GROUP AGAINST SMOG & POLLUTION
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December 4, 2017

VIA EMAIL (aqpermits@alleghenycounty.us)

Allegheny County Health Department
Air Quality Program
301 39th Street – Building 7
Pittsburgh, PA 15201

Re: Comments of Group Against Smog and Pollution et al., Regarding the Synthetic Minor Source Operating Permit for McConway & Torley LLC (Permit # 0275)

Dear Sir or Madam:

Kindly accept for consideration the following comments of Allegheny County Clean Air Now, Breathe Collaborative, Clean Air Council, Clean Water Action, Environmental Integrity Project, Group Against Smog and Pollution (hereinafter "GASP"), PennEnvironment, PennFuture, Sierra Club, and Women for a Healthy Environment regarding the Synthetic Minor Source Operating Permit for McConway & Torley LLC (Permit # 0275) (hereinafter "Permit") covering steel foundry operations at 109 48th Street, Pittsburgh, PA 15201 (hereinafter "Facility"). According to the notice posted on its website, the Allegheny County Health Department is accepting comments on the Permit through December 4, 2017.

Very truly yours,

/s
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/s
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/s

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COMMENTS OF THE GROUP AGAINST SMOG AND POLLUTION ET AL. REGARDING THE DRAFT SYNTHETIC MINOR SOURCE OPERATING PERMIT FOR McCONWAY & TORLEY LLC (#0275)

I. THE PERMIT MUST BE REVISED TO CORRECT ERRORS AND INCONSISTENCIES REGARDING THE CORE-MAKING PROCESS

A. Core-making emissions units must be identified consistently in the Permit

Permit Table II-1 lists all emissions units regulated by the Permit. Under "P002-Core Making," there are five different types of core-making machines listed by the following emissions unit designations:

- P002-4: H-80 Core Machines
- P002-5: A-12 Core Machines
- P002-6: OB2 Core Machine
- P002-9: Loramendi Machines (2)
- P002-10: Laempe Machine

Section V.E of the Permit addresses Emissions Unit Level Terms and Conditions for Core-Making Systems. This Section uses emissions unit designations that differ substantially from the designations in Table II-1. First, Section V.E lists the individual core-making units as P002-3 through P002-6 as opposed to P002-4 through P002-6 and P002-9 through P002-10. Second, Section V.E appears to combine the Loramendi and Laempe machines into one emissions unit and thereby reduces the total number of emissions units from five in Table II-1 to four in Section V.E. Combining the Laempe and Loramendi emissions units might be problematic given the discussion of emissions control equipment *infra*.[1] Finally, Section V.E fails to identify the specific equipment that corresponds with process-unit designations P002-3 through P002-6. For clarity and consistency, as well as for accuracy in describing applicable

[1] *See* Section I.C on page 3 of this document.

pollution control equipment, monitoring terms, limitations, etc., the Permit must be amended to accurately identify the specific emissions units with specific emissions-unit designations.

B. Core-making emissions units must reflect actual site conditions

The emissions unit designation inconsistencies noted above are further complicated by the Permit including equipment that McConway & Torley does not appear to have in service. McConway & Torley's Revised Application for Operating Permit dated June 15, 2017, listed the following emissions units under Core-Making Operations:

- A-12 Core Machines (2)
- OB2 – Pep Set Units (2)
- IP9 Loramendi Machines (2)
- IP9 Laempe Machine[2]

McConway & Torley's Application for Permit to Install, IP 14, dated June 12, 2017, listed the identical core-making machines and went a step further, affirmatively noting that the H-80 core machines were "removed."[3] Even Appendix B to the "7 Baghouse" test, performed November 10 and 11, 2016, contained process data covering only the following core-making machines:

- Loramendi SLC-3
- Loramendi SLC-2
- Laempe
- A-12 #1
- A-12 #2
- OBII (a/k/a, OB2)[4]

In spite of this evidence suggesting that McConway & Torley operates just seven core-making machines, Section V.E of the Permit lists eleven. Core-making machines listed in the

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[2] Toplak & Associates, P.C., *Revised Application for Operating Permit: McConway & Torley, LLC*, June 15, 2017, page 11.

[3] Toplak & Associates, P.C., *Application for Permit To Install IP 14, Facility Source Updates and Modifications to All Previously Issued Installation Permits: McConway & Torley, LLC*, June 12, 2017, page 16.

