



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

1595 Wynkoop Street
DENVER, CO 80202-1129
Phone 800-227-8917
<http://www.epa.gov/region08>

Ref: 8ENF- AT

AUG 07 2014

Lt. Col. Michelle R. Kneupper, USAF
Commander, 10th Space Warning Squadron
831 Patrol Road #260
Cavalier AFS, North Dakota 58220

Dear Lt. Col. Kneupper:

Please find enclosed the compliance order issued by the U.S. Environmental Protection Agency. This order requires the Cavalier Air Force Station to come into compliance with National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines 40 C.F.R. Part 63, Subpart ZZZZ control requirements applicable to your engines by January 1, 2015.

If you have any questions please contact Alexis North, Technical Enforcement Program, at (303) 312-7005.

Sincerely,

A handwritten signature in black ink, appearing to read "Suzanne J. Bohan".

Suzanne J. Bohan
Acting Assistant Regional Administrator
Office of Enforcement, Compliance
and Environmental Justice

Enclosure

cc: Lew Dendy, North Dakota Department of Health, Title V Permitting



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NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS

6. The engines identified in paragraph 1 are subject to emission and operating limitations pursuant to the NESHAP's "Maximum Achievable Control Technology" (MACT) regulations for stationary RICE, codified at 40 C.F.R. part 63, subpart ZZZZ. The effective date of this subpart was June 15, 2004.
7. Pursuant to 40 C.F.R. § 63.6603(a), national emission limitations and operating limitations for Hazardous Air Pollutants (HAPs) are established for stationary RICE located at major and area sources of HAP emissions. This subpart also establishes requirements to demonstrate initial and continuous compliance with the emission limitations and operating limitations.
8. Under 40 C.F.R. §63.6603(a), Table 2d and Table 2b, the owner or operator of a stationary RICE is subject to emission and operating limitations.
9. Under 40 C.F.R. §63.6604, the owner or operator of a stationary RICE is subject to fuel requirements.
10. Under 40 C.F.R. §63.6625(g), the owner or operator of a stationary RICE is subject to crankcase ventilation system requirements.
11. Cavalier Air Force Station is subject to all the requirements described in paragraphs 7-10.

FINDINGS OF VIOLATION

12. Failure to control the stationary RICE engines at the Cavalier Air Force Station violates 40 C.F.R. §§63.6603(a), Table 2d, Table 2b, 63.6604 and 63.6625(g) of the NESHAP for Stationary RICE.

COMPLIANCE ORDER

13. Pursuant to section 113(a)(3)(B) of the CAA, 42 U.S.C. § 7413(a)(3)(B), the EPA hereby issues the following order to Cavalier Air Force Station:

No later than January 1, 2015, the Cavalier Air Force Station shall comply with applicable stationary RICE requirements found at 40 C.F.R. Part 63 for the 5 uncontrolled Cooper Bessemer LSV-16 engines located onsite.

REPORTING REQUIREMENTS

14. Pursuant to the February 5, 2013, Extension of Compliance issued by the EPA (Attachment A) to Cavalier Air Force Station, after installation of required controls, Cavalier Air Force Station shall provide a letter to the Director of the Air & Toxics Technical Enforcement Program at the EPA

Region 8, no later than 30 calendar days after final compliance, indicating whether the appropriate controls have been installed and when the initial performance testing will commence.

ENFORCEMENT

15. Issuance of this Order does not preclude any other action by the EPA to redress past or future violations of the CAA, including an administrative penalty complaint pursuant to section 113(d) of the CAA, 42 U.S.C. § 7413(d), for penalties of not more than \$37,500 per day for each violation.
16. Pursuant to section 120 of the CAA, 42 U.S.C. § 7420, the EPA is also authorized to assess noncompliance penalties aimed at recovering the economic value which any person received by not complying with the CAA.

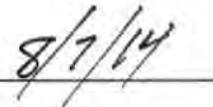
OPPORTUNITY FOR CONFERENCE

17. In accordance with section 113(a)(4) of the CAA, 42 U.S.C. § 7413(a)(4), the EPA is offering Cavalier Air Force Station an opportunity for a conference to discuss the Order. The request for such a conference must be made no later than fifteen (15) calendar days from the date Cavalier Air Force Station receives this Order. If Cavalier Air Force Station wishes to make arrangements for a conference, please contact David Rochlin, Enforcement Attorney, U.S. EPA Region 8, 1595 Wynkoop Street, Denver, Colorado 80202-1129. Mr. Rochlin's phone number is (303) 312-6892. By offering the opportunity for a conference or participating in one, the EPA does not waive or limit its right to any remedy available under the CAA.

