

# Allegheny County Health Department

## DIRECTOR

Bruce W. Dixon, M.D.



Ms. Joyce Epps, Director  
Department of Environmental Protection  
Bureau of Air Quality  
Rachel Carson Building  
400 Market Street, P.O. Box 8468  
Harrisburg, PA 17105-8468

## AIR QUALITY PROGRAM

301 Thirty-Ninth Street  
Pittsburgh, Pennsylvania 15201-1891  
412-578-8103

June 4, 2008

## BOARD OF HEALTH

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William Youngblood

Dear Ms. Epps:

Enclosed are two paper copies and a disk containing a pdf version of a revision to Allegheny County's portion of the Pennsylvania State Implementation Plan for the Attainment and Maintenance of the National Ambient Air Quality Standards that will add two items: (1) the County's Prevention of Significant Deterioration (PSD) regulations as delineated in already existing Section 2102.07, "Prevention of Significant Deterioration," of Article XXI, Air Pollution Control Rules and Regulations; and (2) a letter that describes how the County meets the Clean Air Act requirements of Sections 110(a)(2)(C), (D)(i), and (J) for interstate pollution transport requirements for the 1997 8-hour ozone and PM2.5 NAAQS.

It should be noted that the letter addresses SIP deficiencies identified by PA DEP and EPA, including the issue of how PM10 is to be used as a surrogate for PM2.5 in lieu of implementing PSD rules. Now, with the subsequent promulgation of the PM2.5 NSR implementation rules (73 FR 28321, May 16, 2008, effective July 15, 2008), and because Allegheny County's PSD regulations incorporate by reference the federal PSD regulations of 40 CFR 52.21 in their entirety, ACHD recognizes that it will be following those federal rules upon the effective date and that the references in our letter to following the guidelines contained in the October 23, 1997 John S. Seitz memorandum entitled "Interim Implementation of New Source Review Requirements for PM2.5" will then be moot.

This SIP Revision was the subject of a public comment period from April 2, 2008 until May 5, 2008 and public hearing on May 2, 2008. The Board of Health approved it on May 7, 2008. It is being tracked as our internal Revision 62.

We request that the Pennsylvania Department of Environmental Protection approve this revision and forward the hard copies and disk to the U.S. EPA Region III with a recommendation for approval.



Allegheny County PSD SIP Revision Submittal

June 4, 2008

Page 2 of 2

Copies of this submittal have also been sent to your Region V Pittsburgh Office for their information and review.

Very truly yours,

A handwritten signature in black ink, appearing to read "J. Thompson".

James Thompson  
Acting Manager  
Air Quality Program

cc: Arlene Shulman w/all enclosures  
Steve Hepler

Enclosures

- SIP Revision 62

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William Youngblood

Ms. Judith Katz, Director  
Air Protection Division  
Region III (3AP00)  
U.S. Environmental Protection Agency  
1650 Arch Street  
Philadelphia, PA 19103-2029

Dear Ms. Katz:

This is to inform you that the Allegheny County Health Department has forwarded to the Pennsylvania Department of Environmental Protection two items as a revision to Allegheny County's portion of the Pennsylvania State Implementation Plan for the Attainment and Maintenance of the National Ambient Air Quality Standards. These two items are: (1) the County's Prevention of Significant Deterioration (PSD) regulations as delineated in already existing Section 2102.07, "Prevention of Significant Deterioration," of Article XXI, Air Pollution Control Rules and Regulations; and (2) a letter that describes how the County meets the Clean Air Act requirements of Sections 110(a)(2)(C), (D)(i), and (J) for interstate pollution transport requirements for the 1997 8-hour ozone and PM2.5 NAAQS.

It should be noted that the letter addresses SIP deficiencies identified by PA DEP and EPA, including the issue of how PM10 is to be used as a surrogate for PM2.5 in lieu of implementing PSD rules. Now, with the subsequent promulgation of the PM2.5 NSR implementation rules (73 FR 28321, May 16, 2008, effective July 15, 2008), and because Allegheny County's PSD regulations incorporate by reference the federal PSD regulations of 40 CFR 52.21 in their entirety, ACHD recognizes that it will be following those federal rules upon the effective date and that the references in our letter to following the guidelines contained in the October 23, 1997 John S. Seitz memorandum entitled "Interim Implementation of New Source Review Requirements for PM2.5" will then be moot.

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Allegheny County PSD SIP Revision Submittal

June 4, 2008

Page 2 of 2

As directed by EPA, we are not including the documents with this letter, since we submit them to the Pennsylvania DEP, with a request that they approve the revision and forward the documents to EPA with a recommendation of approval.

If you have any questions, please call me at the number above or email me at [jthompson@achd.net](mailto:jthompson@achd.net).

Very truly yours,

A handwritten signature in black ink, appearing to read "J. Thompson", with a stylized flourish at the end.

