

February 28, 2022

Via Hand Delivery and Electronic Mail

Allegheny County Health Department
Office of the Director
542 Fourth Avenue
Pittsburgh, PA 15219
Attn: Administrative Hearing Office, Max Slater, Esq.
max.slater@alleghenycounty.us

RECEIVED

FEB 28 2022

**LEGAL SECTION
Allegheny County
Health Department**

**Re: PPG Industries, Inc. – Springdale Plant
Notice of Appeal of Installation Permit (0057-I011) issued on Jan. 27, 2022**

Dear Mr. Slater:

Pursuant to Article XI of the Rules and Regulations of the Allegheny County Health Department, PPG Industries, Inc. submits for filing the enclosed Combined Notice of Appeal for the above-referenced permit.

Regards,



Gary E. Steinbauer

Enclosure

cc: Jeffrey R. Bailey, Esq. (via U.S. Mail and Electronic Mail)
Jessica Sharrow Thompson, Esq.
Richard S. Wiedman, Esq.



Notice of Appeal

This form is used to file an appeal of an order, notice, decision, determination, or ruling by the Allegheny County Health Department. Please complete this form (use additional pages as necessary). If more than one person or entity is filing this appeal, please attach a separate form for each additional appellant. **A copy of the order, notice, decision, determination, or ruling must be attached to the Notice of Appeal.**

Name PPG Industries, Inc.

Mailing Address 125 Colfax Street

City Springdale State PA Zip 15144 Email N/A

Phone N/A Fax (optional) _____

If you are represented by an attorney, please provide contact information for your attorney:

Name Richard S. Wiedman; Gary E. Steinbauer

Mailing Address Two Gateway Center, 6th Floor

City Pittsburgh State PA Zip 15222 Email rwiedman@babstcalland.com
gsteinbauer@babstcalland.com

Phone (412) 394-6981; (412) 394-6590 Fax (optional) _____

Describe your objections to the Department's actions and a statement describing the relief you want the Hearing Officer to grant. *(The objections may be factual or legal and must be specific. If you fail to state an objection here, you may be barred from raising it later in your appeal. Use additional pages if necessary.)*

See attached (revise and reissue Installation Permit to remove illegal conditions).

By filing this Notice of Appeal with the Allegheny County Health Department, I hereby certify that the information submitted is true and correct to the best of my information and belief.

Signature /s/ Gary E. Steinbauer Date February 28, 2022

Appeals should be submitted in person or by mail to:
**Allegheny County Health Department
Attention: Hearing Officer
542 4th Avenue
Pittsburgh, PA 15219**

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LEGAL SECTION
Allegheny County

BEFORE THE ALLEGHENY COUNTY HEALTH DEPARTMENT

**542 FOURTH AVENUE
PITTSBURGH, PA 15219**

PPG Industries, Inc.)	
PPG Industries – Springdale Plant)	In re:
125 Colfax Street)	Installation Permit No. 0057-I011
Springdale, PA 15144-1506)	
)	
Appellant)	

NOTICE OF APPEAL

Pursuant to Article XI of the Rules and Regulations of the Allegheny County Health Department (ACHD), Appellant PPG Industries, Inc. – Springdale Plant (“Springdale”) appeals the ACHD’s issuance of certain conditions in Installation Permit No. 0057-I011 (“Installation Permit”). Springdale received notice of the Installation Permit on January 27, 2022, when ACHD sent Springdale an e-mail attaching a copy of the Installation Permit. A copy of the Installation Permit is attached as Exhibit A to this Notice of Appeal. Consistent with Sections 1103 and 1104 of Article XI of the ACHD Rules and Regulations, this submission constitutes timely filing of the Notice of Appeal of the applicable ACHD action, and properly specifies the manner in which Springdale is aggrieved by the Department's action and related grounds in support of this appeal, as well as the nature of Springdale’s direct interest in the action being appealed.

A. Manner in Which Springdale is Aggrieved and Grounds of Appeal

1. PPG Industries, Inc. owns and operates the Springdale Plant, where it manufactures paint for aluminum extrusions, general industrial, and coil coating and performs other research and development activities supporting its resin manufacturing operations. The Springdale Plant’s coatings are used in, among other sectors, the pharmaceutical and healthcare industries sectors.

2. The Installation Permit authorizes the replacement of the Dispersion Process Basket Mill with a 20-liter Hochmeyer Mill (“New Mill”) and the installation of two new 15 horsepower high-speed mixers in the Small Order Department (“New Mixers”) at the Springdale Plant. Emissions from the New Mill and New Mixers will be routed to and controlled by the Paint Plant Regenerative Thermal Oxidizer (“Paint Plant RTO”).

3. On April 6, 2020, Springdale appealed ACHD’s issuance of certain conditions in (1) an amended Title V Operating Permit No. 0057-OP18a and (2) a minor modification to Installation Permit No. 0057-I005C (“Appeal”). The Appeal remains pending. Springdale’s primary objection in the Appeal is that ACHD inappropriately, unlawfully, and unreasonably imposed a minimum volatile organic compound destruction efficiency of 98% by weight for the Paint Plant RTO based on a legally and technically flawed application and interpretation of Reasonably Available Control Technology requirements stemming from the 2008 8-hour ozone National Ambient Air Quality Standards.

4. In issuing the Installation Permit, ACHD applies the same inappropriate, unlawful, and unreasonable 98 percent (by weight) minimum destruction efficiency for stationary process vessel emissions vented to the Paint Plant RTO.

