COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF AIR QUALITY

COMMENT AND RESPONSE DOCUMENT

ON

DRAFT PLAN APPROVAL:

23-0004B

In accordance with 25 Pa. Code § 127.44(b)(4), (c), (e) and (f), a notice was published as follows:

1) In the Pennsylvania Bulletin on April 15, 2023 (Volume 53, Number 15).
2) In the Delaware County Daily Times, Daily & Sunday Times on April 9, 10, 11, and 12, 2023.

In accordance with 25 Pa. Code § 127.44(f)(2), the comment period ended 30 days from the date of publication on May 15, 2023.

In accordance with 25 Pa. Code §§ 127.48 and 127.49, a hearing was held on May 17, 2023, and the public was notified via Pennsylvania Bulletin and Newspaper(s) aforementioned, and the public was granted ten (10) day extension for submitting their written comments.

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Covanta Comments and DEP Responses

The comments and responses are numbered consistent with condition numbering on the proposed Plan Approval No. 23-0004B. They are also organized by the Section designations of the Operating Permit. The comments are detailed such that the ***bold italicized*** text indicates a proposed addition and ~~strikeout~~ text indicates a proposed deletion. The *underlined italic* text indicates modified conditions in the final plan approval.

Section 1 Comments from Covanta

Section 1.1 Covanta Comments

On April 4, 2023, Covanta Delaware Valley, LP (Covanta) received a draft version of the SNCR Plan Approval for their review and consideration. Listed below are the comments provided by Covanta on May 25, 2023:

E.I.001 – **Ammonia Slip Concentration 5 ppmvd, corrected to 7% oxygen**. As previously shared with the Department, Covanta conducted field testing for the proposed SNCR NOx control system. During that testing program, ammonia emissions (i.e., ammonia slip) were monitored. Ammonia injection testing to control to 90 to 100 ppmvd NOx outlet yielded ammonia slip values generally in the range of 3 to 6 ppmvd. Further, testing indicated that ammonia inlet loading (concentrations without ammonia injection) was approximately 2-3 ppmvd. The proposed limit of 5 ppmvd does not provide a level of compliance assurance necessary to operate the SNCR system. As such, Covanta requests that this limit is increased to 10 ppmvd to ensure that the facility will be able to comply with the 110 ppmvd NOX emission limit at all times.

E.I.001 – **Ammonia Slip Annual Stack Test.** The proposed requirement to conduct annual stack testing for compliance with the ammonia slip limit is appropriate. A similar requirement exists at other Waste-to-Energy (WTE) facilities in PA owned and/or operated by Covanta. Given the comparatively low ammonia emissions that result from the use of SNCR and a long track record of ammonia emissions compliance at other PA WTE's, annual testing provides a necessary level of compliance assurance.

E.I.005 – **Compliance testing to occur within 180 days after the start-up of each ammonia SNCR control device**. Covanta requests that the SNCR performance testing be scheduled to occur during the next scheduled annual compliance testing after the last SNCR device is installed and operational. This will allow the facility to conduct testing as a single comprehensive program coincident with the mobilization for the annual compliance test.

G.101-106 – **NOX lb/hr emission limit**. On this table, the lb/hr emission limit is listed as 54.120 lb/hr. Covanta is requesting that this table is aligned with condition E.I.002(b) 88.56 lbs/hr.

E. VII. # 008 – **RACT Implementation Deadline of August 3, 2024**. In the application, Covanta outlined a schedule that the SNCR systems would be installed 24 months after Final Permit approval. However, this draft condition specifies an August 3, 2024 deadline. Compliance with this deadline has been complicated by the fact that our request to conduct limited pre-construction work (in order to help meet this deadline) was not approved. We request that the Department change the compliance schedule to reflect the deadline in EPA's recently issued Good Neighbor FIP (i.e., May 1, 2026). The EPA FIP addresses the same set of facts as PADEP's RACT III rule (i.e., ozone is the pollutant of concern, compliance is based on the 2015 ozone NAAQS and the control for municipal waste combustors is an emission limit on NOx). Furthermore, EPA notes in the rule that "…the EPA finds that installation of certain EGU controls and *all non-EGU controls* is not possible by the Moderate area attainment date for the 2015 ozone NAAQS (i.e., August 3, 2024)".

Pending any change to the compliance deadline, Covanta will continue to aggressively work toward the August 3, 2024 date as outlined in the draft permit and will provide a schedule update regarding the installation and operation of all RACT control devices within 120 days of this date.

Regardless of the deadline contained in the final permit, we request that language be included that allows for an extension beyond the deadline "through mutual approval of a compliance agreement".
We thank you in advance for considering our comments. Upon receipt, we would like to have a call with you to discuss these comments further. Please let me know if you have any additional questions.

Thank You,

Kimberly J. Bradford
Environmental Manager

COVANTA
Powering Today. Protecting Tomorrow.

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Our mission is to ensure no waste is ever wasted.

Section 1.2 DEP responses to Covanta comments

Comment 1 **Ammonia Slip Concentration 5 ppmvd, corrected to 7% oxygen**. As previously shared with the Department, Covanta conducted field testing for the proposed SNCR NOx control system. During that testing program, ammonia emissions (i.e., ammonia slip) were monitored. Ammonia injection testing to control to 90 to 100 ppmvd NOx outlet yielded ammonia slip values generally in the range of 3 to 6 ppmvd. Further, testing indicated that ammonia inlet loading (concentrations without ammonia injection) was approximately 2-3 ppmvd. The proposed limit of 5 ppmvd does not provide a level of compliance assurance necessary to operate the SNCR system. As such, Covanta requests that this limit is increased to 10 ppmvd to ensure that the facility will be able to comply with the 110 ppmvd NOX emission limit at all times.

Response 1 On July 24, 2023, DEP received clarification from Covanta concerning ammonia emission slip concentration limit and their SNCR trial run testing data:

> "..due to the inherent background ammonia concentrations of 2-3 ppmvd present in the waste stream (waste combustor feedstock), Covanta feels that a 5 ppmvd limit would not be attainable."

A similar municipal waste combustion facility in York County, Pennsylvania, (York County Solid Waste/York County Resource Recovery) proposed to DEP that they will install SNCR system on each of their MSW combustors to reduce NOx emissions to meet the presumptive RACT III requirements, and the facility is allowed the ammonia slip concentration from each SNCR system to be less than 10 ppmvd @ 7% oxygen. To be consistent in Air Quality Program permit conditions for similar industrial operations throughout the State, DEP agrees to revise the condition that the ammonia slip concentration limit as follows:

> *"The ammonia slip concentration from the aqueous ammonia Selective Non-Catalytic Reduction (SNCR) system shall no exceed <u>10 ppmvd</u>, corrected to 7% oxygen <u>as daily average</u>. "*

Comment 2 E.I.001 – **Ammonia Slip Annual Stack Test.** The proposed requirement to conduct annual stack testing for compliance with the ammonia slip limit is appropriate. A similar requirement exists at other Waste-to-Energy (WTE) facilities in PA owned and/or operated by Covanta. Given the comparatively low ammonia emissions that result from the use of SNCR and a long track record of ammonia emissions compliance at other PA WTE's, annual testing provides a necessary level of compliance assurance

Response 2 DEP proposes and requests Covanta to conduct (a) stacktesting to demonstrate compliance with the ammonia concentration limit as well as (b) short term continuous monitoring of ammonia concentration to develop correlation and/or surrogate for continuous compliance of ammonia concentration limit.