James Thompson  
Acting Manager  
Air Quality Program

cc: Jayme Graham  
Sandra Etzel

# Allegheny County Health Department

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William Youngblood

Mr. Mark Wayner  
Regional Air Quality Manager  
Department of Environmental Protection  
Southwest Regional Office – Region V  
400 Waterfront Drive  
Pittsburgh, PA 15222-4745

Dear Mr. Wayner:

Enclosed is a revision to Allegheny County's portion of the Pennsylvania State Implementation Plan for the Attainment and Maintenance of the National Ambient Air Quality Standards that will add two items: (1) the County's Prevention of Significant Deterioration (PSD) regulations as delineated in already existing Section 2102.07, "Prevention of Significant Deterioration," of Article XXI, Air Pollution Control Rules and Regulations; and (2) a letter that describes how the County meets the Clean Air Act requirements of Sections 110(a)(2)(C), (D)(i), and (J) for interstate pollution transport requirements for the 1997 8-hour ozone and PM2.5 NAAQS.

It should be noted that the letter addresses SIP deficiencies identified by PA DEP and EPA, including the issue of how PM10 is to be used as a surrogate for PM2.5 in lieu of implementing PSD rules. Now, with the subsequent promulgation of the PM2.5 NSR implementation rules (73 FR 28321, May 16, 2008, effective July 15, 2008), and because Allegheny County's PSD regulations incorporate by reference the federal PSD regulations of 40 CFR 52.21 in their entirety, ACHD recognizes that it will be following those federal rules upon the effective date and that the references in our letter to following the guidelines contained in the October 23, 1997 John S. Seitz memorandum entitled "Interim Implementation of New Source Review Requirements for PM2.5" will then be moot.

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Allegheny County PSD SIP Revision Submittal

June 4, 2008

Page 2 of 2

Copies of this submittal have been sent to Ms. Joyce Epps in Harrisburg for review, along with a request that the Pennsylvania Department of Environmental Protection approve this revision and forward it to the U.S. EPA Region III with a recommendation for approval.

Very truly yours,

A handwritten signature in black ink, appearing to read "J. E. Thompson".

James Thompson  
Acting Manager  
Air Quality Program

cc: Stephen Hepler, PA DEP

Enclosures

- SIP Revision 62

**Revision to**  
**ALLEGHENY COUNTY'S**  
**portion of the**  
**PENNSYLVANIA STATE IMPLEMENTATION PLAN**  
**for the**  
**Attainment and Maintenance of the National Ambient Air Quality Standards**

**Revision 62**  
**Prevention of Significant Deterioration**  
**And**  
**Clean Air Act Sections 110(a)(2)(C), (D)(i) and (J) Obligations**

**Allegheny County Health Department**

**Revision Of Allegheny County's Portion Of The PA SIP for the Attainment and Maintenance of the National Ambient Air Quality Standards – PSD and 110(a)(2)(C), (D)(i) and (J) Obligations**

**Revision 62**

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**Revision Of Allegheny County's Portion Of The PA SIP for the Attainment and Maintenance of the National Ambient Air Quality Standards – PSD and 110(a)(2)(C), (D)(i) and (J) Obligations**

**1.A. SIP Revision Request for PSD**

On December 14, 1983 and again on March 26, 2003, Allegheny County received full delegation of authority for the implementation and enforcement of the Federal Prevention of Significant Deterioration of air quality (PSD) permit program regulations as codified at 40 CFR 52.21. (See, 48 FR 55625 and 68 FR 14617, respectively.)

At this time, Allegheny County is submitting a revision to its portion of the PA SIP. Specifically, Allegheny County requests that the U.S. EPA add the County's PSD requirements, as provided in County Ordinance 16782 and the Allegheny County Health Department Rules and Regulations, Article XXI, Air Pollution Control, §2102.07, "Prevention of Significant Deterioration" (below) to the County's portion of the PA SIP.

Under Article XXI §2102.07, the PSD requirements of 40 CFR §52.21 are adopted in their entirety and incorporated by reference. For the purposes of §2102.07, all of the definitions adopted by the aforementioned federal regulations are also incorporated by reference, including those of source and major source. Additions, revisions, or deletions to the PSD requirements adopted by EPA are incorporated into Article XXI and are effective on the date established by the Federal regulations, unless otherwise established by regulation of the Department.

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**ARTICLE XXI, §2102.07 PREVENTION OF SIGNIFICANT DETERIORATION**  
{Subsection a amended September 6, 1995, effective October 20, 1995, Subsection a modified January 22, 1998 effective March 31, 1998} Note: This is an existing Section of Article XXI. It did not require any changes for purposes of this SIP revision.