By:


Suzanne J. Bohan
Acting Assistant Regional Administrator
Office of Enforcement, Compliance
and Environmental Justice

Date:





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FEB 5 2013

Ref: 8ENF-AT

Lieutenant Colonel Lorinda A. Frederick
10th Space Warning Squadron Commander
830 Patrol Road #260
Cavalier AFS, North Dakota 58220-3350

Re: Request for Extension to Compliance: National Emission Standards
for Hazardous Air Pollutants for Stationary Reciprocating Internal
Combustion Engines 40 CFR Part 63, Subpart ZZZZ

Dear Lieutenant Colonel Frederick:

This is in response to a request postmarked December 21, 2012, from Cavalier AFS. Cavalier AFS operates 5 existing (constructed before 6/12/2006), greater than 500 hp, compression ignition (diesel fired), non-emergency engines located at an area source (minor) of Hazardous Air Pollutants (HAPs) and are subject to the National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (RICE) 40 CFR Part 63, Subpart ZZZZ (MACT ZZZZ). The compliance date for these engines is May 3, 2013. Cavalier AFS has requested a twelve month extension to the compliance date according to the provisions under 40 CFR § 63.6(i) because it asserts it is unable to comply with the standards of MACT ZZZZ and need additional time for the installation of controls. The U.S. Environmental Protection Agency, Region 8 (the EPA), by this letter, approves a twelve month compliance extension as described further below.

For each of the 5 engines identified in Table 2 of this letter, Cavalier AFS shall install an oxidation catalyst, a continuous parameter monitoring system and a crankcase ventilation system to comply with the emission limits of MACT ZZZZ. Cavalier AFS expects to begin installation of the control equipment on November 15, 2013 and complete installation by April 1, 2014. Due to the extension, Cavalier AFS is now required to achieve final compliance with MACT ZZZZ by May 3, 2014, according to the schedule presented in Table 1 below.

Table 1: Schedule for extended compliance

Date	Activity
November 15, 2013	Planned control equipment install date
April 1, 2014	Planned control equipment install completion date
May 3, 2014	Final compliance date

Determination

The extension is justified based on Cavalier AFS's recent discovery that the engines listed in Table 2 are subject to non-emergency emission limitations. Prior to that, Cavalier AFS had erroneously classified them as emergency engines with no emission limits. Other considerations taken into account by the EPA include the lengthy process to obtain funding and award contracts for newly identified projects, such as the installation of these controls.

EPA Extension Approval according to §63.6(i)(8)

(i) The affected sources covered by this extension are 5 engines detailed in Table 2 below:

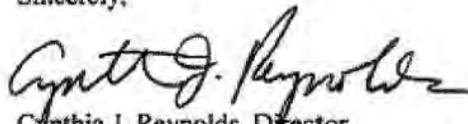
Table 2: Engines for extended compliance

Location	Engine Manufacturer	Engine Model	Engine ID	Serial #	Site Rated HP*	Construct Date
Building 820	Cooper Bessemer	LSV-16	Unit #5	8005	4095 hp	1971 Existing
Building 820	Cooper Bessemer	LSV-16	Unit #6	8004	4095 hp	1971 Existing
Building 820	Cooper Bessemer	LSV-16	Unit #7	8002	4095 hp	1971 Existing
Building 820	Cooper Bessemer	LSV-16	Unit #8	8001	4095 hp	1971 Existing
Building 820	Cooper Bessemer	LSV-16	Unit #9	8003	4095 hp	1971 Existing

- (ii) This extension will last for twelve months from the compliance date, until May 3, 2014.
- (iii) Cavalier AFS must comply with applicable requirements of MACT ZZZZ by May 3, 2014.
- (iv) This extension applies for the following provisions:
 - a. § 63.6603(a) Emission limitation requirements from Table 2d, and the operating limitations in Table 2b to this subpart;
 - b. § 63.6604 fuel requirements; and
 - c. § 63.6625(g) Crankcase ventilation system requirements
- (v) Notwithstanding this extension of compliance for the provisions listed above, for all engines covered by this extension, Cavalier AFS must meet all other applicable federal or State requirements.
- (vi) Pursuant to §63.6(i)(11), Cavalier AFS shall provide a letter to the Director of the Air & Toxics Technical Enforcement Program at the EPA Region 8, within 30 calendar days of final compliance indicating whether the schedule for extended compliance dates in Table 1 were met.
- (vii) Pursuant to §63.6(i)(4)(i), the compliance extension must be incorporated into the Title V permit if a source granted a compliance extension has a Title V permit, or is required to be issued a Title V permit.
- (viii) Cavalier AFS may be subject to civil fines and penalties of up to \$37,500 per day; per violation (Section 113 of the Clean Air Act) should compliance with MACT ZZZZ not be achieved by the extended compliance date of May 3, 2014.
- (ix) The one-year extension shall be nullified should the requirement for these engines to install controls under the MACT ZZZZ be eliminated, superseded, or amended.

If you have any further questions regarding this determination, please contact Alex North, Technical Enforcement Program, at (303) 312-7005.

Sincerely,



Cynthia J. Reynolds, Director
Air & Toxics Technical Enforcement Program

cc: Lew Dendy, North Dakota Department of Health, Title V Permitting