

**ALLEGHENY COUNTY HEALTH DEPARTMENT  
AIR QUALITY PROGRAM**

In the Matter of:

Servsteel, Inc.  
214 Westbridge Drive  
Morgan, PA 15064

Violation No. 200301

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

Servsteel, Inc.  
214 Westbridge Drive  
Morgan, PA 15064

**ENFORCEMENT ORDER**

**NOW**, this 4<sup>th</sup> day of March, 2020, the Allegheny County Health Department (hereinafter “ACHD”) issues this Enforcement Order after it has found and determined the following:

**FINDINGS**

1. The Director of the ACHD has been delegated authority pursuant to the federal Clean Air Act, 42 U.S.C. Sections 7401-7671q (hereinafter “CAA”), and the Pennsylvania Air Pollution Control Act, 35 P.S. Sections 4001-4014 (hereinafter “APCA”), and the ACHD is a local health agency organized under 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 the ACHD’s Rules and Regulations, Article XXI, Air Pollution Control (Allegheny County Code of Ordinances Chapters 505, 507, and 535) (“Article XXI”).

2. On August 14, 2017, the Allegheny County Health Department issued Notice of Violation (NOV) #170802 to Servsteel Inc. (hereinafter “Servsteel”) for odor emissions observed on July 26, 2017 in violation of Article XXI, § 2104.04 (“Odors Emissions”). The odor observation on this date was in response to complaints received earlier that week.

3. On December 19, 2017, the Allegheny County Health Department issued Notice of Violation #171204. This NOV incorporated NOV #170802 and added the following violations summarized below:

a. **§2108.01.c – Breakdowns**

Failure to report the non-operational condition of the Wisconsin Afterburner on November 14, 2017 in a timely manner (note: NOV #170802 incorrectly stated “autoclave”). The Wisconsin Afterburner is listed in Operating Permit #0297 as the control device for the coking oven but was repurposed in 2012 to control emissions from the autoclave.

b. **Operating Permit #0297 Condition V.C.1.a.(4) and §2102.4.b.6**

Visible emissions from the Wisconsin Afterburner stack exceeding 20% opacity (November 17, 2017 on-site observation).

c. **Operating Permit #0297 Condition IV.16 and §2105.49**

Failure to operate the afterburner during all phases of the autoclave operation where there is potential for emissions, but especially during removal of the basket containing hot tar-impregnated product.

4. NOV #171204 required Servsteel to submit by January 31, 2018 a compliance plan to improve the capture and abatement of fugitive emissions from all processes associated with the autoclave process, including but not limited to autoclave charging, depressurizing, removal of tar-impregnated products from the autoclave, and conveying and handling of the basket containing tar-impregnated products.

5. On January 18, 2018, Servsteel forwarded to the ACHD a budget estimate for a fume collection system from Danser, Inc. The ACHD determined this estimate to be incomplete as a compliance plan and requested further details.

6. On March 20, 2018, representatives of Servsteel, Danser, Inc. (hereinafter “Danser”), and the ACHD met to discuss a proposed plan developed by Danser, Inc.

7. On April 10, 2018, Servsteel informed the ACHD via email that Danser had been dropped from the project.

8. On August 9, 2018, Servsteel submitted Installation Permit Application #0297-I003, developed by Ship & Shore Environmental, Inc., for installation of a thermal oxidizer for control of emissions from the tar impregnation room.

9. On June 26, 2019, the ACHD issued Installation Permit #0297-I003 (“I003”).

10. On July 18, 2019, ACHD representatives visited Servsteel and determined that the thermal oxidizer approved under I003 was not operating; the natural gas was not connected and additional wiring to the unit was necessary. An autoclave basket removal was observed. During basket removal, the bay door adjacent to the autoclave room was closed. The amount of smoke produced from removal of the basket containing impregnated refractory was estimated at about 15% of the amount observed in November 2017. This is believed to be due to holding the impregnated materials longer than previously done (the shop foreman indicated that the cycle time was up to 4 ½ hrs from 2 ½ hrs). After covering the basket, there were no visible emissions from the top of the basket, as there had been previously. Visible emissions were not observed to be leaving the building.