5. More specifically, in issuing the Installation Permit, ACHD imposed inappropriate, unlawful, and reasonable conditions, including, but not limited to, the following:

- a. Inappropriate, unlawful, and unreasonable imposition of a condition requiring a reduction of total organic HAP emissions from stationary process vessels by 98 percent (by weight) or greater by venting emissions through the Paint Plant RTO in Condition V.A.1.e the Installation Permit.
- b. Inappropriate, unlawful, and unreasonable imposition of several other conditions for the Paint Plant RTO that are or may be related to or the

outgrowth of the inappropriate, unlawful, and unreasonable imposition of Condition V.A.1.e., including, but not limited to, the requirements in Conditions V.A.1.f., V.A.2.a., V.A.3.a., and V.A.4.a. of the Installation Permit.

ACHD acted unreasonably, arbitrarily, capriciously, and contrary to law in issuing the Installation Permit with the above-referenced objectionable conditions.

B. Nature of Springdale's Direct Interest in the ACHD's Action and this Appeal.

4. Springdale is the named entity to which the Installation Permit has been issued, and whose activities are restricted by the Installation Permit. As a result, Springdale has a direct interest in the Installation Permit and in this Appeal.

5. Through this Notice of Appeal, Springdale has identified its objections to the Installation Permit, but reserves the right to amend or supplement the factual and legal basis of its Appeal as authorized by the ACHD Rules and Regulations. More specifically, Springdale reserves its right to amend this Appeal based on any other objections that may become known based on discovery, changes in law or fact, action by ACHD, or other pertinent circumstances or changes.

Respectfully submitted,

/s/ Gary E. Steinbauer
Richard S. Wiedman, Esq.
Gary E. Steinbauer, Esq.
Babst, Calland, Clements, & Zomnir, P.C.
Two Gateway Center
Pittsburgh, PA 15222
(412) 394-6500
rwiedman@babstcalland.com
gsteinbauer@babstcalland.com

February 28, 2022
Date

EXHIBIT A



**AIR QUALITY PROGRAM
301 39th Street, Bldg. #7
Pittsburgh, PA 15201-1811**

**Minor Source/Minor Modification
INSTALLATION PERMIT**

<u>Issued To:</u>	PPG Industries, Inc. – Springdale 125 Colfax Street Springdale Boro., PA 15144-1506	ACHD Permit#:	0057-I011
		Date of Issuance:	January 27, 2022
		Expiration Date:	(See Section III.12)

Issued By: _____
JoAnn Truchan, P.E.
Section Chief, Engineering

Prepared By: _____
Bernadette Lipari
Air Quality Engineer

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TABLE OF CONTENTS

I.	CONTACT INFORMATION.....	4
II.	FACILITY DESCRIPTION	5
III.	GENERAL CONDITIONS.....	6
IV.	SITE LEVEL TERMS AND CONDITIONS.....	11
V.	EMISSION UNIT LEVEL TERMS AND CONDITIONS.....	17
	A. PROCESSES P001, P002: PAINT PLANT (CONTROLLED EMISSIONS).....	17
	B. PROCESS P001, P002: PAINT PLANT (UNCONTROLLED EMISSIONS)	20
VI.	ALTERNATIVE OPERATING SCENARIOS	23
VII.	EMISSIONS LIMITATIONS SUMMARY	24

AMENDMENTS:

<i>DATE</i>	<i>SECTION(S)</i>
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I. CONTACT INFORMATION

Facility Location: PPG Industries, Inc. – Springdale Plant
125 Colfax Street
Springdale Borough, PA 15144-1506

Permittee/Owner: PPG Industries, Inc.
One PPG Place
Pittsburgh, PA 15272-0000

Permittee/Operator: (Same as above)
(if not Owner)

Responsible Official: Will Olp
Title: Plant Manager
Company: PPG Industries, Inc. – Springdale Plant
Address: 125 Colfax Street
Springdale Borough, PA 15144-1506
Telephone Number: (724)-274-3455
Fax Number: (724) 274-3871

Facility Contact: Jeff Fyock
Title: EHS Manager
Telephone Number: (724)-274-3821
Fax Number: (724) 274-3871
E-mail Address: fyock@ppg.com

AGENCY ADDRESSES:

ACHD Contact: Chief Engineer
Allegheny County Health Department
Air Quality Program
301 39th Street, Building #7
Pittsburgh, PA 15201-1811

EPA Contact: Enforcement Programs Section (3AP12)
USEPA Region III
1650 Arch Street
Philadelphia, PA 19103-2029

II. FACILITY DESCRIPTION

FACILITY DESCRIPTION

PPG Industries, Inc. – Springdale Plant is a paint manufacturing plant and research & development facility. The paint plant produces coatings for aluminum extrusions, general industrial, and coil coating. Within the main paint manufacturing buildings is housed a series of technical laboratories providing testing and customer support for PPG Coatings. The paint manufacturing building also houses manufacturing support laboratories, which oversee the quality and other parameters of products, manufactured. The research and development plant provides scale-up support for resin manufacture and tests new resins used in coatings.

The facility is a major source of volatile organic compounds (VOC’s) and hazardous air pollutants (HAP’s), and a minor source of particulate matter (PM), particulate matter less than 10 microns (PM₁₀), particulate matter less than 2.5 microns (PM_{2.5}), nitrogen oxides (NO_x), sulfur oxides (SO_x), and carbon monoxide (CO) as defined in Article XXI, §2101.20. The facility is also a minor source of greenhouse gas emissions (CO_{2e}) as defined in the U.S. EPA Greenhouse Gas Tailoring Rule.

