied with the public participation requirements specified in Subdivisions (9) through (12) of RCSA Section 22a-174-22e(h).
- B. In accordance with RCSA Section 22a-174-22e(h) and Section 22a-174-22e(d)(1)(B) and subject to the provisions of this order, the Commissioner hereby allows NRG Connecticut to operate Devon 10, Middletown 10, Branford 10, Franklin Drive 10, Torrington Terminal 10, Montville 10, and Montville 11 under the case-by-case NOx RACT determinations as specified in Paragraph C.1 of this order.

Other than what is explicitly noted in this order, nothing relieves NRG Connecticut of the responsibility to conduct, maintain and operate the subject emissions units in compliance with all applicable requirements of any federal, municipal or state agency.

- C. With the agreement of NRG Connecticut and pursuant to Sections 22a-6, 22a-171, 22a-174, 22a-176, and 22a-177 of the Connecticut General Statutes, the Commissioner orders as follows:
1. Phase 2 NOx RACT Determination. On and after June 1, 2023, NRG Connecticut shall not cause or allow actual NOx emissions from the operation of the subject emissions units to exceed the emission limits stated in Table C.1. Compliance with the corresponding NOx emissions limits shall be determined based on the results of emissions testing performed in accordance with RCSA Section 22a-174-22e(l). The emissions limits specified in Table C.1 shall constitute NOx RACT for the subject emissions units.

Table C.1 – Phase 2 NOx RACT Determination	
Unit ID	NOx Emissions Limit (pound/MMBtu)
Devon 10	0.74
Middletown 10	0.67
Branford 10	0.8
Franklin Drive 10	0.8
Torrington Terminal 10	0.8
Montville 10	2.61
Montville 11	2.61

2. Limit on Potential Emissions for Middletown 10. Middletown Power shall not combust in Middletown 10 more than 850,000 gallons of fuel during any consecutive 12 month period.

3. Limit on Potential Emissions for Devon 10. Devon Power shall not combust in Devon 10 more than 874,000 gallons of fuel during any consecutive 12 month period.
4. Installation of NOx Controls on Boilers. NRG Connecticut shall install NOx emissions controls on the emissions units described in Table C.2 to control NOx emissions by May 1, 2020 on Middletown Unit 4, by January 1, 2020 on Montville Unit 5 and by January 1, 2021 on Montville Unit 6. Following the installation and tuning of the NOx emissions control system on a boiler, NRG Connecticut shall operate the boiler in compliance with the applicable Phase 2 emissions limits specified in RCSA Section 22a-174-22e(d)(2)(C).

Table C.2 – Boilers Description and NOx Emissions Control Installation Schedule			
Unit ID/Location	Unit Description	Permit/ Registration Number	Date
Middletown Unit 4 1866 River Road, Middletown	400 MW Utility Boiler	P #104-0003	May 1, 2020
Montville Unit 5 74 Lathrop Road, Uncasville	82 MW Utility Boiler	R #107-0017	January 1, 2020
Montville Unit 6 74 Lathrop Road, Uncasville	402 MW Utility Boiler	R #107-0020	January 1, 2021

5. Optimization of NOx Emissions Controls. After initial start-up following the installation of NOx emissions controls, the Commissioner will allow NRG Connecticut to operate Middletown Unit 4 and Montville Unit 6 for a period of 240 run hours each combusting No. 6 oil to tune the boiler, optimize controls and meet the Phase 2 emissions limit specified in RCSA Section 22a-174-22e(d)(2)(C). The Commissioner will allow NRG Connecticut to operate Montville Unit 5 for a period of 360 run hours combusting No. 6 oil or natural gas (total for both fuels) to tune the boiler, optimize controls and meet the Phase 2 emissions limit specified in RCSA Section 22a-174-22e(d)(2)(C).
6. Baseline Emissions Analysis. If the Commissioner requires that any boiler operate without NOx controls during a stack test, the data collected during the no-control test runs shall not be used to determine compliance with the emissions limits specified in RCSA Section 22a-174-22e(d)(2)(C). NRG Connecticut shall include such emissions when calculating and recording monthly and consecutive 12-month NOx emissions.
7. If NRG Connecticut exceeds the RCSA Section 22a-174-22e(d)(2)(C) emissions limits during boiler operation described in Paragraphs C.5 and C.6 of this order during the NOx RACT Phase 1 period, NRG Connecticut shall retire discrete emissions reduction credits (DERCs) in accordance with Trading Agreement and Order (TAO) #8365, with the

additional stipulation that the Phase 2 emissions limits specified in RCSA Section 22a-174-22e(d)(2)(C) will be used for DERC retirement calculations.

