

COUNTY OF



ALLEGHENY

SARA INNAMORATO
County Executive

February 28, 2024

CERTIFIED MAIL – 9489 0090 0027 6047 5314 73

Marshall Holmes
Synthomer Jefferson Hills, LLC
2200 State Highway 837
West Elizabeth, PA 15088

RE: Enforcement Order #240206 – Synthomer Jefferson Hills, LLC, 2200 State Highway 837, West Elizabeth, PA 15088, Article XXI § 2102.04.b.6, §2105.06.b3, and §2101.11.b; Installation Permits #0058-I021 and #0058-I023a.

Dear Mr. Holmes,

Please find enclosed a copy of the Enforcement Order pertaining to the operations at Synthomer Jefferson Hills, LLC. Also attached is an “Important Notice” for you to review.

Thank you for your anticipated prompt attention to this matter and future increased efforts to comply with all applicable regulations. Any questions concerning this Order should be directed to the ACHD’s representative, Gary Fischman at 412-578-8141 or e-mail at gary.fischman@alleghenycounty.us.

Sincerely,

Allason Holt
Program Manager -- Compliance and Enforcement Program

CC: Gary Fischman, Air Quality Engineer (via email)
File



ALLEGHENY COUNTY HEALTH DEPARTMENT
AIR QUALITY PROGRAM
836 FULTON STREET • PITTSBURGH, PA 15233
PHONE (412) 578-8103 • FAX (412) 578-8144
24-HR (412) 687-ACHD (2243)
WWW.ALLEGHENYCOUNTY.US/HEALTHDEPARTMENT



To: Marshall Holmes
Synthomer Jefferson Hills, LLC
2200 State Highway 837
West Elizabeth, PA 15088

Re: February 28, 2024 Enforcement Order

IMPORTANT NOTICE

An Enforcement Order dated **February 28, 2024**, was mailed to you by the Allegheny County Health Department (ACHD) notifying of the possibility that a Civil Penalty will be levied by virtue of your failure to take certain action.

If you fail to take action pursuant to said enforcement order, a judgment may be entered against you in the Court of Common Pleas of Allegheny County. The sheriff may take your money or other property to pay the judgment any time after the judgment is entered.

YOU ARE WARNED THAT IF YOU FAIL TO CORRECT VIOLATIONS AND/OR PAY FINES OR PENALTIES LEVIED AGAINST YOU IN THE ENFORCEMENT ORDER THAT THE ALLEGHENY COUNTY HEALTH DEPARTMENT MAY PROCEED WITHOUT YOU AND A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT FURTHER NOTICE. YOU MAY LOSE MONEY OR PROPERTY OR OTHER RIGHTS IMPORTANT TO YOU.

Pursuant to Article XI, Allegheny County Rules and Regulations, Hearings and Appeals, you are notified that if you are aggrieved by this Order, you have thirty (30) days in which to file an appeal from the receipt of this Order. Such a Notice of Appeal shall be filed in the Office of the Director at 542 Fourth Avenue, Pittsburgh, PA 15219. Failure to forward the money or the appeal bond at the time of the appeal shall result in a waiver of all legal rights to contest the violation or the amount of the civil penalty unless you allege financial inability to prepay the penalty or to post the appeal bond. If you allege financial inability to prepay or post, then you have the burden to prove it.

In the absence of a timely appeal, the terms of this Order shall become final. Please be aware that any appeal of this Order shall not act as a stay unless the Director of the ACHD so orders.

Allegheny County Health Department
Air Quality Program
836 Fulton Street
Pittsburgh, PA 15233

**ALLEGHENY COUNTY HEALTH DEPARTMENT
AIR QUALITY PROGRAM**

In the Matter of:

Synthomer Jefferson Hills LLC

Violation No. 240206

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

Synthomer Jefferson Hills LLC
2200 State Highway 837
P.O. Box 545
West Elizabeth, PA 15088

ENFORCEMENT ORDER

NOW, this 28th day of February 2024 the Allegheny County Health Department (hereinafter "ACHD") issues this Enforcement Order after it has found and determined the following:

I. AUTHORITY

1. The Director of 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 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, ACHD’s Rules and Regulations, Article XXI, “Air Pollution Control” (Allegheny County Code of Ordinances Chapters 505, 507 and 535) (hereinafter “Article XXI”).