INSTALLATION DESCRIPTION

This permit is for the replacement of the Dispersion Process Basket Mill with a 20-liter Hochmeyer Mill and for the installation of two new 15-hp high-speed mixers in the Small Order Department. The Hochmeyer Mill and the two mixers will exhaust to the Paint Plant RTO and the PVC Line Baghouse. The Hochmeyer Mill’s expected maximum production is 15,000 gallons per year, an increase from the previous 5,000 gallons per year, and will be supported by the addition of three 300-gallon open-top portable tanks. The two mixers’ expected maximum production is 100,000 gallons per year, an increase from the previous 60,000 gallons per year, and will be supported by the addition of two 350-gallon open-top portable tanks.

The emission units regulated by this permit are summarized in Table II-1:

TABLE II-1: Emission Unit Identification

I.D.	SOURCE DESCRIPTION	CONTROL DEVICE(S)	MAXIMUM CAPACITY	FUEL/RAW MATERIAL	STACK I.D.
P001, P002	Dispersion				
	Hochmeyer Mill	Paint Plant RTO/PVC line Baghouse	n/a (portable tanks)	pigment, resin, solvent	S001, S005
P001, P002	Small Order Department				
	2 – 15 hp high-speed disperser mixers	Paint Plant RTO/PVC line Baghouse	n/a (portable tanks)	pigment, resin, solvent	S001, S005

DECLARATION OF POLICY

Pollution prevention is recognized as the preferred strategy (over pollution control) for reducing risk to air resources. Accordingly, pollution prevention measures should be integrated into air pollution control programs wherever possible, and the adoption by sources of cost-effective compliance strategies, incorporating pollution prevention, is encouraged. The Department will give expedited consideration to any permit modification request based on pollution prevention principles.

The permittee is subject to the terms and conditions set forth below. These terms and conditions constitute provisions of *Allegheny County Health Department Rules and Regulations, Article XXI Air Pollution Control*. The subject equipment has been conditionally approved for operation. The equipment shall be operated in conformity with the plans, specifications, conditions, and instructions which are part of your application, and may be periodically inspected for compliance by the Department. In the event that the terms and conditions of this permit or the applicable provisions of Article XXI conflict with the application for this permit, these terms and conditions and the applicable provisions of Article XXI shall prevail. Additionally, nothing in this permit relieves the permittee from the obligation to comply with all applicable Federal, State and Local laws and regulations.

III. GENERAL CONDITIONS

1. Prohibition of Air Pollution (§2101.11)

It shall be a violation of this permit to fail to comply with, or to cause or assist in the violation of, any requirement of this permit, or any order or permit issued pursuant to authority granted by Article XXI. The permittee shall not willfully, negligently, or through the failure to provide and operate necessary control equipment or to take necessary precautions, operate any source of air contaminants in such manner that emissions from such source:

- a. Exceed the amounts permitted by this permit or by any order or permit issued pursuant to Article XXI;
- b. Cause an exceedance of the ambient air quality standards established by Article XXI §2101.10; or
- c. May reasonably be anticipated to endanger the public health, safety, or welfare.

2. Nuisances (§2101.13)

Any violation of any requirement of this Permit shall constitute a nuisance.

3. Definitions (§2101.20)

- a. Except as specifically provided in this permit, terms used retain the meaning accorded them under the applicable provisions and requirements of Article XXI or the applicable federal or state regulation. Whenever used in this permit, or in any action taken pursuant to this permit, the words and phrases shall have the meanings stated, unless the context clearly indicates otherwise.
- b. Unless specified otherwise in this permit or in the applicable regulation, the term “*year*” shall mean any twelve (12) consecutive months.

4. Certification (§2102.01)

Any report or compliance certification submitted under this permit shall contain written certification by a responsible official as to truth, accuracy, and completeness. This certification and any other certification required under this permit shall be signed by a responsible official of the source, and shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

5. Operation and Maintenance (§2105.03)

All air pollution control equipment required by this permit or Article XXI, and all equivalent compliance techniques that have been approved by the Department, shall be properly installed, maintained, and operated consistent with good air pollution control practice.

6. Conditions (§2102.03.c)

It shall be a violation of this permit giving rise to the remedies provided by Article XXI §2109.02, for any person to fail to comply with any terms or conditions set forth in this permit.

7. Transfers (§2102.03.e)

This permit shall not be transferable from one person to another, except in accordance with Article XXI §2102.03.e and in cases of change-in-ownership which are documented to the satisfaction of the Department, and shall be valid only for the specific sources and equipment for which this permit was issued. The transfer of permits in the case of change-in-ownership may be made consistent with the administrative permit amendment procedure of Article XXI §2103.14.b.

8. Effect (§2102.03.g)

Issuance of this permit shall not in any manner relieve any person of the duty to fully comply with the requirements of Article XXI or any other provision of law, nor shall it in any manner preclude or affect the right of the Department to initiate any enforcement action whatsoever for violations of Article XXI or this Permit, whether occurring before or after the issuance of such permit. Further, the issuance of this permit shall not be a defense to any nuisance action, nor shall such permit be construed as a certificate of compliance with the requirements of Article XXI or this Permit.

9. General Requirements (§2102.04.a)

It shall be a violation of this Permit giving rise to the remedies set forth in Article XXI §2109 for any person to install, modify, replace, reconstruct, or reactivate any source or air pollution control equipment to which this Permit applies unless either:

- a. The Department has first issued an Installation Permit for such source or equipment; or
- b. Such action is solely a reactivation of a source with a current Operating Permit, which is approved under §2103.13 of Article XXI.

