



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY
NORTHERN REGIONAL OFFICE
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Molly Joseph Ward
Secretary of Natural Resources

David K. Paylor
Director

Thomas A. Faha
Regional Director

**STATE AIR POLLUTION CONTROL BOARD
ENFORCEMENT ACTION - ORDER BY CONSENT
ISSUED TO
DOMINION ENERGY TRANSMISSION, INC.
FOR
DOMINION- LEESBURG COMPRESSOR STATION
REGISTRATION NO. 71978**

SECTION A: Purpose

This is a Consent Order issued under the authority of Va. Code §§ 10.1-1309 and -1316, between the State Air Pollution Control Board and Dominion Energy Transmission, Inc. regarding the Dominion- Leesburg Compressor Station for the purpose of resolving certain violations of the Virginia Air Pollution Control Law and the applicable permit and regulations.

SECTION B: Definitions

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

1. "Board" means the State Air Pollution Control Board, a permanent citizens' board of the Commonwealth of Virginia, as described in Va. Code §§ 10.1-1184 and -1301.
2. "CFR" means the Code of Federal Regulations, as incorporated into the Regulations.
3. "CH₂O" means formaldehyde.
4. "Department" or "DEQ" means the Department of Environmental Quality, an agency of the Commonwealth of Virginia, as described in Va. Code § 10.1-1183.
5. "Director" means the Director of the Department of Environmental Quality, as described in Va. Code § 10.1-1185.

6. "Dominion Energy" means Dominion Energy Transmission, Inc., a corporation authorized to do business in Virginia and its affiliates, partners, and subsidiaries.
7. Dominion Energy Transmission, Inc. is a "person" within the meaning of Va. Code § 10.1-1300.
8. "Facility" means the Dominion- Leesburg Compressor Station, located at 40620 Consolidated Lane in Leesburg, Virginia which is located in Loudoun County, Virginia.
9. "FCE" means a full compliance evaluation by DEQ staff.
10. "Notice of Violation" or "NOV" means a type of Notice of Alleged Violation under Va. Code § 10.1-1309.
11. "O&M" means operations and maintenance.
12. "Order" means this document, also known as a "Consent Order" or "Order by Consent," a type of Special Order under the Virginia Air Pollution Control Law.
13. "PCE" means a partial compliance evaluation by DEQ staff.
14. "Permit" means a Title V Federal Operating permit to operate a natural gas compressor facility which was issued under the Virginia Air Pollution Control Law and the Regulations to Dominion Energy Transmission, Inc. on July 23, 2015.
15. "NRO" means the Northern Regional Office of DEQ, located in Woodbridge, Virginia.
16. "Regulations" or "Regulations for the Control and Abatement of Air Pollution" mean 9 VAC 5 chapters 10 through 80.
17. "Va. Code" means the Code of Virginia (1950), as amended.
18. "VAC" means the Virginia Administrative Code.
19. "Virginia Air Pollution Control Law" means Chapter 13 (§ 10.1-1300 *et seq.*) of Title 10.1 of the Va. Code.
20. "Warning Letter" or "WL" means a type of Notice of Alleged Violation under Va. Code § 10.1-1309.

SECTION C: Findings of Fact and Conclusions of Law

1. Dominion Energy owns and operates the Facility in Leesburg, Virginia. The Facility is the subject of the Permit which allows the Facility to operate pursuant to its terms.

2. On December 8 and 9, 2016, Dominion Energy conducted stack testing of compressor engines, EN01 and EN02 at the Facility.
3. On December 12, 2016, Dominion Energy reported to the DEQ NRO Air Compliance Manager via phone call that preliminary results of the December 8 and 9, 2016 emission testing showed emissions exceedances for EN01 and EN02. On December 20, 2016, Dominion Energy met in person at the NRO office with the NRO Compliance and Permitting Groups to discuss the preliminary results, as well as the root cause and corrective actions planned to address the noncompliance. On January 20, 2017, Dominion Energy submitted the final test results report to DEQ via certified mail and email with an electronic copy. On January 23, 2017, DEQ staff received the hard copy stack test report for the test referenced in C(2) above. The following observations were made during Department staff review of the report:
 - a. EN01 - CH₂O:
 - 1.67 lb/hr (Train A)
 - 1.65 lb/hr (Train B)
 - [Limit 1.10 lbs/hr]
 - b. EN02 - CH₂O:
 - 1.91 lb/hr (Train A)
 - 1.75 lb/hr (Train B)
 - [Limit 1.10 lbs/hr]

The testing results for Train A (EN01 and EN02) were determined using DEQ approved stack testing Method 1 and therefore are the focus of the noncompliance.