11. On January 8, 2020, ACHD representatives visited Servsteel and determined that the thermal oxidizer was operating. Servsteel personnel informed the ACHD that the batch under observation was the first batch to be run with the thermal oxidizer operating. The autoclave was opened for this batch as soon as the process run was completed, without holding the refractory within the autoclave as had been done during the July 18, 2019 visit. The amount of smoke released to the autoclave room was similar to the amount observed in November 2017. However, the smoke was observed to be drawn to the vent pipe above the autoclave which conveyed it to the thermal oxidizer. Smoke was not observed to be leaving the autoclave room, although a smell and taste of particulate were present in the adjacent room. No visible emissions were observed from

the thermal oxidizer stack or leaving the building. The ACHD determined based on the above operations, pending the initial compliance test required under I003, that the thermal oxidizer was successfully controlling emissions from the tar impregnation process.

**ORDER**

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

12. For the violations set forth in the preceding paragraphs, Servsteel is hereby assessed a civil penalty of SEVEN THOUSAND ONE HUNDRED AND FIFTY DOLLARS (\$7,150). The civil penalty is as follows:

**A. Gravity Based Component**

<b>Violation</b>	<b>Gravity Based Penalty</b>	<b>Violations</b>	<b>Total Gravity Penalty</b>
Installation Permit- BACT (§2102.04.b.6)	\$1,300.00	1	\$1,300.00
Odor Emissions (§2104.04)	\$3,500.00	1	\$3,500.00
Fugitive Emissions (§2105.49)	\$1,300.00	1	\$1,300.00
Failure to submit Breakdown report (§2108.01c)	\$400.00	1	\$400.00
<b>Gravity Component Subtotal</b>			<b>\$6,500.00</b>

**B. Adjustment Factors**

**Degree of Cooperation: Reluctant, slow, took some corrective action but not all reasonable action** **\$650.00**

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**TOTAL CIVIL PENALTY** **\$7,150.00**

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13. Servsteel 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.

14. The civil penalty amount includes an adjustment for degree of cooperation. Servsteel initially denied that they were the source of the odors and smoke observed by members of the public and ACHD observers (email, Mark McQuillen to Najeeb Basher, "RE: Citizen Complaints," July 27, 2017).

15. The ACHD has determined the above penalty 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 economic benefit gained by failing to comply with the ACHD's regulations; the actions taken by Servsteel to minimize such violations and to prevent future violations; and Servsteel's compliance history.

16. Pursuant to Article XI ("Hearings and Appeals") of the Allegheny County Health Department Rules and Regulations, you are notified that if you are aggrieved by this Order you have thirty (30) days from the date of issuance or receipt of this Order in which to file an appeal. Such a Notice of Appeal shall be filed in the Office of the Director at 542 Fourth Avenue, Pittsburgh, PA 15219.

16. This Order is enforceable upon issuance and any appeal of this Order shall not act as a stay unless the Director of the ACHD so orders. In the absence of a timely appeal, the terms of this Order shall become final.

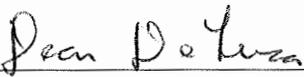
17. The provisions of this Order shall apply to, be binding upon, and inure to the benefit of the ACHD and Servsteel, and upon their respective officers, directors, agents, contractors, employees, servants, successors, and assigns.

18. Please be aware that if you wish to appeal this Order, you are required within 30 days of receipt of this Order to either forward the penalty amount to the ACHD for placement in an escrow account or post an appeal bond to the ACHD in the amount of the penalty. 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 the following:  
<https://www.alleghenycounty.us/Health-Department/Health-Department-Regulations.aspx>.

**DONE** and **ENTERED** this 4<sup>th</sup> day of March, 2020, in Allegheny County, Pennsylvania.

For: **ALLEGHENY COUNTY HEALTH DEPARTMENT**

  
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Dean Deluca  
Air Quality Program Manager

3/4/2020  
Date