10. Conditions (§2102.04.e)

Further, the initiation of installation, modification, replacement, reconstruction, or reactivation under this

Installation Permit and any reactivation plan shall be deemed acceptance by the source of all terms and conditions specified by the Department in this permit and plan.

11. Revocation (§2102.04.f)

- a. The Department may, at any time, revoke this Installation Permit if it finds that:
- 1) Any statement made in the permit application is not true, or that material information has not been disclosed in the application;
 - 2) The source is not being installed, modified, replaced, reconstructed, or reactivated in the manner indicated by this permit or applicable reactivation plan;
 - 3) Air contaminants will not be controlled to the degree indicated by this permit;
 - 4) Any term or condition of this permit has not been complied with;
 - 5) The Department has been denied lawful access to the premises or records, charts, instruments and the like as authorized by this Permit; or
- b. Prior to the date on which construction of the proposed source has commenced the Department may, revoke this Installation Permit if a significantly better air pollution control technology has become available for such source, a more stringent regulation applicable to such source has been adopted, or any other change has occurred which requires a more stringent degree of control of air contaminants.

12. Term (§2102.04.g)

This Installation Permit shall expire in 18 months if construction has not commenced within such period or shall expire 18 months after such construction has been suspended, if construction is not resumed within such period. In any event, this Installation Permit shall expire upon completion of construction, except that this Installation Permit shall authorize temporary operation to facilitate shakedown of sources and air cleaning devices, to permit operations pending issuance of a related subsequent Operating Permit, or to permit the evaluation of the air contamination aspects of the source. Such temporary operation period shall be valid for a limited time, not to exceed 180 days, but may be extended for additional limited periods, each not to exceed 120 days, except that no temporary operation shall be authorized or extended which may circumvent the requirements of this Permit.

13. Annual Installation Permit Administrative Fee (§2102.10.c & e)

No later than 30 days after the date of issuance of this Installation Permit and on or before the last day of the month in which this permit was issued in each year thereafter, during the term of this permit until a subsequent corresponding Operating Permit or amended Operating Permit is properly applied for, the owner or operator of such source shall pay to the Department, in addition to all other applicable emission and administration fees, an Annual Installation Permit Administration Fee in an amount of \$750.

14. Severability Requirement (§2103.12.l)

The provisions of this permit are severable, and if any provision of this permit is determined to be invalid or unenforceable, such a determination will not affect the remaining provisions of this permit.

15. Reporting Requirements (§2103.12.k)

- a. 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.

- b. Prompt reporting of deviations from permit requirements is required, including those attributable to upset conditions as defined in this permit and Article XXI §2108.01.c, the probable cause of such deviations, and any corrective actions or preventive measures taken.
- c. All reports submitted to the Department shall comply with the certification requirements of General Condition III.4 above.
- d. Semiannual reports required by this permit shall be submitted to the Department as follows:
 - 1) One semiannual report is due by October 31 of each year for the time period beginning April 1 and ending September 30.
 - 2) One semiannual report is due by April 30 of each year for the time period beginning October 1 and ending March 31.
 - 3) The first semiannual report shall be due April 30, 2022 for the time period beginning on the issuance date of this permit through March 31, 2022.
- e. Reports may be emailed to the Department at aqreports@alleghenycounty.us in lieu of mailing a hard copy.

16. Minor Installation Permit Modifications (§2102.10.d)

Modifications to this Installation Permit may be applied for but only upon submission of an application with a fee in the amount of \$300 and where:

- a. No reassessment of any control technology determination is required; and
- b. No reassessment of any ambient air quality impact is required.

17. Violations (§2104.06)

The violation of any emission standard established by this Permit shall be a violation of this Permit giving rise to the remedies provided by Article §2109.02.

18. Other Requirements Not Affected (§2105.02)

Compliance with the requirements of this permit shall not in any manner relieve any person from the duty to fully comply with any other applicable federal, state, or county statute, rule, regulation, or the like, including, but not limited to, any applicable NSPSs, NESHAPs, MACTs, or Generally Achievable Control Technology standards now or hereafter established by the EPA, and any applicable requirement of BACT or LAER as provided by Article XXI, any condition contained in this Installation Permit and/or any additional or more stringent requirements contained in an order issued to such person pursuant to Part I of Article XXI.

19. Other Rights and Remedies Preserved (§2109.02.b)

Nothing in this permit shall be construed as impairing any right or remedy now existing or hereafter created in equity, common law or statutory law with respect to air pollution, nor shall any court be deprived of such jurisdiction for the reason that such air pollution constitutes a violation of this permit

20. Penalties, Fines, and Interest (§2109.07.a)

A source that fails to pay any fee required under this Permit or article XXI when due shall pay a civil penalty of 50% of the fee amount, plus interest on the fee amount computed in accordance with of Article XXI §2109.06.a.4 from the date the fee was required to be paid. In addition, the source may have its permit revoked.

21. Appeals (§2109.10)

In accordance with State Law and County regulations and ordinances, any person aggrieved by an order or other final action of the Department issued pursuant to Article XXI shall have the right to appeal the action to the Director in accordance with the applicable County regulations and ordinances.

IV. SITE LEVEL TERMS AND CONDITIONS

1. Reporting of Upset Conditions (§2103.12.k.2)

The permittee shall promptly report all deviations from permit requirements, including those attributable to upset conditions as defined in Article XXI §2108.01.c, the probable cause of such deviations, and any corrective actions or preventive measures taken.

