

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

IN RE:

U.S. Bureau of Mines)	ENFORCEMENT ORDER
P.O.Box 18070)	NO. 215
Cochran Mill Road)	<u>UPON CONSENT</u>
Allegheny County		
Pittsburgh, PA 15236		

NOW, this 8th day of March, 1996,

WHEREAS, the Allegheny County Health Department, Bureau of Environmental Quality, Division of Air Quality (hereafter referred to as "Bureau"), has determined that the U.S. Bureau of Mines (hereafter referred to as "USEM"), Cochran Mill Road, Pittsburgh, Allegheny County, PA 15236, is the owner and operator of power manufacturing facilities at Cochran Mill Road, Pittsburgh, Allegheny County, PA 15236 (hereafter referred to as "the facility"), 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 USEM's operations at this facility; and

WHEREAS, USBM has 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 USBM's facility; and

WHEREAS, the Bureau and USBM desire to memorialize the details of the submitted proposal by entry of an Enforcement Order 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 Bureau, pursuant to Section 2109.03 of Article XXI, and upon agreement of the parties as hereinafter set forth, hereby issues this Enforcement Order and Agreement upon Consent:

I. ORDER

- 1.1. At no time shall USBM allow the operating hours and NO_x emissions from the subject equipment to exceed the following limitations:

<u>Unit</u>	<u>Annual Operating Hours</u>	<u>Total NO_x Emissions Lbs/MMBTU</u>	<u>Tons/Yr</u>
Boiler #1	6797	0.29	64.8
Boiler #3	6797	0.13	12.6
Boiler #4	6797	0.13	12.6

- 1.2. At no time shall USBM allow the combined annual operating hours of Boilers #1, #3, #4 and combined

emissions from the facility to exceed the following limitations:

	<u>Annual Operating Hours</u>	<u>Total NO_x Emissions Tons/Yr</u>
Totals	20,391	90.0

1.3. USBM shall maintain all appropriate records to demonstrate compliance with the requirements of both:

i.) Section 2105.06.d of Article XXI, including certifications from fuel suppliers for all types of fuel and 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;" and

ii.) this Order.

1.4. USBM shall maintain all appropriate records to demonstrate compliance with both the requirements of

Section 2105.06 Article XXI and this Order. 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 being met. USBM shall record and maintain such data and information required 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.

1.5. USBM shall retain all records required by both Section 2105.06 of Article XXI and this Order for at least two (2) years and shall be make the same available to the Bureau upon request.

1.6 USBM shall at all times properly operate and maintain all process and emission control equipment according to good engineering practice.

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 (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 USBM 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. USBM 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 USBM.

~~2.5. USBM acknowledges and understands that the purpose of this Agreement is to establish RACT for the control of emissions of NO_x from this facility. USBM further acknowledges and understands the possibility that the U.S. 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.

U.S. BUREAU OF MINES

By: _____

John N. Murphy

(signature)

Print or type Name: John N. Murphy

Title: Research Director-PRC

Date: 2/7/96

ALLEGHENY COUNTY HEALTH DEPARTMENT

By: _____

Bruce W. Dixon 3/5/95

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

and By: _____

Ronald J. Chlebowski

Ronald J. Chlebowski, Deputy Director
Bureau of Environmental Quality