

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

IN RE:

Duquesne Light Company) PLAN APPROVAL ORDER
Cheswick Power Station) AND AGREEMENT No. 217
C/O 411 Seventh Avenue) UPON CONSENT
Box 1930
Pittsburgh, PA 15230

AND 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 Duquesne Light Company (hereafter referred to as "DLCo"), 411 Seventh Avenue, Box 1930, Pittsburgh, Allegheny County, PA 15230, as the operator and the owner of a power generating facilities at Porter Street, Springdale, Allegheny County, PA 15219 (hereafter referred to as "the facility"), is a major stationary source of oxides of nitrogen emissions (hereafter referred to as "NO_x") 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 Nitrogen Oxides and Volatile Organic Compounds" is applicable to DLCo's operations; and

WHEREAS, DLCo has been in full compliance at all relevant times with all relevant requirements of Section 2105.06 of Article XXI; and

WHEREAS, DLCo has timely submitted to the Bureau all of the documents required by Section 2105.06.b of Article XXI (hereafter collectively referred to as "the Proposal"); and

WHEREAS, the Bureau has determined, after review, that the Proposal is complete; and

WHEREAS, the Bureau has further determined, after review, that the Proposal, constitutes Reasonably Available Control Technology (hereafter referred to as "RACT") for control of NO_x emissions from the facility; and

WHEREAS, the Bureau and DLCo desire to memorialize the details of the Proposal by entry of this RACT 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 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 Bureau, pursuant to Section 2109.03 of Article XXI, and upon agreement of the parties as hereinafter set forth, hereby issues the following RACT Plan Approval Order and Agreement upon Consent:

I. ORDER

- 1.1. At no time shall DLCo operate the facility unless the low NO_x concentric firing system II, commonly known as "LNCFS II," is properly maintained and operated.

- 1.2. At no time shall DLC operate the facility unless NO_x continuous emission monitoring equipment (hereafter referred to as "CEMs") is properly maintained and operated as specified in Section 2108.03 of Article XXI.

1.3. At no time shall DLCo allow emissions from the subject facility to exceed the following emission limitations:

<u>Short Term</u> <u>LbsNO_x/MMBTU</u>	<u>Annual Average</u> <u>Lbs NO_x/MMBTU</u>	<u>Annual</u> <u>Tons NO_x/year</u>
0.5548	0.45	10,840

DLCo shall determine compliance:

- i. with the 0.5548 Lbs/MMBTU emission limitation by using CEM data averaged over a twenty-four (24) hour period; and
- ii. with the 0.45 Lbs/MMBTU emission limitation referenced above in this paragraph by using CEM data averaged over a one (1) year period; and
- iii. with the annual emissions limitation referenced above in this paragraph by using annual CEM data.

1.4. DLCo 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. DLCo 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. Such records shall include, but not be limited to, the following:

- i. All recording and reporting required by Section 2108.03 of Article XXI, and entitled "Continuous Emission Monitoring."

1.5. DLCo 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 Bureau upon request.

1.6. DLCo 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. Environmental Protection Agency 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 DLCo 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. DLCo 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 DLCo.

~~2.5. DLC acknowledges and understands that the purpose of this Agreement is to establish RACT for the control of emissions of NO_x from this facility. DLC 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 WITNESSS 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.

DUQUESNE LIGHT COMPANY

By: Thomas D. Jones

(signature)

Print or type Name: Thomas D. Jones
General Manager

Title: Fossil Generation Unit

Date: February 29, 1996

ALLEGHENY COUNTY HEALTH DEPARTMENT

By: Bruce W. Dixon 2/8/96

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

and By: Ronald J. Chleboski
Ronald J. Chleboski, Deputy
Director
Bureau of Environmental Quality