2. Visible Emissions (§2104.01.a)

Except as provided for by Article XXI §2108.01.d pertaining to a cold start, no person shall operate, or allow to be operated, any source in such manner that the opacity of visible emissions from a flue or process fugitive emissions from such source, excluding uncombined water:

- a. Equal or exceed an opacity of 20% for a period or periods aggregating more than three (3) minutes in any sixty (60) minute period; or,
- b. Equal or exceed an opacity of 60% at any time.

3. Odor Emissions (§2104.04) (County-only enforceable)

No person shall operate, or allow to be operated, any source in such manner that emissions of malodorous matter from such source are perceptible beyond the property line.

4. Materials Handling (§2104.05)

The permittee shall not conduct, or allow to be conducted, any materials handling operation in such manner that emissions from such operation are visible at or beyond the property line.

5. Operation and Maintenance (§2105.03)

All air pollution control equipment required by this permit or any order under Article XXI, and all equivalent compliance techniques approved by the Department, shall be properly installed, maintained, and operated consistently with good air pollution control practice.

6. Open Burning (§2105.50)

No person shall conduct, or allow to be conducted, the open burning of any material, except where the Department has issued an Open Burning Permit to such person in accordance with Article XXI §2105.50 or where the open burning is conducted solely for the purpose of non-commercial preparation of food for human consumption, recreation, light, ornament, or provision of warmth for outside workers, and in a manner which contributes a negligible amount of air contaminants.

7. Shutdown of Control Equipment (§2108.01.b)

- a. In the event any air pollution control equipment is shut down for reasons other than a breakdown, the person responsible for such equipment shall report, in writing, to the Department the intent to shut down such equipment at least 24 hours prior to the planned shutdown. Notwithstanding the submission of such report, the equipment shall not be shut down until the approval of the Department is obtained; provided, however, that no such report shall be required if the source(s) served by such air pollution control equipment is also shut down at all times that such equipment

is shut down.

- b. The Department shall act on all requested shutdowns as promptly as possible. If the Department does not take action on such requests within ten (10) calendar days of receipt of the notice, the request shall be deemed denied, and upon request, the owner or operator of the affected source shall have a right to appeal in accordance with the provisions of Article XI.
- c. The prior report required by Site Level Condition IV.7.a above shall include:
 - 1) Identification of the specific equipment to be shut down, its location and permit number (if permitted), together with an identification of the source(s) affected;
 - 2) The reasons for the shutdown;
 - 3) The expected length of time that the equipment will be out of service;
 - 4) Identification of the nature and quantity of emissions likely to occur during the shutdown;
 - 5) Measures, including extra labor and equipment, which will be taken to minimize the length of the shutdown, the amount of air contaminants emitted, or the ambient effects of the emissions;
 - 6) Measures which will be taken to shut down or curtail the affected source(s) or the reasons why it is impossible or impracticable to shut down or curtail the affected source(s) during the shutdown; and
 - 7) Such other information as may be required by the Department.
- d. Shutdown reports may be emailed to the Department at aqreports@alleghenycounty.us in lieu of mailing a hard copy.

8. Breakdowns (§2108.01.c)

- a. In the event that any air pollution control equipment, process equipment, or other source of air contaminants breaks down in such manner as to have a substantial likelihood of causing the emission of air contaminants in violation of this permit, or of causing the emission into the open air of potentially toxic or hazardous materials, the person responsible for such equipment or source shall immediately, but in no event later than sixty (60) minutes after the commencement of the breakdown, notify the Department of such breakdown and shall, as expeditiously as possible but in no event later than seven (7) days after the original notification, provide written notice to the Department.
- b. To the maximum extent possible, all oral and written notices required shall include all pertinent facts, including:
 - 1) Identification of the specific equipment which has broken down, its location and permit number (if permitted), together with an identification of all related devices, equipment, and other sources which will be affected.
 - 2) The nature and probable cause of the breakdown.
 - 3) The expected length of time that the equipment will be inoperable or that the emissions will continue.
 - 4) Identification of the specific material(s) which are being, or are likely to be emitted, together with a statement concerning its toxic qualities, including its qualities as an irritant, and its potential for causing illness, disability, or mortality.
 - 5) The estimated quantity of each material being or likely to be emitted.

- 6) Measures, including extra labor and equipment, taken or to be taken to minimize the length of the breakdown, the amount of air contaminants emitted, or the ambient effects of the emissions, together with an implementation schedule.
 - 7) Measures being taken to shut down or curtail the affected source(s) or the reasons why it is impossible or impractical to shut down the source(s), or any part thereof, during the breakdown.
- c. Notices required shall be updated, in writing, as needed to advise the Department of changes in the information contained therein. In addition, any changes concerning potentially toxic or hazardous emissions shall be reported immediately. All additional information requested by the Department shall be submitted as expeditiously as practicable.
 - d. Unless otherwise directed by the Department, the Department shall be notified whenever the condition causing the breakdown is corrected or the equipment or other source is placed back in operation by no later than 9:00 AM on the next County business day. Within seven (7) days thereafter, written notice shall be submitted pursuant to Paragraphs a and b above.
 - e. Breakdown reporting shall not apply to breakdowns of air pollution control equipment which occur during the initial startup of said equipment, provided that emissions resulting from the breakdown are of the same nature and quantity as the emissions occurring prior to startup of the air pollution control equipment.
 - f. In no case shall the reporting of a breakdown prevent prosecution for any violation of this permit or Article XXI.
 - g. Breakdown reports may be emailed to the Department at aqreports@alleghenycounty.us in lieu of mailing a hard copy.