[4] Blue Mountain Environmental Management Corporation, *Final Test Report Emissions Evaluation Project, Seven Baghouse Exhaust Stacks: McConway & Torley, LLC*, December 27, 2016, Appendix B, page 87.

Permit that might not exist include two H-80/80T core-making units and two of the four A-12 core-making units listed in Section V.E. The Permit must be amended to accurately identify the emissions units that McConway & Torley operates at the Facility along with their respective emissions unit designations.

C. Core-making emissions control equipment must reflect actual site conditions

Permit Table II-1 notes that the A-12 and OB2 Machines have no emissions control device, the Loramendi Machines use a Dakota[5] DI-54 emissions control device, and the Laempe Machine uses a Dakota DES-68 emissions control device. Prior installation permits covering these emissions units, McConway & Torley's Application for Permit to Install IP 14, its Revised Application for Operating Permit, and later terms in the Permit itself all contradict these emissions control device designations.

As noted above, it is not possible to identify the individual A-12 machines using emissions unit designations in the Permit and determining the appropriate emissions control devices for these units is made more complex by three prior installation permits referencing A-12 machines.[6] Irrespective of which A-12 units still exist, each of the three installation permit applications included a process flow diagram showing emissions from all A-12 units flowing

[5] In documents reviewed by GASP, the manufacturer of this equipment is referred to as "Dekota" and "Dakota" seemingly in equal turn. Even the draft Permit alternates between "Dakota" (pages 5) and "Dekota" (page 53). Internet records suggest that the manufacturer is likely "Dakota International, Inc." of Aberdeen, South Dakota. The actual manufacturer of this equipment is not relevant to GASP's comments but should be verified by ACHD and correctly noted in the final Permit. For consistency, GASP will refer to the scrubbers throughout this document as "Dakota" scrubbers.

[6] *See* Installation Permit No. 0275-I005 (May 29, 2007), which covered the installation of a new A-12 unit and referenced an existing A-12 unit; Installation Permit No. 0275-I006 (February 25, 2008), which covered the installation of a new A-12 unit and referenced a new total of A-12 units; and Installation Permit No. 0275-I009 (November 26, 2013),which covered installation of a new A-12 unit.

through a Dakota scrubber.[7] As such, it appears the notation in Permit Table II-1 is an error and ACHD intends for all of the A-12 machines at the Facility to operate with a Dakota scrubber emissions control device but additional inconsistencies complicate the matter.

Installation Permit 0275-I009 covered installation of a "New Dakota International Model DI-54 Packed Bed Gas Scrubber," and noted McConway & Torley's operation of an "Existing Dakota International Model DI-54 Packed Bed Gas Scrubber."[8] There are no records among prior installation permits of a Dakota DES-68 scrubber. Yet this designation appears in Permit Table II-1, the Revised Application for Operating Permit, and the Application for Permit to Install IP 14. However, these Applications contradict the descriptions of emissions control equipment in Permit Table II-1 by noting that the Dakota DI-54 scrubber will control emissions from two A-12 and two Loramendi core-making machines while the Dakota DES-68 scrubber will control emissions from the Laempe core-making machine. These designations support requiring all A-12 core-making unit emissions to be routed through a Dakota scrubber, but they also perpetuate the aforementioned confusion regarding the Dakota DES-68 scrubber designation.

The lack of clarity regarding emission control equipment reaches its peak in Section V.E of the Permit, where the caption notes simply, "Control Device: DI-54 packed-bed, gas scrubber," singular. There appear to be two separate Dakota scrubbers – at least one DI-54 scrubber – but the type of and existence of the second scrubber is not clear. The actual emissions units that have emissions controlled by a scrubber are equally unclear. Section V.E.1.a states that the "permittee shall at no time, operate or allow to be operated, the new Artisand A-12 and

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[7] Installation Permit No. 0275-I005, Attachment 1 (page 52); Installation Permit No. 0275-I006, Attachment 1, Exhibit 2 (page 51); Installation Permit No. 0275-I009, Attachment 1, Exhibits A and B (pages 74, 75).

[8] Installation Permit No. 0275-I009, page 4.

