

Minnesota Pollution Control Agency

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March 31, 1993

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CERTIFIED MAIL NO. P 434 657 810
RETURN RECEIPT REQUESTED

Mr. Lon Waldinger
Monticello Site Manager
Northern States Power Company
Monticello Nuclear Generating Plant
2807 West Highway 75
Monticello, Minnesota 55362

Dear Mr. Waldinger:

RE: Notice of Violation

Enclosed is a Notice of Violation (NOV) issued by the Minnesota Pollution Control Agency (MPCA) to NSP Monticello Nuclear Generating Plant (Company) for violating the Code of Federal Regulations § 60.48c Reporting and Recordkeeping Requirements, and the Special Conditions of Air Emission Permit No. 202W-92-OT-2. The NOV is not an Administrative Order. It is intended to formally notify the Company of the alleged violations that MPCA Air Quality Division (AQD) staff discovered during an AQD inspection on January 28, 1993, and from review of the Company's 1992 quarterly reports recently submitted to the MPCA on January 30, 1993, per Air Emission Permit No. 202W-92-OT-2, requirements.

The MPCA acknowledges that the Company voluntarily told MPCA staff during a telephone conversation on January 7, 1993, that SO₂ compliance reports had not been submitted for the 1992 calendar year in the format required by Air Emission Permit No. 202W-92-OT-2. The MPCA also acknowledges that the United States Environmental Protection Agency (EPA) recently wrote a memo regarding the possibility of relaxing daily recordkeeping of the amount of fuel combusted for those air emission sources which utilize low sulfur fuel types such as natural gas and distillate oil. However, if the Permittee wishes to change the conditions of SO₂ recordkeeping to reflect this EPA policy change, the Permittee must apply for and obtain an amendment to Air Emission Permit No. 202W-92-OT-2.

The NOV is divided into three main parts. The first part, titled "Violations," cites the rules, regulations, and/or permit conditions which the Company allegedly violated. The second section, titled "Description of Violations," provides a narrative description, as understood by the MPCA, of

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Mr. Lon Waldinger
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the actions taken by the Company which violated the cited rules, regulations, and/or permit conditions. The third section, titled "Corrective Actions," contains corrective actions that the MPCA requests the Company to complete in order to resolve the NOV. This corrective action is included as a means for the Company to demonstrate to the MPCA that it understands the violations, will correct the violations, and will implement procedures in order to avoid further violations in the future.

Please note that the Company is required to submit its response to the Corrective Actions section of the NOV to the Supervisor of the AQD's Compliance Determination Unit within fourteen (14) days of the date of this NOV.

If you have any questions about the NOV, please contact me at (218)828-2492.

Sincerely,

Kathy Seelarger

for Annette Elliott
Regional Specialist
Brainerd Regional Office
Air Quality Division

AE:jk4334

Enclosure

cc: Richard Rosvold, NSP Minneapolis
William Hill, NSP Monticello
Kevin Jepson, NSP Monticello
Shirley Mitchell, U.S. EPA
Ann Seha, Attorney General's Office
MPCA Brainerd Regional Office
Jenny Reinertsen, AQD
Kathy Seeburger, AQD
Cynthia Kahrman, AQD
AQD File No. 202W

STATE OF MINNESOTA

MINNESOTA POLLUTION CONTROL AGENCY

AIR QUALITY DIVISION

IN THE MATTER OF: Failure to Submit Complete Quarterly Reports as Required
in Special Condition 2.4.3 of Permit No. 202W-92-OT-2;
NSP Monticello Nuclear Generating Plant
Monticello, Minnesota

TO: Mr. Lon Waldering
Monticello Site Manager
Northern States Power Company
Monticello Nuclear Generating Plant
2807 West Highway 75
Monticello, Minnesota 55362

AUTHORITY

This Notice Of Violation (NOV) is issued under the authority contained in
Minn. Stat. § 116.07 (1992).

VIOLATIONS

PLEASE BE ADVISED, that the Minnesota Pollution Control Agency (MPCA) has
sufficient information to indicate that NSP Monticello Nuclear Generating
Plant (Company) has violated the following provisions of Title 40 Code of
Federal Regulations Part 60.48c, and Air Emission Permit No. 202W-92-OT-2.
The federal regulation and permit condition states, in part:

40 CODE OF FEDERAL REGULATIONS PART 60.48c REPORTING AND RECORDKEEPING
REQUIREMENTS.

- (e) The owner or operator of each affected facility subject to the SO₂
emission limits, fuel oil sulfur limits, or percent reduction
requirements under § 60.43c shall keep records and submit quarterly
reports as required under paragraph (d) of this section, including the
following information, as applicable. . .
- (2) Each 30-day average SO₂ emission rate (ng/J or lb/million Btu), or
30-day average sulfur content (weight percent), calculated during
the reporting period; ending with the last 30-day period in the
quarter; reasons for any noncompliance with the emission standards;
and a description of corrective actions taken. . .

