



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

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Director

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STATE AIR POLLUTION CONTROL BOARD ENFORCEMENT ACTION A SPECIAL ORDER BY CONSENT ISSUED TO Columbia Gas Transmission Corp. – Gala Compressor Station Registration No. 20157

SECTION A: Purpose

This is a Consent Special Order issued under the authority of Va. Code § 10.1-1307.D, 10.1-1309, and 10.1-1184, and § 10.1-1316.C, between the State Air Pollution Control Board and Columbia Gas Transmission Corp. – Gala Compressor Station for the purpose of resolving alleged violations of the Title V Permit dated May 19, 2004.

SECTION B: Definitions

Unless the context clearly indicates otherwise, the following words and terms have the meaning assigned to them below:

1. “Va. Code” means the Code of Virginia (1950), as amended.
2. “Board” means the State Air Pollution Control Board, a permanent collegial body of the Commonwealth of Virginia as described in Code §§ 10.1-1301 and 10.1-1184
3. “Department” or “DEQ” means the Department of Environmental Quality, an agency of the Commonwealth of Virginia as described in Va. Code § 10.1-1183.
4. “Director” means the Director of the Department of Environmental Quality.
5. “Order” means this document, also known as a Consent Order.
6. “Columbia Gas” means “Columbia Gas Transmission Corp. – Gala Compressor Station” the corporation certified to do business in Virginia.
7. “Facility” means the Columbia Gas Transmission Corp. – Gala Compressor Station, located in Eagle Rock, Virginia.

8. “WCRO” means the West Central Regional Office of DEQ, located in Roanoke, Virginia.
9. “Permit” means the “Stationary Source permit to Install and Operate” which became effective August 9, 2005.
10. “O&M” means operations and maintenance.

SECTION C: Findings of Fact and Conclusions of Law

1. An inspection was conducted at the Columbia Gas – Gala Compressor Station on October 30, 2006. The fuel consumption records indicate that the White Superior Engine #2 (Emission Unit #01204) exceeded the permitted consumption limit, as specified by Condition III.A.3 of the May 19, 2004 Title V permit. This permit condition limits fuel consumption to 71 MMscf for a 12 month rolling total.

The fuel consumption records reported the following totals:

May 2006	72.26 MMscf	July 2006	73.48 MMscf
August 2006	73.09 MMscf	September 2006	72.43 MMscf
October 2006	71.73 MMscf		

2. The facility reported on August 29, 2006, in the submittal of the first 2006 Title V Semi-Annual Report, that there were no deviations from the permit requirements. The facility failed to note a deviation in this report. The White Superior Engine #2 (Emission Unit #01204) had consumed 72.26 MMscf for the rolling 12 month total through the month of May 2006. The May 19, 2004 Title V permit, Condition III.A.3 limits this engine to no more than 71 MMscf on a 12 month rolling total.
3. On November 11, 2006, Columbia submitted to the DEQ a revised first half 2006 Title V Semi-Annual Report incorporating the fuel consumption deviation for May 2006.
4. On December 8, 2006, Columbia submitted to DEQ all necessary information to modify the necessary permits to increase fuel consumption of each of the two facility White-Superior 8GTLA engines at the Gala Station (Emission Units #01203 and #01204 to 87 MMscf on a 12 month rolling total).

SECTION D: Agreement and Order

Accordingly, the Board, by virtue of the authority granted it in Va. Code §10.1-1307.D, 10.1-1184 and §10.1-1316.C, orders Columbia Gas, and Columbia Gas agrees, to pay the civil charge listed in 1 below.

1. Pay a civil charge of \$9,438.⁰⁰ within 30 days after execution of this order by DEQ. Payment shall be made by check payable to the “Treasurer of Virginia”, delivered to:

Receipts Control
Department of Environmental Quality
Post Office Box 10150
Richmond, Virginia 23240

2. The DEQ agrees that the civil charge assessed in Section D.1 hereof, is in settlement of the violations alleged in Section C.1 and Section C.2 hereof.