8. Notwithstanding the above, during the Phase 1 period when the Independent System Operator of New England (ISO-NE) declares an actual deficiency of operating reserves requiring implementation of Actions 4, 5, 6, 7, 8 or 9 of Operating Procedure No. 4 - Actions During a Capacity Deficiency (OP-4) or an emergency under Operating Procedure No. 7 - Actions in an Emergency (OP-7) and ISO-NE dispatches a unit listed in Table C.2 of this order, NRG Connecticut may, for the dispatched unit, comply with this order by retiring DERCs in accordance with TAO #8365, with the additional stipulations that NRG Connecticut use the Phase 2 emissions limits specified in RCSA Section 22a-174-22e(d)(2)(C) in the DERC retirement calculations and retire twice the number of DERCs as required under TAO #8365. NRG Connecticut shall operate available NOx emissions controls during such operations except during periods of startup and shutdown.
9. NRG Connecticut shall notify the commissioner, in writing, of the dates of commencement of construction, completion of construction, and initial startup of the urea injection and combustion modification equipment, as applicable, no later than 30 days after the subject event.
10. Recordkeeping and Reporting
 - a. For each emissions unit listed in Table C.1, NRG Connecticut shall by the close of each calendar day record the actual hours of operation and the actual quantity of fuel combusted during the preceding day and shall calculate and record NOx emissions for each emissions unit. NRG Connecticut shall calculate NOx emissions using the emissions rate determined during the latest emissions test performed in accordance with RCSA Section 22a-174-22e(l).
 - b. For each emissions unit listed in Table C.2, NRG Connecticut shall by the close of each calendar day record the actual 24-hour average NOx emission rate, the actual fuel type and the actual quantity of each type of fuel in units of volume per day or MMBtu per day for each fuel used on the preceding day.
 - c. Middletown Power shall keep records of monthly and consecutive 12 month fuel consumption for Middletown 10. The consecutive 12 month fuel consumption shall be determined by adding the current month's fuel consumption to that of the previous 11 months. Middletown Power shall make these calculations within 30 days of the end of the previous month.
 - d. Devon Power shall keep records of monthly and consecutive 12 month fuel consumption for Devon 10. The consecutive 12 month fuel consumption shall be determined by adding the current month's fuel consumption to that of the previous 11 months. Devon Power shall make these calculations within 30 days of the end of the previous month.
 - e. NRG Connecticut shall provide the records required by this order to the Commissioner within thirty (30) days of receipt of a written request from the Commissioner.

- f. No later than March 1 of every year, NRG Connecticut shall submit to the Commissioner a written report containing copies of all records required by this Paragraph.
11. NRG Connecticut shall retain records, reports and supporting documentation required by this order for a minimum of five (5) years, commencing on the date such record or report was created.
 12. Retirement of DERCs. On or before sixty (60) days after issuance of this order, NRG Connecticut shall deduct a minimum of 250 DERCs from the current balance of DERCs possessed.
 13. NRG Connecticut shall retire prior to use all DERCs generated on and after January 1, 2020 by Middletown Unit 4, Montville Unit 5 or Montville Unit 6 pursuant to TAO #8365 and shall deduct such DERCs from any calculations of DERCs available and possessed by NRG Connecticut in lieu of retiring ten (10) percent of all DERCs generated by Middletown Unit 4, Montville Unit 5 or Montville Unit 6 as required by Paragraph B.11 of TAO #8365.
 14. Expiration of this Order. This case-by-case NOx RACT determination expires on May 1, 2028, at which time NRG Connecticut shall operate the subject emissions units in compliance with the applicable emissions limits and other requirements of RCSA Section 22a-174-22e or cease operation.
 15. Approvals. NRG Connecticut shall use best efforts to submit to the Commissioner all documents required by this Consent Order in a complete and approvable form. If the Commissioner notifies NRG Connecticut that any document or other action is deficient, and does not approve it with conditions or modifications, it is deemed disapproved, and NRG Connecticut 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 Consent 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 Consent Order. Nothing in this paragraph shall excuse noncompliance or delay.
 16. Definitions. As used in this Consent Order, "Commissioner" means the Commissioner or a representative of the Commissioner.
 17. Dates. The date of "issuance" of this Consent Order is the date the Consent 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 Consent Order shall be the date such document is received by the Commissioner. The date of any notice by the Commissioner under this Consent 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 Consent Order, the word "day" as used in this Consent Order means calendar day. Any document or action which is required by this Consent 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.