Laempe/Loramendi core-making systems unless the VOC and HAP emissions from the process are controlled by a packed-bed scrubber system." As an emissions unit level term, this phrase is impermissibly vague. There is no way to enforce a term covering "the new" Artisand A-12 unit when two units exist and three units were installed over the past ten years.[9]

For clarity, accuracy, maintenance terms, monitoring terms, etc., the Permit must be amended to reflect emissions control requirements that McConway & Torley intended to use, at least according to the recent applications, but was inexplicably not required to utilize by the terms of the Permit. These amendments must include all necessary operating, reporting, and monitoring parameters (*see* Section III *infra*) as well as identify with specificity the emissions control equipment covering specific emissions units.

D. All core-making terms must be updated, amended, and/or reexamined

Considering the Permit omitted or mischaracterized emissions control equipment that McConway & Torley does operate and the Permit included equipment that McConway & Torley does not operate, ACHD must verify emissions limitations and closely reexamine all unit-level terms, restrictions, and conditions for the core-making processes described in this section.

II. THE PERMIT MUST BE REVISED TO CORRECT ERRORS IN VOC EMISSIONS LIMITS FOR BAGHOUSES NO. 11 AND NO. 12

Table V-B-1[10] lists EAF No. 1 Baghouse Mass Emissions Limitations (via Baghouse No. 11) and Table V.H.1 lists Baghouse No. 12 Emissions Limitations. The gaseous emissions limitations contained in Tables V-B-1 and V.H.1 are based on their respective columns in the

[9] The phrase "new" is used in core-make Emissions Unit Level Terms and Condition four times: V.E.1.a, V.E.1.g, V.E.1.h, and V.E.2.a. All such instances should be changed so that core-making emissions units can be identified with specificity.

[10] The Permit lists this as table as "Table V-B-1" but to keep consistent formatting throughout the Permit, it should be listed as "Table V.B.1." The Permit should be amended accordingly.

"detailed emissions calculations" spreadsheet referenced in ACHD's Technical Support Document.[11] That spreadsheet lists the Baghouse No. 11 non-methane, non-ethane VOC emissions with acetone subtraction as 0.792 lb/hr and 2.34 ton/yr. The same VOC limits for Baghouse No. 12 are 2.271 lb/hr and 6.490 ton/yr. Based on the sum of the NMNEVOC with acetone subtraction emissions limits equaling the plant-wide limit of 7.94 ton/yr, it appears these figures provide the VOC emissions limits throughout the Permit.[12] However, both Table V-B-1 and Table V.H.1 do not reflect VOC limits based on the NMNEVOC with acetone subtraction. Specifically, Table V-B-1 lists the Baghouse No. 11 VOC emission limits as 2.90 lb/hr and 8.59 ton/yr. It appears that these emissions limits are the VOC limitation calculated prior to subtraction for methane, ethane, and acetone. Table V.H.1 appears correctly to use 2.27 lb/hr as the hourly VOC emissions limit but the tons per year figure erroneously is listed as 6.68 ton/yr. The correct figure should be 6.49 ton/yr; it appears that 6.68 ton/yr is the NMNEVOC calculation without acetone subtraction.

If the erroneous values noted in this section were simply scrivener's errors, the Permit must be amended to reflect the NMNEVOC with acetone subtraction emissions limitation calculated in the aforementioned spreadsheet. If the permit limits in Table V-B-1 and Table V.H.1 are accurate, ACHD must provide a detailed factual or technical basis for using VOC emissions limitations that are calculated using different methodologies.

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[11] TSD, page 6.

[12] Additional support for this statement appears in the TSD: "VOC emission limits do not include methane, ethane or acetone, which are each not considered a VOC by the EPA." Page 6.

III. THE PERMIT MUST BE REVISED TO INCLUDE TESTING, MONITORING, AND RECORDKEEPING REQUIREMENTS THAT ARE SUFFICIENT TO ENSURE COMPLIANCE WITH THE PERMIT'S TERMS AND CONDITIONS

All operating permits must include "compliance certification, testing, monitoring, reporting, and recordkeeping requirements sufficient to assure compliance with the terms of the permit."[13] In the absence of continuous emissions monitoring, these requirements are essential to determining compliance with emissions limitations and other terms, conditions, and restrictions contained in the Permit. As explained below, the Permit fails to include testing, monitoring, and recordkeeping requirements sufficient to assure compliance with several of its terms and conditions.

