

ALLEGHENY COUNTY HEALTH DEPARTMENT

IN RE:

Aristech Chemical Corporation)	PLAN APPROVAL ORDER
600 Grant Street)	AND AGREEMENT No. 232
Pittsburgh, PA 15219)	<u>UPON CONSENT</u>
)	

AND NOW, this 30th day of December, 1996,

WHEREAS, the Allegheny County Health Department (hereafter referred to as "Department"), has determined that the Aristech Chemical Corporation (hereafter referred to as "ARISTECH"), 600 Grant Street, Allegheny County, Pittsburgh, PA 15219, as the operator and the owner of a synthetic organic chemical manufacturing facility at 200 Neville Road, Allegheny County, Pittsburgh, PA 15225-1696 (hereafter referred to as "the facility"), is a major stationary source of Volatile Organic Compounds (hereafter referred to as "VOCs") emissions as defined in Section 2101.20 of Article XXI, Rules and Regulations of the Allegheny County Health Department, Air Pollution Control (hereafter referred to as "Article XXI"); and

WHEREAS, the Department has determined that Section 2105.06 of Article XXI, entitled "Major Oxides of Nitrogen & VOCs" is applicable to ARISTECH's operations; and

WHEREAS, ARISTECH has been in full compliance at all relevant times with all relevant requirements of Section 2105.06 of Article XXI; and

NOW, THEREFORE, this day first written above, the Department, pursuant to Section 2109.03 of Article XXI, and upon agreement of the parties as hereinafter set forth, hereby issues the following RACT Plan Approval Order and Agreement upon Consent.

I. ORDER

- 1.1. The Plasticizer Manufacturing Plant reactor vents and the stripper secondary jet water cooled condensers shall be properly maintained and operated at all times at an average annual coolant inlet temperature of 95°F, with the exception of activities to mitigate emergency situations.
- 1.2. Effective May 1, 1997, the alcohol measuring tanks for the plasticizer train no.3 shall be operated so that the maximum operating temperature shall not exceed 110 degrees centigrade and the maximum heating cycle shall not exceed two (2) hours.
- 1.3. ARISTECH shall at all times maintain all appropriate records to demonstrate compliance with the requirements of both Section 2105.06 Article XXI and Order NO. 232. Such records shall provide sufficient data and calculations to clearly demonstrate that all requirements of both Section

2105.06 of Article XXI and Order NO. 232 are being met. Such records shall include, but not be limited to production records and condenser inlet coolant temperatures.

1.3. ARISTECH shall retain all records required by both Section 2105.06 of Article XXI and Order NO. '232, for the facility for at least two (2) years and shall make the same available to the Department upon request.

1.4. All subject equipment and emission control equipment shall be properly maintained and operated in accordance with good engineering and air pollution control practices at all times, with the exception of situations to mitigate emergencies.

II. AGREEMENT

The foregoing Plan Approval Order shall be enforced in accordance with and is subject to the following agreement of the parties, to wit:

2.1. The contents of this Order shall be submitted to the U.S. EPA as a revision to the Commonwealth of Pennsylvania's State Implementation Plan

(hereafter referred to as "SIP").

- 2.2. Failure to comply with any portion of this Order or Agreement is a violation of Article XXI that may subject ARISTECH to and civil proceedings, including injunctive relief, by the Department.

- 2.3. This Order does not, in any way, preclude, limit or otherwise affect any other remedies available to the Department for violations of this Order or of Article XXI, including, but not limited to, actions to require the installation of additional pollution control equipment and the implementation of additional corrective operating practices.

- 2.4. If any event occurs which is beyond the control of ARISTECH and which causes or may cause delays in the achievement of the actions required under this Order, then:
 - a. ARISTECH shall notify the department in writing within ten (10) days of the delay or anticipated delay, describing in detail the nature of the delay, the anticipated length of the delay, the precise cause or causes of the delay, the measures taken and to be taken by ARISTECH to prevent or minimize the delay,

and the timetable by which those measures will be implemented. ARISTECH shall adopt all reasonable measures to avoid or minimize any such delay. Failure by ARISTECH to comply with the notice requirement of this subparagraph, (2.4.a.) specifically may in sole discretion of the Department render the remaining provisions of this paragraph (2.4.b. - 2.4.c.) void and of no effect as to the particular incident involved.

- b. If the Department agrees that the delay or anticipated delay in complying with this Order has been or will be caused by circumstances beyond the control of ARISTECH, the time for performance hereunder may be extended for a period no longer than the delay resulting from such circumstances.
- c. The burden of proving that any delay is caused by circumstances beyond the control of ARISTECH shall rest with ARISTECH. Increased costs or expenses associated with the implementation of actions called for by this Order shall not, in any event, be a basis for changes in this Order or extensions of time under this paragraph. Delay in achievement

of one interim step shall not necessarily justify or excuse delay in achievement of subsequent steps.

2.5. ARISTECH hereby consents to the foregoing Order and hereby knowingly waives all rights to appeal said Order, and the undersigned represents that he is authorized to consent to the Order and to enter into the RACT Plan Approval Order and Agreement Upon Consent on behalf of ARISTECH.

~~2.6. ARISTECH acknowledges and understands that the purpose of this Agreement is to establish RACT for the control of emissions of VOC from this facility. ARISTECH further acknowledges and understands the possibility that the U.S. EPA may decide to not accept the Agreement portion of this RACT Plan Approval Order and Agreement by Consent as a revision to the Commonwealth of Pennsylvania's SIP.~~

IN WITNESS WHEREOF, and intending to be legally bound,
the parties hereby consent to all of the terms and conditions of
the foregoing Order and Agreement as of the date of the above
written.

ARISTECH CHEMICAL COMPANY

By: C P Costanza
(signature)

Print or type Name: Charles P. Costanza

Title: Senior Vice President - Chemicals

Date: December 17, 1996

ALLEGHENY COUNTY HEALTH DEPARTMENT

By: Bruce W. Dixon 12/20/96

Bruce W. Dixon, M.D., Director
Allegheny County Health Department

and By: Thomas J. Puzniak

Thomas J. Puzniak, Engineering Manager
Air Quality Program

