

ALLEGHENY COUNTY HEALTH DEPARTMENT

IN RE:

General Motors, Corp.)	PLAN APPROVAL ORDER
P.O. Box 158)	AND AGREEMENT NO. 243
Allegheny County)	<u>UPON CONSENT</u>
McKeesport, PA 15134)	

AND NOW, this 27th day of August, 1996,

WHEREAS, the Allegheny County Health Department, (hereafter referred to as "Department"), has determined that the General Motors Corporation (hereafter referred to as "GMC"), P.O. Box 158, McKeesport, Allegheny County, PA 15134, is the owner and operator of an automotive parts manufacturing facilities at 1451 Lebanon School Road, West Mifflin, Allegheny County, PA 15122 (hereafter referred to as "the facility"), is a potential major stationary source of oxides of nitrogen (hereafter referred to as "NO_x") 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 facility is operating as a synthetic minor source of NO_x emissions as defined in Section 2103.20.b.4 of Article XXI; and

WHEREAS, the Department has determined that Section 2105.06.a. of Article XXI, entitled "Major Sources of NO_x & Volatile Organic Compounds" is applicable to GMC's operations at this facility; and

WHEREAS, GMC promptly submitted to the Department all documents required by Section 2105.06.b of Article XXI (hereafter referred to as "the proposal") in the October 2, 1995 correspondence from Christina Bonari of GMC to Douglas Edwards of the Department; and

WHEREAS, the Department, after a review of the submitted proposal, has determined it to be complete; and

WHEREAS, the Department has further determined, after review of the submitted proposal, that it constitutes Reasonably Available Control Technology (hereafter referred to as "RACT") for control of NO_x emissions from GMC; and

WHEREAS, upon approval of this plan approval order and agreement, the facility will be a synthetic minor source of NO_x emissions; and

WHEREAS, the parties have agreed that the most appropriate vehicle for memorializing the submitted proposal is a Plan Approval Order and Agreement Upon Consent; and

WHEREAS, the Department shall submit the Plan Approval Order and Agreement Upon Consent to the U.S. Environmental Protection Agency (hereafter referred to as "US EPA") as a revision to the Commonwealth of Pennsylvania State Implementation Plan (hereafter

referred to as "SIP"), and ; and

WHEREAS, GM neither admits or denies the factual allegations in the Order; and

WHEREAS, the Department and GMC desire to memorialize the details of the submitted proposal by entry of an Plan Approval Order and Agreement Upon Consent; and

WHEREAS, pursuant to Section 2109.03 of Article XXI, the Director of the Allegheny County Health Department or his designated representative may take action in order to aid in the enforcement of the provisions of this Article; 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 this Plan Approval Order and Agreement upon Consent:

I. ORDER

- 1.1. At no time shall GMC allow annual NO_x emissions from the facility to exceed ninety-nine (99) tons per year.
- 1.2 At no time shall GMC allow the combined actual

heat input to Boilers number one (1) and two (2) to exceed 355,651 MMBTUs/Yr.

1.3. GMC shall at all times maintain appropriate records to demonstrate compliance with the requirements of both Section 2105.06 of Article XXI and this Order. Such records shall provide sufficient data and calculations to demonstrate that all requirements of Section 2105.06 of Article XXI and this Order are being met and shall include, but not be limited to, the following:

A.) Fuel type and amount of fuel usage for boilers no. 1 and 2

1.4. GMC shall retain records required by both of Section 2105.06 of Article XXI and this Order for the facility for at least two (2) years and shall make the same available to the Department upon request.

II. AGREEMENT

The foregoing 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 US EPA as a revision to the Commonwealth of

Pennsylvania's SIP.

2.2. Failure to comply with any portion of this Order or Agreement is a violation of Article XXI that may subject GMC to enforcement 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.

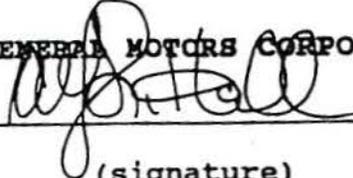
2.4. GMC hereby consents to the foregoing Order and hereby knowingly waives all rights to appeal said Order, and the undersigned represents that he is authorized to consent to the Order and to enter into this Agreement on behalf of GMC. Notwithstanding the previous sentence, GMC retains any and all rights it may have pursuant to Article XXI.

~~2.5. GMC acknowledges and understands that the purpose of this Agreement is to establish RACT for the~~

~~control of emissions of NO_x from this facility.
GMC further acknowledges and understands the
possibility that the US EPA may decide to not
accept the Agreement portion of the Plan Approval
Order and Agreement by Consent as a revision to
the Allegheny County's portion of 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 Plan Approval Order and Agreement as of the date of the above written.

GENERAL MOTORS CORPORATION

By: 

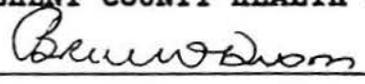
(signature)

Print or type Name: ALFONZO L. HALL

Title: PLANT MANAGER

Date: 8/15/96

ALLEGHENY COUNTY HEALTH DEPARTMENT

By:  8/1/96

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

and By:  (sam)

Roger C. Westman, Manager
Air Quality

