



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION I  
FIVE POST OFFICE SQUARE SUITE 100  
BOSTON, MASSACHUSETTS 02109-3912

Aug. 31, 2022

LeAnn Jensen  
Acting Regional Judicial Officer  
U.S. Environmental Protection Agency, Region 1  
5 Post Office Square, Suite 100 (Mail Code 04-6)  
Boston, MA 02109-3912  
Jensen.Leann@epa.gov

**BY EMAIL**

Re: In the Matter of APS Technology, Inc.; Docket No. CAA-01-2022-0058

Dear Ms. Jensen:

Attached for your review and signature is an Expedited Settlement Agreement (“ESA”) that will resolve a Clean Air Act (“CAA”) administrative penalty action that has been signed by both parties and is now being submitted to you for approval in accordance with 40 C.F.R. § 22.18(b). The ESA resolves APS Technology’s alleged Clean Air Act regulatory violations at its facility in Wallingford, Connecticut. APS Technology manufactures equipment used in oil and gas drilling and operates one diesel stationary reciprocating internal combustion engine (“RICE”) to power the system that circulates water through its equipment. The ESA alleges violations of the RICE NESHAP of 40 C.F.R. Part 63, Subpart ZZZZ for failing to perform tests and other monitoring and reporting obligations for the engine. Please note that, consistent with 40 C.F.R. §§ 22.13(b) and 22.18(b), this ESA both commences and concludes the matter referenced above.

The ESA requires payment of a \$45,828 penalty in six (6) monthly installments and includes a certification that it has corrected the violations. This penalty amount is authorized under EPA’s *Expedited Settlement Agreement Pilot Program for the Clean Air Act Stationary Source Enforcement Program* (2020) and is consistent with the statutory penalty factors provided in CAA Section 113(e), 42 U.S.C. § 7413(e), and the *Clean Air Act Stationary Source Civil Penalty Policy* (1991). The installment plan is based upon Respondent’s inability to pay the entire penalty amount within 30 days without experiencing an undue financial hardship, as substantiated in accordance with EPA’s *Guidance on Evaluating a Violator’s Ability to Pay a Civil Penalty in an Administrative Enforcement Action* (2015) and was determined by EPA to be in the best interest of the United States.

Once the Final Order has been signed, I will file the fully executed ESA with the Regional Hearing Clerk, thereby resolving this matter. The Parties' consent to the use of digital signatures (as well as Respondent's consent to electronic service of the ESA, once filed) is included in the ESA. This settlement does not have any public notice requirements.

Sincerely,

Christine Foot  
Enforcement Counsel  
EPA Region 1

Enclosure

cc: Alfredo G. Fernández, Shipman & Goodwin LLP (via email)