Comment 3 **Compliance testing to occur within 180 days after the start-up of each ammonia SNCR control device**. Covanta requests that the SNCR performance testing be scheduled to occur during the next scheduled annual compliance testing after the last SNCR device is installed and operational. This will allow the facility to conduct testing as a single comprehensive program coincident with the mobilization for the annual compliance test.

Response 3 Covanta is planning to install each SNCR system during its associated waste combustor scheduled shutdown and/or maintenance period by August 3, 2024. The permittee must conduct stack testing within 180 days after startup of all the ammonia SNCR system installed under this Plan Approval. Thus, Condition #005(a) in Section E of this plan approval has been revised as follows:

> "*The permittee shall perform a stack test using the Department-approved procedures, to show compliance with the emission limits set for the source. The Source testing shall be performed within 180 days after startup of <u>all of</u> the ammonia SNCR control devices. Performance tests shall be conducted while the source is operating at maximum routine operating conditions or under such other conditions, within the capacity of the equipment, as may be requested by the Department."*

Comment 4 **NOx lb/hr emission limit**. On this table, the lb/hr emission limit is listed as 54.120 lb/hr. Covanta is requesting that this table is aligned with condition E.I.002(b) 88.56 lbs/hr.

Response 4 The NOx emission limit (in lbs/hr) for each of the combustors is 54.12 lbs/hr, was established based on the ratio reduction of NOx emissions from 180 ppmvd of 88.56 lbs/hr, to 110 ppmvd of its respective lb/hr limits shown below:

Plan Approval NOx lbs./hr limit = 110 ppmvd / 180 ppmvd * 88.56 lbs/hr
= <u>54.12 lbs/hr</u>

The typo on page 18, for Condition #002(b) is corrected.

Comment 4 **RACT Implementation Deadline of August 3, 2024**. In the application, Covanta outlined a schedule that the SNCR systems would be installed 24 months after Final Permit approval. However, this draft condition specifies an August 3,

2024 deadline. Compliance with this deadline has been complicated by the fact that our request to conduct limited pre-construction work (in order to help meet this deadline) was not approved. We request that the Department change the compliance schedule to reflect the deadline in EPA's recently issued Good Neighbor FIP (i.e., May 1, 2026). The EPA FIP addresses the same set of facts as PADEP's RACT III rule (i.e., ozone is the pollutant of concern, compliance is based on the 2015 ozone NAAQS and the control for municipal waste combustors is an emission limit on NOx). Furthermore, EPA notes in the rule that "…the EPA finds that installation of certain EGU controls and *all non-EGU controls* is not possible by the Moderate area attainment date for the 2015 ozone NAAQS (i.e., August 3, 2024)".

Pending any change to the compliance deadline, Covanta will continue to aggressively work toward the August 3, 2024 date as outlined in the draft permit and will provide a schedule update regarding the installation and operation of all RACT control devices within 120 days of this date.

Regardless of the deadline contained in the final permit, we request that language be included that allows for an extension beyond the deadline "through mutual approval of a compliance agreement".

Response 4 The condition has been revised as follows:

> *"As a moderate nonattainment area, Pennsylvania is required to attain the 2015 ozone NAAQS as expeditiously as practicable, but no later than 6 years after the initial designation as nonattainment (83 FR 10376). The initial nonattainment designation occurred on August 3, 2018 (83 FR 25776) meaning Pennsylvania is required to attain the 2015 ozone NAAQS no later than August 3, 2024. Attaining the 2015 ozone NAAQS includes the complete implementation of RACT which means all RACT measures, including the installation and operation of all RACT control devices, must occur before August 3, 2024, unless otherwise specified in an approved compliance agreement."*

Section 2 Comments from US EPA

On April 14, 2023, DEP provided the draft Plan Approval and application package of Covanta SNCR project to US EPA. As listed below are the EPA comments received on May 26, 2023.

Section 2.1 US EPA Comments

EPA Comments on Pennsylvania Plan Approval 23-00004B

Covanta Delaware Valley, L.P.

May 26th, 2023

I. PERMIT SUMMARY

EPA has reviewed the draft plan approval permit for Covanta Delaware Valley, L.P. (Covanta, the facility) and offers the following comments (Section II below). This plan approval allows for the installation of selective non-catalytic reduction technology for limiting NOx emissions from waste to energy incineration at Covanta. This project is intended to allow Covanta to comply with the Pennsylvania Department of Environmental Protection (PADEP) presumptive Reasonably Available Control Technology (RACT) standards for the 2015 Ozone National Ambient Air Quality Standards (RACT III).

Covanta is located in the City of Chester, Delaware County, Pennsylvania. PADEP acknowledged in its April 3, 2023 draft Plan Approval Review Memo that "This facility is located in an Environmental Justice Community, and an area designated as moderate non-attainment for 2015 ozone." EPA also identified in an October 4, 2021 letter from Acting Regional Administrator Diana Esher to PADEP Secretary Patrick McDonnell that the location of Covanta raises potential environmental justice and civil rights concerns. EPA is committed to advancing environmental justice and incorporating equity considerations into all aspects of our work. This commitment includes improving our assessment and consideration of the impacts of permits on communities already overburdened by pollution, such as the community near Covanta.

It is important that permitting authorities offer fair treatment and the meaningful involvement of community members in the permitting processes. EPA would like to acknowledge PADEP's outreach and engagement with affected communities for this permit action including multiple virtual public hearings and other outreach to the affected communities. As with our prior letter, our comments request that PADEP further explain and clarify certain underlying regulatory authorities as this analysis will better enable EPA and the public to

understand the applicable requirements of the facility and to determine if there are any additional regulatory requirements that would apply.

We strongly encourage PADEP to take action within its existing state authorities to better understand, characterize and limit the effects of pollution and to reduce disproportionate environmental impacts on those affected by this facility.

