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Air Enforcement: Alabama Department of Environmental Management and Hyundai Motor Manufacturing (Montgomery, Alabama) Enter into Consent Order

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The Alabama Department of Environmental Management ("ADEM") and Hyundai Motor Manufacturing ("Hyundai") entered into a Consent Order ("CO") addressing alleged violations. See CONSENT ORDER NO. 17-0XX-CAP.

Hyundai operates a motor vehicle manufacturing facility ("Facility") in Montgomery, Alabama.

ADEM is stated to have issued a Clean Air Act Title V Operating Permit to Hyundai on February 4, 2014. An Air Permit (X015) was also issued on March 20, 2014 to Hyundai.

The CO states that production units regulated by the facility's Title V permit include:

- Motor Vehicle Assembly Plant with water curtains, RTO, and low NOx burners
- 2-24.5 MMBtu/Hr natural gas fired Boilers
- Storage Tanks
- Engine Test Dynamometers with Incinerator Afterburners
- Engine Test Firing Stands with Incinerator Afterburners
- Natural gas fired Generator
- Diesel fired Generator

Proviso No. 2.2 of the Title V Permit, Unit No. 8 (Engine Test Dynamometers with Incinerator Afterburners) states in relevant part:

This unit shall not emit greater than 20.0 ppmvd of CO corrected to 15% excess O₂ (No Dilution Air) at outlet as measured in accordance with 40 CFR Part 60, Appendix A, Method 10.

Special Permit Proviso No. of Air Permit X015 provides for emission limits on:

Burner Identification	CO Limit
Engine Test Dynamometer Nos. 2,3,4 (ES-17)	20.0 ppmvd corrected to 15% excess O ₂

(No Dilution

Air) at outlet

Hyundai is stated to have conducted engineering tests on the Engine Test Dynamometers with Incinerator Afterburners (ES-17) and (ES-19) on April 6-7, 2016. ADEM was subsequently provided Hyundai's test report for the previously referenced testing.

The CO alleges that the April 6-7, 2016 test report and calculations showed emissions of 30.1 ppm @15% O₂ of CO for ES-17 which was in excess of the emission limits set forth in the Air Permit X015.

The test report and calculations from April 6-7 are also alleged to have shown emissions of 25.6 ppm @15% O₂ of CO for ES-19 which was in excess of the emission limits set forth in the Title V Permit.

Hyundai responded to a June 15, 2016 ADEM Notice of Violation by referencing a change in operation concerning the engines they were testing as the cause of the violation.

The violation was self-reported by Hyundai on May 20, 2016.

Hyundai states that Unit No. ES-17, and similar Unit No. ES-19, have been used to test engines and are both regulated by Operating Permit Summary No. 8 and that "in recent years, the engines that are tested in these Units have undergone engineering improvements that are specifically intended to reduce air emissions once those engines are in use on the road." Also referenced are measures undertaken to protect newer model engines during stress testing in Units regulated by Proviso 2.2, (noting increases in fuel enrichment in order to decrease cylinder temperatures) which is stated to cause higher exhaust CO during testing even though the engines are designed for and proven to lower emissions in actual use.

Hyundai is stated to have shut down (as a result of this engine change) Unit No. ES-19 in 2014 in order to avoid violating applicable permit emission limits. Instead, engines that would have ordinarily been tested at that Unit were shipped to a facility in Michigan for testing.

Hyundai proposed a modification of its Title V Permit to allow use of an alternative compliance method authorized by state and federal regulations. This proposal was subsequently approved and is reflected in modified air permits issued on September 30, 2016.

Hyundai neither admits nor denies ADEM's contentions.

A civil penalty of \$5,000 is assessed.

[A copy of the CO can be downloaded here.](#)