

ALLEGHENY COUNTY HEALTH DEPARTMENT
BUREAU OF ENVIRONMENTAL QUALITY
Division of Air Quality

IN RE:

Oakmont Steel, Inc.)	PLAN APPROVAL ORDER
300 College Avenue)	AND AGREEMENT NO. 226
Allegheny County)	<u>UPON CONSENT</u>
Oakmont, PA 15139)	

AND NOW, this 14th day of May, 1996,

WHEREAS, the Allegheny County Health Department, Bureau of Environmental Quality, Division of Air Quality (hereafter referred to as "Bureau"), has determined that the Oakmont Steel, Inc. (hereafter referred to as "OSI"), 300 College Avenue, Oakmont, Allegheny County, PA 15139, is the owner and operator of steel production facilities at 300 College Avenue, Oakmont, Allegheny County, PA 15139 (hereafter referred to as "the facility"), based on potential to emit is a 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 Bureau has determined that Section 2105.06.a. of Article XXI, entitled "Major Sources of NO_x & Volatile Organic Compounds" is applicable to OSI's operations at this facility; and

WHEREAS, OSI promptly submitted to the Bureau all documents required by Section 2105.06.b of Article XXI (hereafter referred to as "the proposal"); and

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

WHEREAS, the Bureau 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 OSI; and

WHEREAS, the parties have agreed that the most appropriate vehicle for both memorializing the submitted proposal and approving the submitted proposal by the Bureau for the purpose of submission of the same 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") is a Plan Approval Order and Agreement Upon Consent; and

WHEREAS, the Bureau and OSI 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 Bureau, 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. OSI'S annual NO_x emissions from the facility shall, at all times, remain less than one hundred (100) tons per year.

- 1.2. OSI 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, type of fuel and fuel usage for the facility.

- 1.3. OSI shall retain records required by both 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 Bureau 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 OSI to criminal and civil proceedings, including injunctive relief, by the Bureau.
- 2.3. This Order does not, in any way, preclude, limit or otherwise affect any other remedies available to the Bureau 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. OSI 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 OSI. Notwithstanding the previous sentence, OSI retains any and all rights it may have pursuant to Article XI.

~~2.5. OSI acknowledges and understands that the purpose of this Agreement is to establish RACT for the control of emissions of NO_x from this facility. OSI further acknowledges and understands the possibility that the US EPA may decide to not accept the Agreement portion of the Enforcement 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 Order and Agreement as of the date of the above written.

OAKMONT STEEL, INC.

By: John F. Cummings
(signature)

Print or type Name: John F. Cummings

Title: V.P. - Operations

Date: April 22, 1996

ALLEGHENY COUNTY HEALTH DEPARTMENT

By: Bruce W. Dixon

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

and By: Ronald J. Chleboski

Ronald J. Chleboski, Deputy Director
Bureau of Environmental Quality