II. COMMENTS

1) It is our understanding that the facility's combustors, prior to this permitting action, have not been subject to the standards of 40 CFR Part 60 Subpart Eb (Subpart Eb) for large municipal waste combustors. However, Subpart Eb states that a facility may be subject to Subpart Eb standards if the facility undergoes a "modification" after September 20, 1994. The 40 CFR Part 60 definition of "modification" is "any physical change in, or change in the method of operation of, an existing facility which increases the amount of any air pollutant (to which a standard applies) emitted into the atmosphere by that facility or which results in the emission of any air pollutant (to which a standard applies) into the atmosphere not previously emitted." PADEP has incorporated by reference this definition through 25 Pa Code 122.3, which has been incorporated in the Pennsylvania State Implementation Plan. We note that on page 4 of the Department's Response to Comments document on the facility's most recent TV renewal, it is mentioned that Covanta concluded that "there is a potential to increase CO and hydrocarbon emissions as a result of employing SNCR technology", as part of their RACT I analysis. In light of this, please provide an explanation for whether the facility's combustors, following this permitting action, will meet the definition of modified municipal waste combustors at 40 CFR 60.51b. Please include in this analysis any data which the department used to determine whether emissions of any pollutant regulated under Section 129 or Section 111 of the Clean Air Act will increase as a result of SNCR construction, such as data from the facility's field testing of aqueous ammonia, and whether there are additional factors regarding what does or does not constitute a "modification" that might be relevant to whether the installation of the SNCR might be a "modification."

2) The Review Memo indicates that an interim combustor NOx emission limit of 165 ppmvd @ 7% oxygen will be established in accordance with 25 Pa. Code § 129.112(n)(2)(iv), which requires that the source submit a "proposed interim emission limitation that will be imposed on the affected source until compliance is achieved with the applicable RACT requirement or RACT emission limitation." The Plan Approval established that the 165 ppmvd limit will remain in place during a shake down and evaluation phase of the SNCR until August 3, 2024. However, the April 23, 2023 Draft Plan Approval Review Memo does not contain much support, explanation or analysis regarding how the 165 ppmvd limit, which is lower than the current 180 ppmvd limit, was set. Please provide an explanation on the record justifying the 165 ppmvd interim limit.

Prepared by:

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Section 2.2 DEP responses to US EPA comments

Comment 1 It is our understanding that the facility's combustors, prior to this permitting action, have not been subject to the standards of 40 CFR Part 60 Subpart Eb (Subpart Eb) for large municipal waste combustors. However, Subpart Eb states that a facility may be subject to Subpart Eb standards if the facility undergoes a "modification" after September 20, 1994. The 40 CFR Part 60 definition of "modification" is "any physical change in, or change in the method of operation of, an existing facility which increases the amount of any air pollutant (to which a standard applies) emitted into the atmosphere by that facility or which results in the emission of any air pollutant (to which a standard applies) into the atmosphere not previously emitted." PADEP has incorporated by reference this definition through 25 Pa Code 122.3, which has been incorporated in the Pennsylvania State Implementation Plan. We note that on page 4 of the Department's Response to Comments document on the facility's most recent TV renewal, it is mentioned that Covanta concluded that "there is a potential to increase CO and hydrocarbon emissions as a result of employing SNCR technology", as part of their RACT I analysis. In light of this, please provide an explanation for whether the facility's combustors, following this permitting action, will meet the definition of modified municipal waste combustors at 40 CFR 60.51b. Please include in this analysis any data which the department used to determine whether emissions of any pollutant regulated under Section 129 or Section 111 of the Clean Air Act will increase as a result of SNCR construction, such as data from the facility's field testing of aqueous ammonia, and whether there are additional factors regarding what does or does not constitute a "modification" that might be relevant to whether the installation of the SNCR might be a "modification."

Response 1 **40 CFR Part 60 Subpart Eb** — *Standards of Performance for Large Municipal Waste Combustors for Which Construction is Commenced After September 20, 1994 or for Which Modification or Reconstruction is Commenced After June 19, 1996*

According to 40 CFR §60.51b, "Modification or modified municipal waste combustor unit means a municipal waste combustor unit to which changes have been made if the cumulative cost of the changes, over the life of the unit, exceed 50 percent of the original cost of construction and installation of the unit (not including the cost of any land purchased in connection with such construction or installation) updated to current costs; or any physical change in the municipal waste combustor unit or change in the method of operation of the municipal waste

combustor unit increases the amount of any air pollutant emitted by the unit for which standards have been established under section 129 or section 111. Increases in the amount of any air pollutant emitted by the municipal waste combustor unit are determined at 100-percent physical load capability and downstream of all air pollution control devices, with no consideration given for load restrictions based on permits or other nonphysical operational restrictions."

The installation of SNCR system is not considered as a modification to the combustors as this project does not cause any physical change in the combustors or change in the method of operation of the combustors. As its impact on combustor emissions, the project reduces NOx emissions significantly, but slightly increases ammonia emissions (due to the SNCR chemical reaction), from estimated 2-3 ppmvd to less than 10 ppmvd. As the Pennsylvania State Implementation Plan for Municipal Waste Combustors (established under Section 129) and the NSPS regulations established by EPA under Section 111 do not establish emission standard for ammonia, an increment in ammonia emission is not considered as emission increase. Therefore, for the Covanta combustors, which were constructed in 1991, are not subject to 40 CFR Part 60 Subpart Eb.

Comment 2 The Review Memo indicates that an interim combustor NOx emission limit of 165 ppmvd @ 7% oxygen will be established in accordance with 25 Pa. Code § 129.112(n)(2)(iv), which requires that the source submit a "proposed interim emission limitation that will be imposed on the affected source until compliance is achieved with the applicable RACT requirement or RACT emission limitation." The Plan Approval established that the 165 ppmvd limit will remain in place during a shake down and evaluation phase of the SNCR until August 3, 2024. However, the April 23, 2023 Draft Plan Approval Review Memo does not contain much support, explanation or analysis regarding how the 165 ppmvd limit, which is lower than the current 180 ppmvd limit, was set. Please provide an explanation on the record justifying the 165 ppmvd interim limit.

Response 2 To support the 165 ppmvd interim limit proposal, Covanta provided a histogram analysis for the NOx daily emission averages from 2020 until July 17, 2023 (please see Attachment A – 2020-2023 NOx Daily Average Actual Emissions Provided by Covanta). The total data point consists of 7,095 NOx daily averages from all six units. The NOx concentration ranged from 90 ppm to 165 ppm which corresponds with the variation in the waste feed content. As waste feed content is an uncontrollable factor, Covanta accounted for instances when NOx conc. is approximately 165 ppm. There were approximately 4 instances (< 1%) of a daily average greater than 165 ppm. Covanta is confident that each unit can be controlled adequately to maintain compliance with an interim limit of 165 ppm limit.

Section 3 Public Comments and DEP Responses

Section 3.1 List of Commentators

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Section 3.2 Public Comments and DEP Responses

A. Emissions

Comment A.1 How much would the SNCR controls reduce nitrogen oxide, mercury, lead, cadmium, sulfur dioxide, hydrochloride acid and the toxic and noxious odors emissions?

