

ALLEGHENY COUNTY HEALTH DEPARTMENT

IN RE:

Kosmos Cement Company)
200 Neville Road)
Pittsburgh, PA 15225)
Allegheny County)
) ENFORCEMENT ORDER
) NO. 208
) UPON CONSENT

NOW, this 19th day of December, 1996,

WHEREAS, the Allegheny County Health Department, (hereafter referred to as "Department"), has determined that the Kosmos Cement Company (hereafter referred to as "KOSMOS"), 200 Neville Road, Pittsburgh, Allegheny County, PA 15225, as the operator and the owner of its Portland cement production facility at 200 Neville Road, Pittsburgh, PA 15225 (hereafter referred to as "the facility"), is a major stationary source of oxides of nitrogen and volatile organic emissions (hereafter referred to as "NO_x & VOCs") 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.a. of Article XXI, entitled "Major Sources of NO_x and VOCs" is applicable to KOSMOS' operations; and

WHEREAS, KOSMOS has properly submitted to the Department all documents required by Section 2105.06.b of Article XXI (hereafter referred to as "the proposal"); and

WHEREAS, the Department has determined, after a review of the submitted proposal, the proposal 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 & VOC emissions from KOSMOS; and

WHEREAS, the Department and KOSMOS 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, whenever the Director of the Allegheny County Health Department or his designated representative finds, on the basis of any information available to him, that any source is being operated in violation of any provision of Article XXI, he may order the person or persons responsible for the source to comply with Article XXI or he may order the immediate shutdown of the source or any part thereof; and

NOW, THEREFORE, this first day above written, 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, superseding and replacing Consent Order No. 218, dated February 7, 1996:

I. ORDER

1.1 At no time shall KOSMOS allow VOC and NO_x emissions from the facility's cement kiln to exceed the following limitations:

<u>NO_x Emissions:</u>		<u>VOC Emissions:</u>	
Lbs/Ton Clinker	Tons/Year	Lbs/Ton Clinker	Ton/Year
8.0	2,105	0.4	97

1.2 KOSMOS shall be conduct emissions testing at least once every two (2) years in order to determine compliance with the above emissions limitations. KOSMOS shall commence such emissions testing beginning in calendar year 1996 and be performed according to any applicable US EPA approved test methods and Section 2108.02 of Article XXI.

1.3 KOSMOS shall at all times operate the kiln with minimal excess oxygen.

1.4 KOSMOS shall maintain all appropriate records to demonstrate compliance with the requirements of Section 2105.06 of Article XXI. Such records shall provide sufficient data and calculations to demonstrate that all requirements of both Section 2105.06 of Article XXI and this Order are met. KOSMOS shall record and maintain such data and information requested 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. Measurements of kiln temperatures and oxygen contents;
- B. Fuel type and amount of fuel used; and
- C. Amounts of raw material used and amount of clinker produced.

1.5 KOSMOS shall retain all records for the facility required by both Section 2105.06 and this Order for at least two (2) years and shall make the same available to the Department upon request.

- 1.6 KOSMOS shall at all times properly operate and maintain all process and emission control equipment according to good engineering and air pollution control practices.

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 U.S. Environmental Protection Agency 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 KOSMOS to 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. KOSMOS 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 KOSMOS.

~~2.5. KOSMOS acknowledges and understands that the purpose of this Agreement is to establish RACT for the control of emissions of "NO_x & VOCs" from this facility. KOSMOS 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 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.

KOSMOS CEMENT COMPANY
By: Craig T. Wentzel
(signature)

Print or type Name: CRAIG T. WENTZEL
Title: Plant Manager
Date: Dec. 12, 1996

ALLEGHENY COUNTY HEALTH DEPARTMENT
By: Bruce W. Dixon 12/19/96
Bruce W. Dixon, M.D., Director
Allegheny County Health Department

and By: T. J. Puzniak
T. J. Puzniak, Engineering Manager
Air Quality Program

