

ALLEGHENY COUNTY HEALTH DEPARTMENT

IN RE:

Guardian Industries, Corp.	)	PLAN APPROVAL ORDER
Allegheny County	)	AND AGREEMENT No. 242
Floreffe, PA 15025-0300	)	<u>UPON CONSENT</u>
	)	

AND NOW, this 27<sup>th</sup> day of August, 1996,

WHEREAS, the Allegheny County Health Department, (hereafter referred to as "Department"), has determined that the Guardian Industries, Corp. (hereafter referred to as "GI"), 300 Glasshouse Road, Allegheny County, Floreffe, PA 15025-0300, as the operator and the owner of a float glass manufacturing facility at 300 Glasshouse Road, Allegheny County, Floreffe, PA 15025-0300 (hereafter referred to as "the facility"), is a major stationary source of oxides of nitrogen (hereafter referred to as "NO<sub>x</sub>") 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 NO<sub>x</sub> & Volatile organic compounds" is applicable to GI's operations; and

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

**WHEREAS**, GI has timely submitted to the Department all of the documents required by Section 2105.06.b of Article XXI (hereafter collectively referred to as "the Proposal"); and

**WHEREAS**, the Department has determined, after review, that the Proposal is complete; and

**WHEREAS**, the Department has further determined, after review, that the Proposal, constitutes Reasonably Available Control Technology (hereafter referred to as "RACT") for control of NO<sub>x</sub> emissions from the facility; and

**WHEREAS**, the Department and GI desire to memorialize the details of the Proposal by entry of this RACT 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 issue such orders as are necessary to aid in the enforcement of the provisions of Article XXI, notwithstanding the absence of any violation of any provision of Article XXI and of any condition causing, contributing to, or creating danger of air pollution;

**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. At no time shall GI allow emissions of NO<sub>x</sub> from the glass melting furnace at this facility to exceed the following NO<sub>x</sub> emission limitations:

NO<sub>x</sub> Emissions:

<u>Furnace:</u>	<u>Lbs/Ton glass</u>	<u>Tons/Year</u>
1	40.0	2,556

- 1.2. GI shall determine compliance with the emission limitations referenced in paragraph 1.1. above by NO<sub>x</sub> emissions testing. GI shall conduct such testing every two years for furnaces one (1). The emission testing shall be conducted according to all applicable EPA approved test methods and Section 2108.02 of Article XXI. GI shall complete initial emission testing by December 31, 1996.

1.3. GI shall maintain all 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. GI shall record and maintain such data and information required to determine compliance for the facility in a time frame consistent with the averaging period of the requirements of both Section 2105.06 of Article XXI and this Order. Such records shall include, but not be limited to, the following:

- A. Fuel use and operating hours for the glass melting furnace; and
- B. All maintenance, inspection and repair activities, calibration and/or replacement of fuel-burning equipment for the glass melting furnace.
- C. Daily records of information on the batch house and the glass melting furnace operations.

1.4. GI shall retain all records required by both Section

2105.06 of Article XXI and this Order for at least two (2) years and shall make the same available to the Department upon request.

- 1.5. GI shall at all times properly operate and maintain the glass melting furnace according to good engineering practice.

## 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 SIP.
- 2.2. Failure to comply with any portion of this Order or Agreement is a violation of Article XXI that may subject GI to criminal 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

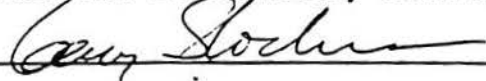
Department for violations of this Order or of Article XXI, including, but not limited to, actions to require the installation of additional pollution control equipment and the implementation of additional corrective operating practices.

2.4. GI 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 GI.

~~2.5. GI acknowledges and understands that the purpose of this Agreement is to establish RACT for the control of emissions of NO<sub>x</sub> from this facility. GI 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.

GUARDIAN INDUSTRIES, CORPORATION

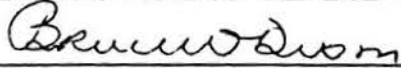
By:   
(signature)

Print or type Name: GARY S. COCHRAN

Title: PLANT MANAGER

Date: 16 AUGUST 1996

ALLEGHENY COUNTY HEALTH DEPARTMENT

By:  8/27/96

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

and By: 

Roger C. Westman, Manager  
Air Quality