Response A.1 The installation of SNCR control device for each of the waste combustors will reduce NOx emission limit from current operating permit limit 180 ppmvd to RACT presumptive limit 110 ppmvd, corrected at 7% oxygen. The NOx reduction is approximately 40% when calculated based on the permitted NOx emission limits, as shown below:

(180 ppmvd -110 ppmvd) / 180 ppmvd * 100% = 38.9%

When the NOx emission reduction is calculated using actual NOx emission data, assuming actual NOx average emissions would be approximately 85 ppmvd with SNCR treatment, using the current actual NOx average emission of 120 ppmvd (see Attachment A), the projected NOx reduction is 30%, as indicated below:

(120 ppmvd – 85 ppmvd) / 120 ppmvd * 100% = 30%

The SNCR project will have no emission reduction for mercury, lead, cadmium, sulfur dioxide, hydrochloride acid and the toxic and noxious odors.

Comment A.2 DEP shall require Covanta to install equipment, such as selective catalytic reduction system (SCR), capable of reducing NOx emissions to the modern limit of 45 parts per million, as met by the new incinerator Covanta operates in West Palm Beach, Florida.

Response A.2 There have been no changes or modifications at the Covanta Delaware Valley during the term of the operating permit and the sources are classified as existing sources. When Covanta installs new sources, DEP shall implement that the emission of air pollutants are controlled to the maximum extent, consistent with the best available technology at the time of installation.

Under the current SNCR project for the existing sources, the waste combustors at Covanta will comply with the applicable presumptive NOx RACT III emission standard of 110 ppmvd, corrected at 7% oxygen.

Comment A.3 DEP's presentation on May 2, 2023 indicated that the NOx emission reduction would be 40 percent. However, the actual amount NOx emission reduction is 18 percent. DEP shall redo the calculation.

Response A.3 For the installation of SNCR control device for each of the existing waste combustors, DEP reviewed and calculated the reduction using the NOx emission limit from 180 ppmvd to 110 ppmvd, corrected at 7% oxygen. That is approximately 40% NOx emission reduction when calculated based on the permitted emission limits, as shown below:

[(180 ppmvd -110 ppmvd) / 180 ppmvd * 100% = 38.9% (~ 40%).

If NOx reduction is calculated based on the NOx actual emissions, according to the current actual NOx emission data, the average concentration would be 120 ppmvd, provided by Covanta (see Attachment A). DEP conducted an inspection during the Covanta SNCR trial runs, and it was observed that the NOx emissions ranged from 85 to 90 ppmvd, corrected at 7% oxygen. Therefore, the projected NOx reduction would be approximately 30%, as estimated below, using the preliminary NOx SNCR trail data:

[(120 ppmvd -85 ppmvd) / 120 ppmvd * 100% = 29.2% (~ 30%).

Comment A.4 DEP shall request Covanta to install active carbon injection system to reduce emission of dioxins and mercury, and achieve a standard of 15 parts per million.

Response A.4 All toxic metals emission concentration limitations are expressed in microgram/ dry standard cubic meter, corrected to 7 percent oxygen (dry basis), except dioxin which is expressed in nanogram/ dry standard cubic meter, corrected to 7 percent oxygen (dry basis). The current toxic metals emission concentration limitations in their Title V Operating permit are listed in the table below and have been converted to ppm, assuming that 1 dscm air = 1.29 kg. The current limits expressed in the permit are more stringent than the proposed limit of 15 ppm.

Table 1. Current toxic metals limits expressed in ppm

Pollutants	Permit Limits		
	µg/ dscm	lbs/hr	ppm
Arsenic	7.2	0.001850	0.006
Beryllium	0.2	0.000051	0.0002
Cadmium	15.8	0.004055	0.012
Hexavalent Cr	2.3	0.000590	0.002
Nickel	25	0.006416	0.019
Lead	166	0.042604	0.129
Mercury	50	0.012832	0.039
Dioxin/furan	0.03	0.000008	0.00002

Comment A.5 DEP shall request Covanta to use continuous emissions monitoring technology to measure compliance with standards for particulate matter, dioxins/furans, and toxic heavy metals, including arsenic, cadmium, chromium (VI), lead, mercury, and nickel.

Response A.5 In addition to annual stack testing and continuous monitoring of various parameters, the facility has proposed to use the continuous monitoring of the steam load and opacity as a surrogate to assure compliance for the toxic metals on a continuous basis between annual stack tests.

Also, the facility has publicly posted their daily facility CEMS emission data on Covanta.com since July 2021.

B. Continuous monitoring

Comment B.1 DEP shall require Covanta to monitor ammonia emission concentration on a continuous basis.

Response B.1 DEP proposes and requests Covanta to conduct (a) stacktesting to demonstrate compliance with the ammonia concentration limit as well as (b) short term continuous monitoring of ammonia concentration to develop correlation and/or surrogate for continuous compliance of ammonia concentration limit.

Comment B.2 DEP shall require Covanta to monitor PM2.5 emissions on a continuous basis.

Response B.2 Covanta has Continuous Emissions Monitoring System (CEMS) for opacity which serves as a surrogate for particulate matter emissions.

C. SCR vs. SNCR NOx Control

Comment C.1 DEP shall require Covanta to conduct SCR installation evaluation by an independent consultant. This evaluation shall be performed in the similar manner as the Wheelabrator facility in Baltimore, Maryland, did for the Maryland Department of Environmental Protection.

Response C.1 The "Municipal Waste Combustor Workgroup Report"[1] evaluated many NOx reduction control technologies, such as SNCR, advanced SNCR, SCR, and flue gas recirculation, and concluded that,

> "*for tail end SCR system, since the temperature of the flue gases downstream of the steam generator convective passes may be too low to facilitate chemical reaction in the catalyst, most MWC (municipal waste combustor) units also require a means of reheating the flue gas to acceptable levels. This could be accomplished through installation of burners or other heat exchangers in the ductwork ahead of the catalyst module. In some installations, it may also be necessary to upgrade the existing induced draft fan(s) to overcome the draft loss through the catalyst. While this technology is applicable and effective to most MWCs, the space availability and configuration of a given facility may make it infeasible."*

SCR is also very costly from a capital expense standpoint (EPA's Chapter 2 - Cost Estimation: Concepts and Methodology [2]), and more so in retrofit application, which may render it economically infeasible for retrofit for many existing MWCs.

Comment C.2 DEP should calculate the health benefits of the higher nitrogen oxide reduction from using the SCR controls, so that the decision on what is reasonable can be based on cost to Covanta's versus the benefits to public health.

Response C.2 The EPA is responsible for establish National Ambient Air Quality Standards (NAAQS), or maximum allowable concentrations in the ambient air for six criterial air pollutants considered harmful to public health and welfare, including the environment: ground-level ozone; particulate matter; nitrogen dioxide (NO2); carbon monoxide; sulfur dioxide; and lead. Section 109 of the Clean Air Act (CAA) (42 U. S. C. A. § 7409) established two types of NAAQS: primary standards, which are limits set to protect public health; and secondary standards, which are limits set to project public welfare and the environment.