9. Cold Start (§2108.01.d)

In the event of a cold start on any fuel-burning or combustion equipment, except stationary internal combustion engines and combustion turbines used by utilities to meet peak load demands, the person responsible for such equipment shall report in writing to the Department the intent to perform such cold start at least 24 hours prior to the planned cold start. Such report shall identify the equipment and fuel(s) involved and shall include the expected time and duration of the startup. Upon written application from the person responsible for fuel-burning or combustion equipment which is routinely used to meet peak load demands and which is shown by experience not to be excessively emissive during a cold start, the Department may waive these requirements and may instead require periodic reports listing all cold starts which occurred during the report period. The Department shall make such waiver in writing, specifying such terms and conditions as are appropriate to achieve the purposes of Article XXI. Such waiver may be terminated by the Department at any time by written notice to the applicant. Cold start notifications may be emailed to the Department at aqreports@alleghenycounty.us.

10. Monitoring of Malodorous Matter Beyond Facility Boundaries (§2104.04)

The permittee shall take all reasonable action as may be necessary to prevent malodorous matter from becoming perceptible beyond facility boundaries. Further, the permittee shall perform such observations as may be deemed necessary along facility boundaries to ensure that malodorous matter beyond the facility boundary in accordance with Article XXI §2107.13 is not perceptible and record all findings and corrective action measures taken.

11. Emissions Inventory Statements (§2108.01.e & g)

- a. Emissions inventory statements in accordance with §2108.01.e shall be submitted to the Department by March 15 of each year for the preceding calendar year. The Department may require more frequent submittals if the Department determines that more frequent submissions are required by the EPA or that analysis of the data on a more frequent basis is necessary to implement the requirements of Article XXI or the Clean Air Act.
- b. The failure to submit any report or update within the time specified, the knowing submission of false information, or the willful failure to submit a complete report shall be a violation of this permit giving rise to the remedies provided by Article XXI §2109.02.

12. Orders (§2108.01.f)

In addition to meeting the requirements Site Level Conditions IV.7 through IV.11, inclusive, the person responsible for any source shall, upon order by the Department, report to the Department such information as the Department may require in order to assess the actual and potential contribution of the source to air quality. The order shall specify a reasonable time in which to make such a report.

13. Violations (§2108.01.g)

The failure to submit any report or update thereof required by Site Level Conditions IV.7 through IV.12 above, inclusive, within the time specified, the knowing submission of false information, or the willful failure to submit a complete report shall be a violation of this permit giving rise to the remedies provided by Article XXI §2109.02.

14. Emissions Testing (§2108.02)

- a. **New and Modified Sources:** No later than 60 days after achieving full production or 120 days after startup, whichever is earlier, the permittee shall conduct, or cause to be conducted, such emissions tests as are specified by the Department to demonstrate compliance with the applicable requirements of this permit and shall submit the results of such tests to the Department in writing. Upon written application setting forth all information necessary to evaluate the application, the Department may, for good cause shown, extend the time for conducting such tests beyond 120 days after startup but shall not extend the time beyond 60 days after achieving full production. Emissions testing shall comply with all applicable requirements of Article XXI, §2108.02.e.
- b. **Tests by the Department:** Notwithstanding any tests conducted pursuant to this permit, the Department or another entity designated by the Department may conduct emissions testing on any source or air pollution control equipment. At the request of the Department, the permittee shall provide adequate sampling ports, safe sampling platforms and adequate utilities for the performance of such tests.
- c. **Testing Requirements:** No later than 45 days prior to conducting any tests required by this permit, the person responsible for the affected source shall submit for the Department's approval a written test protocol explaining the intended testing plan, including any deviations from standard testing procedures, the proposed operating conditions of the source during the test, calibration data for specific test equipment and a demonstration that the tests will be conducted under the direct supervision of persons qualified by training and experience satisfactory to the Department to conduct such tests. In addition, at least 30 days prior to conducting such tests, the person responsible

shall notify the Department in writing of the time(s) and date(s) on which the tests will be conducted and shall allow Department personnel to observe such tests, record data, provide pre-weighed filters, analyze samples in a County laboratory and to take samples for independent analysis. Test results shall be comprehensively and accurately reported in the units of measurement specified by the applicable emission limitations of this permit.

- d. Test methods and procedures shall conform to the applicable reference method set forth in this permit or Article XXI Part G, or where those methods are not applicable, to an alternative sampling and testing procedure approved by the Department consistent with Article XXI §2108.02.e.2.
- e. **Violations:** The failure to perform tests as required by this permit or an order of the Department, the failure to submit test results within the time specified, the knowing submission of false information, the willful failure to submit complete results, or the refusal to allow the Department, upon presentation of a search warrant, to conduct tests, shall be a violation of this permit giving rise to the remedies provided by Article XXI §2109.02.

15. Abrasive Blasting (§2105.51)

- a. Except where such blasting is a part of a process requiring an operating permit, no person shall conduct or allow to be conducted, abrasive blasting or power tool cleaning of any surface, structure, or part thereof, which has a total area greater than 1,000 square feet unless such abrasive blasting complies with all applicable requirements of Article XXI §2105.51.
- b. In addition to complying with all applicable provisions of §2105.51, no person shall conduct, or allow to be conducted, abrasive blasting of any surface unless such abrasive blasting also complies with all other applicable requirements of Article XXI unless such requirements are specifically addressed by §2105.51.

16. Asbestos Abatement (§2105.62, §2105.63)

In the event of removal, encasement, or encapsulation of Asbestos-Containing Material (ACM) at a facility or in the event of the demolition of any facility, the permittee shall comply with all applicable provisions of Article XXI §2105.62 and §2105.63.

