



DEPARTMENT OF THE ARMY  
STRATFORD ARMY ENGINE PLANT  
550 MAIN STREET  
STRATFORD CONNECTICUT 06615-7574

July 23, 2002

Mr. Roland Severance  
Bureau of Air Management  
Compliance and Field Operations  
79 Elm Street  
Hartford, Connecticut 06106

Subject: Notice of Violation (NOV) Number 14899 and Number 14901

Dear Mr. Severance:

I would like to express my appreciation for your consideration in meeting with representatives of the Stratford Army Engine Plant (SAEP) on 16 July 2002, and for the cooperative nature in which you and Mr. Rodrique discussed the nature of the alleged violations regarding the boilers at SAEP.

As a result of the clarifications expressed by the Connecticut Department of Environmental Protection and the necessity for obtaining information from the previous permit holder for the affected boilers, SAEP will require an extension of time in responding to the compliance assurance presently due to the Bureau of Air Management on 26 July 2002.

SAEP, as was indicated in the 16 July meeting, feels that the stack testing was conducted under approved protocols that indicated lower maximum rated capacity (MRC) than manufacture design data states due to operating system limitations, and that this factor may have been either unclear or overlooked. SAEP is obtaining the necessary supporting data to demonstrate the limitations and will submit the supporting information with its compliance statement.

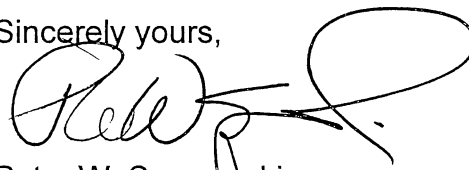
SAEP has been the permit holder since October 1998 and has all the necessary records to support the use of trading order emission credits. However, the information provided by the previous permit holder has proved to be difficult to analyze and it will be necessary to obtain raw data from Honeywell, Inc. to be fully responsive to issues associated with exceedances of full load emission rates (FLERs). Additionally, SAEP is researching the records to secure the operating graphs for this period of concern, years 1996, 1997, and 1998.

In order for SAEP to be fully responsive and provide complete assurances to the Bureau of Air Management, we are requesting an extension for submittal of compliance

statements through the close of business on 20 September 2002. The legal counsel for SAEP at the United States Army Tank-automotive and Armaments Command (TACOM) will be unavailable until the latter portion of August due to an extended sick leave situation. Any documents in response to the NOV's need to be reviewed by legal counsel prior to transmittal.

If you have any questions regarding this request, please feel free to call me at 203-385-4453. In the event I am unavailable, please contact John R. Burleson at 203-385-4316. I look forward to hearing from you regarding this request.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Peter W. Szymanski', with a large, stylized flourish extending to the right.

Peter W. Szymanski  
Installation Manager



**STATE OF CONNECTICUT  
DEPARTMENT OF ENVIRONMENTAL PROTECTION**



**NOTICE OF VIOLATION**

Peter W. Szymanski  
Installation Manager  
Stratford Army Engine Plant  
550 Main Street  
Stratford, CT 06497

Notice of Violation Number  
14899

The purpose of this Notice is to inform you that personnel of the Department of Environmental Protection (DEP) have made observations or otherwise obtained information indicating that a violation of law has occurred at the property located at 550 Main Street, Stratford, CT. On 6/18/2002, a record review was conducted by Roland Severance of the DEP Bureau of Air Management. Based upon that review, it appears that you have exceeded the full load emission rates (FLERs) shown in Table 2 of Trading Agreement and Order No. 8137 for boiler No. 1 when burning #6 oil and for boiler No. 3 when burning natural gas as required by Connecticut General Statutes Section 22a-174 and Section 22a-6(a)(3) of the Regulations of Connecticut State Agencies.

The FLERs are used to calculate the quantities of credits "used" by boiler No. 1 when burning #6 oil and the quantity of credits "created" by boiler No. 3 when burning natural gas in accordance with the equations shown in Trading Agreement and Order No. 8137.

When you have corrected the violation(s) alleged in this notice, you should submit in writing the details of the corrective action(s). The submittal should be made within thirty (30) days on the enclosed Compliance Statement, and sent to the contact person identified below in paragraph D. Until the DEP has received such a statement, the DEP will presume you remain in violation. If the violation(s) cannot be corrected within 30 days, provide a schedule of compliance, that includes a timetable, on the enclosed Compliance Statement within 30 days describing the actions you will take to correct the violation(s). Your actions in response to this notice, including submission of the attached Compliance Statement, may affect the DEP's decision whether or not to take formal enforcement action.