SECTION E: Administrative Provisions

1. The Board may modify, rewrite, or amend the Order with the consent of Columbia Gas, for good cause shown by Columbia Gas, or pursuant to the Administrative Procedure Act after notice and opportunity to be heard.
2. This Order only addresses those conditions specifically identified herein. This Order shall not preclude the Board or the Director from taking any action authorized by law, including but not limited to: (1) taking any action authorized by law regarding any additional, subsequent, or subsequently discovered violations; (2) seeking subsequent remediation of the facility as may be authorized by law; or (3) taking subsequent action to enforce the Order. This Order shall not preclude appropriate enforcement actions by other federal, state, or local regulatory authorities for matters not addressed herein.
3. For purposes of this Order and subsequent actions with respect to this Order, Columbia Gas admits the jurisdictional allegations, and will not contest DEQ’s jurisdiction. Columbia neither admits nor denies the factual findings, and conclusions of law contained herein.
4. Columbia Gas consents to venue in the Circuit Court of the City of Richmond for any civil action taken to enforce the terms of this Order.
5. Columbia Gas declares it has received fair and due process under the Administrative Process Act, Va. Code §§ 9-6.14:1 et seq., and the Air Pollution Control Law with respect to any issue of fact or laws alleged herein and it waives the right to any hearing or other administrative proceeding authorized or required by law or regulation, and to any judicial review of any issue of fact or law with respect thereto. Nothing herein shall be construed as a waiver of the right to any administrative proceeding for, or to judicial review of, any action taken by the Board to enforce this Order.
6. Failure by Columbia Gas to comply with any of the terms of this Order shall constitute a violation of an order of the Board. Nothing herein shall waive the initiation of appropriate enforcement actions or the issuance of additional orders as appropriate by the Board or the Director as a result of such violations. Nothing herein shall affect

appropriate, legally authorized enforcement actions by any other federal, state, or local regulatory authority.

7. If any provision of this Order is found to be unenforceable for any reason, the remainder of the Order shall remain in full force and effect.
8. Columbia Gas shall be responsible for failure to comply with any of the terms and conditions of this Order unless its failure to comply was caused by earthquake, flood, other acts of God, war, strike, or such other occurrence. Columbia Gas shall show that such circumstances were beyond its reasonable control and not due to a lack of good faith or diligence on its part. Columbia Gas shall notify the DEQ Regional Director in writing when circumstances are anticipated to occur, are occurring, or have occurred that may delay compliance or cause noncompliance with any requirement of the Order. Such notice shall set forth:
 - a. the reasons for the delay or noncompliance;
 - b. the projected duration of any such delay or noncompliance;
 - c. the measures taken and to be taken to prevent or minimize such delay or noncompliance; and
 - d. the timetable by which such measures will be implemented and the date full compliance will be achieved.

Failure to so notify the Regional Director within 24 hours of learning of any condition above, which the parties intend to assert will result in its failure to comply, shall constitute a waiver of any claim to inability to comply with a requirement of this Order.

9. This Order is binding on the parties hereto, their successors in interest, designees and assigns, jointly and severally.
10. This Order shall become effective upon execution by both the Director or his designee and Columbia Gas.
11. This Order shall continue in effect until certification of the payment of the civil charge has been made or the Director or Board terminates the Order in his or its sole discretion upon 30 days written notice to Columbia Gas. Termination of this Order, or any obligation imposed in this Order, shall not operate to relieve Columbia Gas from its obligation to comply with any statute, regulation, permit condition, other order, certificate, certification, standard, or requirement otherwise applicable.
12. By its signature below, Columbia Gas voluntarily agrees to the issuance of this Order.

And it is so ORDERED this day of MARCH 27, 2007.

Steven A. Dietrich

Steven A. Dietrich, Regional Director,
West Central Regional Office
Department of Environmental Quality

Columbia Gas voluntarily agrees to the issuance of this Order.

By: Victor M. Gaglio

Victor M. Gaglio
Sr. Vice-President Operations & Engineering

Date: 3-27-07

State of West Virginia

County of Kanawha

The foregoing document was signed and acknowledged before me this 27th day of March, 2007, by Victor M. Gaglio, who is
Victor M. Gaglio

Sr. Vice-President of Operations & Engineering for Columbia Gas, on behalf of the Corporation.

Barbara E. Buckalew

Notary Public

My commission expires: Nov 19, 2007

