

ALLEGHENY COUNTY HEALTH DEPARTMENT

IN RE:

Universal Stainless & Alloy  
Products, Inc.  
600 Mayer Street  
Bridgeville, PA 15017

) ORDER AND  
) AGREEMENT NO. 241  
) UPON CONSENT

AND NOW, this 19th day of December, 1996,

WHEREAS, the Allegheny County Health Department, (hereafter referred to as "Department"), has determined that Universal Stainless & Alloy Products, Inc. (hereafter referred to as "USAP"), 600 Mayer Street Bridgeville, Allegheny County, PA 15017, is the owner and operator of a specialty steel products plant located at 600 Mayer Street, Pittsburgh, Allegheny County, PA 15017 (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>" and "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 USAP's operations at this facility; and

WHEREAS, USAP 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> and VOC emissions from USAP; and

**WHEREAS**, the Department shall submit the 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 Order and Agreement Upon Consent; and

**WHEREAS**, the Department and USAP desire to memorialize the details of the submitted proposal by entry of an 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 this Order and Agreement upon Consent:

I. ORDER

- 1.1. At no time shall the USAP allow the following equipment at the facility to operate unless each piece of listed equipment is being maintained and operated in accordance with good engineering practice and within the manufacturer's specifications, if applicable:
- a.) The electric arc furnace
  - b.) The argon-oxygen decarburization vessel
  - c.) The ladle reheat furnace
  - d.) The vessel reheat furnace
  - e.) The ingot reheat furnace

- f.) The teeming process
- g.) The hot rolling process
- h.) Annealing furnaces no. 3 through 11
- i.) Reheat furnaces no. 3 through 20
- j.) Space heaters

1.2. USAP shall at all times maintain all appropriate records to demonstrate compliance with the requirements of both Section 2105.06 Article XXI and this Order. Such records shall provide sufficient data and calculations to clearly demonstrate that all requirements of both Section 2105.06 of Article XXI and this Order are being met. Data and information required to determine compliance shall be recorded and maintained by USAP and shall include, but not be limited to, the following:

- A.) Production and operating records for the electric arc furnace, the AOD vessel, the teeming process and the hot rolling process.

1.3. USAP shall at all times maintain records of fuel type and fuel usage for the facility including

certifications from fuel suppliers for all types of liquid fuel. For each shipment of distillate oils number 1 or 2, a certification that the fuel complies with ASTM D396-78 "Standard Specifications for Fuel Oils" is required. For residual oils, minimum record keeping includes a certification from the fuel supplier of the nitrogen content of the fuel, and identification of the sampling method and sampling protocol.

- 1.4. USAP shall retain all 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 USAP 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. USAP 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 USAP.
- ~~2.5. USAP 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. USAP further acknowledges and understands the possibility that the U.S. EPA may decide to not accept the Agreement portion of the~~

~~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.

**UNIVERSAL STAINLESS & ALLOY  
PRODUCTS, INC.**

By: Paul A. McGrath  
(signature)

Print or type Name: Paul A. McGrath

Title: Corp. Secretary / General Counsel

Date: December 6, 1996

**ALLEGHENY COUNTY HEALTH DEPARTMENT**

By: Bruce W. Dixon 12/19/96

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

and By: Roger C. Westman

Roger C. Westman, Manager  
Air Quality