

COVID-19-Emergency Request to Temporarily Suspend
Regulatory Requirements and/or Permit Conditions

In accordance with Governor Wolf’s Proclamation of Disaster Emergency of March 6, 2020 and the Governor’s powers pursuant to the Emergency Management Code, 35 Pa.C.S. §7301, the Governor has authority to suspend regulatory obligations and other legal obligations within his jurisdiction where strict compliance will prevent, hinder, or delay necessary action in coping with the COVID-19 emergency.

*If you are requesting suspension of a Federal requirement, under only Federal authority, please contact US EPA Region III and refer to the US EPA March 26, 2020 Memorandum (COVID-19 Implications for EPA’s Enforcement and Compliance Assurance Program). To the extent the request relates to a federal program delegated to Pennsylvania, Pennsylvania will review requests submitted in this format.

Submit completed and signed requests to the email resource account:

RA-EPCOVID19SuspReq@pa.gov

Background
<p>A. Identify the Regulated Entity or Permittee, including an address for the location of the permitted or regulated activity (if no address, DEP Permit No. can be used), and a point of contact for this request with email and phone number.</p> <p>Wyeth LLC (a wholly owned subsidiary of Pfizer) 500 Arcola Road, Collegeville, PA 19426 Point of Contact - Alexander Turner, Alexander.Turner@pfizer.com, (484) 467-2565</p>
<p>B. Describe what permitted or regulated activity you are engaged in.</p> <p>Wyeth LLC (a wholly owned subsidiary of Pfizer) operates the Arcola Corporate Campus, which includes corporate office operations for Pfizer, as well as office and R&D operations for The Dow Chemical Company. The facility has a Title V Air Permit for boilers and emergency generators, which provide heat and backup power to the site.</p> <p>Wyeth and Dow are considered Life-Sustaining Business Activities per Governor Wolf’s Stay-at-Home Order issued March 12, 2020. The facility is operating with only essential personnel who are required to maintain critical site functions and building operations. The site is otherwise closed, with all others working from home.</p>
<p>C. If you were issued a permit by DEP for the permitted or regulated activity described above, identify the type of permit and permit number. Please list the DEP Office, Conservation District, Oil and Gas District Office, or District Mining Office that issued the permit or authorization.</p> <p>Title-V Air Permit 46-00048</p>
<p>D. Identify what regulatory requirement(s) or permit condition(s) or other requirement(s) you seek a temporary suspension of. Please cite the specific regulatory requirement(s), condition(s) and/or other requirement(s).</p>

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The facility is requesting temporary suspension of Title V Permit SECTION C. Condition #010(b) - [25 Pa. Code §123.43] Measuring techniques. Facility operators are Method 9 (Smoke School) trained/certified. This training will be/is expiring, and the local training course has been canceled by the provider due to COVID-19 based on the Governor's order regarding gatherings, and so far there has not been another course offered.

Please note that Wyeth LLC is not requesting relief from any visible emissions limits or monitoring requirements, only the requirement to have the monitoring conducted by operators with current Method 9 training. We currently still intend to conduct all monitoring and comply with all visible emission limits.

<p>Reasons for Requested Suspension</p> <p>For each regulatory requirement or permit condition or requirement listed above, please state clearly why you are seeking the temporary suspension, addressing at least the following in detail:</p>	
<p>A. How will strict compliance with the subject requirement(s) prevent, hinder, or delay necessary action in coping with the COVID-19 emergency? Be as specific as possible.</p>	<p>Method 9 (Smoke School) training is conducted in a group setting and could expose critical facility operators and the instructor(s) and the other trainees to COVID-19 infection which could lead to additional transmission of the virus. Additionally, the local AeroMet class was canceled and finding a replacement class, or traveling, could introduce additional risk of COVID-19 exposure.</p>
<p>B. How has COVID-19 restricted your ability to comply with the environmental regulatory requirement, permit condition or other requirements for which you are seeking a suspension?</p>	<p>The local Method 9 training refresher course was canceled due to COVID-19, and this semiannual training will be/is expiring. The facility operators will continue to conduct the required visible emission observations, but their training will be expired.</p>
<p>C. What other aspects or parts of your operation(s) are being shut down or are not functioning due to the COVID-19 restrictions? And, are you requesting any suspensions or waiver(s) from other government agencies? If so, from what agencies and for what requirements?</p>	<p>No aspects or parts of the operation are being shut down at this time, although site occupancy is greatly reduced (to only business critical personnel, as per the Governor's requirements). At this time no suspensions or waivers are being requested from any other government agencies.</p>
<p>D. What alternate compliance options have you explored to address the issues or environmental compliance hurdles with which you are confronted?</p>	