17. Volatile Organic Compound Storage Tanks (§2105.12.a)

No person shall place or store, or allow to be placed or stored, a volatile organic compound having a vapor pressure of 1.5 psia or greater under actual storage conditions in any aboveground stationary storage tank having a capacity equal to or greater than 2,000 gallons but less than or equal to 40,000 gallons, unless there is in operation on such tank pressure relief valves which are set to release at the higher of 0.7 psig of pressure or 0.3 psig of vacuum or at the highest possible pressure and vacuum in accordance with State or local fire codes, National Fire Prevention Association guidelines, or other national consensus standard approved in writing by the Department. Petroleum liquid storage vessels that are used to store produced crude oil and condensate prior to lease custody transfer are exempt from these requirements.

18. Fugitive Emissions (§2105.49)

The person responsible for a source of fugitive emissions, in addition to complying with all other applicable provisions of this permit shall take all reasonable actions to prevent fugitive air contaminants from becoming airborne. Such actions may include, but are not limited to:

- a. The use of asphalt, oil, water, or suitable chemicals for dust control;
- b. The paving and maintenance of roadways, parking lots and the like;
- c. The prompt removal of earth or other material which has been deposited by leaks from transport, erosion or other means;
- d. The adoption of work or other practices to minimize emissions;
- e. Enclosure of the source; and
- f. The proper hooding, venting, and collection of fugitive emissions.

19. Episode Plans (§2106.02)

The permittee shall upon written request of the Department, submit a source curtailment plan, consistent with good industrial practice and safe operating procedures, designed to reduce emissions of air contaminants during air pollution episodes. Such plans shall meet the requirements of Article XXI §2106.02.

20. New Source Performance Standards (§2105.05)

- a. It shall be a violation of this permit giving rise to the remedies provided by §2109.02 of Article XXI for any person to operate, or allow to be operated, any source in a manner that does not comply with all requirements of any applicable NSPS now or hereafter established by the EPA, except if such person has obtained from EPA a waiver pursuant to Section 111 or Section 129 of the Clean Air Act or is otherwise lawfully temporarily relieved of the duty to comply with such requirements.
- b. Any person who operates, or allows to be operated, any source subject to any NSPS shall conduct, or cause to be conducted, such tests, measurements, monitoring and the like as is required by such standard. All notices, reports, test results and the like as are required by such standard shall be submitted to the Department in the manner and time specified by such standard. All information, data and the like which is required to be maintained by such standard shall be made available to the Department upon request for inspection and copying.

21. National Emission Standards for Hazardous Air Pollutants (§2104.08)

- a. The permittee shall comply with each applicable emission limitation, work practice standard, and operation and maintenance requirement of 40 CFR Part 63, Subpart HHHHH – National Emission Standards for Hazardous Air Pollutants: Miscellaneous Coating Manufacturing for all applicable equipment and processes in the Paint Plant.
- b. The permittee shall comply with each applicable emission limitation, work practice standard, and operation and maintenance requirement of 40 CFR Part 63, Subpart FFFF - National Emission Standards for Hazardous Air Pollutants: Miscellaneous Coating Manufacturing for all applicable equipment and processes in the Development Center.

22. Facility-wide Emission Limitations

Production of coatings at the Paint Plant facility shall be limited to a total of 20,000,000 gallons during any 12 consecutive months.

V. EMISSION UNIT LEVEL TERMS AND CONDITIONS

A. New Mill and High-Speed Mixers: Paint Plant (Controlled Emissions)

Process Description: New mill and new mixers for increased production

Capacity: New mill (15,000 gal/year); new mixers (100,000 gal/year)

Raw Materials: Pigments/Solvents

Control Device: Paint Plant RTO and PVC Product Line Baghouse

As identified above, the new mill and high-speed mixers consist of the following number and type of equipment:

Equipment	Capacity	Control Device
Dispersion		
20 liter Hochmeyer Mill	20 liters each ¹	Paint Plant RTO (existing)/PVC Product Line Baghouse (existing)
Small Order Department		
2 – 15 hp high-speed disperser mixers	N/A (Portable Tanks)	Paint Plant RTO (existing)/PVC Product Line Baghouse (existing)

¹ N/A (Portable Tanks)

1. Restrictions:

- a. The permittee shall not operate or allow to be operated the equipment listed above unless such equipment is vented to the existing Paint Plant RTO and PVC Product Line Baghouse. [§2102.04.b.6]
- b. The PVC Product Line Baghouse shall meet the requirements of IP #0057-I007 issued on December 9, 2009. [§2102.04.b.6]
- c. The Paint Plant RTO shall meet the requirements of IP #0057-I005b issued on May 24, 2007 and amended on December 12, 2008. [§2102.04.b.6]
- d. The permittee shall equip each portable process vessel with a cover or lid that must be in place at all times when the vessel contains a HAP, except for material additions and sampling. The covers shall be maintained in good condition, such that when in place, they maintain contact with their respective rims for at least 90% of the circumference of the rim. [§2103.12.a; §2104.08; §63.8005(a)(1); 63 Subpart HHHHH Table 1.1; IP #0057-I004, V.A.1.b;]
- e. The permittee shall reduce emissions of total organic HAP from stationary process vessels by 98 percent (by weight) or greater by venting emissions through the existing Paint Plant regenerative thermal oxidizer (RTO) at all times when paint is being produced. [§2102.04.b.6; §63.8000.a; 40CFR Part 63 Subpart HHHHH Table 1.2.b.i; §63.8005.a.1; §63.983.a]
- f. The permittee shall meet the requirements of condition V.A.1.e above for emissions during automatic cleaning operations. [§63.7985.b; §63.8005.a1.ii]

