

ALLEGHENY COUNTY HEALTH DEPARTMENT

IN RE:

The Peoples Natural Gas, Co. )  
625 Liberty Avenue )  
Allegheny County )  
Pittsburgh, PA 15222-3197 )

PLAN APPROVAL ORDER  
AND AGREEMENT NO. 240  
UPON CONSENT

AND NOW, this 22<sup>nd</sup> day of August, 1996,

WHEREAS, the Allegheny County Health Department, (hereafter referred to as "Department"), has determined that The Peoples Natural Gas, Co. (hereafter referred to as "PNG"), 625 Liberty Avenue, Pittsburgh, Allegheny County, PA 15222-3197, is the owner and operator of a natural gas compressor station at 2300 Route 286, Plum Borough, Allegheny County, PA 15239 (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.a. of Article XXI, entitled "Major Sources of NO<sub>x</sub> & Volatile Organic Compounds" is applicable to PNG's operations at this facility; and

WHEREAS, PNG promptly 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, 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<sub>x</sub> emissions from PNG; and

**WHEREAS**, the Department shall submit contents of the proposal to the U.S. EPA as a revision to the Commonwealth of Pennsylvania's State Implementation Plan (hereafter referred to as "SIP"); and

**WHEREAS**, at this time the only available vehicle for submission of the proposal to the U.S. EPA as a revision to the SIP is a Plan Approval Order and Agreement; and

**WHEREAS**, the Department and PNG 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. PNG shall not allow at any time annual NO<sub>x</sub> emissions from the facility to exceed ninety-five (95) tons per year.
  
- 1.2. PNG 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 per engine;  
and
  - B. Hours of operation of each engine.
  
- 1.3. PNG 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 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 U.S. EPA as a revision to the Commonwealth of Pennsylvania's State Implementation Plan.
- 2.2. Failure to comply with any portion of this Order or Agreement is a violation of Article XXI that may subject PNG 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. PNG 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 PNG. Notwithstanding the previous sentence, PNG retains any and all rights it may have pursuant to Article XXI.

~~2.5. PNG 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. PNG further acknowledges and understands the possibility that the U.S. 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 Order and Agreement as of the date of the above written.

The Peoples Natural Gas Company

By: *Thomas E. Wester*

(signature) *HW*

Print or type Name: THOMAS E. WESTER

Title: VICE PRESIDENT, OPERATIONS

Date: JULY 23, 1996

ALLEGHENY COUNTY HEALTH DEPARTMENT

By: *Bruce W. Dixon 7/27/96*

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

and By: *Roger C. Westman*

Roger C. Westman, Manager  
Air Quality