18. Certification of documents. Any document, including but not limited to any notice, which is required to be submitted to the Commissioner under this Consent Order shall be signed by an individual employed by Middletown Power LLC, Montville Power LLC, Connecticut Jet Power LLC or Devon Power LLC, as applicable, who satisfies the criteria set forth in §22a-174-2a(a) of the Regulations of Connecticut State Agencies and by the individual(s) responsible for actually preparing such document. Each individual who signs documents in accordance with this paragraph 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.”


19. Noncompliance. This Consent Order is a final order of the Commissioner with respect to the matters addressed herein, and is non-appealable and immediately enforceable. Failure to comply with this Consent Order may subject Middletown Power LLC, Montville Power LLC, Connecticut Jet Power LLC or Devon Power LLC to an injunction and penalties.
20. False statements. Any false statement in any information submitted pursuant to this Consent Order may be punishable as a criminal offense under Section 53a-157b of the Connecticut General Statutes and any other applicable law.
21. Notice of transfer; liability of Respondent. Until NRG Connecticut has fully complied with this Consent Order, NRG Connecticut 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 Consent Order or after obtaining a new mailing or location address. NRG Connecticut's obligations under this Consent Order shall not be affected by the passage of title to any property to any other person or municipality.
22. Commissioner's powers. Nothing in this Consent 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 NRG Connecticut pursuant to this Consent 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 NRG Connecticut to undertake further investigation or further action to prevent or abate violations or pollution.

23. Respondent's obligations under law. Nothing in this Consent Order shall relieve Respondent of other obligations under applicable federal, state and local law.
24. No assurance by Commissioner. No provision of this Consent Order and no action or inaction by the Commissioner shall be construed to constitute an assurance by the Commissioner that the actions taken by NRG Connecticut pursuant to this Consent Order will result in compliance or prevent or abate pollution.
25. 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 Consent Order.
26. No effect on rights of other persons. This Consent Order neither creates nor affects any rights of persons or municipalities that are not parties to this Consent Order.
27. Notice to Commissioner of changes. Within 15 days of the date NRG Connecticut becomes aware of a change in any information submitted to the Commissioner under this Consent Order, or that any such information was inaccurate or misleading or that any relevant information was omitted, NRG Connecticut shall submit the correct or omitted information to the Commissioner.
28. Notification of noncompliance. In the event that NRG Connecticut becomes aware that it did not or may not comply, or did not or may not comply on time, with any requirement of this Consent Order or of any document required hereunder, NRG Connecticut shall promptly 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, NRG Connecticut 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 NRG Connecticut shall comply with any dates which may be approved in writing by the Commissioner. Notification by NRG Connecticut shall not excuse noncompliance or delay, and the Commissioner's approval of any compliance dates proposed shall not excuse noncompliance or delay.
29. Submission of documents. Any document required to be submitted to the Commissioner under this Consent Order, unless otherwise specified in this Consent Order or in writing by the Commissioner, shall be directed to:

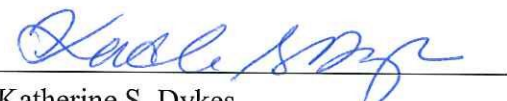
Supervisor, Compliance Analysis and Coordination Unit
Enforcement Division
Bureau of Air Management
Department of Environmental Protection
79 Elm Street, 5th Floor
Hartford, Connecticut 06106-5127

NRG Connecticut 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 NRG Connecticut to the terms and conditions of the Consent Order.

MIDDLETOWN POWER LLC
MONTVILLE POWER LLC
CONNECTICUT JET POWER LLC
DEVON POWER LLC

Signature: Type Name: Judith LaganoType Title: PresidentDate: FEBRUARY 27, 2020

Issued as an order of the Commissioner of Energy and Environmental Protection.


Katherine S. Dykes
Commissioner
Department of Energy and Environmental Protection

3-10-2020
Date

MAILED CERTIFIED MAIL