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[1] Municipal Waste Combustor Workgroup Report" MWC Report_revised 20220425.pdf (otcair.org).
[2] EPA Chapter 2 - Cost Estimation: Concepts and Methodology (epa.gov).

The EPA established primary and secondary ground-level ozone NAAQS to protect public health and welfare. The RACT III NOx emission standard for municipal waste combustors, as defined in 25 Pa. Code § 129.112(f) (110 ppmvd at 7% oxygen), is authorized under section 5(a)(1) of the Air Pollution Control Act (APCA) (35 P.S. § 4005(a)(1)), which grants the Board the authority to adopt rules and regulations for the prevention, control, reduction and abatement of air pollution in this Commonwealth; and section 5(a)(8) of the APCA, which grants the Board the authority to adopt rules and regulations designed to implement the provisions of the CAA.

Prior to the submitting of this Plan Approval application, Covanta conducted SNCR NOx reduction trial runs for approximately 6 months. The results obtained from the trail runs shown that SNCR is an effective method in achieving the 110 ppmvd NOx emission standard, as required by the RACT III. Furthermore, a SCR control system, compared with the SNCR system, is not cost effective NOx control method even if it is technically feasible.

D. Poor air quality correlated to many health issues

Comment D.1 The emissions from the Covanta incinerators are correlated to many health issues in this community, such as COPD and asthma.

Response D.1 Air pollution in the Chester City area originates from the nearby industrial plants, including Covanta, the Philadelphia airport, and the I-95 corridor. Covanta is continuously working with DEP to be in compliance with all applicable regulations and emission standards.

E. Waste transportation and vehicle idling causing pollutant emissions

Comment E.1 Hundreds of trash hauling trucks run through the community causing pollution. In addition, they sit idly for hours further polluting while they wait their turn to get into the facility.

Response E.1 Condition 10 of PADEP Solid Waste Permit 400593 for Covanta states,

> *"this facility shall accept no more than a maximum of 5,700 tons of waste per day on any given day, Monday through Friday, and no more than a maximum of 1420 vehicles trips per day (710 vehicles enter, and 710 vehicles exit, totaling 1420 vehicles per day) unless a permit amendment application is submitted to, and approved by DEP. The facility shall accept no more than a maximum of 3,000 tons of waste per day on any given Saturday……. "*

Covanta has the anti-idling signage posted within the facility boundary. Additional anti-idling signage will be posted on the front gate.

Comment E.2 Trash littering on the local highways from trash hauling trucks.

Response E.2 Condition 36 of PADEP Solid Waste Permit 400593 for Covanta states,

> *"The permittee shall not accept solid waste transported to the facility in a vehicle in which the waste is not covered or secured in accordance with the DEP's rules and regulations governing the transportation of waste."*

All waste hauling companies are required to meet the applicable Federal and State regulations as listed on the DEP's Municipal & Residual Waste Transportation Hauling Company Checklist (see Attachment B - Municipal & Residual Waste Transportation Hauling Company Checklist).

F. Noise

Comment F.1 High level noises from Covanta during night.

Response F.1 This Covanta facility is permitted to operate 24 hours a day, 7 days a week. During periods of start-up or shut-down of the municipal waste combustors, the release of steam from the boiler system can emit noise. This noise can occur at any time of the day and does not specifically occur at night. Covanta has initiated a noise reduction project to replace the current steam vent mufflers on the waste combustors.

DEP has relinquished the noise level control responsibility to City of Chester. Covanta shall comply with the noise level of 70 dBA limit established by City of Chester (see Attachment C – City of Chester Zoning Ordinance and Noise Ordinance). 70 dBA is as loud as a washing machine or a dishwasher. It is a moderate noise level. 70 dB noise is not considered harmful to human hearing.

G. Invest in air pollution control and in City of Chester community

Comment G.1 Covanta shall invest more in emission control devices to reduce emissions.

Response G.1 Covanta has plans for the following projects:

- noise reduction, and
- activated carbon injection system.

Comment G.2 Covanta should plant more trees in the City of Chester community to help improving air quality.

Response G.2 No applicable Federal and State regulations address this public concern. DEP discussed this concern with Covanta and suggested them to plant more trees in the community.

H. DEP's Responsiblities

Comment H.1 DEP is the regulatory authority. DEP shall protect the environment for the residents of this community.

Response H.1 The Pennsylvania Department of Environmental Protection's mission is to protect Pennsylvania's air, land and water from pollution and to provide for the health and safety of its citizens through a cleaner environment. DEP does work and will continue to work as partners with individuals, organizations, governments and businesses to prevent pollution and restore our natural resources.

Comment H.2 DEP shall provide Covanta permit application information to the community in a timely manner. The DEP's flyer in reference to this Plan Approval public hearing shall contain meeting background information.

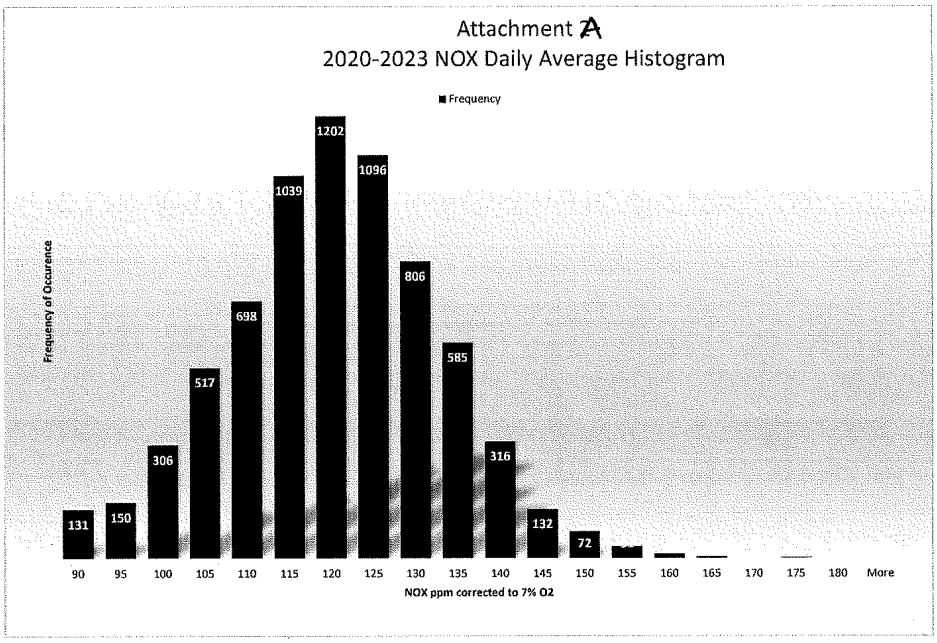
Response H.2 This SNCR installation project application documents are posted on DEP Community webpage (Covanta Delaware Valley (pa.gov)), as stated in the DEP's flyer.

