

COUNTY OF



ALLEGHENY

RICH FITZGERALD
COUNTY EXECUTIVE

NOTICE OF VIOLATION

September 30, 2021

CERTIFIED MAIL - 9489 0090 0027 6047 4908 55

Mr. William Hood
Chief Operating Officer
Riverbend Foods, LLC
1080 River Avenue
Pittsburgh, PA 15212-5995

RE: Notice of Violation # 210901 – Violations of Title V Operating Permit 0079b and Article XXI (“Air Pollution Control”), as listed below, occurring at property 1080 River Avenue, Pittsburgh, PA 15212-5995.

Dear Mr. Hood:

This letter constitutes notification of Allegheny County Health Department’s (ACHD) determination that the following violations occurred at the Riverbend Foods, LLC, Pittsburgh, PA.

Failure to submit an operating permit renewal application (§2103.13.a)

ACHD issued Title V Operating Permit (OP) 0079, on February 23, 2017; amended, OP 0079a, October 24, 2017; amended, OP 0079b, July 5, 2018. An OP renewal application was due to be submitted to ACHD by August 23, 2021. As of the date of this notice, an OP renewal application has not been received.

Failure to submit a certificate of compliance (OP 0079b Condition III.12 & §2103.12.h.5)

The permittee shall submit on an annual basis, certification of compliance with all terms and conditions contained in this permit, including emission limitations, standards, or work practices. All certifications of compliance must be submitted to the Administrator (EPA or designee) as



DEBRA BOGEN, MD, DIRECTOR
ALLEGHENY COUNTY HEALTH DEPARTMENT
AIR QUALITY PROGRAM
301 39TH STREET • CLACK HEALTH CENTER • BUILDING 7
PITTSBURGH, PA 15201-1811
PHONE (412) 578-8103 • FAX (412) 578-8144
24-HR (412) 687-ACHD (2243)
WWW.ALLEGHENYCOUNTY.US/HEALTHDEPARTMENT



well as the ACHD by May 30 of each year for the time period beginning April 1 of the previous year and ending March 31 of the same year. As of the date of this notice, a certificate of compliance has not been received.

Failure to submit semiannual reports (OP 0079b Condition III.15 & §2103.12.k)

Semiannual reports required by this permit shall be submitted to the Department as follows:

- 1) One semiannual report is due by April 30 of each year for the time period beginning October 1 and ending March 31.
- 2) One semiannual report is due by October 31 of each year for the time period beginning April 1 and ending September 30.

As of the date of this notice, semiannual reports for the year 2020 have not been received.

Failure to submit Annual Operating Permit Administration Fee (OP 0079b Condition III.25 & §2103.40)

Each year during the term of this permit, and on or before the last day of the month in which the application for this permit was submitted, the permittee shall submit to the Department, in addition to any other applicable administration fees, an Annual Operating Permit Administration Fee in accordance with §2103.40 by check or money order payable to the “Allegheny County Air Pollution Control Fund” in the amount specified in the fee schedule applicable at that time.

A bill was sent to Riverbend Foods, LLC October 1, 2020, for \$1,125.00 for the Annual Operating Permit Administration Fee to be paid by November 30, 2020. Since payment was not received, a \$562.50 late fee was applied; a total of \$1,687.50 is now owed. As of the date of this notice no payment has been received.

Please be aware that the permittee shall not reactivate any source that has been out of operation or production for a period of one year or more unless the permittee has submitted a reactivation plan request to and received a written reactivation plan approval from the ACHD. Existing source reactivations shall meet all requirements of Article XXI §2103.13.d.

This Notice of Violation is neither an order nor any other final action of the Allegheny County Health Department. It neither imposes nor waives any enforcement action available to the Department under any of its statutes. If the Department determines that an enforcement action is appropriate, you will be notified of the action. Please be aware that any violation of the Article XXI regulations subjects a person to a variety of enforcement actions, including a civil penalty of up to \$25,000 per violation per day.

Please contact the ACHD within **14 days** of receipt of this notice to schedule a meeting to discuss the violations. A meeting may be scheduled by contacting Bill Clark at (412) 578-8136 or emailing at bill.clark@alleghenycounty.us. If a meeting is not requested, the ACHD will proceed with further enforcement action.

The Allegheny County Health Department is currently reviewing this violation to determine whether corrective actions are required and if a civil penalty is appropriate. Should you have any questions or require additional information, please contact Shannon Sandberg at (412) 578-7969 or email at shannon.sandberg@alleghenycounty.us.

Sincerely,

A handwritten signature in blue ink that reads "Shannon Sandberg". The signature is written in a cursive, flowing style.

Shannon Sandberg
Enforcement Section Chief
Air Quality Program

cc: Jesse M. Harris, Esquire, Fox Rothschild LLP (via email and certified mail 9489 0090
0027 6047 4908 62)
file