II. BACKGROUND

2. Synthomer Jefferson Hills LLC (hereinafter, “Synthomer”) produces synthetic hydrocarbon resins for use in adhesives and other products at a facility in West Elizabeth, Allegheny County, Pennsylvania;

3. On August 12, 2019, ACHD issued amended Installation Permit 0058 to Eastman Chemical Resins (hereinafter, “Eastman”), which owned and operated the West Elizabeth facility at the time;

4. On August 31, 2020, ACHD issued amended Installation Permit 0058-I021 to Eastman Chemical Resins;

5. On April 1, 2022, Synthomer Jefferson Hills LLC acquired the West Elizabeth facility and assumed all permits, responsibilities, and liabilities pertaining thereto;

TANK 53 VOC EMISSION EXCEEDANCES

6. Condition V.A.1.d of Installation Permit 0058-I021 enumerates the annual limit for Volatile Organic Compounds (hereinafter, “VOC”) of Tank 53 as 0.41 tons per year (hereinafter, “TPY”).

7. On March 15, 2021, Eastman submitted an annual emission inventory to the ACHD for calendar year 2020.

8. The emission inventory submitted by Eastman for 2020 showed actual VOC emissions of 0.91 TPY, exceeding the limit from Installation Permit 0058-I021.

9. On March 15, 2022, Eastman submitted an annual emission inventory to the ACHD for calendar year 2021.

10. The emission inventory submitted by Eastman for 2021 showed actual VOC emissions of 0.82 TPY, exceeding the limit from Installation Permit 0058-I021.

11. On March 14, 2023, Synthomer submitted an annual emission inventory to the ACHD for calendar year 2022 (Eastman owned and operated the facility through March 31, 2022).

12. The emission inventory submitted by Synthomer for 2022 did not directly indicate annual VOC emissions from Tank 53, instead grouping them with emissions from Tanks 52, 54, and 55. However, monthly emissions for individual tanks were reported. Monthly emissions for Tank 53 summed to 1.91 TPY, exceeding the limit from Installation Permit 0058-I021.

13. On December 4, 2023, the ACHD issued Notice of Violation #231202, identifying the exceedances stated in this Order for calendar years 2020 and 2021.

14. During discussions via Microsoft Teams on February 2, 2024 and February 6, 2024, Synthomer and ACHD agreed that the emission calculations for Tank 53 should be recalculated using the deck leg factor of 2.0 lb-mole/yr per fitting from AP-42 Table 7.1-12 for EFR-type, pontoon area of pontoon roofs; total sleeve length approximately 30 inches, ungasketed deck legs. The description for this factor more accurately represented the actual design of the floating roof deck legs for Tank 53 than the factor of 7.9 lb-mole/yr per fitting for an IFR-type deck leg with a sleeve length of approximately 12 inches.

15. As discussed, on February 6, 2024, Synthomer submitted revised Tank 53 emission calculations for 2020, 2021, and 2022 and an advance calculation for 2023 (prior to submitting the full emission inventory for 2023).

16. The revised Tank 53 emission calculations and the 2023 calculation showed VOC emissions of 0.44 TPY for 2020, 0.51 TPY for 2021, 0.48 TPY for 2022, and 0.50 TPY for 2023. These emissions exceed the limit of 0.41 TPY for each calendar year.

TANK T-204 – RELEASE OF VOC EMISSIONS BYPASSING CONTROLS

17. Article XXI §2101.11.b, states:

§2101.11 PROHIBITION OF AIR POLLUTION

b. It shall be a violation of this Article for any person to:

1. Operate, or allow to be operated, any source in such manner as to allow the release of air contaminants into the open air or to cause air pollution as defined in this Article, except as explicitly permitted by this Article.

18. Condition V.B.1.a of Installation Permit 0058-I023a states, “The permittee shall not operate or allow to be operated the following equipment unless all emissions from the equipment are ducted to the subject control device(s). ...”

- c. Tank T-204 is required to be ducted to Condenser E-204-4 and Carbon Adsorber A-204-5A or A-204-5B.

19. On September 3, 2023, at 7:11 AM, Synthomer contacted the ACHD answering service via telephone to report a breakdown involving an overheated tank. This breakdown began at 6:30 AM the same morning and was assigned Breakdown No. 22605.

