

STATE OF CONNECTICUT)	ORDER NO. 8383
)	
vs.)	
)	
ALGONQUIN GAS TRANSMISSION, LLC)	
)	

CONSENT ORDER

A. With the agreement of Algonquin Gas Transmission, LLC (“Respondent”), the Commissioner of Energy & Environmental Protection (“Commissioner”) finds the following:

1. Algonquin Gas Transmission, LLC (“Algonquin”) transports natural gas throughout New England by way of a 1,129-mile pipeline system. Natural gas is compressed along the system at several compressor stations. Algonquin owns and operates three compressor stations in Connecticut, in Chaplin, Cromwell, and Oxford. The Cromwell compressor station, which is at issue in this Consent Order, is located at 252 Shunpike Rd, Cromwell, Middlesex County, Connecticut (“facility”).
2. At the facility, the Respondent maintains and operates the following equipment and activities, which are subject to the requirements of this Consent Order:
 - a. two (2) centrifugal compressors with dry seals, each driven by a 4,700 hp Solar Centaur 40-T4702S gas turbine;
 - b. one (1) centrifugal compressor with dry seals, driven by a 15,900 hp Solar Mars 100-16002 gas turbine;
 - c. one (1) centrifugal compressor with dry seals, driven by a 7,700 hp Solar Taurus 60-7802 gas turbine;
 - d. one (1) centrifugal compressor with dry seals, driven by a 6,130 hp Solar Centaur 50-6102 gas turbine;
 - e. fugitive emission components;
 - f. pneumatic controllers; and
 - g. organic liquids storage vessels.

At the facility, the Respondent maintains and operates the following additional equipment and activities, which are not subject to the requirements of this Consent Order:

- h. one (1) gas-powered starter serving one (1) of the compressors identified in paragraph A.2.a of this Consent Order;
- i. compressor unit blowdowns;
- j. station blowdowns;

Issued date: _____

- k. five (5) natural gas turbines, which drive the centrifugal compressors referenced in paragraphs A.2.a through A.2.d of this Consent Order;
 - l. multiple small natural gas-fired combustion units, including two (2) fuel gas heaters, one (1) boiler, one (1) emergency generator, one (1) water heater, and five (5) space heaters;
 - m. one (1) parts washer; and
 - n. truck loading of organic liquids.
3. In 2014, the facility's premises-wide potential nonexcludable volatile organic compound ("VOC") emissions, calculated in accordance with Sections 22a-174-32(b)(2) and (3) of the Regulations of Connecticut State Agencies ("RCSA"), exceeded the fifty (50) ton applicability threshold at RCSA Section 22a-174-32(b)(1)(A). Consequently, the Respondent became subject to RCSA Section 22a-174-32, which establishes reasonably available control technology ("RACT") for major sources of VOC.
4. RCSA Section 22a-174-32(d)(1)(C) requires that affected sources submit a VOC RACT compliance plan within six (6) months of becoming subject to the provisions of the Section. The Respondent failed to timely submit a VOC RACT compliance plan, in violation of RCSA Section 22a-174-32(d)(1)(C).
5. RCSA Section 22a-174-32(e)(1) requires that affected sources implement one of the VOC RACT control methods set forth at RCSA Section 22a-174-32(e)(1)(A) through (D) within one (1) year of becoming subject to the provisions of the Section. The Respondent failed to timely implement a VOC RACT control method, in violation of RCSA Section 22a-174-32(e)(1).
6. RCSA Section 22a-174-32(c)(1) allows the Commissioner, in lieu of requiring the implementation of a VOC RACT control method under RCSA Section 22a-174-32(e)(1), to issue an order or permit limiting an affected source's premises-wide emissions below the relevant VOC RACT applicability threshold at RCSA Sections 22a-174-32(b)(1)(A) through (D) and 22a-174-32(c)(1)(A) through (C). Such an order or permit may be issued if and only if actual VOC emissions from such source have not exceeded the relevant VOC RACT applicability threshold since at least calendar year 1995. When the Respondent became subject to RCSA Section 22a-174-32, as described in paragraph A.3 of this Consent Order, the relevant applicability threshold was 50 tons-VOC per year.
7. In its emission statement for the 2016 calendar year, the Respondent reported that the facility's premises-wide actual VOC emissions were 69 tons. Consequently, the facility became ineligible to obtain an emission limitation from the Commissioner for the purpose outlined in paragraph A.6 of this Consent Order.
8. On December 5, 2019, the Department issued Notice of Violation No. 18022 to the Respondent to address the violations described in paragraphs A.4 and A.5 of this Consent Order. On August 27, 2021, the Department and the Respondent entered into administrative Consent Order No. 2525 to resolve these and other violations. The

Consent Order required, in part, the submission and implementation of a VOC RACT compliance plan pursuant to the terms of such Consent Order and RCSA Sections 22a-174-32(d) and (e).