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<p>We considered bringing in an outside individual to conduct monitoring and also considered engaging an alternate training company/location/date. However, this could result in additional exposure risk of COVID-19 infection.</p>
<p>E. Do you believe cost gouging or supply hoarding is negatively effecting your ability to comply? If so, please explain and provide cost information and/or availability information from your supply chain history.</p> <p>N/A - Although the local AeroMet class was canceled this request is based on safety considerations.</p>
<p>F. How long do you expect to be unable to comply with the regulatory requirement(s), permit condition(s) or other requirement and identify what circumstances must exist for you to return to compliance. Specify the period of time for which you are requesting the suspension. Suspensions will not be issued initially beyond June 30, 2020.</p> <p>Unknown - The facility expects to be compliant once the Method 9 training course is available, and our operators are retrained.</p>
<p>G. If applicable, identify how you will account for all reporting obligations for the period of noncompliance.</p> <p>The facility is required to submit semi-annual compliance certifications/deviation reports per our Title V Permit. If the Department considers this to be a deviation, then it will be listed in the January through June Semiannual Deviation Report.</p>

<p>Evaluate Risk to Public Health and the Environment</p>
<p>A. Will the temporary suspension, if granted, result in an increase in the risk of additional pollution (e.g. increased emissions, increased concentrations of any pollutant and/or releases of new or more pollutants) and/or will it result in less monitoring, reporting, and/or supervision of pollution incidents, accidents or equipment failures?</p> <p>No - The same monitoring will be conducted, although the individuals conducting the monitoring will have expired Method 9 training.</p>
<p>(i) If yes, please identify what pollutants and the nature of the risk.</p>
<p>(ii) If yes, please identify the potential extent of increased pollution, including any increases in risk to human health, safety or the environment.</p>

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(iii) If no, explain how increased pollution will be avoided.

The same monitoring will be conducted. The facility operators are experienced opacity readers, although their current Method 9 training will be expired. Additionally, the boilers are burning only natural gas, which generates no or little visible emissions.

B. What public health and/or safety benefits will result if the temporary suspension is granted?

Temporarily waiving the Method 9 training requirement would reduce possible exposure or transmission of COVID-19.

C. Is the restriction on your ability to comply generally applicable to others engaged in your industrial classification or industry? If no, please explain why your situation is unique.

Yes - This restriction likely applies to many facilities with air permits.

D. Would you possess a unique advantage over your competitors, or others in the same industry, if a suspension is granted?

No

E. What would be the negative consequences to your operation if the temporary suspension is not granted? What would be the negative consequences to the Commonwealth's response to the COVID-19 emergency if your requested temporary suspension is not granted?

If this suspension is not granted, critical facility operators would have an increased risk of COVID-19 exposure. At the current time, the generators are used for emergency/ fire life safety purposes only. Taking these offline would result in increased fire/safety risk to the facility. The potential negative consequences to the Commonwealth would be an increased risk of COVID-19 exposure/transmission.

CERTIFICATION

Pursuant to the prohibition against unsworn falsification to authorities, 18 Pa.C.S.A. §4904, I am an authorized representative of the requestor and have personal knowledge of the facts set forth in this temporary suspension request.

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I hereby certify that the information provided herein is true and accurate.

J. David Binder 4/7/2020

Signature and title of Certifier

J. David Binder - PA Site Lead and Responsible Official

Print Name and Title

Submit completed and signed requests to the email resource account:
RA-EPCOVID19SuspReq@pa.gov