20. On September 8, 2023, the ACHD received a written follow-up notification for Breakdown No. 22605. This notification stated, “Tank 204, which stores Recycled Hydrogenation Solvent (RHS), overheated when an internal heater was mistakenly turned on. Synthomer believes that heat caused residual water in the tank to flash to steam causing steam and solvent vapors to be discharged through the sample hatch and emergency manway,” thus bypassing the condenser and carbon adsorber.

21. The estimated quantity of emissions from the September 3 event was approximately 7,400 lb of RHS vapor, which consists entirely of volatile organic compounds.

22. Synthomer stated in an email dated February 8, 2024 that all steam piping had been removed from Tank 204 on December 15, 2023. Synthomer also reported the bayonet heater located inside the tank had been removed and a blank flange installed over the nozzle from the internal heater on January 8, 2024.

23. An ACHD inspector visited the facility on February 14, 2024 and confirmed that no steam piping was present on Tank 204 and that the nozzle from the internal heater was covered with a blank flange.

III. FINDINGS OF VIOLATIONS

1. Based on the revised Tank 53 emission calculations, Tank 53 VOC emissions exceeded the limit from Installation Permit 0058-I021 for calendar years 2020, 2021, 2022, and 2023.

2. Allowing fugitive emissions from Tank 204 to bypass the condenser and carbon adsorber is a violation of Condition V.B.1.a of Installation Permit 0058-I023a.

3. Allowing fugitive emissions from Tank 204 to bypass the condenser and carbon adsorber is a violation of Article XXI §2101.11.b.

IV. ORDER

NOW THEREFORE, pursuant to the authority granted to the ACHD by Article XXI §§ 2109.02 and 2109.06 and the Local Health Administration Law, 19 P.S. § 12010, it is hereby

ORDERED that:

4. For the violations set forth in the preceding paragraphs, Synthomer is hereby assessed a civil penalty of **TEN THOUSAND AND FIVE DOLLARS** (\$10,005.00). The civil penalty is as follows:

A. Gravity Based Component			
	Gravity Based Violation	Violations	Total Gravity Penalty
Exceedances of IP 0058-I021 limit for VOC for 2020 and 2022 – low severity	\$900.0	2	\$1,800.00
Exceedances of IP 0058-I021 limit for VOC for 2021 and 2023 – moderate severity	\$1,300.0	2	\$2,600.00
Fugitive release of VOC from Tank 204 in violation of IP 0058-I023a Condition V.B.1.a	\$2,500.0	1	\$2,500.00
GRAVITY COMPONENT SUBTOTAL			\$6,900.00
. Adjustment Factors			
Compliance History: 1 Issued violation in last 2 years			\$ 1,725.00
Title V Source:			\$ 1,380.00
TOTAL CIVIL PENALTY			\$ 10,005.00

5. Synthomer shall pay the civil penalty amount within thirty (30) days of receipt of this Order. Payment shall be made by corporate or certified check, or the like, made payable to the “Allegheny County Clean Air Fund”, and sent to Air Quality Program Manager, Allegheny County Health Department, 301 39th Street, Bldg. #7, Pittsburgh, PA 15201.

6. The ACHD has determined the above civil penalty to be in accordance with Article XXI § 2109.06.b., reflecting relevant factors, including, but not limited to: the nature, severity and frequency of the alleged violations; the maximum amount of civil and criminal penalties authorized by law; the willfulness of such violations; the impact of such violations on the public

and the environment; the actions taken by Synthomer to minimize such violations and to prevent future violations; and Synthomer's compliance history.

7. Pursuant to Article XXI § 2109.06.a.5. and 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, you must file a Notice of Appeal 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. This Order is enforceable upon issuance, and any appeal of this Order shall not act as a stay unless the Director of the ACHD or the Hearing Officer so orders. If you do not timely appeal, the terms of this Order shall become final.

8. Please be aware that if you wish to appeal this Order, within thirty (30) days of receipt of this Order, you must also either forward the penalty amount to the ACHD for placement in an escrow account, post an appeal bond to the ACHD in the amount of the penalty, or claim an inability to prepay the penalty or post a bond. Failure to take such steps shall result in a waiver of any right to challenge this Order. Please review the specific requirements for prepaying the penalty or posting the appeal bond found in Article XXI §§ 2109.06.a.2-3. 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 28th day of February 2024, in Allegheny County, Pennsylvania.



Allason Holt
Air Quality
Compliance and Enforcement Program Manager

2/28/2024

Date