A. The Permit Does Not Include All Necessary Testing Requirements

For Title V Operating Permits, EPA has determined that a test performed once every five years may be sufficient to assure compliance with permit terms and conditions if the permit requires that the test be used to establish operating parameters relating to the emissions of each pollutant emitted, and also requires that those parameters be monitored on a basis sufficient to assure compliance with emission limits.[14] In the absence of such monitoring, "infrequent testing" may not be sufficient to assure compliance with emission limits.[15] Although McConway & Torley's Permit is not a Title V permit, the methodology of requiring testing to set operating parameters and subsequent monitoring for compliance is applicable here.

As drafted, the Permit does not require testing capable of establishing operating parameters sufficient to assure compliance with all emission limits. For example, the Facility's core-making process is subject to limits on emissions of VOCs and HAPs as listed in Table V.E.

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13 Art. XXI, § 2103.12.h.1.

14 *See In the Matter of Kentucky Syngas, LLC*, 2012 EPA CAA Title V LEXIS 4, *165 (June 22, 2012).

15 *See In the Matter of Luke Paper Co.*, 2010 EPA CAA Title V LEXIS 7, *14-15 (Oct. 18, 2010).

Although the Permit requires that VOC emissions from that process be tested once every five years, it does not require that HAP emissions from the process be tested or monitored.[16] To assure compliance with the Permit's emissions limits for HAPs from the core-making process, those emissions must be monitored or tested. If the emissions are not monitored, the Facility must be required to perform an emission test that establishes operating parameters for the core-making process that indicate compliance with limits on emissions of HAPs and monitor such parameters on a basis sufficient to assure compliance with the emission limits.

Similarly, emissions from the Facility's air arc welding tables, shot blast units, and spinner hanger blast unit are subject to hourly and annual limits,[17] but are not monitored,[18] and are tested only once every five years.[19] Although the Facility is required to record "fan motor amperes for all baghouses" during the tests, those records are not used to establish operating parameters for the baghouses associated with those processes,[20] and the Facility is not required to monitor fan motor amperes for those baghouses.[21] Accordingly, the required testing is not sufficient to assure compliance with the hourly and annual emission limits.[22] The Permit must be revised either to require that emissions from the air arc welding tables, shot blast units, and spinner hanger blast unit be monitored, or that the emission test for those sources establish operating parameters that indicate compliance with emission limits, and the Facility monitor those parameters.

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16 *See* Permit, §§ V.E.2 and V.E.3.

17 *See id.*, §§ V.I.1.b, V.J.1.b, and V.K.1.b.

18 *See id.*, §§ V.I.3, V.J.3, and V.K.3.

19 *See id.*, §§ V.I.2.h, V.J.2.h, and V.K.2.h.

20 *See id.*, §§ V.I.1, V.J.1, and V.K.1.

21 *See id.*, §§ V.I.3, V.J.3, and V.K.3.

22 *See In the Matter of Luke Paper Co.*, 2010 EPA CAA Title V LEXIS 7, *14-15 (Oct. 18, 2010).

B. The Permit Does Not Include All Necessary Monitoring Requirements

Section V.A.1.a of the Permit prohibits fugitive emissions from the charge handling process that are visible "at or beyond the facility's property line at any time." However, the Permit does not require fugitive emissions from the charge handling process to be monitored regularly by an observer.[23] Without such monitoring, the Facility's compliance with the prohibition against visible fugitive emissions cannot be assured. The Permit must be revised to include a requirement that fugitive emissions from the charge handling process be monitored, at least periodically, at or beyond the Facility's property line.

Section V.A.1.b of the Permit limits PM_{10} emissions from the charge handling process to 0.41 pounds per ton of metal processed. However, the Permit does not require any monitoring of PM_{10} emissions from that process. Without such monitoring, the Facility's compliance with the applicable per ton emission limit cannot be assured. The Permit must be revised to include monitoring that is sufficient to assure compliance with the per ton limit on the charge handling process's PM_{10} emissions.

Section V.D.1.b of the Permit imposes a 0.02 grains/dscf limit on PM emissions from the Facility's sand storage and sand surge silos; compliance with that limit purportedly is to be determined by weekly visible inspections.[24] It is not possible for compliance with a limit that is expressed in terms of a fraction of a grain/dscf to be determined by a visible inspection. The Permit must be revised to include monitoring of PM emissions from the sand storage silos and sand surge silos that is sufficient to assure compliance with the 0.02 grains/dscf limit.

Section V.E.1.g of the Permit imposes limits on the opacity of flue and fugitive emissions from the Facility's core-making systems, but does not require that the opacity of such emissions

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[23] *See* Permit, § V.A.3.

