

ALLEGHENY COUNTY HEALTH DEPARTMENT

IN RE:

Reichhold Chemicals, Inc. )  
262 Miller's Run Road )  
Allegheny County )  
Bridgeville, PA 15017 )

AMENDED ORDER AND  
AGREEMENT NO. 218  
UPON CONSENT

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

WHEREAS, the Allegheny County Health Department, (hereafter referred to as "Department"), has determined that Reichhold Chemicals, Inc. (hereafter referred to as "RCI"), 262 Miller's Run Road, Bridgeville, Allegheny County, PA 15017, is the owner and operator of synthetic hydrocarbon resins manufacturing facilities at 262 Miller's Run Road, Bridgeville, Allegheny County, PA 15017 (hereafter referred to as "the facility"), such facility which was as of November 1, 1992 a major stationary source of oxides of nitrogen (hereafter referred to as "NO<sub>x</sub>") 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<sub>x</sub> & Volatile Organic Compounds" is applicable to RCI's operations at this facility; and

WHEREAS, RCI timely 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 proposal, has determined that it satisfies all the requirements of Section 2105.06.b of Article XXI and is complete; and

WHEREAS, the Department has further determined, after review of the proposal and other information available to the Department, that it constitutes Reasonably Available Control Technology as defined in Section 2101.20 of Article XXI (hereafter referred to as "RACT") for control of NO<sub>x</sub> emissions from RCI; and

WHEREAS, the Department and RCI desire to memorialize the details of the submitted proposal by entry of an 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 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 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 Order and Agreement upon Consent, superseding and replacing Consent Order No. 218, dated February 21, 1996:

I. ORDER

- 1.1. At no time shall RCI allow the total combined annual facility wide emissions of NO<sub>x</sub> to exceed (95) tons per year.
- 1.2. RCI shall at all times maintain 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 Section 2105.06 of Article XXI and this Order are being met and shall include, but not be limited to, the following:
  - A. Type of fuel and amount used.
- 1.3. RCI shall retain 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 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. 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 RCI 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. RCI 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 RCI.

~~2.5. RCI acknowledges and understands that the purpose of this Agreement is to implement RACT for the control of emissions of NO<sub>x</sub> from this facility. RCI further acknowledges and understands the possibility that the U.S. EPA may decide to not accept the Agreement portion of the 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.

**REICHOLD CHEMICALS, INC.**

By: AF Cantor

(signature)

Print or type Name: A. F. CANTOR

Title: SITE LEADER

Date: 11/1/96

**ALLEGHENY COUNTY HEALTH DEPARTMENT**

By: Bruce Dixon 11/19/96

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

and By: Roger C. Westman

Roger C. Westman, Manager  
Air Quality