Comment H.3 DEP shall take an active role in communicating, educating, and conducting outreach in this community.

Response H.3 DEP's mission is to work as partners with individuals, organizations, governments and businesses to prevent pollution and restore our natural resources.

Since the Covanta public hearing (May 2023), DEP has modified its strategies and has taken an improved active role in the Environmental Justice areas – such as communicating through radio, walking throughout the community to inform businesses of any upcoming events, contacting local municipalities and their official representatives to notify them any upcoming public meeting or hearing. DEP has also revised its Environmental Justice's and Community webpages to provide several tools to assist the public.

Attachment A - 2020-2023 NOx Daily Average Actual Emissions Provided by Covanta



Attachment B – Municipal & Residual Waste Transportation Hauling Company Checklist

pennsylvania
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Municipal and Residual Waste Transportation Hauling Company Checklist

As part of the waste industry, you have the responsibility to protect against adverse impacts on the environment and on the public health, safety, and welfare associated with the transportation of waste in Pennsylvania. This checklist provides suggestions to help you and your employees protect against adverse impacts relating to transportation of waste in Pennsylvania. To identify simple things you can do to make a big difference, ask yourself and your employees the questions below. If you answer **"No"** to any question, there is more you or your company can do to control transportation impacts and ensure compliance with regulations and requirements.

If you need help or have questions, refer to the "Summary of Pennsylvania's State and Federal Requirements" section on the second page of this Fact Sheet.

- ❑ Do you have a valid Department of Environmental Protection (DEP) municipal/residual waste transportation authorization sticker for your vehicles?
- ❑ Do you have a valid written municipal/residual waste transportation authorization card (i.e. cab card) from DEP to keep in your vehicles at all times?
- ❑ Do you have written policies and procedures to protect against adverse impacts from the transportation of waste?
- ❑ Do you repair and replace tarps and other vehicle covers as required? Do you provide vehicles with tarp repair materials or spare covers?
- ❑ Do you inspect and replace fire extinguishers as required?
- ❑ Do you inspect vehicles at day's end and make sure that drivers remove loose waste? Do you clean vehicles as required?
- ❑ Do you make sure that collection and transportation equipment and roll-off containers are constructed, inspected, and maintained to prevent leaks and other releases of waste?
- ❑ Do you inspect, maintain, and replace rear gate seals to prevent leaks or other releases of waste?
- ❑ Do you have and enforce policies regarding drivers performing inspections of tarps, other covers, seals, and containers as part of daily vehicle inspection?
- ❑ Do you have and enforce policies on not transporting municipal waste above the solid sides of the vehicle?
- ❑ Do you inform drivers of facility permit conditions on operating hours, approved approach routes and other matters? Do you make sure that drivers comply with facility safety requirements such as having safety equipment and following unloading procedures and speed limits?
- ❑ Do your vehicles have signs with owner name and address (city, state and zip code) and waste type?
- ❑ Do you provide protective clothing, first aid supplies, and other safety equipment?
- ❑ Do vehicles transporting residual waste have contingency plans for responding to leaks or discharges?
- ❑ Do you make sure that drivers maintain their DOT duty log, commercial driver's license, and medical certificate?
- ❑ Do you make sure that drivers complete daily vehicle inspection reports? Do you fix and repair vehicles as required?
- ❑ Do you have and enforce policies regarding not driving overweight vehicles?
- ❑ Do you check driver weight slips?
- ❑ Do your drivers check vehicles after unloading and before leaving disposal facility for loose waste?
- ❑ Do your drivers check vehicles for mud and dirt to prevent the tracking onto public roadways?
- ❑ Do you notify drivers regarding facility policies, requirements, and procedures?
- ❑ Do you notify customers regarding company and disposal facility requirements related to waste acceptance and transportation?
- ❑ Do you notify drivers regarding any problems observed and take action to fix the problems?

If you answered **"No"** to any question, did you take action to correct the problem?

How did you do? If you answered **"Yes"** to all the questions or took steps to correct and prevent the problems from recurring, ***Thank You*** for helping to protect Pennsylvania's environment, public health, and safety.

FACT SHEET

Summary of Pennsylvania's State and Federal Requirements

- It shall be unlawful for any person to: ... transport or permit the transportation of any solid waste ... in such a manner as to adversely affect or endanger the public health, safety and welfare or environment. Solid Waste Management Act § 6018.610 (6).
- It is unlawful for a transporter to operate a waste transportation vehicle without obtaining written authorization from DEP. Act 90, Waste Transportation Safety Act § 6204.
- Load must be covered with a securely fastened water resistant cover that eliminates potential for littering and other nuisances. 25 Pa. Code §§ 285.211(a) and 299.211 (a).
- Haulers that collect or transport source-separated recyclable materials may not combine waste with the source-separated recyclable materials. 25 Pa. Code §§ 285.211 (c).
- Vehicle must be equipped with a charged fire extinguisher. If hauling municipal or residual waste, vehicle must have a 5 B:C fire extinguisher or two 4 B:C fire extinguishers. 25 Pa. Code §§ 285.213 (a) (1) and 299.213 (a) (1) (iii).
- Collection and transportation equipment must be cleaned to prevent odors and other nuisances. 25 Pa. Code §§ 285.213 and 299.213.
- Collection and transportation equipment must be constructed to prevent littering, leakage, dust, and vectors. 25 Pa. Code §§ 285.213 and 299.213.
- Collection and transportation equipment must be maintained to prevent release or leakage of waste. 25 Pa. Code §§ 285.213 (c) and 299.213 (c).
- Loads of municipal waste must be no higher than the solid sides of the vehicle. 25 Pa. Code § 285.214 (b) and 75 Pa. C.S.A. §§ 4903 (c.1) (Vehicle Code).
- Waste must be removed from vehicle at disposal site to prevent scattering of litter. 25 Pa. Code § 285.214 (b).
- Waste must be transported in compliance with permit terms and conditions. 25 Pa. Code §§ 285.215 (c) and 299.215 (c).
- A daily operational record must be maintained that includes: waste origin, transporter, transfer facility, final waste destination, weight or volume of the types of waste, any handling problems, and emergency disposal activities. The operational record must also be kept in the cab of the vehicle during daily collection and transportation. 25 Pa. Code §§ 285.217 and 299.219.
- Vehicle must be identified with a sign that includes the name and address (city, state, zip code) of vehicle owner, and type of waste. Lettering must be six inches in height. 25 Pa. Code §§ 285.218 and 299.220.
- Vehicles transporting residual waste must be equipped with safety equipment, including protective clothing and first aid supplies. 25 Pa. Code § 299.216 (a), and absorbent mats or other liquid absorbent per § 299.216 (c).
- Vehicles transporting residual waste must have a plan for responding to spills. 25 Pa. Code § 299.216 (d).
- Driver must be properly licensed, have a medical certificate, log of hours of service and not be under the influence of alcohol or controlled substances. 75 Pa. C.S.A. Chapter 16 (Vehicle Code) and 49 CFR Parts 382, 383, 391, 392, 395 and 25 Pa. Code §§ 285.215 and 299.215.
- Driver must complete a daily Driver Vehicle Inspection Report. 49 CFR 396.11.
- Driver must comply with registered vehicle weight limits. 25 Pa. Code §§ 285.215 and 299.215 and 75 Pa. C.S.A. Chapter 49 (Vehicle Code).

