



# Tonawanda New York Community Air Quality Study and Evaluation of the Tonawanda Coke Facility

Community Update

November 2010

## TIMELINE

- April 2009  
EPA and DEC conduct inspection/evaluation at the Tonawanda Coke Corporation (TCC)
- June 2009  
DEC conducts a public meeting to release their findings from the Tonawanda Community Air Quality Study to the community and describes actions that have and will be taken to reduce emissions of hazardous air pollutants in the community. EPA and DEC conduct hazardous waste inspection at TCC.
- July 2009  
TCC representatives meet with EPA to review future testing criteria/protocols for stack tests and fugitive emission testing for benzene (DIAL TEST).
- October 2009  
DEC publishes the Tonawanda Community Air Quality Study which is now posted on the Department's website:  
<http://www.dec.ny.gov/hemical/59464.html>
- December 2009  
US Attorney's Office for the Western District of NY leads federal investigators on raid at TCC.  
Civil enforcement actions issued to TCC for:  
-Resource Conservation & Recovery Act-Cited two violations related to the coal piles and the tanks.  
-Clean Water Act-Cited numerous operation and maintenance violations.
- January 2010  
Civil enforcement actions issued to TCC cited for numerous Clean Air Act violations and ordered TCC to submit appropriate test protocols.
- April 2010  
Administrative Order issued for assessment of two incidents that occurred at the facility in order to meet codes, protocols, and standards.

## INTRODUCTION

The U.S. Environmental Protection Agency (EPA) and the New York State Department of Environmental Conservation (DEC) are very active in your community and we wanted to take a moment to let you know what we are doing. First, EPA and DEC funded a study of air quality in your area and second, the agencies are engaged in numerous assessments of the Tonawanda Coke Corporation's (TCC) compliance with federal and state environmental laws and regulations. This is an update of activities at the facility.

## EPA and DEC Evaluation

As a result of the air quality study and because of concerns expressed by the community, EPA and DEC are conducting a full multi-faceted evaluation of the facility to determine its compliance with federal and state laws and regulations.

## Recent Actions

EPA issued a second Administrative Order to TCC on August 6, 2010 to comply with its Clean Water Act permit. Among the violations, TCC is discharging industrial wastewater containing cyanide in excess of its permit limits to the Town of Tonawanda's sanitary sewer system. In addition, EPA is ordering TCC to properly monitor and treat wastewater that results from their coke-making process, complete overdue installation of pollution controls, and improve monitoring.

On September 30, 2010, EPA released the results of environmental testing known as Differential Absorption Light Detection and Ranging (DIAL) to determine what levels of benzene are coming from TCC. The test results showed that the majority of benzene being emitted from the facility is coming from the process area. EPA and DEC will work closely to determine what actions need to be taken to reduce the benzene coming from this area.

## Clean Air Act

EPA issued an Administrative Order to TCC on January 7, 2010 citing violations of the National Emission Standards for Hazardous Air Pollutants under the Clean Air Act and stack testing requirements.

Update: From May 24-28, 2010, TCC conducted the DIAL test which was required by EPA. The results of the DIAL test were submitted to EPA on September 3, 2010. Based on the DIAL test results, TCC was found to be releasing a significant amount of benzene into the air and that the benzene emissions vary over time, based on production activity. From August 2-8,

[www.epa.gov/region02/capp/tonawanda.html](http://www.epa.gov/region02/capp/tonawanda.html)

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- July 2010  
A community presentation was conducted on July 7, 2010 regarding the observed reductions in ambient benzene concentrations from July 2008 through March 2010.
  - August 2010  
Second Administrative Order issued to TCC to comply with its Clean Water Act permit.
  - September 2010  
New air pollution testing at TCC shows that the facility is a significant source of benzene.
- FOR MORE INFORMATION**  
\* Public participation is essential to the success of EPA's community involvement program. If you have any questions regarding EPA's activities in Tonawanda, please contact: Mike Basile, EPA Public Affairs Specialist, Western New York Public Information Office, 716-551-4410 or email to [basile.michael@epa.gov](mailto:basile.michael@epa.gov)

2010, TCC conducted stack testing on their battery underfire/waste heat stack and boiler stack to determine emissions from these sources. Results from both of these tests are currently being evaluated as part of the ongoing enforcement activities. On August 27, 2010, EPA followed up with a Request for Additional Information on the facilities Leak Detection and Repair (LDAR) program and subsequent records. The additional leak detection investigation and ambient sampling took place from October 12-14, 2010.

### Clean Water Act

EPA issued a Water Administrative Order to TCC on December 17, 2009 citing numerous operation and maintenance violations. EPA followed up with a Request for Additional Information on March 16, 2010. TCC partially complied with the requirements of the initial order and Request for Information.

Update: On August 6, 2010, EPA issued a second Administrative Order under the Clean Water Act directing TCC to implement several measures necessary to ensure that all process wastewater is properly monitored and treated; develop a plan of action for complying with the cyanide limits in its industrial outfall permit; install upgraded flow monitoring equipment; revise and fully implement its plan of action for obtaining

discharge limits for coal pile runoff; revise its best management practices plan to control facility wide stormwater discharges and certify the repair and replacement of the facilities weak liquor storage tanks. TCC complied partially with that order and, on October 4, 2010, EPA followed up with a formal Request for Information seeking, among other things, further improvements to the facilities best management practices plan and greater support for its industrial user outfall plan of action.

### Resource Conservation and Recovery Act (RCRA)

EPA issued a RCRA Administrative Complaint to TCC on December 18, 2009 citing two violations related to the coal piles and tanks.

Update: TCC is using its concrete pad for mixing tar sludge and coal in conformance with applicable regulations. Three of the four tanks and their contents have been removed under an EPA approved plan and removal of the one remaining tank and its contents is underway.

### ONGOING EVALUATION

The DEC continues to operate two air quality monitoring stations that were part of the original community study. In addition, a continuous benzene monitor has been installed at one site to assess the impacts of the benzene reduction measures that have been implemented to date by the TCC at the direction of the DEC and EPA.

A community presentation was conducted on July 7, 2010 by the DEC and EPA. Information on the enforcement actions taken at TCC and observed reductions in ambient benzene concentrations from July 2008 through March 2010 were presented to the community. The DEC is currently conducting a comprehensive analysis of the post community study benzene air measurements at two locations for the purpose of evaluating the impact of the continuing benzene reduction actions that are occurring at TCC.

For copies of recent EPA letters to TCC, please visit: <http://www.epa.gov/region02/capp/tonawanda.html>

