STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION

STATE OF CONNECTICUT	)	Order No. 8029A
	)	
VS.	)	
	)	
HAMILTON SUNDSTRAND ,	)	
A UNITED TECHNOLOGIES COMPANY		

CONSENT ORDER

A. With the agreement of Hamilton Sundstrand, A United Technologies Company ("the Respondent"), the Commissioner of the Department of Environmental Protection ("Commissioner") finds the following:

1. This order supersedes Consent Order No. 8029, dated July 31, 1989, issued on November 29, 1989.

2. The Respondent is an Aerospace Manufacturing and Rework Operation doing business at One Hamilton Road, Windsor Locks, Connecticut ("facility").

3. At the facility, the Respondent currently operates the following Volatile Organic Compound ("VOC") emitting stationary sources: two (2) open top vapor degreasers, unit nos. E45170 and E63847; two (2) solvent recovery stills, unit nos. F0651 and F0652; flush rigs; seventy-seven (77) test rigs and seventeen (17) surface coating spray booths. The Respondent also performs hand wipe activities that use VOC solvents. Additional details of these VOC emitting sources are as follows:

   a. One open top vapor degreaser, unit no. E63847, is operated in accordance with Section 22a-174-20(l) of the Regulations of the Connecticut State Agencies ("Regulations.")

   b. One open top vapor degreaser, unit no. E45170, was installed prior to calendar year 1980 and uses an exempt VOC.

   c. Solvent recovery still unit no. F0651 uses "VERTREL," a VOC containing solvent and solvent recovery still unit no. F0652 uses an exempt VOC.

   d. Flush rigs subject to Section 22a-174-20(l) of the Regulations.

   e. Twenty-one (21) test rigs that are located at the facility's fuels research laboratory and use "aviation fuels", which are identified hereinafter as "JP-4," "JP-8," "Jet A" and "Iso-octane".

f. Fifty-six (56) test rigs, located throughout the facility, that use a calibration fluid, presently stoddard solvent, to simulate aviation fuels.

g. Seventeen (17) surface coating spray booths subject to Control Technique Guidelines adopted in Section 22a-174-20(s) of the Regulations and/or New Source Review Permits ("NSR").

h. Various hand wiping operations and associated used hand wipe storage vessels.

4. On February 10, 2004, the Department determined that the potential VOC emissions generated from the test rigs were over 25 tons. Pursuant to Section 22a-174-32 of the Regulations, the test rigs are subject to the implementation of a Reasonably Available Control Technology ("RACT").

5. On September 8, 2004, the Respondent submitted for the Commissioner's review a compliance plan dated September 2, 2004 for the test and flush rigs. The compliance plan has been reviewed and is hereby approved by the Commissioner with the conditions specified in paragraph B of this Consent Order.

6. According to the compliance plan:

a. RACT for the vapor degreasers, stills, and hand wipe activities shall be the RACT methods established in Consent Order No. 8029 referenced in paragraph A.1 of this Consent Order.

b. The installation of additional control equipment for the test rigs is technically or economically infeasible.

c. RACT for the test rigs should be work practice requirements because the rigs are closed loop systems.

B. With the agreement of the Respondent, the Commissioner, pursuant to Sections 22a-6, 22a-171, 22a-174, 22a-177, and 22a-178 of the Connecticut General Statutes, orders the Respondent to take the following actions:

1. The Respondent shall only use "non-VOC solvents," which term hereinafter means "0%" VOC, or solvents that contain only exempt VOCs when operating open top vapor degreaser unit no. E45170 and still unit no. F0652, which are both identified in paragraph A.3 of this Consent Order.

a. Exempt VOCs are defined as those compounds explicitly excluded from the definition of "VOC" in 40 CFR 51.100(s).

b. The Respondent shall maintain and keep records of all solvents added to vapor

degreaser unit no. E45170 and still unit no. F0652. This record shall include the name of solvent added, date of when solvent was added and amount of the solvent added.

2. The Respondent shall achieve a minimum recovery rate of ninety-five (95) percent of the VOC being condensed for the solvent recovery still unit no. F0651 identified in paragraph A.3 of this Consent Order. To ensure a 95% recovery rate, the Respondent shall operate the condenser coil coolant temperature on still unit no. F0651 at or below 95% of the boiling point of the solvent in use.

3. The condenser coil outlet coolant temperature on still unit no. F0651 shall be monitored by a trip alarm set to 95% of the boiling point temperature of the solvent in use.

4. The Respondent shall cease operation of solvent recovery still unit no. F0651 identified in paragraph A.3 of this Consent Order, whenever the solvent recovery still coolant temperature, circulating through the condenser coil exceeds 95% of the boiling point temperature of the solvent in use.

5. All waste solvent (before being recovered in the solvent recovery still) and all waste sludge residues (before being sent out as a waste product) must be stored in closed containers.

6. All malfunctions of the solvent recovery still unit no. F0651 shall be documented and such records shall be kept at the premises for at least five years after the date that the record is made.