9. In December 2021, the Respondent submitted an alternative RACT compliance plan (“plan”), pursuant to RCSA Sections 22a-174-32(d)(6) and 22a-174-32(e)(1)(D), for the Commissioner’s review and approval. In its plan, the Respondent proposed the following VOC control methods, some of which had already been implemented prior to submission of the plan:
- a. for its centrifugal compressor units, utilize dry seal systems;
 - b. for its sole compressor equipped with a gas-powered starter, retrofit such starter with an electric starter;
 - c. for its fugitive emission components, carry out a leak detection and repair (“LDAR”) program consistent with its Title V permit and Title 40, Code of Federal Regulations (“CFR”), Part 60, Subpart OOOOa;
 - d. for its pneumatic controllers, use intermittent-bleed, in lieu of continuous-bleed, controllers;
 - e. for its organic liquid storage vessels, maintain potential VOC emissions below the control threshold in the U.S. Environmental Protection Agency’s (“EPA”) 2016 Control Techniques Guideline for the oil and gas sector;
 - f. for compressor unit blowdowns, perform pressurized holds of its compressors, in lieu of venting gas, during unit shutdowns under certain circumstances further described in the plan; and
 - g. for station blowdowns, (i) implement a gas recompression and injection system, in lieu of venting gas, under certain circumstances further described in the plan and (ii) implement best management practices, to include the use of isolation valves to minimize the length of pipe that needs to be vented and the coordination of maintenance and inspection activities to minimize the frequency of blowdowns.

The Respondent submitted additional information and data in support of its plan between October 2021 and April 2023.

10. Upon review of the Respondent’s alternative RACT compliance plan, the Commissioner determined that the Respondent is eligible to operate under an alternative RACT demonstration pursuant to RCSA Sections 22a-174-32(d)(6), 22a-174-32(e)(1)(D), and 22a-174-32(e)(6).
- B. The Commissioner, acting under Sections 22a-6, 22a-171, 22a-174, and 22a-177 of the Connecticut General Statutes, orders the Respondent as follows:
1. The Respondent shall immediately comply with applicable requirements of RCSA Section 22a-174-32.
 2. Compressor units.
 - a. At the facility, the Respondent shall utilize a dry seal system on each existing,

- modified, reconstructed, or new centrifugal compressor unit serving the natural gas transmission system.
- b. Alternatively, at the facility, the Respondent shall utilize a seal system on any existing, modified, reconstructed, or new compressor unit serving the natural gas transmission system that achieves at least the VOC control effectiveness as the dry seal system described in paragraph B.2.a of this Consent Order.
 - c. Should the Respondent choose to exercise the compliance option at paragraph B.2.b of this Consent Order, then prior to exercising such option, the Respondent shall submit to the Commissioner a written report describing the seal system and any additional controls to be installed, the design specifications of such system and controls, and a protocol for testing the control effectiveness of such system and controls. The Respondent shall not install such seal system and controls until the Respondent has received written concurrence from the Commissioner.
 - d. Within 60 days after issuance of this Consent Order, the Respondent shall submit to the Commissioner a report identifying each compressor unit on site and indicating the type of seal system that such compressor utilizes. Those compressor units identified in said report will be considered existing compressor units for the purposes of this RACT order.
 - e. Upon construction, modification, or reconstruction of a centrifugal compressor affected facility as defined in 40 CFR 60.5365b(b), or removal of such facility, the Respondent shall submit an updated report identifying each compressor unit on site and indicating the type of seal system that such compressor utilizes within 60 days after completion of such construction, modification, reconstruction, or removal.
 - f. No later than March 1 of each year, the Respondent shall submit to the Commissioner a report verifying compliance with the requirements of paragraph B.2 of this Consent Order for the preceding calendar year.
3. Fugitive emission components.
- a. The Respondent shall perform LDAR of all fugitive emission components, as defined at 40 CFR 60.5430a, pursuant to applicable monitoring, recordkeeping, and reporting requirements of 40 CFR Part 60, Subpart OOOOa and Title V Permit No. 043-0020-TV. If the Respondent utilizes optical gas imaging (“OGI”) to perform LDAR, then the Respondent shall maintain a monitoring plan and meet the applicable monitoring and recordkeeping requirements of 40 CFR Part 60, Subpart OOOOa.
 - b. The Respondent shall conduct and make records of a monitoring survey of all fugitive emission components at least monthly using audible, visual, olfactory, and any other detection methods employed by the Respondent. Any indication of fugitive emissions using these methods shall be considered a fugitive emission that must be repaired, recorded, and reported in accordance with applicable provisions of 40 CFR Part 60, Subpart OOOOa and Title V Permit No. 043-0020-TV.
 - c. Prior to conducting the first LDAR event following issuance of this Consent Order pursuant to paragraph B.3.a thereof, the Respondent shall submit to the Commissioner the monitoring plan maintained in accordance with 40 CFR 60.5397a(c) and (d).