4. Condition 18 of the Permit states that for Fuel Burning Emission Units (EN01 and EN02) the emissions from the operation of each compressor engine, EN01 and EN02, shall not exceed: 1.1 lbs/hr and 4.7 tons/yr for CH₂O.
5. The stack testing report submitted January 20, 2017 included a cover page, where Dominion Energy addressed the emission violations. The report stated that upon completion of the tests, the units were tuned and repairs validated, which included engine mapping, balancing, and replacing spark plugs, wires, and fuel valves. Additionally, Dominion Energy took pre and post-catalyst readings which confirmed the catalyst was functioning properly and the efficiency was greater than 50%. In addition, post-engine, pre-duct burner CH₂O readings were taken to compare to post-duct burner, pre-catalyst and post-catalyst readings. According to the report, Dominion Energy had determined the elevated CH₂O emissions were caused by the duct burner emissions. The duct burners were part of the existing catalyst system required to preheat the catalyst for performance. The duct burners were part of the original equipment on both units and were both scheduled to be replaced in 2017. The design for the new equipment was complete and the sourcing of the new catalyst was accelerated as part of the corrective action plan.

6. On February 2, 2017, based on the stack testing report, the Department issued Notice of Violation (No. ANRO000587) to Dominion Energy for the violations described in paragraphs C(2) through C(5) above.
7. As required in the NOV, Dominion Energy contacted DEQ and arranged a meeting to discuss the matter within ten days of receiving the NOV. Dominion Energy contacted DEQ on February 3 and 10, 2017 and met with DEQ with the NRO Enforcement and Compliance Groups at the NRO office on February 14, 2017, to discuss the violations and proposal for a return to compliance.
8. At the February 14, 2017, meeting, and in submissions, dated March 1, 2017, and April 7, 2017, Dominion Energy stated that the proposed fix to the exceedances of CH₂O emissions limit was to install a new oxidation catalyst system on each engine with an expedited construction scheduled to begin on April 10, 2017. In addition, prior to the oxidation catalyst system replacements, Dominion Energy re-tested Engines EN01 and EN02 for CH₂O on February 7 and 8, 2017 to determine the highest achievable loads capable of demonstrating compliance with the engines CH₂O permit limit. A DEQ Inspector was onsite during the testing program to observe testing. The final test results were submitted to DEQ on March 1, 2017. Immediately upon completion of the February 8, 2017 testing program, Dominion Energy restricted operations of the units.
9. Dominion Energy and Power Ignition & Controls Appalachia, LLC (PIC) began installation of the oxidation catalyst system for EN01 and EN02 on April 10, 2017. Per notifications submitted April 21 and May 3, 2017, Dominion Energy completed installation and commissioning of the oxidation catalyst system for EN01 on April 20, 2017 and EN02 on May 1, 2017. The replacement catalysts required changes to the existing support structures to accept the new catalyst housing, removal of each duct burner, and placement of blanking plates where each duct burner was originally located. Dominion Energy communicated the status of the catalyst replacement project milestones via written updates submitted to DEQ NRO on April 7, April 21, May 3, and May 24, 2017.
10. On April 12, 2017 and updated April 18, 2017, Dominion Energy submitted to DEQ a stack test protocol for EN01 and EN02. The cover letter of the protocol stated that stack test would be scheduled and conducted within the regulatory timeframes after installation of the new catalysts. On May 3, 2017, Dominion Energy submitted a letter to DEQ with notification of schedule to test EN01 and EN02 on May 23, 2017.
11. On May 23, 2017, Dominion Energy conducted the stack test in accordance with the April 12 and April 18, 2017 protocol. A DEQ Inspector was onsite during the testing program to observe testing.
12. On May 24, 2017, Dominion Energy submitted to DEQ preliminary results of the May 23, 2017 testing program which demonstrated Engines EN01 and EN02 were in

compliance with the CH₂O permitted emission limits when operated at full load. In the May 24, 2017 submittal, Dominion Energy requested concurrence from DEQ that it was now appropriate to remove the voluntary operational restrictions taken on February 8, and return to operating Engines EN01 and EN02 up to full load, full speed. On May 26, 2017, DEQ responded to Dominion Energy communicating that based on the data submitted by Dominion Energy in the May 24, 2017 submittal, the Department granted Dominion – Leesburg Compressor Station’s request to remove the operating limits, on EN01 and EN02, established during the facility’s February 8, 2017 testing program.

13. On June 6, 2017, Dominion Energy submitted to DEQ the final test results from the May 23, 2017 stack testing on Engines EN01 and EN02. The final test results were the same as provided in the May 24, 2017 submittal of preliminary test results and demonstrated compliance with EN01 and EN02 permitted emission limits for CH₂O. The following observations were made during Department staff review of the report:

- a. EN01 - CH₂O:
0.1 lb/hr
[Limit 1.10 lbs/hr]
- b. EN02 - CH₂O:
0.1 lb/hr
[Limit 1.10 lbs/hr]

14. Based on the results of review of the stack testing report, submitted by Dominion Energy on January 20, 2017 and received by DEQ on January 23, 2017, the Board concludes that Dominion Energy has violated Permit Condition 18 as described in paragraphs C(2) through C(4) above.
15. As noted in above paragraphs C(5) through C(13), Dominion Energy has submitted documentation that verifies that the violations described in paragraphs C(2) through C(4) above, have been corrected.