- (11) If fuel supplier certification is used to demonstrate compliance, records of fuel supplier certification as described under paragraph (f)(1), (2) or (3) of this section, as applicable. In addition to records of fuel supplier certifications, the quarterly report shall include a certified statement signed by the owner or operator of the affected facility that the records of fuel supplier certifications submitted represent all of the fuel combusted during the quarter.

(f) Fuel supplier certification shall include the following information:

(1) For distillate oil:

- (ii) A statement from the oil supplier that the oil complies with the specifications under the definition of distillate oil in § 60.41c.

(g) The owner or operator of each affected facility shall record and maintain records of the amounts of each fuel combusted during each day.

AIR EMISSION PERMIT NO. 202W-92-OT-2:

2.4.3 Reporting and Recordkeeping Requirements

2.4.3.1 Boiler No. 1.

The Permittee shall submit quarterly reports to the Division Manager. Each quarterly report shall be postmarked by the 30th day following the end of the reporting period. The Permittee shall keep records and submit quarterly reports including the following information:

- (2) Each 30-day rolling average SO₂ emission rate (lb/million Btu), or 30-day average sulfur content (weight percent), calculated during the reporting period, ending with the last 30-day period in the quarter; reasons for any noncompliance with the emission standards; and a description of corrective actions taken. . .
- (4) If fuel supplier certification is used to demonstrate compliance, records of fuel supplier certification as described below. In addition to records of fuel supplier certifications, the quarterly report shall include a certified statement signed by the owner or operator of the affected facility that the records of fuel supplier certifications submitted represent all of the fuel combusted during the quarter.

Fuel supplier certification shall include the following information:

- The name of the oil supplier; and
- A statement from the oil supplier that the oil complies with the specifications under the definition of distillate oil in § 40 CFR 60.41c.

- (5) The Permittee shall record and maintain records of the amounts of each fuel combusted during each day.

DESCRIPTION OF VIOLATIONS

Air Emission Permit No. 202W-92-OT-2 was issued to the Company on February 4, 1992. The Company's heating boiler (Emission Point No. 1) is subject to the requirements of 40 CFR 60 Subp. Dc. MPCA staff review of the Company's quarterly reports submitted for the 1992 calendar year indicate that the Company: 1) did not submit 30-day rolling averages of sulfur content in the oil utilized in Emission Point No. 1; 2) did not submit fuel oil certification analysis from fuel oil suppliers stating that the oil purchased is in compliance with § 40 CFR 60.41c for Emission Point No.1; and 3) did not keep records of the amounts of fuel combusted on a daily basis for Emission Point No. 1.

CORRECTIVE ACTIONS

In order to address the violations cited in this NOV, the Company is requested to respond accordingly:


1. Submit a written letter to the Air Quality Compliance Determination Unit Supervisor, with a copy to the MPCA Brainerd Regional Office, postmarked or received within fourteen (14) days of the date of this NOV, stating that the contents of this NOV have been read, understood, and that all requirements of Title 40 Code of Federal Regulations Part 60 subp. Dc, and Air Emission Permit No. 202W-92-OT-2 will be complied with at all times.

NOTICE

THEREFORE, you are hereby given notice that the above violations have been documented by the Minnesota Pollution Control Agency. This Notice Of Violation does not preclude the Minnesota Pollution Control Agency from taking further action with respect to the above violations. Continued violation of permit conditions and federal regulations will result in initiation of further administrative or legal enforcement action.

DATED: MARCH 31, 1993

COMPLIANCE AND ENFORCEMENT SECTION
AIR QUALITY DIVISION



Michael J. Sandusky
Section Manager

MJS:jk4335

cc: Richard Rosvold, NSP Minneapolis
William Hill, NSP Monticello
Kevin Jepson, NSP Monticello
Shirley Mitchell, U.S. EPA Region V
Ann Seha, Attorney General's Office
Cynthia Kahrman, MPCA
MPCA Brainerd Regional Office
Jenny Reinertsen, AQD
Kathy Seeburger, AQD
AQD File No. 202W

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RETURN RECEIPT REQUESTED

Address Submittals Requested Above To:

Supervisor
Compliance Determination Unit
Compliance and Enforcement Section
Air Quality Division
Minnesota Pollution Control Agency
520 Lafayette Road
St. Paul, Minnesota 55155-4194

Address Questions You May Have To:
Annette Elliott
Regional Specialist
Brainerd Regional Office
Air Quality Division
Minnesota Pollution Control Agency
1601 Minnesota Drive
Brainerd, Minnesota 56401
(218) 828-2492