[24] Permit, § V.D.3.

be monitored. Without monitoring, the Facility's compliance with those limits cannot be determined. The Permit should be revised to require that the opacity of the flue and fugitive emissions from the core-making systems be monitored periodically by a certified observer.

Section V.E.1.h of the Permit prohibits malodorous emissions from the Facility's core-making systems that are perceptible at or beyond the Facility's property line, but does not require monitoring to assure that the Facility complies with the prohibition. Permit Section IV.10 states that the permittee "shall perform such observations as may be deemed necessary along facility boundaries to insure that malodorous matter beyond the facility boundary in accordance with Article XXI §2107.13 is not perceptible," but as a site-level condition it is unlikely that such a generalized requirement would be followed for emissions-unit level term. To assure compliance, the Permit should be revised to include a requirement that monitoring for malodors occur regularly at or beyond the Facility's fence line.

Section V.G.1.b of the Permit imposes a 0.02 grains/dscf limit on PM emissions from the Facility's Bentonite storage process; compliance with that limit purportedly is to be determined by weekly visible inspections.[25] As noted above, it is not possible for compliance with a limit that is expressed in terms of a fraction of a grain/dscf to be determined by a visible inspection. The Permit must be revised to include monitoring of PM emissions from the Bentonite storage process that is sufficient to assure compliance with the 0.02 grains/dscf limit.

Section V.H.1.b of the Permit imposes a limit on the opacity of emissions from the Facility's mold making system, sand handling/preparation/reclamation, shakeout, shot blast unit no. 1, and intermediate sand storage silos, but does not require that the opacity of such emissions be monitored. Without monitoring, the Facility's compliance with those limits cannot be

[25] Permit, § V.G.3.

determined. The Permit should be revised to require that the opacity of emissions from the Facility's mold making system, sand handling/preparation/reclamation, shakeout, shot blast unit no. 1, and intermediate sand storage silos be monitored periodically by a certified observer.

C. The Permit Does Not Include All Necessary Recordkeeping Requirements

Section V.D.1 of the Permit imposes hourly limits on PM emissions from the Facility's sand storage silos, sand surge silos, and OB2 sand handling operations, but only requires that records be kept of those units' sand throughput on daily and annual bases. Unless the Facility tracks and records the units sand throughput on an hourly basis, it will not be possible to determine the Facility's compliance with the Permit's hourly emission limits. The Permit should be revised to include a requirement that the Facility record sand throughput for the sand storage silos, sand surge silos, and OB2 sand handling operations on an hourly basis so that the Facility's compliance with hourly limits on those units' PM emissions can be determined.

Section V.G.1.d of the Permit imposes hourly limits on PM emissions from the Facility's bentonite storage silo operations, but only requires that records be kept of the bentonite throughput for those operations on an annual basis. Unless the Facility tracks and records the operations' bentonite throughput on an hourly basis, it will not be possible to determine the Facility's compliance with the Permit's hourly emission limits. The Permit should be revised to include a requirement that the Facility record bentonite throughput for the bentonite storage operations on an hourly basis so that the Facility's compliance with hourly limits on those operations' PM emissions can be determined.

Section V.H.1.a of the Permit limits sand usage by the Facility's mold making system, sand handling/preparation/reclamation, shakeout, shot blast unit no. 1, and intermediate sand storage silos on a daily average basis, but only requires that records be kept of those units' sand

usage on monthly and annual bases and hours of operation on a monthly basis. Unless the Facility tracks and records the units sand usage on an hourly basis, it will not be possible to determine the Facility's compliance with the Permit's hourly limit on sand usage. The Permit should be revised to include a requirement that the Facility record sand usage by the mold making system, sand handling/preparation/reclamation, shakeout, shot blast unit no. 1, and intermediate sand storage silos on an hourly basis so that the Facility's compliance with the hourly sand usage limit can be determined.

Section V.L.1.b imposes hourly limits on PM emissions from the Facility's robotic knuckle machines, but only requires that records be kept of the throughput to those machines on monthly and annual bases. Unless the Facility tracks and records throughput to the machines on an hourly basis, it will not be possible to determine the Facility's compliance with the Permit's hourly emission limits. The Permit should be revised to include a requirement that the Facility record throughput to the robotic knuckle machines on an hourly basis so that the Facility's compliance with hourly limits on those machines' PM emissions can be determined.

