

October 17, 2019

NOTICE OF VIOLATION

Mr. Herman Love
Facility Manager
Covanta Plymouth Renewable Energy, LLC
1155 Conshohocken Rd.
Conshohocken, PA 19428-1028

Re: Title V Operating Permit No. 46-00010
Covanta Plymouth Renewable Energy
Plymouth Township
Montgomery County

Dear Mr. Love:

On October 15, 2019 at approximately 2:00 a.m., Covanta Plymouth Renewable Energy, LLC (Covanta Plymouth) lost power to the entire plant due to an electrical breaker malfunction. This caused the facility's turbine, the two (2) Municipal Waste Incinerators (MWIs), and all emission control equipment to go offline. On October 15 and 16, 2019, representatives of the Department of Environmental Protection (DEP) inspected Covanta Plymouth and noted the following violations:

- (1) Title V Operating Permit No. 46-00010 (TVOP-46-00010), Section C, Condition #012(a)(1) requires the permittee to report to DEP no later than (2) hours after the permittee becomes aware of a malfunction that poses an imminent danger to the public health, safety, welfare, and the environment. The facility notified DEP of the October 15, 2019 malfunction at 7:15 a.m., more than five (5) hours after Covanta Plymouth became aware of the malfunction.
- (2) Title 25 Pa. Code Section 123.1 and TVOP-46-00010, Section C, Condition #002 states that no person may permit the emission into the outdoor atmosphere of fugitive air contaminants from a source other than those listed in 25 Pa. Code Section 123.1(a). On October 15, 2019, between 9:30 and 10:00 a.m., I observed fugitive emissions emanating from the roof of the boiler building that houses the facility's two (2) MWIs (Source IDs: 001 and 002).

- (3) Title 25 Pa. Code Section 123.31 and TVOP-46-00010, Section C, Condition #004 states: “[a] person may not permit the emission into the outdoor atmosphere of any malodorous air contaminants from any source in such a manner that the malodors are detectable outside the property of the person on whose land the source is being operated.” A malodor is defined as: “[a]n odor which causes annoyance or discomfort to the public and which the Department determines to be objectionable to the public.” On October 16, 2019 at approximately 7:45 p.m., Charles Clark, a member of DEP’s Emergency Response Team, met with several citizens between 8:40 and 9:15 p.m. in the Colwell Lane area of Conshohocken. The citizens claimed that the “burning plastic” odor they were detecting caused them annoyance and discomfort. He detected the same odor and determined it to be objectionable to the public. DEP determined that odor that the citizens and Mr. Clark detected around Colwell Lane, outside the property line of Covanta Plymouth, was coming from Covanta Plymouth.
- (4) TVOP-46-00010, Section D, Source IDs: 001 and 002 - (2) MWIs, Condition #005 states that air emissions from each combustor are controlled by individual selective non-catalytic reduction (SNCR) systems to reduce NO_x emissions, acid gas scrubbers (quench reactor) to control acid gases, a carbon adsorption process (PAC injection) to control emissions of toxic pollutants, and a baghouse to control particulate matter emissions. The combustion gases in the combustion chamber shall be maintained at a temperature greater than 1800°F, for at least one (1) second. Until the combustion of the waste was extinguished, air emissions from each combustor were not controlled by the SNCR, acid gas scrubbers, carbon adsorption process or baghouse, and the combustion gas in the combustion chamber was not maintained at a temperature at or greater than 1800°F.
- (5) Title 25 Pa. Code Section 121.7 and TVOP-46-00010, Section B, Condition #002 and Section C, Condition #001 state that no person may permit air pollution as that term is defined in the Air Pollution Control Act (35 P.S. Section 4003). The October 15, 2019 malfunction event caused the release of uncontrolled emissions into the outdoor atmosphere.

Items (1)-(5), above, are contrary to TVOP-46-00010 and are violations of 25 Pa. Code Section 127.444. Item (2) is also a violation of 25 Pa. Code Section 123.1, Item (3) is also a violation of 25 Pa. Code Section 123.31, and Item (5) is also a violation of 25 Pa. Code Section 121.7.

I request that you submit to me a detailed corrective action plan no later than 15 days from the date of this letter explaining how you will prevent similar violations from occurring in the future.

The above violations constitute unlawful conduct and a public nuisance as defined by Sections 8 and 13 of the Air Pollution Control Act (APCA), 35 P.S. Sections 4008 and 4013, respectively.

Violations of Department of Environmental Protection's (DEP) Air Quality Regulations are subject to the penalties of Sections 9 and 9.1 of the APCA. Each day the violation continues constitutes a separate offense.

This Notice of Violation is neither an order nor any other final action of DEP. It neither imposes nor waives any enforcement action available to the DEP under any of its statutes. If DEP determines that an enforcement action is appropriate, you will be notified of the action.

If you have any questions concerning this matter, please contact me at nwalko@pa.gov or at 484.250.7508.

Sincerely,



Nichole Walko
Air Quality Specialist
Air Quality

cc: Ms. Gallagher
Mr. Rebarchak
Mr. Fogel
Central Office (via email)
Montgomery County Office of Public Health
Enforcement File
Re 30 (TDB19) 290-1

