



STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION



STATE OF CONNECTICUT)
DEPT. OF ENVIRONMENTAL PROTECTION)

VS.)

THE CONNECTICUT LIGHT AND POWER COMPANY)
MONTVILLE, CONNECTICUT)

STATE ORDER NO. 7017

IN THE MATTER OF CONSENT ORDER NO. 7017

WHEREAS, The Connecticut Light and Power Company, a subsidiary of Northeast Utilities Service Company, (hereinafter, Company), operates an electric power generating station, known as the Montville Station, on Lathrop Road, Montville, Connecticut composed of four (4) oil-fired steam boilers which, while burning 1.0% sulfur content fuel oil and operating at maximum rated capacity, emit sulfur oxides subject to Section 22a-174-24(d) of the Regulations of Connecticut State Agencies (hereinafter, Regulations); and

WHEREAS, ambient impact analyses conducted by the Department of Environmental Protection (hereinafter, Department) on the four (4) boilers indicates a projected exceedance of the Connecticut Primary Ambient Air Quality Standard (AAQS) for sulfur oxide emissions measured as sulfur dioxide; and

WHEREAS, the applicable standard of 365 micrograms per cubic meter, maximum 24-hour concentration, is projected to be exceeded on numerous occasions using the air quality dispersion model Industrial Source Complex Short Term Model (ISCST) with the boilers operating at maximum rated capacity utilizing 1.0% sulfur by weight (dry basis) fuel oil; and

WHEREAS, the Company has agreed to complete actions and operate in such a manner so as to attain and maintain compliance with the aforementioned sulfur oxide AAQS; and

WHEREAS, the Company and the Commissioner hereby agree to the entry of this consent order without the trial or adjudication of any issue or fact, and without this consent order constituting any evidence or waiver or admission by any party with respect to any issue of fact or law, on the following terms and conditions in accordance with the agreed upon compliance timetable accompanying this consent order.

Phone:

165 Capitol Avenue • Hartford, Connecticut 06106

An Equal Opportunity Employer

NOW, THEREFORE, by authority of Section 22a-6 and 22a-178 of the Connecticut General Statutes as amended by Public Act 90-247, the Commissioner hereby orders the Company to bring air pollutant emissions into compliance with applicable Regulations. All requirements, as set forth in paragraph 1 below, will be completed by the dates set forth in the compliance timetable which is hereby incorporated by reference into this consent order. The general requirements of this consent order are summarized below:

1. The Company agrees to:

- A. Retire Unit #4 from service no later than March 31, 1991.
- B. Utilize only that fuel oil in the two (2) emergency diesel generators, units D10 and D11, which contains a maximum sulfur content of 0.25% by weight (dry basis) beginning September 1, 1990.
- C. Maintain records of fuel oil sulfur content for each oil delivery received per sub-paragraph B above and submit reports of sulfur content to the Department in the manner stipulated by the compliance timetable accompanying this consent order.

2. The fuel sulfur content limitation imposed by this consent order represents an interim limitation agreed to by the Company to eliminate all modeled exceedances of the Primary AAQS for sulfur oxides in the vicinity of the Montville Station. The Company retains the right to demonstrate to this Department at any time in the future, through modeling performed by the Company or its designee and approved by this Department and the U. S. Environmental Protection Agency (EPA), that the use of fuel oil containing greater than 0.25% sulfur by weight (dry basis) but no greater than 1.0% sulfur by weight (dry basis) in the emergency diesel generators will not result in a projected exceedance of the Primary AAQS for sulfur oxides. Should the Department and EPA approve the Company's demonstration of compliance, the Department shall amend the consent order, and the consent order will be processed as a revision to the Connecticut State Implementation Plan (SIP) by EPA. The Company may, upon EPA's approval of the SIP Revision, proceed with the completion of any necessary equipment modifications which may be required, and may purchase and utilize the approved higher sulfur content fuel oil.

3. The Company's responsibility to this Department is to order and accept fuel oil containing a maximum of 0.25% sulfur by weight (dry basis). The penalty provisions of this consent order will be imposed only in the event that the Company should accept and burn fuel oil that contains greater than 0.25% sulfur by weight (dry analysis), as determined by ASTM method No. D1552.
4. In the event that the Company becomes aware that it may not comply, or may not comply on time, with any requirement of this consent order or any document, schedule or plan required hereunder, the Company shall immediately notify the Commissioner 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. In so notifying the Commissioner, the Company shall state in writing the reasons for the noncompliance or delay and propose, for the review and written approval of the Commissioner and the Federal Environmental Protection Agency, dates by which compliance will be achieved, and the Company shall comply with any dates which may be approved in writing by the Commissioner and the Federal Environmental Protection Agency. Notification by the Company shall not excuse noncompliance or delay, and the Commissioner's approval of any compliance dates proposed shall not excuse noncompliance or delay unless specifically stated by the Commissioner in writing.
5. Any document, including but not limited to any notice, schedule or plan which is required to be submitted to the Commissioner under this consent order shall be signed by a duly authorized representative of the Company who shall certify in writing as follows:

"I have personally examined and am familiar with the information submitted in this document and all attachments and certify that based upon reasonable investigation, including my inquiry of those individuals immediately responsible for obtaining the information, the submitted information is true, accurate and complete to the best of my knowledge and belief, and I understand that any false statement made in this document or its attachments may be punishable as a criminal offense pursuant to Section 53a-157 of the Connecticut General Statutes."