A. Other violations may exist; legal obligations. This Notice does not necessarily specify all violations of Connecticut environmental law or violations of any other legal requirements which may exist at the aforementioned property. This Notice does not preclude the DEP or other state, local or federal agencies from commencing any enforcement action regarding any such violations. Your facility may be inspected again pursuant to law and without additional prior notice to determine compliance with state and any applicable federal law. It is your responsibility to comply with all legal requirements, whether or not the DEP notifies you of any violations or takes any enforcement action against you. Nothing in this Notice relieves you of other obligations under applicable federal, state and local law.

B. Enforcement action. Civil penalties of up to \$25,000 may be assessed for each day of each violation under section 22a-175 of the Connecticut General Statutes. Notwithstanding the issuance of this Notice, the DEP may seek such penalties and may issue an order, seek an injunction, or take other legal action under Chapters 439 and 446c of the Connecticut General Statutes.

C. No assurance by Commissioner. No provision of this Notice and no action or inaction by the Commissioner shall be construed to constitute an assurance by the Commissioner that actions you may take to address the violation(s) alleged herein will result in compliance.

D. Staff contact. If you question any of the information contained in this Notice, you may contact Roland Severance of the Bureau of Air Management at 424-3028, or by mail at 79 Elm Street, Sixth Floor, Hartford, CT 06106-5127.

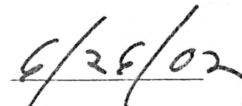


Dennis Demchak, Assistant Director  
Compliance and Field Operations 79 Elm Street • Hartford, CT 06106 - 5127

(Printed on Recycled Paper)

<http://dep.state.ct.us>

An Equal Opportunity Employer

  
Date

## COMPLIANCE STATEMENT

This Compliance Statement shall be signed by: (I) You (if an individual-the individual signs); (if a corporation or partnership-by a responsible corporate officer/general partner or duly authorized representative of such person, as those terms are defined in Section 22a-430-3(b)(2) of the Regulations of Connecticut State Agencies); or (if a municipality-chief elected official or principal executive officer) and (II) if different, by the individual responsible for actually preparing such statement, each of whom shall read and sign the certification regarding false statements on the Compliance Statement.

Provide written response to:      Roland Severance  
   Bureau of Air Management  
   Compliance and Field Operations  
   79 Elm Street  
   Hartford, Connecticut 06106

Within fifteen days of the date you become aware of a change in any information in the Compliance Statement, or that any information was inaccurate or misleading or that any relevant information was omitted, submit the correct or omitted information to the staff contact identified on the Notice of Violation.

**Notice of Violation No**    14899  
**Facility Name**                Stratford Army Engine Plant  
**(Site)Address**                550 Main Street  
   Stratford, CT

In accordance with the directions in the above-referenced Notice of Violation, I certify that the noted violation has been corrected in the following manner

Attach additional sheet(s) as needed  
(Enclose supporting documentation demonstrating compliance)

### Certification of Accuracy

I certify that the information in this Compliance Statement and any attachments thereto are true, accurate and complete, and I understand that any false statement may be punishable as criminal offense under Connecticut General Statutes Section 22a-6 and 53a-157

\_\_\_\_\_  
Date

\_\_\_\_\_  
Telephone

\_\_\_\_\_  
Date

\_\_\_\_\_  
Telephone

\_\_\_\_\_  
Signature

\_\_\_\_\_  
(Type name and Title)

\_\_\_\_\_  
Address

\_\_\_\_\_  
Preparer's Signature, if different than above

\_\_\_\_\_  
(Type name and Title)

\_\_\_\_\_  
Address

## ADVICE TO RECIPIENTS OF NOTICES OF VIOLATION\*

**Read the Notice of Violation:** It tells you:

- what activity you have conducted or what condition on your property is causing or may result in damage to the environment;
- the environmental laws you are not complying with;
- in some cases, what action you need to take to address the environmental problem;
- how quickly DEP expects you to take action; and
- who to contact if you have a question or problem.

**Do Not Cause Additional Problems:** Make sure that you do not engage in activity that might result in further environmental harm.

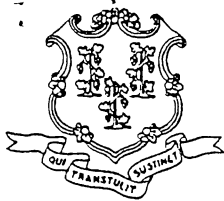
**Follow the Deadlines:** If you can't meet the deadlines provided in the Notice of Violation, call the contact person. Explain why you can't meet the deadline. Staff will explore with you the feasibility of alternate deadlines.

**Cooperate with DEP:** Generally, DEP's first attempt to resolve the types of violations alleged in this case is through the issuance of a Notice of Violation. If you disregard this notice, it will be assumed you do not wish to cooperate and you should expect that DEP will take more formal enforcement action. This can include issuing an administrative order, and/or filing suit to obtain an injunction and penalties as provided by law. The most important thing to remember is to call DEP if you have any questions.