NOTE – This is not a complete list of requirements or authorities for the transportation of municipal and residual waste in Pennsylvania. Please refer to 25 Pa. Code Article VIII (Municipal Waste) and IX (Residual Waste Management), the Pa. Vehicle Code (75 Pa. C.S.A.), the Solid Waste Management Act (35 P.S. §§ 6018.101 to 6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101 to 4000.1904), the Waste Transportation Safety Act (Act 90) (27 Pa. C.S.A. §§ 6201-6209) and 49 CFR (Code of Federal Regulation) relating to Transportation, including 49 CFR Parts 300-399.

You are responsible for knowing and complying with all relevant laws, regulations, permits, and authorizations.

For more information, visit DEP's Waste Transportation website, www.dep.pa.gov/wtsp.

Attachment C – City of Chester Zoning Ordinance and Noise Ordinance

City of Chester Zoning Ordinance

Delaware County, Pennsylvania

Including amendments enacted through December 30, 2015.

This Ordinance is TITLE THREE of the
Codified Ordinances of the City of Chester.

URDC

Community Planning and Zoning Consultant

Urban Research and Development Corporation
Bethlehem, Pennsylvania

SIMPLIFIED TABLE OF CONTENTS

ARTICLE 1355
ENVIRONMENTAL PROTECTION

1355.01 **Erosion Control**. See State erosion and sedimentation control regulations and Article 1369, which are the City's Stormwater Management regulations. Compliance with State erosion and sedimentation control regulations shall be an automatic condition of any zoning permit for work that involves earth disturbance. The Zoning Officer may require that evidence of compliance with such regulations be submitted to the City.

1355.02 **Nuisances and Hazards to Public Safety.**

(a) No land owner, tenant nor lessee shall use or allow to be used any land or structures in a way that results or threatens to result in any of the following conditions:
(1) Transmission of communicable disease, including conditions that may encourage the breeding of insects or rodents.
(2) A physical hazard to the public, or a physical hazard that could be an attractive nuisance that would be accessible by children.
(3) Significant risks to public health and safety, such as but not limited to, explosion, fire or biological hazards.

(b) Additional Information. If the Zoning Officer has reason to believe that the proposed use may have difficulty complying with the standards of this Ordinance, then the Zoning Officer may require an applicant to provide written descriptions of proposed machinery, hazardous substances, operations and safeguards.

1355.03 **Steep Slopes**. The land adjacent to a proposed or existing building shall not be re-graded in such a way that makes it difficult to reach each side of a building with a fire ladder.

1355.04 **Flood-Prone Areas and River and Creek Setbacks.** See Article 1353 for the Floodplain Ordinance regulations.

1355.05 **Noise**. See also the separate City of Chester Noise Ordinance.

(a) No principal or accessory use, or operations or activities on its lot, shall generate a sound level exceeding the limits established in the table below, when measured at the specified locations:

Sound Level Limits by Receiving Land Use/ District

LAND USE OR ZONING DISTRICT RECEIVING THE NOISE	HOURS/ DAYS	MAXIMUM SOUND LEVEL
1. At a Lot Line of a Residential Use in a Residential District	1) 7 a.m. to 9 p.m. other than Sundays, Christmas Day, Thanksgiving Day, New Years Day, Labor Day and Memorial Day 2) 9 p.m. to 7 a.m. plus all of the following days: Sundays, Christmas, Thanksgiving, New Years, Easter Sunday, Labor Day and Memorial Day	1) 62 dBA 2) 55 dBA
2. Lot Line of a Principal Residential Use that is not in a Residential District	1) Same as above 2) Same as above	1) 65 dBA 2) 62 dBA

LAND USE OR ZONING DISTRICT RECEIVING THE NOISE	HOURS/ DAYS	MAXIMUM SOUND LEVEL
3. Any Lot Line other than "1." or "2."	All times and days	70 dBA

Note- dBA means "A" weighted decibel.

(b) The maximum permissible sound level limits set forth in the above table shall not apply to any of the following noise sources:

1. Sound needed to alert people about an emergency.
2. Repair or installation of utilities or construction of structures, sidewalks or streets between the hours of 7 a.m. and 9 p.m., except for clearly emergency repairs which are not restricted by time.
3. Lawnmowers, snowblowers, leaf blowers and similar equipment.
4. Household power tools between the hours of 7 a.m. and 9 p.m.
5. Agricultural activities, livestock and other animals.
6. Public celebrations authorized by City Council, a City Government agency, or a County, State or Federal Government agency or body.
7. Unamplified human voices.
8. Routine ringing of bells and chimes by a place of worship or municipal clock.
9. Vehicles lawfully operating on a public street, railroads and aircraft.

1355.06 **Odors and Dust**. No use shall generate odors or dust that are offensive to persons of average sensitivities beyond the boundaries of the subject lot.

1355.07 **Control of Light and Glare**. This section shall only regulate exterior lighting that spills across lot lines or onto public streets.

(a) Street Lighting Exempted. This section shall not apply to: a) street lighting that is owned, financed or maintained by the City or the State, or b) an individual light of less than 10 feet total height in a front yard or attached to the front of a building.

(b) Height of Lights. No luminaire that is within 150 feet of a lot line of an existing dwelling shall be placed at a height exceeding 35 feet above the average surrounding ground level. This limitation shall not apply to lights needed for air safety nor lights intended solely to illuminate an architectural feature of a building, or lighting of outdoor public recreation facilities.

(c) Diffused. All light sources, including signs, shall be properly diffused as needed with a translucent or similar cover and/or shielded to prevent exposed lighting elements from being directly visible from streets, public sidewalks, dwellings or adjacent lots.

(d) Shielding. All light sources, including signs, shall be shielded around the light source and carefully directed and placed to prevent the lighting from creating a nuisance to reasonable persons in adjacent dwellings, and to prevent the lighting from shining into the eyes of passing motorists.

(e) Flickering. Flashing, flickering or strobe lighting are prohibited, except for non-advertising seasonal lights between October 25th and January 10th.

