



STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION



DEPT. OF ENVIRONMENTAL PROTECTION)
VS.)
CONNECTICUT CHARCOAL COMPANY)
STATE ORDER NO. 943
February 27, 1986; Proposed Order
April 18, 1986; Final Order

IN THE MATTER OF STATE ORDER NO. 943

WHEREAS, the Connecticut Charcoal Company (hereinafter, "the Company") owned by the Rossi Corporation, Higganum, Connecticut is a Connecticut Corporation doing business at 623 Buckley Highway, Union, Connecticut and operates equipment subject to the standards and limitations of the Administrative Regulations for the Abatement of Air Pollution (hereinafter, "Regulations"); and

WHEREAS, the Commissioner of the Department of Environmental Protection (hereinafter, the "Commissioner") has determined that the Company's operation of seven (7) charcoal kilns is subject to the requirements of Sec. 22a-174-20(ee) as a source of actual emissions (based upon maximum rated capacity) of Volatile Organic Compounds in excess of one hundred (100) tons per year; and

WHEREAS, the provisions of Sec. 22a-174-20(ee) requires that Reasonably Available Control Technology be demonstrated to limit the discharge of Volatile Organic Compounds by December 31, 1985; and

WHEREAS, the result of a Federal Consent Decree issued to the Company on August 16, 1985 was the installation of two (2) portable incinerators for the control of particulate emissions pursuant to Section 22a-174-18 of the Regulations; and

WHEREAS, review and evaluation of the operating parameters of the incinerators by representatives of the Commissioner and representatives of the United States Environmental Protection Agency by report dated August 23, 1985 and January 14, 1986 has determined that the resulting Volatile Organic Compound Emissions from the incinerator yield the lowest achievable emission limitation that the facility is capable of meeting by the application of control technology that is reasonably available considering technological and economic feasibility; and

Phone:

165 Capitol Avenue • Hartford, Connecticut 06106

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WHEREAS, since compliance with Sec. 22a-174-20(ee) is determined as being achieved by the company, the purpose of this order is noted as representing (a) approval of the method of compliance selected by the Company as representing Reasonably Available Control Technology and (b) the requirements of continued operation subject to certain terms and conditions such that compliance with this regulation will be fully enforceable as an order of the Commissioner.

NOW, THEREFORE, by authority of Sec. 22a-178, et. seq., of the Connecticut General Statutes and Section 113(d) of the Clean Air Act, as amended, 42 U.S.C. Sec. 7413(d) the Commissioner hereby orders the Connecticut Charcoal Company to maintain full and continued operation of the incinerators on its seven (7) charcoal kilns pursuant to the terms and conditions listed below and set forth by the Compliance Timetable which is hereby incorporated by reference in this order. The Company is therefore required to:

- 1) Maintain full and continued use of an incinerator to control emissions from a charcoal kiln whenever any of the seven (7) kilns are in operation.
- 2) Adhere to the operational requirements noted by the Compliance Timetable.
- 3) Conduct all necessary maintenance and operational testing and monitoring as required to assure proper operation of the incinerators as noted by the Compliance Timetable.
- 4) Maintain the appropriate records and reports necessary to demonstrate compliance with the terms of this Order.

It is acknowledged that failure to demonstrate continued compliance with the requirements of this Order and the Compliance Timetable shall constitute a violation of the Regulations of this Department and shall subject the Company to further enforcement action including but not limited to liability for civil penalty assessments up to \$25,000 plus \$1,000 per day pursuant to Section 22a-6(b)(a)(3) of the Connecticut General Statutes and Section 22a-6b-602 and 22a-6b-603 of the Department's Regulations.


Connecticut Charcoal Co.

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Questions concerning the terms of this Order should be addressed to David A. Nash, Air Compliance Unit, Enforcement Section.

Entered as a final decision of the Commissioner of Environmental Protection this 23rd day of April 1986.



Stanley J. Pac
Commissioner
Department of Environmental Protection

SJP

Encs.