**Call if you don't Understand:** DEP staff name and telephone number are given at the end of the Notice of Violation. Staff are there to try to answer your questions and work with you to resolve the environmental compliance issue. In some cases you may need to obtain the services of a professional consultant to plan and implement effective corrective measures. DEP staff can discuss with you the kind of professional help you may need to address the alleged violation cited in the notice.

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\* The Notice of Violation does not necessarily specify all environmental violations which may exist at your property regulated by the Department. Nothing in the Notice relieves you of other obligations under applicable federal, state and local law.



# STATE OF CONNECTICUT

## DEPARTMENT OF ENVIRONMENTAL PROTECTION



### NOTICE OF VIOLATION

Peter W. Szymanski  
 Installation Manager  
 Stratford Army Engine Plant  
 550 Main Street  
 Stratford, CT 06497

Notice of Violation Number

14901

The purpose of this Notice is to inform you that personnel of the Department of Environmental Protection (DEP) have made observations or otherwise obtained information indicating that a violation of law has occurred at the property located at 550 Main Street, Stratford, CT. On 6/13/2002, a record review was conducted by Roland Severance of the DEP Bureau of Air Management. Based upon that review, it appears that you have during the April 2001 emissions testing operated boilers No. 2 and 3 at less than the 90% of maximum rated capacity (MRC) when burning #6 oil or natural gas, and during the May 2002 emissions testing operated boiler No. 1 at less than the 90% of MRC when burning #6 oil or natural gas as required by Connecticut General Statutes Section 22a-174 and Section 22a-174-22(k)(2) of the Regulations of Connecticut State Agencies.

Section 22a-174-22 (k)(2) of the Regulations requires boilers to be operated at or above 90% of MRC during emissions testing. During the April 2001 emission testing Boiler No. 2 was operated at 50% MRC when burning #6 oil and 45% MRC when burning natural gas. Boiler No. 3 was operated at 40% MRC when burning #6 oil and 48% MRC when burning natural gas. During the May 2002 emission testing boiler No. 1 was operated at 77% MRC when burning #6 oil and 87% MRC when burning natural gas.

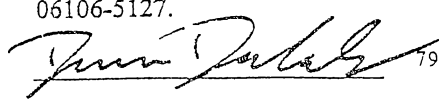
When you have corrected the violation(s) alleged in this notice, you should submit in writing the details of the corrective action(s). The submittal should be made within thirty (30) days on the enclosed Compliance Statement, and sent to the contact person identified below in paragraph D. Until the DEP has received such a statement, the DEP will presume you remain in violation. If the violation(s) cannot be corrected within 30 days, provide a schedule of compliance, that includes a timetable, on the enclosed Compliance Statement within 30 days describing the actions you will take to correct the violation(s). Your actions in response to this notice, including submission of the attached Compliance Statement, may affect the DEP's decision whether or not to take formal enforcement action.

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 79 Elm Street • Hartford, CT 06106 - 5127  
 http://dep.state.ct.us

Dennis Demchak, Assistant Director  
 Compliance and Field Operations

An Equal Opportunity Employer

6/26/02

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**Notice of Violation No 14901**  
**Facility Name Stratford Army Engine Plant**  
**(Site)Address 550 Main Street**  
**Stratford, CT**

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(Enclose supporting documentation demonstrating compliance)

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\_\_\_\_\_  
Date

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Telephone

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Date

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Telephone

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Signature

\_\_\_\_\_  
(Type name and Title)

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Address

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Preparer's Signature, if different than above

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**ARMY RECEIVES A NEW ENVIRONMENTAL ENFORCEMENT ACTION (ENF)/FINE**

**MACOM:** Army Material Command

**INSTALLATION:** Stratford Army Engine Plant (TACOM)

**NAME, E-MAIL ADDRESS, AND PHONE # OF RESPONSIBLE PARTY  
(INSTALLATION COMMANDER):**

Peter W. Szymanski, Installation Manager  
[PSzymanski@dcmde.dcma.mil](mailto:PSzymanski@dcmde.dcma.mil)  
203/385-4453

**DATE RECEIVED:** 2 July 2002

**REGULATOR:** Connecticut Department of Environmental Protection

**STATUTE:** Connecticut General Statutes Section 22a-174 and Section 22a-174-22(k)(2)  
**Regulations of Connecticut State Agencies**