ARTICLE 727
Noise

CROSS REFERENCES

Preventing noises - see 3rd Class Sec. 2403(25) (53 P.S. Sec. 37403(25))
Loud and unnecessary noises - see GEN. OFF. 713.01
Sound trucks and bullhorns - see GEN. OFF. 713.03
Vehicle horns and warning devices - see GEN. OFF. 713.06
Music from taverns - see GEN. OFF. 713.07
Noisy theater advertising - see GEN. OFF. 713.08

727.01 LOUD, UNNECESSARY NOISE PROHIBITED.

No person shall make, continue or cause to be made or continued any loud, unnecessary or unusual noise or any noise which either annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others, within the City limits. (Ord. 14-1981 Sec. 1. Passed 4-29-81.)

727.02 PROHIBITED NOISES.

The following acts, among others, are declared to be loud, disturbing and unnecessary noises in violation of this article, but such enumeration shall not be deemed to be exclusive:

(a) Horns, Signaling Devices, etc. The sounding of any horn or signaling device on any automobile, motorcycle, street car or other vehicle on any street or public place of the City, except as a danger warning; the creation by means of any such signaling device of any unreasonably loud or harsh sound; and the sounding of any such device for an unnecessary and unreasonable period of time. The use of any signaling device except one operated by hand or electricity; the use of any horn, whistle or other device operated by engine exhaust; and the use of any such signaling device when traffic is held up for any reason.

(b) Radios, Phonographs, etc. The using, operating or permitting to be played, used or operated any radio receiving set, musical instrument, phonograph or other machine or device for the producing or reproducing of sound in such manner as to disturb the peace, quiet and comfort of the neighboring inhabitants or at any time with louder volume than is necessary for convenient hearing for the person or persons who are in the room, vehicle or chamber in which such machine or device is operated or who are walking or riding a motor vehicle or bicycle or other means of transportation on the public streets or highways and who are voluntary listeners thereto. The operation of any such set, instrument, phonograph, machine or device between the hours of 11:00 p.m. and 7:00 a.m. in such a manner as to be plainly audible at a distance of fifty feet from the building, structure, vehicle or property in which it is located shall be prima facie evidence of a violation of this section.

(c) Loud Speakers and Amplifiers for Advertising. The using, operating or permitting to be played, used or operated of any radio receiving set, musical instrument, phonograph, loud speaker, sound amplifier or other machine or device for the producing or reproducing of sound which is cast upon the public streets for the purpose of commercial advertising or attracting the attention of the public to any building or structure except as permitted by law.

(d) Yelling, Shouting, etc. Yelling, shouting, hooting, whistling or singing on the public streets, particularly between the hours of 11:00 p.m. and 7:00 a.m. or at any time or place so as to annoy or disturb the quiet, comfort or repose of persons in any office, or in any dwelling, hotel or other type of residence, or of any persons in the vicinity.

children (do not use nearby parks)

(e) Animals, Birds, etc. The keeping of any animal or bird which, by causing frequent or long continued noise, shall disturb the comfort or repose of any persons in the vicinity.

(f) Steam Whistles. The blowing of any locomotive steam whistle or steam whistle attached to any stationary boiler except to give notice of the time to begin or stop work or as a warning of fire or danger, or upon request of proper City authorities.

(g) Exhausts. The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine, motor boat or motor vehicle except through a muffler or other device which shall effectively prevent loud or explosive noises therefrom.

(h) Defect in Vehicle or Load. The use of any automobile, motorcycle or vehicle so out of repair, so loaded or in such manner as to create loud and unnecessary grating, grinding, rattling or other noise.

(i) Loading, Unloading and Opening Boxes. The creation of a loud and excessive noise in connection with loading or unloading any vehicle or the opening and destruction of bales, boxes, crates and containers.

(j) Construction or Repairing of Buildings. The erection (including excavating), demolition, alteration or repair of any building other than between the hours of 7:00 a.m. and 6:00 p.m. on weekdays and Saturdays, except in case of urgent necessity in the interest of public health and safety, and then only with a permit from the Building Inspector, which permit may be granted for a period not to exceed three days or less while the emergency continues and which permit may be renewed for periods of three days or less while the emergency continues. If the Building Inspector should determine that the public health and safety shall not be impaired by the erection, demolition, alteration or repair of any building or the excavation of streets and highways within the hours of 6:00 p.m. and 7:00 a.m., and if he shall further determine that loss or inconvenience would result to any party in interest, he may grant permission for such work to be done within the hours of 6:00 p.m. and 7:00 a.m., upon application being made at the time the permit for the work is awarded or during the progress of the work.

(k) Schools, Courts, Churches and Hospitals. The creation of any excessive noise on any street adjacent to any school, institution of learning, church or court while the same are in use, or adjacent to any hospital, which unreasonably interferes with the workings of such institution, or which disturbs or unduly annoys patients in the hospital, provided conspicuous signs are displayed in such streets indicating that the same is a school, hospital or court street.

selling food traffic loud car radios

(l) Hawkers and Peddlers. The shouting and crying of peddlers, hawkers, and vendors which disturbs the peace and quiet of the neighborhood.

(m) Drums. The use of any drum or other instrument or device for the purpose of attracting attention by creation of noise to any performance, show or sale, except as permitted by law.

(n) Transportation of Metal Rails, Pillars and Columns. The transportation of rails, pillars or columns of iron, steel or other material, over and along streets and other public places upon carts, drays, cars, trucks or in any other manner so loaded as to cause loud noises or as to disturb the peace and quiet of such streets or other public places.

(o) Operation of Street Railway Cars. The causing, permitting or continuing of any excessive, unnecessary and avoidable noise in the operation of a street railway car. (Ord. 14-1981. Passed 4-29-81.)

(p) Pile Drivers, Hammers, Etc. The operation of any pile driver, steam shovel, pneumatic hammer, derrick, steam or electric hoist or other appliances other than between the hours of 7:00 a.m. and 6:00 p.m. on weekdays and Saturdays, except in case of urgent in the interest of public health safety, and then only with a permit from the Building Inspector, which permit may be granted for a period not to exceed three days or less while the emergency continues and which permit may be renewed for periods of three days or less while the emergency continues. If the Building Inspector should determine that the public health and safety shall not be impaired by the operation of any pile driver, steam shovel, pneumatic hammer, derrick, steam or electric hoist or other appliances other than between the hours of 6:00 p.m. and 7:00 a.m., and if he shall further determine that loss or inconvenience would result to any party in interest, he may grant permission for such work to be done within the hours of 6:00 p.m. and 7:00 a.m., upon application being made at the time the permit for the work is awarded or during the progress of the work.
(Ord. 5-2011. Passed 5-25-11.)

(q) Blowers. The operation of any noise-creating blower or power fan or any internal combustion engine, the operation of which causes noise due to the explosion of operating gases or fluids, unless the noise from such blower or fan is muffled and such engine is equipped with a muffler device sufficient to deaden such noise.
(Ord. 14-1981 §2. Passed 4-29-81.)

727.99 PENALTY.

Whoever violates any provision of this article shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not more than three hundred dollars ($300.00) or imprisoned not more than ninety days, or both.
(Ord. 14-1981 §3. Passed 4-29-81.)