

**ALLEGHENY COUNTY HEALTH DEPARTMENT
AIR QUALITY PROGRAM**

In the Matter of:

Stimple & Ward Company
3400 Babcock Boulevard
Pittsburgh, PA (Ross Twp) 15237

Violation No. 210202

Violations of Article XXI (“Air
Pollution Control”) at property:

Stimple & Ward Company
Pittsburgh, PA

ENFORCEMENT ORDER

NOW, this 19th day of February, 2021, the Allegheny County Health Department (hereinafter "ACHD") issues this Enforcement Order after it has found and determined the following:

1. The Director of the ACHD has been delegated authority pursuant to the federal Clean Air Act, 42 U.S.C. Sections 7401 -7671q (hereinafter “CAA”), and the Pennsylvania Air Pollution Control Act, 35 P.S. Sections 4001-4014 (hereinafter “APCA”), and the ACHD is a local health agency organized under the Local Health Administration Law, 19 P.S. §§ 12001-12028, whose powers and duties include the enforcement of laws relating to public health within Allegheny County including, but not limited to, the ACHD’s Rules and Regulations, Article XXI, Air Pollution Control (Allegheny County Code of Ordinances Chapters 505, 507 and 535) (hereinafter “Article XXI”).

2. On May 24, 2011, the ACHD issued Operating Permit #0174 (hereinafter “OP #0174”) to Stimple & Ward Company (hereinafter “S&W”). OP #0174 expired on May 23, 2016, and a renewal Application was due by November 23, 2016.

3. On September 17, 2020, an ACHD representative conducted an onsite inspection at the S&W facility at 3400 Babcock Avenue, Ross Township, PA. During the inspection, the

representative discussed with S&W personnel expiration of Operating Permit #0174, and non-submittal of required Semiannual Reports and annual Certificates of Compliance.

4. Condition III.6. Term (Term §2103.12e, §2103.13a) b of OP #0174 states, “Expiration. Permit expiration terminates the source’s right to operate unless a timely and complete renewal application has been submitted consistent with the requirements of Article XXI Part C.”

5. Condition III.22. Renewals (§2103.13.b.) of OP #0174 states, “Renewal of this permit is subject to the same fees and procedural requirements, including those for public participation and affected State and EPA review, that apply to initial permit issuance. The application for renewal shall be submitted at least six (6) months but not more than eighteen (18) months prior to expiration of this permit. The application shall also include submission of a supplemental compliance review as required by Article XXI §2102.01.”

6. As of the date of this Enforcement Order, an Operating Permit Renewal Application as required by OP #0174, Condition III.6.b and Condition III.22, has not been received.

7. Condition III.15. Reporting Requirements (§2103.12.k) a of OP #0174 states, “The permittee shall submit reports of any required monitoring at least every six (6) months. All instances of deviations from permit requirements must be clearly identified in such reports. All required reports must be certified by the Responsible Official.

8. Condition III.15.d of OP #0174 states, “1) One semiannual report is due by July 31 of each year for the time period beginning January 1 and ending June 30. One semi-annual report is due by January 31 of each year for the time period beginning July 1 and ending December 31.”

9. Conditions V.A.5.a & b, V.B.5a & b, and V.C.5 of OP #0174, pertaining to A. Process P001 (Coil Dip Tanks), B. Process P002-P004 (Natural Gas Combustion) and C. Process P005 (Electric Hot Presses), respectively, detail semiannual reporting requirements.

10. Semiannual Reports as required by OP #0174, Condition III.15, have not been received since OP 0174 was issued, except for some information received via email the afternoon following the morning site inspection on September 17, 2020.

11. Condition III.12.a of OP #0174 states in part, “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.”

12. Condition III.12.b of OP #0174 states, “All certifications of compliance must be submitted to the Department by February 28 of each year for the time period beginning January 1 and ending December 31 of the previous year. The first report shall be due February 28, 2012 for the time period beginning on the issuance date of this permit through December 31, 2011.”

13. Annual Certificates of Compliance as required by OP #0174, Conditions III.12.a and b have not been received since OP #0174 was issued, except the Certificate of Compliance for the period January 1 through December 31, 2019, was received via email the afternoon following the morning site inspection on September 17, 2020.

14. Failure to comply with any terms or conditions set forth in any permit constitutes a violation of Article XXI, §2102.03.c.

ORDER

NOW THEREFORE, pursuant to the authority granted to the ACHD by Article XXI §§ 2109.03.a.1 and the Local Health Administration Law, 19 P.S. § 12010, it is hereby ORDERED that:

15. Within sixty (60) days of the date of this Order, Stimple & Ward shall submit an application for an operating Permit Renewal Application. Questions or requests for information regarding submittal of a renewal Operating Permit Application can be directed to JoAnn Truchan, Section Chief, Engineering, Air Quality Program, ACHD at JoAnn.Truchan@AlleghenyCounty.US.

16. Within thirty (30) days of the date of this Order, Stimple & Ward shall submit the previous semiannual report which was due by July 31, 2020 for the time period beginning January 1, 2020 and ending June 30, 2020.

17. Within thirty (30) days of the date of this Order, Stimple & Ward shall submit the previous semiannual report which was due by January 31, 2021 for the time period beginning July 1, 2020 and ending December 31, 2020.

18. Submit the next Certificate of Compliance which is due by February 28, 2021 for the time period beginning January 1, 2020 and ending December 31, 2020.


19. Please be advised that the ACHD may issue a separate enforcement order which may result in a civil penalty.

20. Please be advised that failure to comply with this Order within the times specified herein is a violation of Article XXI giving rise to the remedies provided by Article XXI § 2109.02 including civil penalties of up to \$25,000 per violation per day.

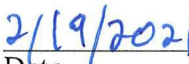
21. Pursuant to Article XI, § 1104.A (“Hearings and Appeals”), of the Allegheny County Health Department Rules and Regulations, you are notified that if you are aggrieved by this Order, a Notice of Appeal shall be filed no later than thirty (30) days after receipt of written notice or issuance of this Order. Such a Notice of Appeal shall be filed in the Office of the Director at 542 Fourth Avenue, Pittsburgh, PA 15219.

22. This Order is enforceable upon issuance and any appeal of this Order shall not act as a stay unless the Director of the ACHD so orders. In the absence of a timely appeal, the terms of this Order shall become final. Notice of Appeal shall be filed no later than thirty (30) days after receipt of written notice or issuance of the action by which the Appellant is aggrieved. A copy of Article XXI and Article XI may be found at <https://www.alleghenycounty.us/Health-Department/Health-Department-Regulations.aspx>.

DONE and **ENTERED** this 19th day of February, 2021, in Allegheny County, Pennsylvania.



Dean DeLuca
Air Quality Program Manager



Date