



Connecticut Department of
ENERGY &
ENVIRONMENTAL
PROTECTION

I certify that this document is a true copy of a record
(original or photocopy, whichever is applicable)
on file at the Department of Energy and Environmental Protection.
Adrian
Signature (Your title), Department of Energy and Environmental Protection

79 Elm Street • Hartford, CT 06106-5127

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Affirmative Action/Equal Opportunity Employer

STATE OF CONNECTICUT)

Order No. 8378

Vs.)

TRIUMPH ENGINE CONTROL SYSTEMS, LLC)

CONSENT ORDER

A. With the agreement of Triumph Engine Control Systems, LLC (Respondent), the Commissioner of Energy and Environmental Protection (Commissioner) finds the following:

1. The Respondent is a business located at 1 Charter Oak Boulevard, West Hartford, Connecticut (premises).
2. At the premises, the Respondent owns and operates surface coating operations that apply surface coatings containing volatile organic compounds (VOCs) to miscellaneous metal and plastic parts and are subject to the requirements of section 22a-174-20(s) of the Regulations of Connecticut State Agencies (RCSA).
3. Pursuant to RCSA section 22a-174-20(s)(10)(A), an owner or operator may submit a request to the commissioner for an order to limit potential emissions from all miscellaneous metal and plastic parts coating at the premises to a monthly limit of 1,666 pounds of VOC.
4. Pursuant to RCSA section 22a-174-20(s)(7)(G), an owner or operator with total potential VOC emissions from all miscellaneous metal and plastic parts coating, including emissions from related cleaning, that are limited by an order of the Commissioner to 1,666 pounds or less in any given month is exempt from the requirements of RCSA section 22a-174-20(s)(3), provided that the owner or operator operates in compliance with such order.
5. In a correspondence dated February 4, 2020, the Respondent requested that the Commissioner issue an order pursuant to RCSA section 22a-174-20(s)(10)(A) to limit the VOC emissions from all miscellaneous metal and plastic parts coating operations at the premises to no more than 1,666 pounds in any calendar month.
6. The Respondent demonstrated to the Commissioner's satisfaction that VOC emissions from all miscellaneous metal and plastics parts coating operations at the premises have not exceed 1,666 pounds in any calendar month for calendar years 2018 and 2019.

Date Issued June 10, 2020

- 7.) By virtue of the above, the Respondent is eligible for the exemption provided in RCSA section 22a-174-20(s)(7)(G), provided that monthly VOC emissions from all miscellaneous metal and plastic parts coating operations, including emissions from related cleaning, do not exceed 1,666 pounds in any month.
- B. With the agreement of the Respondent and pursuant to Sections 22a-6, 22a-171, 22a-174, 22a-177, and 22a-178 of the Connecticut General Statutes, the Commissioner orders as follows:
1. The Respondent shall not cause or allow emissions of VOCs from all miscellaneous metal and plastic parts coating operations, including emissions from related cleaning, at the premises to exceed 1,666 pounds in any calendar month.
 2. No later than thirty days after the end of each month, the Respondent shall record and calculate, at a minimum, the following information:
 - a. The name and description of each coating, diluent and cleaning solvent used during the previous month;
 - b. The VOC content of each coating, diluent or cleaning solvent, used during the previous month, as supplied;
 - c. The amount of each coating, cleaning solvent and diluent used for the coating operations, during the previous month;
 - d. The VOC emissions from each coating, solvent, and diluent for each coating unit; and
 - e. The total VOC emissions from all miscellaneous metal and plastic surface coating operations.

Such records shall be maintained at the facility for no less than 5 years from the date of generation and shall be made available to the Commissioner immediately upon request.

3. On or before March 1st of each year, the Respondent shall submit a report to the Commissioner, stating the total VOC emissions from all miscellaneous metal and plastic parts coating operations, including emissions from related cleaning, emitted during each month in the previous calendar year.
4. So long as Respondent satisfies the provisions of Paragraph B.1 of this Consent Order, the parts coating operations shall be exempt from the emission limitations of RCSA Section 22a-174-20(s)(3).
5. If and when more than 1,666 pounds of VOCs are emitted from the miscellaneous metal and plastic parts coating operations during any calendar month, the exemption provided by this Consent Order to the provisions of RCSA Section 22a-174-20(s)(3) shall terminate without further notice. The Respondent shall notify the Commissioner that

monthly VOC emissions exceeded 1,666 pounds within fourteen days of becoming aware of the exceedance.

6. Approvals. The Respondent 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 the Respondent that any document or other action is deficient, and does not approve it with conditions or modifications, it is deemed disapproved, and the 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 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.
7. Definitions. As used in this Consent Order, "Commissioner" means the Commissioner or a representative of the Commissioner.
8. 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.
9. 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 the Respondent or, if the Respondent is not an individual, by the Respondent's chief executive officer or a duly authorized representative of such officer, as those terms are defined in §22a-174-2a of the Regulations of Connecticut State Agencies, and by the individual(s) responsible for actually preparing such document, 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.”

10. 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 the Respondent to an injunction and penalties.
11. 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.
12. Notice of transfer; liability of Respondent. Until the Respondent has fully complied with this Consent Order, the 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 Consent Order or after obtaining a new mailing or location address. The Respondent's obligations under this Consent Order shall not be affected by the passage of title to any property to any other person or municipality.
13. 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 the Respondents 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 the Respondents to undertake further investigation or further action to prevent or abate violations or pollution.
14. Respondent's obligations under law. Nothing in this Consent Order shall relieve Respondent of other obligations under applicable federal, state and local law.
15. 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 the Respondent pursuant to this Consent Order will result in compliance.
16. 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.
17. 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.
18. Notice to Commissioner of changes. Within 15 days of the date the Respondent 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, the Respondent shall submit the correct or omitted information to the Commissioner.

19. Notification of noncompliance. In the event that the 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 Consent Order or of any document required hereunder, the 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, the 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 the Respondent shall comply with any dates which may be approved in writing by the Commissioner. Notification by the Respondent shall not excuse noncompliance or delay, and the Commissioner's approval of any compliance dates proposed shall not excuse noncompliance or delay.
22. 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

The 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.

Triumph Engine Control Systems, LLC

Signature: Anthony A. Ziotas

Type Name: Anthony A. Ziotas

Type Title: President & GM

Date: 15 - April - 2020

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

Betsy Wingfield for
Katherine S. Dykes, Commissioner
Department of Energy and Environmental Protection

June 10, 2020
Date

MAILED CERTIFIED MAIL