6. Within fifteen (15) days of the date the Company 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 Company shall submit the correct or omitted information to the Commissioner.
7. Until the Company has fully complied with this consent order, the Company shall notify the Commissioner in writing no later than fifteen (15) days before transferring all or any portion of the site or obtaining a new mailing or location address. The Company's obligations under this consent order shall not be affected by the passage of title to any property to any other person or municipality unless such obligation is assumed, in writing, by the future owner. The future owner may, upon completion of such transfer, be subject to the issuance of an order from the Commissioner.
8. 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 or the Federal Environmental Protection Agency. The date of any notice by the Commissioner under this consent order, including but not limited to notice or approval or disapproval of any document or other action, shall be the date such notice is personally delivered, if sent by certified mail, or the date three days after it is mailed by the Commissioner, 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 legal holiday shall be submitted or performed by the next business day thereafter.
9. No provisions of this consent order shall be construed to constitute an assurance or certification from this Department that the control technology, operating procedures or equipment modifications selected by the Company will result in compliance. The Company, at all times, maintains the burden of selecting the appropriate emission control strategy and demonstrating compliance with applicable Regulations.
10. Compliance with the terms and conditions of this consent order does not excuse the Company from complying with any other current and/or future federal, state or local law.
11. Any penalties assessed pursuant to this consent order shall be paid by certified or bank check made payable to the Department of Environmental Protection.

12. Any document, notice or penalty payments required to be submitted to the Commissioner under this Order shall, unless otherwise specified in writing by the Commissioner, be directed to:

Ms. Elizabeth I. Hotaling
Department of Environmental Protection
Bureau of Air Management
165 Capitol Avenue, Room 136
Hartford, Connecticut 06106
Phone (203) 566-6682

13. The Company consents to the issuance of this order and waives the right to hearing and to any administrative or judicial appeal of any provision of this consent order. Failure to comply with any of the provisions of this order may subject the Company to an injunction and penalties under Chapter 439 of the Connecticut General Statutes. Any false statement in any information submitted pursuant to this order may be punishable as a criminal offense, in accordance with Section 22a-6, under Section 53a-157 of the Connecticut General Statutes.
14. The issuance of this order by the Commissioner in no way limits the enforcement authority of the Federal Environmental Protection Agency under sections 113 and 120 of the Clean Air Act, 42 USC sections 7413 and 7420.

The undersigned certifies that he/she is fully authorized to enter into this consent order and to legally bind the Company to its terms and conditions.

CONNECTICUT LIGHT AND POWER CO.

By: *C.F. Sears*

Print Name: C.F. Sears

Title: Vice President

Date: February 13, 1991

Entered as a final order of the Commissioner of the Department of Environmental Protection this 25 day of February, 1991.

Leslie Carothers

Leslie Carothers
Commissioner
Dept. of Environmental Protection

MAILED CERTIFIED MAIL,
RETURN RECEIPT REQUESTED, TO:

COMPLIANCE TIMETABLE

TYPE OF SOURCE:

MAJOR

MINOR

PROCEDURAL

OTHER

PRIME CONTACT: Charles F. Carlin, Jr.	SOURCE NAME: Conn. Light and Power Co.
TITLE OF CONTACT PERSON: Production Operation Serv.	Montville Station
SOURCE ADDRESS: Lathrop Road, Montville, Ct.	PREMISE NO.: 107-005 CLIENT NO.: 00138
Mail: Northeast Utilities,	ORDER NO.: 7017 DATE ISSUED:
P.O. Box 270, Hartford 06106	N.V. NO.: 11732 DATE ISSUED: 4/11/89
TELEPHONE NO.: 665-5344	EQUIPMENT TYPE: Units 4A, 4B, 5 and 6
VIOLATION SUBSECTION: 22a-174-24(d)	REG. NO.: 0013, 0014, 0017 INSPECTOR AND NO.: CJM-#143

STEP	EVENTS LEADING TO COMPLIANCE	TIMETABLE	COMPLETED	VER.
1.	The Company shall burn fuel oil containing no greater than a sulfur content of 0.25% (dry basis) in the two (2) emergency diesel generators.	11/1/90 (completed)		
2.	The Company shall obtain a certification of fuel sulfur content from the vendor for each delivery of fuel oil received per step no. 1. For each certification, the Company shall record the date of the oil delivery and shall document the total gallons of fuel oil received. The Company shall submit the certification described in this step to the Department for the initial oil delivery required pursuant to step no. 1. Thereafter, the Company shall continue to maintain these records for each fuel oil delivery received and will supply these records for Department review during facility inspections.	11/1/90 (completed)		
3.	Submit Progress Report. Include the fuel oil certification described in step no. 2.	3/1/91		
4.	Complete shut-down of boiler Unit #4 and attain compliance with Section 22a-174-24(d) of the Regulations.	3/30/91		
5.	Submit Progress Report.	4/1/91		
6.	Continue submitting Progress Reports at one (1) month intervals if delinquent in complying with any steps of this Compliance Timetable.	5/1/91		