- d. No later than March 1 of each year, the Respondent shall submit to the Department annual reports as specified in 40 CFR 60.5420a(b)(7) and (b)(11) and a report verifying compliance with the requirements of paragraph B.3 of this Consent Order for the preceding calendar year.

4. Pneumatic controllers.

- a. The Respondent shall use either intermittent-bleed natural gas-actuated pneumatic controllers or zero-emission pneumatic controllers at the facility.
- b. Notwithstanding the requirement at paragraph B.4.a of this Consent Order, if the Respondent intends to install a pneumatic controller at the facility and such controller is neither an intermittent-bleed natural gas-actuated pneumatic controller nor a zero-emission pneumatic controller, the Respondent shall submit to the Commissioner a written report describing the type of pneumatic controller to be installed; the design specifications of such pneumatic controller, including its vent rate and any other emission data; and the reason that such pneumatic controller is to be installed, including a discussion on the technological or economic infeasibility of utilizing an intermittent-bleed natural gas-actuated pneumatic controller or a zero-emission pneumatic controller. The Respondent shall not install such controller until the Respondent has received written concurrence from the Commissioner.
- c. Within 60 days after the issuance of this Consent Order, the Respondent shall submit to the Commissioner a report identifying each VOC-emitting pneumatic controller on site and indicating the type of emission control technology that such controller utilizes. Those pneumatic controllers identified in said report will be considered existing controllers for the purposes of this RACT order.
- d. Upon construction, modification, or reconstruction of a process controller affected facility as defined in 40 CFR 60.5365b(d), the Respondent shall submit an updated report identifying each pneumatic controller on site and indicating the type of emission control technology that such controller utilizes within 60 days after completion of such construction, modification, or reconstruction.
- e. No later than March 1 of each year, the Respondent shall submit to the Commissioner a report verifying compliance with the requirements of paragraph B.4 of this Consent Order for the preceding calendar year.

5. Organic liquid storage vessels.

- a. Each storage vessel that meets the definition of such at 40 CFR 60.5430a must have potential VOC emissions of less than 6 tons per year, calculated in accordance with 40 CFR 60.5365a(e)(1).
- b. Alternatively, the Respondent shall maintain the actual uncontrolled VOC emissions of each storage vessel at a rate less than 4 tons per year, as determined monthly. This compliance option may be exercised if and only if the Respondent demonstrates that actual uncontrolled VOC emissions from all applicable storage vessels have remained less than 4 tons per year, as determined monthly, for the 12 consecutive months prior to exercising this compliance option. After making such demonstration, the Respondent shall determine and make records of the actual

uncontrolled VOC emission rate each month. Emissions calculations required under this paragraph shall be performed in accordance with 40 CFR 60.5395a(a)(3).

