

ALLEGHENY COUNTY HEALTH DEPARTMENT

IN RE:

Oakmont Pharmaceutical, Inc.)	PLAN APPROVAL ORDER
1967 Eastman Ave.)	AND AGREEMENT NO. 252
Allegheny County)	<u>UPON CONSENT</u>
Verona, PA 15147)	

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

WHEREAS, the Allegheny County Health Department, (hereafter referred to as "Department"), has determined that the Oakmont Pharmaceutical, Inc. (hereafter referred to as "OPI"), 1967 Eastman Ave, Allegheny County, Verona, PA 15147 PA, is the owner and operator of pharmaceutical tablet and solution finishing facility, at 1967 Eastman Ave. Allegheny County, Verona, PA 15147 (hereafter referred to as "the facility"), is a major stationary source of volatile organic compounds (hereafter referred to as "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_x & VOCs" is applicable to OPI's operations at this facility; and

WHEREAS, OPI 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 emissions from OPI; and

WHEREAS, the Department and OPI desire to memorialize the details of the submitted proposal by entry of a 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; 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. OPI shall at all times properly maintain and operate all process equipment at the facility according to good engineering and air pollution control

- 1.2. OPI shall at no time allow the VOC content of the carrier solution used in tablet coating machines No.1 through No. 5 to exceed 35% by weight.
- 1.3. OPI shall not at any time use inks or glues at the facility with a VOC content that exceeds 8.0 pounds per gallon, minus water and exempt solvents..
- 1.4. OPI 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. Such records shall include, but not be limited to, the following:
 - a. Hours of operation, carrier solution composition and usage for tablet coaters No. 1 through No.5
 - b. Type, quantity and composition of all inks and glues used at the facility
 - c. Type of material stored and annual throughput

for the isopropyl and denatured alcohol,
witch hazel and mineral oil storage tanks.

- 1.5. OPI shall retain all records required by both Section 2105.06 of Article XXI and this Order for the facility for at least 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. 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 OPI 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. OPI 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 the RACT Plan Approval Order and Agreement Upon Consent on behalf of OPI.

~~2.5. OPI acknowledges and understands that the purpose of this Agreement is to establish RACT for the control of emissions of VOCs from this facility. OPI further acknowledges and understands the possibility that the U.S. EPA may decide to not accept the Agreement portion of this RACT 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 Order and Agreement as of the date of the above
written.

OAKMONT PHARMACEUTICAL, INC.

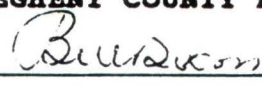
By: 
(signature)

Print or type Name: DAVID J. CALLAHEY

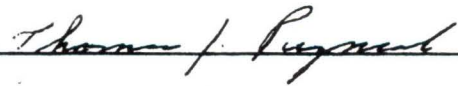
Title: VP-GENERAL MGR.

Date: 11/12/96

ALLEGHENY COUNTY HEALTH DEPARTMENT

By:  11/19/96

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

and By: 

Thomas J. Puzniak, Engineering Manager
Air Quality Program