



STATE OF CONNECTICUT

VS.

ALGONQUIN GAS TRANSMISSION, LLC

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ORDER No. 20463

CONSENT ORDER

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

- 1) The Respondent owns and operates a natural gas compressor station (“facility”) located at 40 Woodruff Hill Road in Oxford, Connecticut (“premises”).
- 2) The facility has potential emissions above the major stationary source thresholds for nitrogen oxides (“NO_x”), volatile organic compounds (“VOC”), and carbon monoxide (“CO”). The facility operates under Title V permit no. 144-0032, which was most recently renewed on October 17, 2024.
- 3) On November 13, 2023, the definition of “severe non-attainment area for ozone” at Regs., Conn. State Agencies § 22a-174-1(106) was revised to incorporate 43 towns, including Oxford.
- 4) Prior to this regulatory revision, Oxford was included in the definition of “serious non-attainment area for ozone” at Regs., Conn. State Agencies § 22a-174-1(105), and the major source threshold for VOC in Oxford was 50 tons per year. With the regulatory revision, this threshold decreased to 25 tons per year.
- 5) Records show that the potential VOC emissions from non-excludable sources at the premises exceed 25 tons per year; therefore, the facility is subject to Regs., Conn. State Agencies § 22a-174-32, entitled “Reasonably Available Control Technology [“RACT”] for VOC.”
- 6) Pursuant to Regs., Conn. State Agencies § 22a-174-32(e)(1), the Respondent must implement an applicable VOC RACT method within one year after becoming subject to such regulation.
- 7) Pursuant to Regs., Conn. State Agencies § 22a-174-32(c)(1), the Commissioner may issue an individual permit, general permit, or order to limit premises-wide VOC emissions to less than 25 tons per year in lieu of requiring a VOC RACT method at Regs., Conn. State Agencies § 22a-174-32(e)(1), provided that the Respondent demonstrates that historical actual VOC emissions from the premises have not exceeded 25 tons in any calendar year after December 31, 1995.

Date Issued: _____

- 8) Records submitted by the Respondent demonstrate that historical actual VOC emissions from the premises have not exceeded 25 tons in any calendar year after December 31, 1995.
 - 9) On May 9, 2024, the Respondent requested a federally enforceable consent order to limit premises-wide VOC emissions to less than 25 tons per calendar year.
- B. With the agreement of the Respondent, the Commissioner, acting under Conn. Gen. Stat. §§ 22a-6, 22a-171, 22a-174, 22a-177, and 22a-178, orders as follows:
- 1) The Respondent shall not cause or allow total VOC emissions at the premises to exceed 24 tons in any calendar year.
 - 2) The Respondent shall make the records necessary to calculate actual VOC emissions from all VOC-emitting sources at the facility following the calculation methodology described in paragraph B.3 of this consent order.
 - 3) Within 30 days after the end of the preceding month, the Respondent shall calculate and record the mass of VOC emitted from each source over that month, the total mass of VOC emitted from all sources over that month, and the cumulative rolling-12-month mass VOC emissions from each source and from all sources. Emissions from each category of VOC-emitting source listed below shall be calculated as described in this paragraph. Emissions from any other category of VOC-emitting source shall be calculated based on direct measurement or, if such data are not available, good engineering principles.
 - a) Stationary gas turbines (combustion): If available, site-specific data based on direct measurement shall be used for emission calculations. If such data are not available, emissions shall be calculated based on vendor emission data in conjunction with Environmental Protection Agency (“EPA”) *Compilation of Air Pollutant Emissions Factors from Stationary Sources* (“AP-42 emission factors”), as warranted.
 - b) Natural gas-fired reciprocating engines (combustion): If available, site-specific data based on direct measurement shall be used for emission calculations. If such data are not available, emissions shall be calculated based on vendor emission data in conjunction with EPA AP-42 emission factors, as warranted.
 - c) Boilers and process heaters: If available, site-specific data based on direct measurement shall be used for emission calculations. If such data are not available, emissions shall be calculated based on vendor emission data in conjunction with EPA AP-42 emission factors, as warranted.
 - d) Organic liquids storage vessels: If available, site-specific data based on direct measurement shall be used for emission calculations. If such data are not available, emissions shall be calculated using good engineering principles based on EPA AP-42 in conjunction with generally accepted tank emission simulation software as well as flash analysis, as warranted.

- e) Organic liquids loading: If available, site-specific data based on direct measurements shall be used for emission calculations. If such data are not available, emissions shall be calculated using good engineering principles based on EPA AP-42 in conjunction with generally accepted tank emission simulation software, as warranted.
 - f) Compressor seals: If available, site-specific data based on direct measurements shall be used for emission calculations. If such data are not available, emissions shall be calculated based on good engineering principles, tailored to the tested physical properties and VOC content of the natural gas in the Algonquin system.
 - g) Piping components: If available, site-specific data based on direct measurements shall be used for emission calculations. If such data are not available, emissions shall be calculated based on EPA's Protocol for Equipment Leak Emission Estimates, tailored to the tested physical properties and VOC content of the natural gas in the Algonquin system.
 - h) Pneumatically actuated controllers: If available, site-specific data based on direct measurements shall be used for emission calculations. If such data are not available, emissions shall be calculated based on good engineering principles, tailored to the tested physical properties and VOC content of the natural gas in the Algonquin system.
 - i) Blowdowns and other gas release events: Emissions shall be calculated per event based on direct measurement or estimation of the amount of natural gas vented in conjunction with the tested physical properties and VOC content of the natural gas.
 - j) Parts washer: Emissions shall be calculated based on material balance.
- 4) The records specified in paragraphs B.2 and B.3 of this consent order shall be maintained at the facility for no less than five years from the date of generation and shall be made available to the Commissioner and EPA upon request.
 - 5) On or before March 1 of each year, the Respondent shall submit a report to the Commissioner with the information described in paragraphs B.2 and B.3 of this consent order for the prior calendar year. Any report submitted pursuant to this consent order shall meet the applicable signatory requirements at Regs., Conn. State Agencies § 22a-174-2a(a).
 - 6) If the premises-wide VOC emissions exceed 24 tons in any calendar year, or if the Respondent violates any other provision of this consent order, the Respondent shall notify the Commissioner within 10 days of becoming aware of the exceedance. The notification shall include a description of the deviation causing the exceedance; the date, time, and duration of the deviation; and the reason(s) for the deviation; any corrective action taken; and the date by which compliance was achieved. Such notification shall be submitted in writing, either by mail or by electronic mail, to the unit listed in paragraph B.21 of this consent order.

- 7) 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.
- 8) Definitions. As used in this consent order, "Commissioner" means the Commissioner or a representative of the Commissioner.
- 9) 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.
- 10) 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."

- 11) 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.
- 12) 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.
- 13) 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.
- 14) 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.
- 15) Respondent's obligations under law. Nothing in this consent order shall relieve Respondent of other obligations under applicable federal, state and local law.
- 16) 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.
- 17) 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.
- 18) 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.
- 19) 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.

- 20) 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, dates by which compliance will be achieved.
- 21) 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
Engineering and 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 this consent order.

Algonquin Gas Transmission, LLC

Signature: _____

Type Name: _____

Type Title: _____

Date: _____

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

Emma Cimino, Acting Commissioner
Department of Energy and Environmental Protection

Date

TOWN OF OXFORD
LAND RECORDS