7. Except for the use of aviation fuels specified in paragraph A.3.e. of this Consent Order, the Respondent shall use only calibration fluid as specified in paragraph A.3.f. of this Consent Order or another physio-chemically equivalent compound with a vapor pressure of less than 3.1 mmHg at 70 °F while performing fuel simulation in any existing or new test rigs. If the Respondent needs to use another VOC containing compound with a vapor pressure greater than 3.1 mmHg at 70 °F, the Respondent shall submit a report detailing the technical and economic issues of using such compound(s) to the Department and obtain the Commissioner's written approval prior to the use of such compound(s).

8. The test rigs operated prior to the effective date of this Consent Order will be considered "existing test rigs" for the purposes of this Consent Order. Any test rig that is not an "existing test rig" but is later installed by the Respondent will be considered a "new test rig" for the purposes of this Consent Order.

   The Respondent shall notify the Commissioner, in writing, within thirty (30) days of the installation of a new test rig or the elimination of any existing test rig.

9. Within thirty (30) days from issuance of this Consent Order, the Respondent shall submit to the Commissioner a report documenting, by site location, the unit identification

number of each test rig and the name of the compound used in each test rig. Such report may include, but is not limited to a table identifying building, unit identification number and compound type.

10. The following work practices shall be followed by the Respondent for existing and new test rigs:

    a. At the beginning of each work shift, the Respondent shall inspect fittings and hoses for leaks prior to operation of the rigs, and a log verifying these leak check inspections shall be maintained at the rig, and initialed and dated by the person performing the inspection. Leaks shall be fixed, whenever they are detected, and recorded as such in the log. No rig is to be run until the leak is repaired.

    b. Any spills during transfer to and from the supply reservoir or released from a slipped hose fitting shall be immediately contained and cleaned. All wipe rags used for spill cleanup shall be stored in a closed container until proper disposal.

    c. After each run, the parts and hoses shall not be removed from the unit's drain table until dripping has stopped.

    d. The Respondent shall maintain and keep records of all aviation fuels, or calibration fluids, or other fluids dispensed to the test rigs and for spent fuels and fluids removed from the test rigs as waste. These records should at a minimum include the date, the fluid name and the amount in gallons or pounds. Records shall also be made in accordance with paragraph B.12 of this Consent Order.

11. The following work practices shall be followed by the Respondent for the recycling and disposal of rags used for hand wipe activities:

    a. All dirty cloth and paper rags, which are to be disposed of shall be stored in covered containers until final disposal.

    b. All dirty rags, which are to be cleaned and recycled, shall be stored in covered containers until they are ready to be cleaned.

    c. Rags being used for hand wiping shall not be visibly dripping VOC during use.

    d. The dispensing containers for the solvents used in the hand wipe activities shall be equipped with a lid or similar device that is closed when not in use.

12. Record Keeping. In accordance with Section 22a-174-32(g) of the Regulations, the Respondent shall maintain for at least five years at such premises, and make available at such premises for the Commissioner's inspection upon demand, the following:

a. Purchase records for all materials which are used or stored at such premises which contain VOCs.

b. For VOC emissions resulting from operating the test rigs, records of the name of each compound, the vapor pressure of each compound, the percent VOC content by weight of each compound, the amount of each compound used in gallons and the amount of each compound's manifested waste.

c. The results of any VOC emissions testing performed pursuant to Section 22a-174-32 (f) of the Regulations.

d. Documentation on the methodology used to calculate the facility's VOC emissions including the calculation of waste.

13. Full compliance. The Respondent shall not be considered 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.

14. 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.

15. Definitions. As used in this Consent Order, "Commissioner" means the Commissioner or a representative of the Commissioner.

16. 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.

17. 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 an individual who is an authorized representative of the Respondent, in accordance with §22a-174-2a(a) of the Regulations, 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 §53a-157b of the Connecticut General Statutes and any other applicable law."

18. 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 the Respondent to an injunction and penalties.

19. False statements. Any false statement in any information submitted pursuant to this consent order may be punishable as a criminal offense under §53a-157b of the Connecticut General Statutes and any other applicable law.

20. 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.

21. Respondent's obligations under law. Nothing in this consent order shall relieve the Respondent of other obligations under applicable federal, state and local law.

22. 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 or prevent or abate pollution.

23. Access to facility. Any representative of the Department of 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.

24. 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.

25. 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.

26. 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 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, 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.

27. Submission of documents. Any document required to be submitted to the Commissioner under this consent order shall, unless otherwise specified in this consent order or in writing by the Commissioner, be directed to:

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

28. Joint and several liability. Respondents shall be jointly and severally liable for compliance with this Consent Order.

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.

Hamilton Sundstrand

Signature: Heidi Dirgins

Type Name: Director Mechanical Ops

Type Title: Heidi Dirgins

Date: 8/31/09

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

Amey Marella
Amey Marrella
Acting Commissioner

September 3, 2009
Date

TOWN OF WINDSOR LOCKS
LAND RECORDS
MAILED CERTIFIED MAIL,
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