

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

IN RE:

| | | |
|------------------------------|---|---------------------|
| Carnegie Natural Gas Company |) | ENFORCEMENT ORDER |
| 800 Regis Avenue |) | NO. 213 |
| Allegheny County |) | <u>UPON CONSENT</u> |
| Pittsburgh, PA 15236 |) | |

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 Carnegie Natural Gas Company (hereafter referred to as "CNG"), 800 Regis Avenue, Allegheny County, Pittsburgh, PA 15236, as the operator and the owner of a natural gas compressor station facilities at Front Street, Creighton, Allegheny County, PA (hereafter referred to as "the facility"), is currently a major stationary source of oxides of nitrogen (hereafter referred to as NO_x) and volatile organic emissions (hereafter referred to as "VOCs) 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 & VOCs" is applicable to CNG's operations at this facility; and

WHEREAS, CNG 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 the proposal is 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 and VOC emissions from the facility; and

WHEREAS, the Bureau and CNG 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 date 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 Enforcement Order and Agreement upon Consent:

I. ORDER

1.1. By no later than March 1, 1996, CNG shall complete installation of the INO_x Plasma Ignition System, for the purpose of reducing both NO_x and VOC emissions, on both subject combustion units at the facility.

1.2. By no later than May 1, 1996, CNG shall commence operation of the INO_x Plasma Ignition System, for the purpose of reducing NO_x and VOC emissions, on both subject combustion units at the facility.

1.3. Upon the commencement of operation of the INO_x Plasma ignition system, CNG shall not allow NO_x and VOC emissions at this facility to exceed the following limitations:-

| Unit | NO_x | | VOC | |
|---------------------------------------|------------------|------|------------------|------|
| | (g/BHP/hr tpy) | | (g/BHP/hr tpy) | |
| #1 Cooper-Bessemer GMVH-6 | 3.0 | 39.5 | 2.0 | 26.5 |
| #2 Cooper-Bessemer GMVH-6 | 3.0 | 39.5 | 2.0 | 26.5 |
| Annual Facility Emissions Limitation: | 79.0 | | 53.0 | |

1.4.a. No less than once every five (5) years, CNG shall perform NO_x and VOC emission testing in order to demonstrate compliance with the emission limitations referenced in paragraph 1.3 of this Order. CNG shall commence such emission testing within sixty (60) days of initial operation of the subject emission control equipment at the facility. CNG shall conduct such emission tests according to both all applicable U.S. EPA approved test methods and Section 2108.02 of Article XXI.

1.4.b. No less than twice a year, CNG shall perform NO_x and VOC emission testing to demonstrate compliance with the emission limitations referenced in paragraph 1.3 of this Order. Such emission tests shall be conducted using a portable analyzer with each unit operating at maximum load and maximum speed and performed between April 1 and October 31 of each year. CNG shall conducted these tests in accordance with Section 2108.02 of Article XXI.

1.5. CNG shall maintain all 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 both Section 2105.06 of Article XXI and this Order are being met. CNG shall record such data and information required to determine compliance for the facility in a time frame consistent with the averaging period of the requirements of 2105.06 of Article XXI and this Order. Such records shall include, but not be limited to, the following:

A. Maintenance and testing:

- (1.) spark plug changes;
- (2.) engine timing checks and/or modifications;
- (3.) calibration of all unit instrumentation;
- (4.) dates of all unit overhauls; and
- (5.) dates and results of emission testing.

B. Unit operation:

- (1.) hours of operation;
- (2.) daily fuel flow;
- (3.) daily station throughput; and
- (4.) average suction and discharge pressure.

1.6. CNG shall retain all records required by both Section 2105.06 of Article XXI and this Order for

this facility for at least (2) years and shall make the same available to the Bureau upon request.

- 1.7. CNG 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. If CNG fails to comply with any of the requirements of the foregoing Order, in a timely manner, CNG shall pay, upon demand, a stipulated penalty not to exceed \$750.00 per day for each day that each violation continues. Stipulated penalties occurring under this Order and Agreement shall be paid within ten (10) days of demand by the Bureau. Payment shall be made by check payable to the "Allegheny County Health Department Clean Air Fund" and shall

be sent to:

Enforcement Division Administrator
Allegheny County Health Department
Bureau of Environmental Quality
301 39th Street, Building #7
Pittsburgh, PA 15201-1891

CNG does not waive any and all rights it may have pursuant to Article XXI, Sections 2109.6, 2109.10, and 2109.12.

2.3. Failure to comply with any portion of this Order or Agreement is a violation of Article XXI that may subject CNG to criminal and civil proceedings, including injunctive relief, by the Bureau.

2.4. If any event occurs which is beyond the control of CNG and which causes or may cause delays in the achievement of the actions required under this Order, then:

a. CNG shall notify the Bureau 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 CNG to prevent or minimize the delay, and

the timetable by which those measures will be implemented. CNG shall adopt all reasonable measures to avoid or minimize any such delay. Failure by CNG to comply with the notice requirement of this subparagraph, (2.3.a.) specifically in sole discretion of the Bureau may render the remaining provisions of this paragraph (2.3.b. - 2.3.c.) void and of no effect as to the particular incident involved.

- b. If the Bureau agrees that the delay or anticipated delay in complying with this Order has been or will be caused by circumstances beyond the control of CNG, 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 CNG shall rest with CNG. 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 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.

2.6. CNG 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 CNG.

~~2.7. CNG acknowledges and understands that the purpose of this Agreement is to establish RACT for the control of emissions of NO_x and VOCs from this facility. CNG 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 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.

CARNEGIE NATURAL GAS COMPANY

By: _____

(signature)

Print or type Name: James P. Belack

Title: President

Date: 3/1/96

ALLEGHENY COUNTY HEALTH DEPARTMENT

By: _____

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

and By: _____

Ronald J. Chleboski, Deputy Director
Bureau of Environmental Quality