**TYPE:** (Administrative, Operational, Project) Operational

**WHAT WAS THE SPECIFIC VIOLATION OF LAW OR REGULATION?:  
WHY DID THE VIOLATION OCCUR?:**

**The alleged violations could only occur if the protocol for stack testing in 1997 were applied to the installation, the CtDEP approved protocol for 2001 and 2002 specifically establish alternative maximum rated capacity (MRCs) prior to stack testing. The protocol for current testing appears to have been ignored.**

**ACTIONS TAKEN OR PLANNED IN RESPONSE:** Record reviewer appears to have not taken into account statements and supporting information demonstrating why maximum rated capacity (MRC) for subject boilers is not obtainable and that lower capacity that indicated in manufacture design capacities would be the basis for establishing 90% of MRC. Similar information for the other two boilers [based upon their age] was provided regarding capacity. These threshold criteria were provided to and approved by CtDEP in a stack test protocol prior to conducting the stack test.

**ACTIONS TAKEN TO CORRECT ROOT CAUSE(S) OF VIOLATION IN ORDER TO PREVENT RECURRENCE:**

A meeting scheduled for 22 July 2002 will proceed as scheduled. The meeting will have to be much more formal due to the NOV, but the central contention of SAEP is that no violations have occurred based upon CtDEP internal documents [a memo to file] and approved stack test protocols by CtDEP. Additionally, sufficient trading credits are on hand to offset any monthly exceedances. SAEP feels that a final report of stack test results will support this position.

**DATE OF EXPECTED RESOLUTION:** 30 August 2002 [slow CtDEP turn around]

**\*\* DATE AND STATUTE OF OTHER ENFs THIS INSTALLATION HAS RECEIVED THIS FY(02):**

**NONE**

**NUMBER OF ENFs THIS INSTALLATION RECEIVED LAST FY(01):**

**NONE**

\* Include specific language explaining WHY [the root cause(s)] the violation occurred. For example, if the ENF was a result of a late report or a permit exceedance, include specific details on WHY (the root cause) the report was late or the permit limit was exceeded

\*\* If the installation has received multiple ENFs for the same statute this year, please explain in detail why [the root cause(s)] they were received and what is being done to prevent recurrence.

**ARMY RECEIVES A NEW ENVIRONMENTAL ENFORCEMENT ACTION (ENF)/FINE**

**MACOM:** Army Material Command

**INSTALLATION:** Stratford Army Engine Plant (TACOM)

**NAME, E-MAIL ADDRESS, AND PHONE # OF RESPONSIBLE PARTY  
(INSTALLATION COMMANDER):**

Peter W. Szymanski, Installation Manager  
[PSzymanski@dcmde.dcm.mil](mailto:PSzymanski@dcmde.dcm.mil)  
203/385-4453

**DATE RECEIVED:** 2 July 2002

**REGULATOR:** Connecticut Department of Environmental Protection

**STATUTE:** Connecticut General Statutes Section 22a-174 and Section 22a-6(a)(3)  
Regulations of Connecticut State Agencies

**TYPE:** (Administrative, Operational, Project) Operational

**WHAT WAS THE SPECIFIC VIOLATION OF LAW OR REGULATION?:**

Based upon that review [record review], it appears that you [SAEP] have exceeded the full load emissions rates (FLERs) shown in Table 2 of Trading Agreement and Order No. 8137 for boiler No. 1 when burning #6 oil and for boiler No. 3 when burning natural gas as required by Connecticut General Statutes Section 22a-174 and Section 22a-6(a)(3) Regulations of Connecticut State Agencies

**WHY DID THE VIOLATION OCCUR?:** The alleged violation is a result of the FLER limits established in the Trading Agreement and Order, which permits averaging across three boilers and provides for the use of emission credits to offset exceedences, which it appears CtDEP overlooked.

**ACTIONS TAKEN OR PLANNED IN RESPONSE:** Installation staff was in discussions with CtDEP to resolve vague and contradictory information within the Trading Agreement and Order as to establishing the FLERs and it would appear by the issuance of the NOV that CtDEP has not negotiated entirely in 'good faith', installation was of understanding that no NOV would be considered until after a planned meeting schedule for 16 July 2002.

**ACTIONS TAKEN TO CORRECT ROOT CAUSE(S) OF VIOLATION IN ORDER TO PREVENT RECURRENCE:** A meeting scheduled for 22 July 2002 will proceed as scheduled. The meeting will have to be much more formal due to the NOV, but the central contention of SAEP is that no violations have occurred based upon CtDEP internal documents [a memo to file] and approved stack test protocols by CtDEP. Additionally, sufficient trading credits are on hand to offset any monthly exceedences. SAEP feels that a final report of stack test results will support this position.

**DATE OF EXPECTED RESOLUTION: 30 August 2002 [slow CtDEP turn around]**

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NONE

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NONE

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