

US EPA ARCHIVE DOCUMENT



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

Community Update

April 2011

## 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).
- September 2009  
EPA and DEC conduct hazardous waste sampling inspection at TCC
- October 2009  
DEC publishes the Tonawanda Community Air Quality Study which is now posted on the Department's website:  
<http://www.dec.ny.gov/chemical/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 coal piles and 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 pursuant to the Clean Air Act requiring analysis of two incidents that occurred at the facility and assessment of the facility.

## 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 recently issued two new orders to TCC outlining further requirements and updated deadlines for coming into compliance with hazardous waste and clean water laws. A second order related to hazardous waste violations provides TCC with additional time to excavate and remove coal tar sludge on-site and to ship associated contaminated soils and debris off-site for disposal. A second order related to clean water violations provides additional time for TCC to comply with cyanide limits in its water permit that will allow TCC the ability to comply with certain limits and modify its operations.

## Clean Air Act

EPA's enforcement of multiple violations of the Clean Air Act is proceeding and the investigation is ongoing.

Update: As a result of the Differential Absorption Light Detection and Ranging (DIAL) testing that occurred in May 2010, and a follow-up to the facility inspection in October 2010, EPA has concluded that the facility's by-product area is a significant source of fugitive benzene emissions. EPA directed TCC to hire an independent engineering firm to evaluate the processes within the by-products area to determine what equipment needs repair/replacement to minimize these emissions. The results of this evaluation and a schedule for work completion is currently being negotiated with TCC.

## Clean Water Act

EPA issued a Water Administrative Order in January 2011 for TCC to

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

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- May 2010

DIAL Testing completed at TCC

- 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.

-First Resource Conservation and Recovery Act (RCRA) order to excavate and recycle coal tar sludge and ship contaminated soil and debris.

- September 2010

New air pollution testing (DIAL) at TCC shows that the facility is a significant source of benzene.

- January 2011

-Clean Water Act order to comply with cyanide limits in water permit and modify operations.

- March 2011

Second Resource Conservation and Recovery Act (RCRA) order to excavate and recycle coal tar sludge and ship contaminated soil and debris.

**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

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comply with cyanide limits in its industrial user permit (for discharges to the Tonawanda Wastewater Treatment Plant) by December 2011. The Order also requires upgrades to the coal pile runoff treatment system and full compliance with all effluent limits at coal pile runoff and control of suspended solids by August 2011.

Update: The company continues to make progress to address its water violations. TCC has submitted an Engineering Plan for improving its treatment of coal pile runoff and the plan was approved by DEC and EPA. TCC also submitted a plan for achieving full compliance with its cyanide limits for December 2011. TCC has already amended its best management practices plan and installed a flow meter for process wastewater and conducted an audit to identify any cross connections to ensure that process wastewater is only discharged in accordance with its permit and not to the Niagara River. EPA continues to monitor TCC's progress.

**Resource Conservation and Recovery Act (RCRA)**

EPA issued a second RCRA Administrative Order in March 2011 related to hazardous waste violations that provides TCC with additional time to excavate and recycle coal tar sludge on-site and to ship associated contaminated soil and debris off-site for disposal.

Update: Some important progress has been made to address hazardous waste violations. TCC no longer mixes its coal tar sludge on coal piles but places it now on an impervious pad. To date, they have excavated and recycled 28 million pounds of residual tar-like material. The work to excavate and remove this material continues with 30 million pounds estimated remaining. More than 2 million pounds of hazardous wastes generated by the removal of four tanks and excavation of contaminated soil and debris have been shipped off-site to permitted treatment, storage, and disposal facilities, and another 2 million pounds is estimated to be generated and shipped by the project conclusion. This work is being conducted under DEC oversight.

**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 has conducted 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. The evaluation of the benzene air concentrations at the two monitoring sites indicates there have been significant reductions in the ambient concentrations of benzene at both locations since July 2008.

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