- c. Alternatively, the Respondent shall install a VOC capture and control system that reduces VOC emissions from each storage vessel by at least 95 percent on a mass basis, as demonstrated by performance testing in accordance with 40 CFR 60.5395a(d). Performance testing shall be carried out in accordance with 40 CFR Part 60, Subpart OOOOa and the Department's Source Emission Testing Guideline.
- d. Should the Respondent become ineligible to operate under the compliance options at paragraphs B.5.a or B.5.b of this Consent Order by virtue of potential or actual uncontrolled emissions, respectively, the Respondent shall notify the Commissioner and comply with paragraph B.5.c of this Consent Order within 60 days after loss of eligibility.
- e. The emission limitations at paragraphs B.5.a and B.5.b of this Consent Order shall not constitute practicably enforceable emission limitations.
- f. Within 60 days after issuance of this Consent Order, the Respondent shall submit to the Commissioner an inventory of all storage vessels on site, as identified in paragraph B.5.a of this Consent Order; an indication as to whether each such storage vessel is complying with paragraph B.5.b, B.5.c, or B.5.d of this Consent Order; and a report identifying the potential VOC emissions of each storage vessel, calculated in accordance with 40 CFR 60.5365a(e)(1). Those storage vessels identified in such inventory will be considered existing storage vessels for the purposes of this RACT order.
- g. Upon construction, modification, or reconstruction of a storage vessel affected facility as defined in 40 CFR 60.5365b(e), or removal of such facility, the Respondent shall submit an updated inventory of all storage vessels on site, as identified in paragraph B.5.a of this Consent Order; an indication as to whether each such storage vessel is complying with paragraph B.5.b, B.5.c, or B.5.d of this Consent Order; and a report identifying the potential VOC emissions of each storage vessel, calculated in accordance with 40 CFR 60.5365a(e)(1), within 60 days of completion of such construction, modification, reconstruction, or removal.
- h. If electing to comply with paragraph B.5.a of this Consent Order, then no later than March 1 of each year, the Respondent shall submit to the Commissioner a report verifying compliance with requirements of paragraph B.5.a of this Consent Order for the preceding calendar year.
- i. If electing to comply with paragraph B.5.b of this Consent Order, then no later than March 1 of each year, the Respondent shall submit to the Commissioner all records required to be maintained under paragraph B.5.b of this Consent Order for the preceding calendar year.
- j. If electing to comply with paragraph B.5.c of this Consent Order, then no later than March 1 of each year, the Respondent shall submit to the Commissioner all records required to be maintained pursuant to 40 CFR 60.5420a(c)(5) of this Consent Order for the preceding calendar year.

6. Recordkeeping requirements.
 - a. The Respondent shall make records that are necessary to reliably calculate potential and actual VOC emissions from (i) each source of VOC emissions operated at the facility and subject to the requirements of this Consent Order, where the collection of pneumatic controllers may be considered a single source for the purposes of this reporting requirement, and (ii) the facility on a premises-wide basis.
 - b. The Respondent shall keep each record required by this Consent Order at the premises for no fewer than five (5) years after the date that such record is made.
 - c. The Respondent shall make any records required under this Consent Order available to the Commissioner upon request.
7. Reporting requirements.
 - a. After each compliance deadline specified in paragraphs B.2 through B.6 of this order, the Respondent shall submit to the Commissioner a report verifying compliance with each such compliance measure. Any report submitted pursuant to this Consent Order shall meet the applicable signatory requirements at RCSA Section 22a-174-2a(a).
8. Full compliance. Respondent shall not be considered to be in full compliance with this Consent Order until all actions required by this Consent Order have been completed as approved and to the Commissioner's satisfaction.
9. Approvals. Respondent shall use best efforts to submit to the Commissioner documents, if any, required by this Consent 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 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.
10. Definitions. As used in this Consent Order, "Commissioner" means the Commissioner of Energy and Environmental Protection or a representative of the Commissioner.
11. 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.

12. 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 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 R.C.S.A. Section 22a-430-3(b)(2), 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."

13. Noncompliance. This Consent 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 Consent Order may subject Respondent to an injunction and penalties.
14. 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.
15. Notice of transfer; liability of Respondent. Until Respondent has fully complied with this Consent 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 Consent Order or after obtaining a new mailing or location address. 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.
16. Commissioner's powers. Except as provided hereinabove with respect to payment of civil penalties, 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 Respondent 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 Respondent to undertake further investigation or further action to prevent or abate violations or pollution.

17. Respondent's obligations under law. Nothing in this Consent Order shall relieve Respondent of other obligations under applicable federal, state and local law.
18. 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 Respondent pursuant to this Consent Order will result in compliance.
19. 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.
20. 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.
21. 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 Consent 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.
22. 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 Consent 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 dates by which compliance will be achieved.
23. Submission of documents. Any document required to be submitted to the Commissioner under this Consent Order shall, unless otherwise specified in writing by the Commissioner, be directed to:

Compliance Assurance & Coordination Unit
Department of Energy and Environmental Protection
Bureau of Air Management
Engineering & Enforcement Division
79 Elm Street
Hartford, Connecticut 06106-5127
860 424-4152

Algonquin Transmission, LLC

Consent Order No. 8383

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.

Algonquin Gas Transmission, LLC

Signature: _____

Type Name: _____

Type Title: _____

Date: _____

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

Katie S. Dykes, Commissioner
Department of Energy and Environmental Protection

Date

TOWN OF CROMWELL
LAND RECORDS
MAILED CERTIFIED MAIL,
RETURN RECEIPT REQUESTED
Certified No. _____