SECTION D: Agreement and Order

Accordingly, by virtue of the authority granted it in Va. Code §§ 10.1-1309 and -1316, the Board orders Dominion Energy, and Dominion Energy agrees to pay a civil charge \$44,573.00 within 30 days of the effective date of the Order in settlement of the violations cited in this Order.

Payment shall be made by check, certified check, money order or cashier’s check payable to the “Treasurer of Virginia,” and delivered to:

Receipts Control
Department of Environmental Quality
Post Office Box 1104

Richmond, Virginia 23218

Dominion Energy shall include its Federal Employer Identification Number (FEIN) with the civil charge payment and shall indicate that the payment is being made in accordance with the requirements of this Order for deposit into the Virginia Environmental Emergency Response Fund (VEERF). If the Department has to refer collection of moneys due under this Order to the Department of Law, Dominion Energy shall be liable for attorneys' fees of 30% of the amount outstanding.

SECTION E: Administrative Provisions

1. The Board may modify, rewrite, or amend this Order with the consent of Dominion Energy for good cause shown by Dominion Energy, or on its own motion pursuant to the Administrative Process Act, Va. Code § 2.2-4000 *et seq.*, after notice and opportunity to be heard.
2. This Order addresses and resolves only those violations specifically identified in Section C of this Order. 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; or (3) taking subsequent action to enforce the Order.
3. For purposes of this Order and subsequent actions with respect to this Order only, Dominion Energy admits the jurisdictional allegations, findings of fact, and conclusions of law contained herein.
4. Dominion Energy 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. Dominion Energy declares it has received fair and due process under the Administrative Process Act and the Virginia Air Pollution Control Law 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 contained herein. 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 modify, rewrite, amend, or enforce this Order.
6. Failure by Dominion Energy 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 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. Dominion Energy shall be responsible for failure to comply with any of the terms and conditions of this Order unless compliance is made impossible by earthquake, flood, other acts of God, war, strike, or such other unforeseeable circumstances beyond its control and not due to a lack of good faith or diligence on its part. Dominion Energy shall demonstrate that such circumstances were beyond its control and not due to a lack of good faith or diligence on its part. Dominion Energy shall notify the DEQ Regional Director verbally within 24 hours and in writing within three business days 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 verbally within 24 hours and in writing within three business days, of learning of any condition above, which the parties intend to assert will result in the impossibility of compliance, 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 and any 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 Dominion Energy. Nevertheless, Dominion Energy agrees to be bound by any compliance date which precedes the effective date of this Order.
11. This Order shall continue in effect until:
 - a. The Director or his designee terminates the Order after Dominion Energy has completed all of the requirements of the Order;
 - b. Dominion Energy petitions the Director or his designee to terminate the Order after it has completed all of the requirements of the Order and the Director or his designee approves the termination of the Order; or

- c. the Director or Board terminates the Order in his or its sole discretion upon 30 days' written notice Dominion Energy.

Termination of this Order, or any obligation imposed in this Order, shall not operate to relieve Dominion Energy from its obligation to comply with any statute, regulation, permit condition, other order, certificate, certification, standard, or requirement otherwise applicable.

12. Any plans, reports, schedules or specifications attached hereto or submitted by Dominion Energy and approved by the Department pursuant to this Order are incorporated into this Order. Any non-compliance with such approved documents shall be considered a violation of this Order.
13. The undersigned representative of Dominion Energy certifies that he or she is a responsible official authorized to enter into the terms and conditions of this Order and to execute and legally bind Dominion Energy to this document. Any documents to be submitted pursuant to this Order shall also be submitted by a responsible official of Dominion Energy.
14. This Order constitutes the entire agreement and understanding of the parties concerning settlement of the violations identified in Section C of this Order, and there are no representations, warranties, covenants, terms or conditions agreed upon between the parties other than those expressed in this Order.
15. By its signature below, Dominion Energy Transmission, Inc. voluntarily agrees to the issuance of this Order.

And it is so ORDERED this 28th day of July, 2017.



Thomas A. Faha, Regional Director
Department of Environmental Quality

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Dominion Energy Transmission, Inc. voluntarily agrees to the issuance of this Order.

Date: 07-26-17 By: Brian C. Sheppard, Vice President
(Person) (Title)
Eastern Pipeline Operations
Dominion Energy Transmission, Inc.

State of West Virginia
Commonwealth of Virginia
City/County of Harrison

The foregoing document was signed and acknowledged before me this 26th day of July, 2017, by Brian C. Sheppard who is

V.P., Eastern Pipeline Operations of Dominion Energy Transmission, Inc., on behalf of the corporation.

Brenda M. Johnson
Notary Public

Registration No.

My commission expires: March 31, 2020

Notary seal:

