

ALLEGHENY COUNTY HEALTH DEPARTMENT

IN RE:

Pruett Schaffer Chemical)	PLAN APPROVAL ORDER
Company)	AND AGREEMENT NO.266
3327 Stafford Street)	<u>UPON CONSENT</u>
Pittsburgh, PA 15204)	

AND NOW, this 2nd day of September, 1998;

WHEREAS, the Allegheny County Health Department, (hereafter referred to as "Department"), has determined that Pruett Schaffer Chemical Company (hereafter referred to as "Pruett Schaffer"), 3327 Stafford Street, Pittsburgh, PA 15204, is a paint and related coatings manufacturer at 3327 Stafford Street, Pittsburgh, PA 15204 (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 Nitrogen Oxides & VOCs" is applicable to Pruett Schaffer's operations at this facility; and

WHEREAS, Pruett Schaffer 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 the facility; and

WHEREAS, the Department and Pruett Schaffer desire to make enforceable, details of the submitted proposal by entry of an Plan Approval Order and Agreement 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 may order the person or persons responsible for the source to comply with 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

The Pruett Schaffer shall not operate, or allow to be operated the facility unless:

- a) The total combined potential annual facility emissions of volatile organic compounds is less than 50 tons per year.
- b) The maximum dispersers solvent-based production shall not exceed 115,000 gallons per year and 1,965 hours annually in order to limit the potential emissions of volatile organic compounds as stated in a) above.
- c) The solvent-based coatings shall be defined as any coatings with a VOC content equal or greater than 3.5 lbs/gal, less water and exempt solvents.
- d) Annual emissions of volatile organic compounds shall be determined by current U.S.EPA AP-42 emission factors applied to the material throughput.
- e) A year shall be defined as any 12 consecutive months.

1.2 At all times Pruett Schaffer shall 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 clearly to 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 records of material type, monthly material usage, total monthly hours of operation, production records of process equipment and monthly usage and type of cleaning solvent used for cleaning and purging equipment, sufficient to perform emission calculations as specified in condition c) above. These records shall be maintained at the facility on a twelve months rolling total.

1.3 Pruett Schaffer shall retain all records required by both Section 2105.06 of Article XXI and this Order for this facility for at least five (5) 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 US EPA as a revision to Allegheny County's portion of the Commonwealth of Pennsylvania's State Implimentation 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 Pruett Schaffer to 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 Plan Approval Order and Agreement 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. Pruett Schaffer 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 Pruett Schaffer.

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

Pruett Schaffer Chemical Co.:

By: *ER Coyle*
(signature)

Print or type Name: ELLIOTT R. COYLE JR.

Title: PRESIDENT

Date: 8-24-98

ALLEGHENY COUNTY HEALTH DEPARTMENT

By: *Bruce W. Dixon* 9/1/98

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

and By: *Roger C. Westman*

Roger C. Westman, Manager
Air Quality Program