IV. ACHD MUST EXERCISE ITS AUTHORITY TO REQUIRE INCREASED REPORTING TO ENSURE McCONWAY & TORLEY'S COMPLIANCE WITH EMISSIONS LIMITATIONS

As noted above, the absence of continuous monitoring requirements necessarily means that the only method of assuring compliance with emissions limitations in the Permit is to have accurate reporting of parameters that allow emissions to be estimated. In the past, McConway & Torley, has submitted reports to ACHD on a semiannual basis that include these parameters. ACHD must consider additional reporting or an increased frequency of reporting in light of McConway & Torley's failure to accurately report monthly Electric Arc Furnace melt production totals for the past 18 months.

Specifically, these errors first appeared in the semiannual report submitted July 13, 2016.[26] In that report, the Monthly Production Totals were equal to the 12-Month Rolling Totals.[27] Such figures are mathematically impossible and might only have been a scrivener's error. Still, this error resulted in the failure to report accurate monthly production totals as required for January 2016 through June 2016. The semiannual report submitted January 9, 2017,[28] included more plausible monthly production totals, but an anomaly appeared in the 12-Month Rolling Totals: for each of the months July 2016 through December 2016, the sum of the EAF #1 rolling total and the EAF #2 rolling total did not equal the reported rolling total.[29] Although the difference between the two figures did not exceed 294 tons for any of these six months, the problem grew worse in 2017. In the semiannual report submitted July 11, 2017, the gap between the sum of the EAF rolling totals and the reported rolling totals varied between 971 and 2,779 tons.[30] Of note is that in each instance of a discrepancy for the 12 months that a discrepancy existed, the reported rolling total was always less than the sum of individual EAF totals.

Article XXI § 2103.12.h.6 grants ACHD the authority to add to any operating permit "other provisions as the Department may deem necessary to ensure continued compliance with the requirements of this Article, including, but not limited to, terms and conditions regarding periodic reports, ambient or source monitoring, and operating and maintenance requirements." The only means by which ACHD can assure compliance with emission limitations in the Permit

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[26] McConway & Torley, LLC, *Required Semi-Annual Report*, July 13, 2016, page 3.

[27] *Id*.

[28] McConway & Torley, LLC, *Required Semi-Annual Report*, January 9, 2017, page 3.

[29] For example, the reported 12-month rolling total for July 2016 was 46,212.72 tons, the reported rolling total for EAF #1 was 22,671.47 tons, and the reported rolling total for EAF #2 was 23,834.52 tons. The sum of the EAF totals should equal the reported total but here the sum was 46,505.99 and the reported total was 46,212.72.

[30] McConway & Torley, LLC, *Required Semi-Annual Report*, July 11, 2017, page 3.

is to require McConway & Torley to submit to a more rigorous reporting regime. In addition, a compliance schedule must be implemented as a requirement in the Permit to assure all past errors are corrected and not carried forward.

V. THE PERMIT MUST BE REVISED TO INCLUDE ADDITIONAL EMISSIONS UNIT LEVEL TERMS AND CONDITIONS ADDRESSING ODOR EMISSIONS FROM THE WISCONSIN CORE OVENS

Article XXI § 2104.04 address Odor Emissions. As is standard with all permits, a site-level condition contained in Permit Section IV.3 states, "[n]o 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." Although the Permit lists the citation for this language as Article XXI § 2104.04, specifically the text comes from Section 2104.04.*a* (emphasis added).

Absent from the emissions unit level terms and conditions for the Wisconsin Core Ovens contained in Permit Section V.F is any mention of the stricter odor emissions requirements of Article XXI § 2104.04.b. These requirements go beyond the terms contained in Section 2104.04.a by requiring that "core ovens" have installed and in operation, "an incinerator with a residence time of at least 0.50 seconds at a temperature of at least 1,400°F for putrescible and non-chemical materials or a temperature of at least 250°F above the auto-ignition temperature of any chemical refuse, or such other emissions control system as is approved in writing by the Department as equivalent to an incinerator in terms of odor control."[31] The Permit must be amended to add this term as an emissions unit level condition to Section V.E, as well as all other necessary reporting, monitoring, and testing requirements to ensure compliance.

[31] Art., XXI § 2104.04.b.6.

