

ALLEGHENY COUNTY HEALTH DEPARTMENT

IN RE:

Shenango, Inc. ) PLAN APPROVAL ORDER  
200 Neville Road ) AND AGREEMENT NO. 233  
Allegheny County ) UPON CONSENT  
Neville Township, Pa 15025

AND NOW, this 30th day of December, 1996,,

WHEREAS, the Allegheny County Health Department, (hereafter referred to as "Department"), has determined that the Shenango, Inc., (hereafter referred to as "Shenango"), 200 Neville Road, Neville Township, Allegheny County, PA 15025, is the owner and operator of a coke production facility at 200 Neville Road, Neville Township, Allegheny County, PA 15025, (hereafter referred to as "the facility"), is a major stationary source of oxides of nitrogen and volatile organic compounds (hereafter referred to as "NO<sub>x</sub> & VOCs") 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> & VOCs" is applicable to Shenango's operations at this facility; and

WHEREAS, Shenango 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 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 VOC and NO<sub>x</sub> emissions from the facility; and

**WHEREAS**, the Department and Shenango 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; 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 Shenango operate the following equipment at the facility, with the exception of situations to mitigate emergency conditions, unless they are properly operated and maintained according to the following RACT requirements and good engineering and air pollution control practices:

- A. Boilers No. 7, 8, 9 and 10
- B. Coke Battery S-1, PEC Baghouse and Quench Tower
- C. Tar Truck Loading and Light Oil Truck Loading
- D. Wash and Spent Oil Storage Tanks
- E. Heavy Oil Separator
- F. Light Oil Process and Coke Oven Gas Piping Systems
- G. Nitrogen Gas Blanketing System on the ByProduct Plant

1.2. Shenango shall at all times, with the exception of situations to mitigate emergency conditions, properly operate and maintain the existing nitrogen gas blanketing system treating emissions from the following equipment, while the subject equipment is emitting VOCs:

- A. Tar Decanter Tanks A & B
- B. Tar Dewatering Tanks A & B

- C. Tar Storage Tanks A & B
- D. Flushing Liquor Recirculation Tanks A & B
- E. Flushing Liquor Overflow Tanks A & B
- F. Wash Oil Recirculation Hot Decanter, Cold Oil Decanter, Purifier and the Hot and Cold Muck Tanks
- G. Light Oil Process Separator, Light Oil Process Interceptor Sump and Light Oil Process Tanks A & B

1.3. NO<sub>x</sub> Emissions from Boilers no. 7, 8, 9 and 10 shall not, at any time, with the exception of situations to mitigate emergency conditions, exceed the following limitations:

| <u>Boiler #</u> | <u>lb/MMBTUs</u> | <u>TON(s)/Yr</u> |
|-----------------|------------------|------------------|
| 7               | 0.18             | 92               |
| 8               | 0.18             | 92               |
| 9               | 0.18             | 281              |
| 10              | 0.18             | 373              |

1.4. Shenango shall determine compliance with the NO<sub>x</sub> Lbs/MMBTU emission limitations specified in paragraph 1.3 above by NO<sub>x</sub> emission testing. Initial testing shall be completed by July 1, 1997, with subsequent testing every two years. Such testing shall be

conducted according to U. S. EPA approved test methods and Section 2108.02 of article XXI.

1.5. The facility shall not exceed, at any time, with the exception of situations to mitigate emergency conditions, the following annual natural gas capacity factors, based on annual heat input, for boilers no. 7, 8, 9, and 10 at the facility:

| <u>Boiler #</u> | <u>Capacity Factor</u> |
|-----------------|------------------------|
| 7               | 52%                    |
| 8               | 52%                    |
| 9               | 44.5%                  |
| 10              | 17.9%                  |

1.6 The facility shall not exceed, at any time, with the exception of situations to mitigate emergency conditions, a 30% annual capacity factor, based on annual heat input for a calendar year, for boilers no. 9 and 10.

~~1.7. Shanango shall evaluate whether BOOs is an acceptable RACT option for control of NO<sub>x</sub> emissions from Boilers no. 7, 8 and 10, during the initial NO<sub>x</sub> emissions testing required in paragraph 1.4 above. Test results and analyses shall be submitted to the Department for~~

~~approval within sixty (60) days after all initial emissions testing is completed. If the Department determines that BOOs is an effective control option and constitutes NO<sub>x</sub> RACT for the subject boilers, the Department shall submit the BOOs operational requirements for the subject boilers as an amendment to Allegheny County's portion of the Commonwealth of Pennsylvania's State Implementation Plan.~~

1.8. Shenango shall maintain all appropriate records to demonstrate compliance with the requirements of §2105.06 of Article XXI and this Order. Such records shall provide sufficient data clearly demonstrate that all such requirements are being met.

1.9. Shenango shall retain all records required by both §2105.06 of Article XXI and this order for at least two years and shall be made 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. Environmental Protection Agency as a revision to the Commonwealth of Pennsylvania's SIP.
- 2.2. If Shenango fails to comply with any portion of the requirements of the foregoing Order, in a timely manner, the Director of the Allegheny County Health Department or his designated representative may take action in order to aid enforcement of the provisions of this Plan Approval Order and Agreement.
- 2.3. Failure to comply with any portion of this Order or Agreement is a violation of Article XXI that may subject Shenango to civil proceedings, including injunctive relief, by the Department.
- 2.4. If any event occurs which is beyond the control of Shenango and which causes or may cause delays in the achievement of the actions required under this Order, then:
  - a. Shenango shall notify the Department in writing within ten (10) days of the delay or anticipated delay, describing in detail the

nature of the delay, the anticipated length of the delay, the precise cause or causes of the delay, the measures taken and to be taken by Shenango to prevent or minimize the delay, and the timetable by which those measures will be implemented. Shenango shall adopt all reasonable measures to avoid or minimize any such delay. Failure by Shenango to comply with the notice requirement of this subparagraph, (2.4.a.) specifically may in sole discretion of the Department render the remaining provisions of this paragraph (2.4.b. - 2.4.c.) void and of no effect as to the particular incident involved.

- b. If the Department agrees that the delay or anticipated delay in complying with this Order has been or will be caused by circumstances beyond the control of Shenango, the time for performance hereunder may be extended for a period no longer than the delay resulting from such circumstances.
  
- c. The burden of proving that any delay is caused by circumstances beyond the control of Shenango shall rest with Shenango. Increased costs or expenses associated with the

implementation of actions called for by this Order shall not, in any event, be a basis for changes in this Order or extensions of time under this paragraph. Delay in achievement of one interim step shall not necessarily justify or excuse delay in achievement of subsequent steps.

2.5. 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.

~~2.6. Shenango 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 Shenango. Notwithstanding the previous sentence, Shenango hereby reserves its appeal rights to Article XXI, Rules and Regulations of the ACHD, Hearings and Appeals, for any revisions made or failure to make revisions, by the ACHD pursuant to paragraph 1.7 of this Order.~~

~~2.7. Shenango acknowledges and understands that the purpose of this Agreement is to establish RACT for the control of emissions of NO<sub>x</sub> and VOCs from this facility. Shenango further 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 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.

SHENANGO INCORPORATED

By:

David C. Kay

(signature)

Print or type Name:

DAVID C. KAY

Title:

PRESIDENT

Date:

Dec 20, 1996

ALLEGHENY COUNTY HEALTH DEPARTMENT

By:

Bruce W. Dixon 12/30/96

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

and By:

Thomas J. Puzniak

Thomas J. Puzniak, Engineering Manager  
Air Quality Program