2. Testing Requirements:

- a. The permittee shall conduct VOC and HAP emissions testing on the Paint Plant RTO in accordance with IP #0057-I005b issued on May 24, 2007 and amended on December 12, 2008. [§2102.04.b.6].
- b. The Department reserves the right to require additional emissions testing sufficient to assure compliance with the terms and conditions of this permit. Such testing shall be performed in accordance with Article XXI §2108.02. [§2103.12.h.1; §63.997.c.2]

3. Monitoring Requirements:

- a. The permittee shall monitor the Paint Plant RTO in accordance with installation permit IP #0057-I005b issued on May 24, 2007 and amended on December 12, 2008. [§2102.04.b.6; §2103.12.i]
- b. The permittee shall monitor the PVC Product Line Baghouse in accordance with installation permit IP #0057-I005b issued on May 24, 2007 and amended on December 12, 2008. [§2103.12.i]
- c. Leak Detection and Repair [§63.8015.b; §63.424.a-d]
 - 1) The permittee shall perform a monthly leak inspection of all equipment in organic HAP service. For this inspection, detection methods incorporating sight, sound, and smell are acceptable. Each piece of equipment must be inspected when it is operating in organic HAP service.
 - 2) A log book shall be used and shall be signed by the permittee at the completion of each inspection. A section of the log shall contain a list, summary description, or diagram(s) showing the location of all equipment in organic HAP service at the facility.
 - 3) Each detection of a liquid or vapor leak shall be recorded in the log book. When a leak is detected, an initial attempt at repair shall be made as soon as practicable, but no later than 5 calendar days after the leak is detected. Repair or replacement of leaking equipment shall be completed within 15 calendar days after detection of each leak, except as provided below.
 - 4) Delay of repair of leaking equipment will be allowed upon a demonstration to the Department that repair within 15 days is not feasible. The permittee shall provide the reason(s) a delay is needed and the date by which each repair is expected to be completed.

4. Record Keeping Requirements:

- a. The permittee shall maintain records for the Paint Plant RTO in accordance with installation permit IP #0057-I005b issued on May 24, 2007 and amended on December 12, 2008.
- b. The permittee shall maintain records for the PVC Product Line Baghouse in accordance with installation permit IP #0057-I005b issued on May 24, 2007 and amended on December 12, 2008.
- c. The permittee shall record the following information in the log book required by condition V.A.3.c.2) above for each leak that is detected: [§63.8015.b; §63.428.e]
 - 1) The equipment type and identification number;
 - 2) The nature of the leak (i.e., vapor or liquid) and the method of detection (i.e., sight, sound, or smell);
 - 3) The date the leak was detected and the date of each attempt to repair the leak;
 - 4) Repair methods applied in each attempt to repair the leak;
 - 5) "Repair delayed" and the reason for the delay if the leak is not repaired within 15 calendar days after discovery of the leak;

EMISSION UNIT LEVEL TERMS AND CONDITIONS

- 6) The expected date of successful repair of the leak if the leak is not repaired within 15 days; and
 - 7) The date of successful repair of the leak.
- d. The permittee shall keep and maintain records of each time a safety device is opened to avoid unsafe conditions. [§63.8000.b.2; §63.8080.c]
 - e. The log book required by condition V.A.3.c.2) above shall be maintained on site and shall be available for Department inspection at all times. [§2103.12.h.2.A-B; 2103.12.j.1-2]
 - f. All records required under this section shall be maintained by the permittee for a period of five years following the date of such record. [§2103.12.j.2]

5. Reporting Requirements:

- a. The permittee shall report the following information to the Department semiannually in accordance with General Condition III.15 above. The reports shall contain all required information for the time period of the report: [§2103.12.k.1; §63.8075.e.1-6; §63.999.c]
 - 1) Company name and address.
 - 2) Statement by a responsible official with that official's name, title, and signature, certifying the accuracy of the content of the report.
 - 3) Date of report and beginning and ending dates of the reporting period.
 - 4) Throughput data required to be recorded by condition V.A.4.c above.
 - 5) Non-compliance information required to be recorded by condition V.A.4.g above.
- b. The permittee shall include in the semiannual report an excess emissions report for each occurrence of an equipment leak for which no repair attempt was made within 5 days or for which repair was not completed within 15 days after detection: [§63.8015(b); §63.428(h)(4)]
 - 1) The date on which the leak was detected;
 - 2) The date on which the leak was detected;
 - 3) The date of each attempt to repair the leak;
 - 4) The reasons for the delay of repair; and
 - 5) The date of successful repair.
- c. Reporting instances of non-compliance and malfunction does not relieve the permittee of the requirement to report breakdowns in accordance with Site Level Condition IV.8 above, if appropriate. [§2102.04.b.4; §2108.01.c]
- d. Reporting instances of non-compliance does not relieve the permittee of the requirement to report breakdowns in accordance with Site Level Condition IV.8, if appropriate. [§2103.12.k]

6. Work Practice Standard:

None except as provided elsewhere.

7. Additional Requirements:

The permittee shall notify the Department in writing ten (10) days prior to start-up of P001. Notification may be sent via email to the Department at aqreports@alleghenycounty.us. Department reserves the right to inspect and approve the equipment before it is placed into normal operation. [§2102.04.b.6]