



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

1595 Wynkoop Street
Denver, CO 80202-1129
Phone 800-227-8917
www.epa.gov/region8

JUN 06 2018

Ref: 8ENF

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Capitol Corporate Services, Inc.
Registered Agent for Kinder Morgan Altamont LLC
2005 East 2700 South Suite 200
Salt Lake City, Utah 84109

Re: Notice of Violation, Randlett Booster Station, Uintah County, Utah

To Whom It May Concern:

Please be advised that on the basis of an on-site inspection conducted by duly authorized representatives of the U.S. Environmental Protection Agency and a review of pertinent information, the EPA has determined that Kinder Morgan Altamont LLC (Kinder Morgan) has failed to comply with certain requirements of section 111 of the Clean Air Act (CAA), 42 U.S.C. § 7411, and its implementing regulations, at the Randlett Booster Station, located within the exterior boundaries of the Uintah and Ouray Indian Reservation at 40.219842 latitude and -109.930920 longitude (the Facility).

Based upon information and belief, this Notice of Violation (NOV), alleges a violation of the Standards of Performance for Stationary Spark Ignition Internal Combustion Engines, 40 C.F.R. §§ 60.4230 – 4258 (Subpart JJJJ).

As a result of this finding, the EPA is issuing Kinder Morgan this NOV pursuant to section 113(a)(3) of the CAA, 42 U.S.C. § 7413(a)(3). Kinder Morgan may, upon request, confer with the EPA. The conference will enable Kinder Morgan to present evidence bearing on the findings of violation, on the nature of violation, and on any efforts it may have taken or proposes to take to achieve compliance. Kinder Morgan has a right to be represented by counsel. A request for conference must be made within 10 days of receipt of this NOV. A request for a conference or other inquiries concerning this NOV should be made to:

Michael Stovern
Environmental Scientist
Air & Toxics Technical Enforcement Program
U.S. EPA Region VIII
Mail Code 8ENF-AT
1595 Wynkoop Street
Denver, Colorado 80202
(303) 312-6635

If Kinder Morgan is represented by counsel, its attorney may contact:

Abigail Dean, Esq.
Legal Enforcement Program
U.S. EPA Region VIII
Mail Code 8ENF-AT
1595 Wynkoop Street
Denver, Colorado 80202
(303) 312-6106

Sincerely,



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

Enclosure

cc: Luke Duncan, Chairman
Ute Indian Tribe

electronic cc:

Bart Powaukee, Environmental Director
Ute Indian Tribe

Lonnie Favel, Air Quality Technician
Ute Indian Tribe

Marie Kaufusi, Air Quality Technician
Ute Indian Tribe

Rich Ayala, Environmental Engineer
Kinder Morgan

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

2018 JUN -6 PM 3:47

<p>IN THE MATTER OF:</p> <p>Kinder Morgan, Inc.</p> <p>Proceeding Pursuant to the Clean Air Act, 42 U.S.C. §§ 7401 et seq.</p>	<p style="text-align: center;">FILED EPA REGION VIII HEARING CLERK NOTICE OF VIOLATION</p> <p style="text-align: center;">EPA- CAA-08-2018-0008</p>
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NOTICE OF VIOLATION

The U.S. Environmental Protection Agency finds that Kinder Morgan, Inc. (Kinder Morgan), has violated and continues to violate section 111 of the Clean Air Act (CAA), 42 U.S.C. § 7411, and its implementing regulations at the Randlett Booster compressor station (Facility) located within the exterior boundaries of the Uintah and Ouray Indian Reservation. Specifically, Kinder Morgan violated and continues to violate the Standards of Performance for Stationary Spark Ignition Internal Combustion Engines, 40 C.F.R. §§ 60.4230 – 4258 (Subpart JJJJ).

The issuance of this Notice of Violation does not in any way limit or preclude the EPA from pursuing additional enforcement options concerning inspections or review referenced in this Finding of Violation. Also, this Finding of Violation does not preclude enforcement action for violations not specifically addressed in this Finding of Violation.

Statutory and Regulatory Authority

1. Section 111 of the CAA, 42 U.S.C. § 7411, authorizes the EPA to promulgate regulations regarding emissions from new sources, including those from stationary spark ignition (SI) internal combustion engines (ICE). The relevant regulations promulgated by the EPA, pursuant to section 111 of the CAA, are set forth in 40 C.F.R., part 60, subpart JJJJ – Standards of Performance for Stationary Spark Ignition Internal Combustion Engines.
2. Subpart JJJJ, at 40 C.F.R. § 60.4233, sets forth emission standards for owners and operators of stationary SI ICE.
3. Subpart JJJJ, at 40 C.F.R. § 60.4233(e), requires owners and operators of stationary SI ICE with a maximum engine power greater than or equal to 75 KW (100 HP) to comply with the emission standards in Table 1 to this subpart for their stationary SI ICE.
4. Table 1 to Subpart JJJJ, requires non-emergency SI natural gas engines with $HP \geq 500$ manufactured after July 1, 2007 to meet the following emission standards:

Engine type and fuel	Maximum engine power	Manufacture date	Emission Standards					
			g/HP-hr			ppmvd at 15% O ₂		
			NOx	CO	VOC	NOx	CO	VOC
Non-Emergency SI Natural Gas	HP≥500	7/1/2007	3.0	4.0	1.0	250	540	86

Findings of Fact

5. Kinder Morgan is a “person” within the meaning of section 302(e) of the CAA, 42 U.S.C. § 7602(e).

6. Kinder Morgan owns and operates the Facility, which compresses natural gas prior to being discharged to a gathering pipeline.

7. The Facility operates engines C1 and C2, which are 4-stroke rich burn 476 HP engines that were reconstructed in 2015, and are subject to the requirements of Subpart JJJJ.

8. The EPA and representatives of the Ute Indian Tribe inspected the Facility on September 20, 2017, for compliance with Subpart JJJJ.

9. At the time of the inspection, the inspectors performed stack testing to verify compliance with the Subpart JJJJ engine emissions requirements found at 40 C.F.R. § 60.4233.

10. The engine testing was conducted pursuant to the State of Colorado Portable Analyzer Monitoring Protocol, which is based on ASTM Method D6522-00.

11. The engine testing at engine C2 revealed NOx emissions at 14.7 g/hp-hr and 941 ppmv dry at 15% O₂.

Alleged Violations

12. Based on the above Findings of Fact, the EPA finds Kinder Morgan has violated and is violating 40 C.F.R. § 60.4233(e).

Enforcement Authority

13. Section 113(a)(3) of the CAA, 42 U.S.C. § 7413(a)(3), provides that the Administrator may bring a civil or administrative action whenever, on the basis of any information available to the Administrator, the Administrator finds that any person has violated or is in violation of any requirement or prohibition of, *inter alia*, the CAA, including any rule or permit issued thereunder. If the Administrator finds that any person has violated, or is in violation of, any requirement or prohibition of an implementing regulation, the Administrator may issue an order requiring such person to comply with such requirement or prohibition, issue

an administrative penalty order in accordance with section 113(d), or bring a civil action in accordance with section 113(b) for injunctive relief or civil penalties.

6/6/18

Date



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