VI. THE PERMIT SHOULD INCLUDE A TERM REQUIRING McCONWAY & TORLEY TO PROVIDED POWER AND ACCESS TO ACHD FOR THE MONITOR BEING USED IN THE LAWRENCEVILLE METALS STUDY

Installation Permit 0275-I007, Section IV.21 required McConway & Torley to "provide access and an electric power supply for a PM-10 sampler on the premises at a mutually agreed upon location." This sampler has provided data for the "Lawrenceville Toxic Metals Study," which has been monitoring levels of Manganese, Lead, and Chromium at the Facility for over six years.[32] Per the Public Comments and Response section of the most recent ACHD Air Monitoring Network Plan, "ACHD plans to continue the Lawrenceville Toxics Metals Study during 2018."[33] The response went on to note that the monitor is on private property – the McConway & Torley Facility – and is therefore subject to being terminated.[34] Although the Monitoring Plan could not guarantee continued access, the new Permit can and should.

First, the Study uncovered a legitimate public health concern: elevated levels of manganese in the ambient air near the Facility. ACHD has a duty to continue studying this issue until it can say with certainty that the risk of adverse health impacts has passed. ACHD has not stated publicly that it knows the source of the elevated levels of manganese. Give the industrial history of Central Lawrenceville, there might be a single source or multiply contributing sources. In any event, McConway & Torley is a known source that continues to emit manganese. Maintaining the right to monitor at the Facility would be essential to continuing this monitoring and research project.

In addition, ACHD has not publically stated a reason for the decline in the rolling 12-month concentration over the past several years. If ACHD is relying on reduced emissions from

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32 The most recent version of this Study is available online: http://www.achd.net/air/reports.html.

33 Allegheny County Health Department, *Air Network Monitoring Plan for 2018*, at 72 (June 30, 2017).

34 *Id.*

McConway & Torley as the primary driver of the lower ambient concentrations that could easily change. Although McConway & Torley has upgraded its baghouse equipment at the Facility since the Study began, the most recent monthly EAF melt data available shows that the Facility is operating at under half of it allowable capacity.[35]

Finally, continued variability in the daily concentration data is cause for concern. In the past year, both chromium and manganese have shown an extraordinary variance day-to-day. The individual concentrations do not reach those normally associated with critical adverse health impacts, but as noted above, ACHD has yet to explain with any degree of certainty the reasons for this variance.

For these reasons, the need for the study to continue seems clear. Thus, ACHD should continue to require McConway and Torley to provided power and access for the PM-10 sampler as was required in the terms of Installation Permit 0275-I007.

VII. THE PERMIT MUST IDENTIFY ALL APPLICABLE RESTRICTIONS WITH SPECIFICITY

An operating permit must specify each term and condition to which the facility is subject.[36] Unless, such terms and conditions are specified in the permit, it will difficult or impossible to determine whether the facility is complying with them.

For example, the capture and collection systems for the Facility's electric arc furnaces must meet "accepted engineering standards, such as those published by the American Conference of Governmental Industrial Hygienists."[37] The Permit should set forth the

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35 McConway & Torley, LLC, *Required Semi-Annual Report*, July 11, 2017, page 3. Assuming monthly production is consistent, a maximum production of 92,500 tons per year would equate to slightly over 7,000 tons per month.

36 *See* Art. XXI, § 2103.12.g.1.

37 *See* Permit, §§ V.B.1.f..2) and V.C.1.f.2).

engineering standards that apply to those systems. It will be impossible to determine whether the Facility is complying with whatever engineering standards apply to the systems if they are not specified and set forth.

Similarly, Section V.H.3.c of the Permit requires the Facility to "operate and maintain gauges for the Baghouse No. 12 with differential pressure ranges and accuracies that are approved in writing by the Department." The operating parameters to which Baghouse No. 12 is subject should be set forth in the Permit itself, so that the Facility's compliance with them can be determined readily. If such parameters are not yet known and must be established based on testing, the Permit should say so explicitly.

VIII. MISCELLANEOUS, FORMATTING, ETC.

For consistency between the terms covering both electric arc furnaces, Section V.C.1.g of the Permit should be renumbered to V.C.1.f.1), and section V.C.1.g.1) of the Permit should be renumbered to V.C.1.f.2); sections V.C.1.h, V.C.1.i, V.C.1.j, and V.C.1.k should respectively be renumbered to V.C.1.g, V.C.1.h, V.C.1.i, and V.C.1.j.

Section V.H.5.a of the Permit is missing an internal reference to another permit section.