

WHEREAS, the Department has determined based on potential emissions of the facility, that Section 2105.06.a. of Article XXI, entitled "Major Sources of NO_x & VOCs" is applicable to Pressure Chemical's operations at this facility, effective October 20, 1995; and

WHEREAS, Pressure Chemical 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 the facility; and

WHEREAS, the Department and Pressure Chemical desire to memorialize the agreements between the parties and the resultant RACT plan approval by entry of a of Plan Approval Order and Agreement Upon Consent;

NOW, THEREFORE, this day first written above, upon agreement of the parties as hereinafter set forth, the Department hereby issues this Plan Approval Order and Consent Agreement:

I PLAN APPROVAL ORDER (ORDER)

- 1.1. Pressure Chemical shall properly maintain and operate all existing process equipment, with the potential to emit VOCs at all times while such equipment is emitting VOCs, with the exception of activities to mitigate emergency situations, according to good engineering and air pollution control practices.
- 1.2. Pressure Chemical shall keep covered all storage containers containing VOCs at all times, except during the transfer of materials and for actions to mitigate emergency situations. Such transfers shall be conducted utilizing such procedures that minimize the time such containers are open.
- 1.3. Pressure Chemical shall clean, as expeditiously as possible, any liquid or dry material spilled, containing VOCs.
- 1.4. Pressure Chemical shall at all times maintain the following records in order to calculate actual VOC emissions according to generally accepted mass balance methodology:

1. Purchase and inventory records of VOC containing materials.
 2. Annual throughput of VOC-containing materials
 3. Production records for all processes involving VOC containing materials
- 1.5. Pressure Chemical shall retain all records required by Section 1.2 of this Order for the facility for at least two (2) years and shall make the same available to the Department upon reasonable notice.

II. CONSENT AGREEMENT

The foregoing Order is subject to the following Agreement of the parties, to wit:

- 2.1. The parties agree that Pressure Chemical promptly submitted to the Department all documents required by Section 2105.06.b of Article XXI, also known herein as the "Proposal"; and
- 2.2. The Department reviewed the submitted Proposal and determined that the Proposal was and is complete; and

- 2.3. **The Department has further determined that the Proposal constitutes Reasonably Available Control Technology for control of VOC emissions from the facility, and**
- 2.4. **The contents of this Order and Agreement shall be submitted by the Department, to the Pennsylvania Department of Environmental Protection, for its submission to the US EPA as a revision to Allegheny County's portion of the Commonwealth of Pennsylvania's State Implementation Plan, (hereafter referred to as "SIP").**
- 2.5. **As a result of a failure to comply with any portion of this Order or Agreement, the Department may subject Pressure Chemical to enforcement remedies available within Article XXI.**
- 2.6. **Pressure Chemical hereby consents to the foregoing Order and hereby knowingly waives all rights to appeal said Order. Such consent and waiver is limited to this Order and becomes null and void as to any revisions and/or modifications of this Order, unless a specific, separate written agreement provides such consent and waiver of appeal for such modifications and/or revisions.**

2.7. The parties both acknowledge and understand that the purpose of this agreement is to establish RACT for the control of emissions of VOCs from this facility.

~~2.8. The Department agrees to exert all reasonable efforts to obtain US EPA's acceptance of both the Order portion and the agreement portion of the Plan Approval Order and Consent Agreement as a revision to Allegheny County's portion of the SIP. The parties further acknowledge and understand the possibility that the US EPA may choose not to accept the Agreement portion of the Plan Approval Order and Consent Agreement as a revision to Allegheny County's portion of the SIP.~~

2.9. The Department agrees to waive all costs associated with this Order and Agreement including and specifically those expressed in Section 2105.06.c.2 of Article XXI.

2.10. The undersigned represent that he or she is authorized to consent to the Order and to enter into this Agreement on behalf of Pressure Chemical and the Department.

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 Consent Agreement as of the date first above written.

PRESSURE CHEMICAL CO.

By: Lawrence J. Rosen
(signature)

Print or type Name: Lawrence J. Rosen

Title: CEO

Date: 6/11/97

ALLEGHENY COUNTY HEALTH DEPARTMENT

By: Bruce W. Dixon 6/3/97

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

and By: T. J. Puzniak 6/18/97
T. J. Puzniak, Engineering Manager
Air Quality Program