- a. **General Provisions.** The Prevention of Significant Deterioration (PSD) requirements as promulgated in 40 CFR §52.21 by the Administrator of the EPA pursuant to Section 161 of the Clean Air Act are hereby adopted in their entirety and incorporated herein by reference. For the purposes of this Section all of the definitions adopted by the federal regulations in this subsection are hereby incorporated by reference, including those of source and major source. Additions, revisions, or deletions to the PSD requirements adopted by EPA are incorporated into this Article and are effective on the date established by the Federal regulations, unless otherwise established by regulation of the Department.
- b. **Permits.** Notwithstanding the issuance of any Installation Permit pursuant to this Article, no person shall commence the construction of, and no Operating Permit shall be issued pursuant to this Article for, any new or modified major source in an attainment or unclassified area of the County until such person has obtained a PSD Permit from the Department or has obtained a written determination from the Department that a PSD Permit is not required for such source under the applicable statutes, regulations, or other laws.
- c. **Exemption.** The PSD provisions of this Article shall not apply to sources of hazardous air pollutants as defined in Part A of this Article.
- d. **Violation.** It shall be a violation of this Article giving rise to the remedies provided by Section 2109.02 of this Article for any person to commence construction of or to allow construction to commence on, or to own, operate, or allow to be operated, any new or modified major source in an attainment or unclassified area of the County in a manner that does not comply with all PSD requirements as promulgated by the EPA and incorporated herein, except if such person is lawfully temporarily relieved of the duty to comply with such requirements.

**Revision Of Allegheny County's Portion Of The PA SIP for the Attainment and Maintenance of the National Ambient Air Quality Standards – PSD and 110(a)(2)(C), (D)(i) and (J) Obligations**

**1.B.**

**SIP Revision Request to Meet Obligations Under Section 110(a)(2)(C), (D)(i) and (J) for the Eight-hour ozone and PM<sub>2.5</sub> National Ambient Air Quality Standards (NAAQS) – Letter**

See letter beginning on next page.

# Allegheny County Health Department

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Hon. Jan Rea  
Lidia C. Turzai, M.D.

William Youngblood

May 7, 2008

Ms. Joyce Epps, Director  
Department of Environmental Protection  
Bureau of Air Quality  
Rachel Carson Building  
400 Market Street, P.O. Box 8468  
Harrisburg, PA 17105-8468

RE: Allegheny County Health Department's Obligations Under Sections 110(a)(2)(C), (D)(i) and (J) for the Eight-hour Ozone and PM<sub>2.5</sub> National Ambient Air Quality Standards (NAAQS)

Dear Ms. Epps:

Under the laws of the Commonwealth of Pennsylvania, the Pennsylvania Air Pollution Control Act, the County of Allegheny, Pennsylvania Ordinance No. 16782, and the Allegheny County Health Department Rules and Regulations, Article XXI – Air Pollution Control, the Allegheny County Health Department (ACHD) has the authority to administer and enforce its installation permits (also known as “preconstruction permits”) program under Title 1 of the federal Clean Air Act in Allegheny County. Under separate cover, ACHD is requesting that the Pennsylvania Department of Environmental Protection submit this letter to the U.S. Environmental Protection Agency, Region 3, as a revision to Allegheny County's portion of the Pennsylvania State Implementation Plan (SIP).

This letter addresses ACHD's compliance with portions of Sections 110(a)(2)(C), (D)(i) and (J) of the Clean Air Act (“the CAA” or “the Act”), 42 U.S.C. § 7410(a)(2)(C), (D)(i) and (J), related to the 1997 eight-hour ozone and PM<sub>2.5</sub> NAAQS. Specifically, this letter addresses ACHD's compliance with: a) the NNSR and PSD portions of Section 110(a)(2)(D)(i) and b) the PSD portions of Sections 110(a)(2)(C) and (J), through implementation of its installation permits program, including issuance of installation (preconstruction) permits and oversight and enforcement of the interstate pollution transport requirements in Allegheny County.



As discussed below, this SIP revision is consistent with the August 15, 2006, William T. Harnett Guidance Memorandum, "Guidance for SIP Submissions to Meet Current Outstanding Obligations Under Section 110(a)(2)(D)(i) for the Eight-hour Ozone and PM<sub>2.5</sub> NAAQS" (Harnett Memorandum).

Section 110(a)(1) of the CAA provides that states must adopt and submit SIPs to the Environmental Protection Agency ("EPA") within three years after the promulgation of a new or revised NAAQS, meeting the provisions of section 110(a)(2) as applicable. Therefore, SIP submissions addressing the requirements related to section 110(a)(2) for the Eight-hour Ozone and PM<sub>2.5</sub> NAAQS were due no later than July 2000. Due to litigation of both the Eight-hour Ozone and PM<sub>2.5</sub> NAAQS, Allegheny County did not submit SIP documentation to satisfy the section 110(a)(2) requirements prior to July 2000. EPA published a finding of failure to submit in the Federal Register on April 25, 2005, with an effective date of May 25, 2005. The Federal Register notice started a two-year clock, which ended on May 25, 2007, for EPA to issue a Federal Implementation Plan (FIP) to address the interstate pollution transport requirements called for under Section 110(a)(2)(D)(i) of the CAA for states failing to submit the required SIP documentation. The Clean Air Interstate Rule (CAIR) FIP promulgated by EPA on April 28, 2006 (71 FR 25328) has partially satisfied this requirement. The additional measures outlined herein are intended to fully satisfy the interstate pollutant transport requirements in Section 110 of the CAA. The Harnett Memorandum provides guidance to the states for meeting the 110(a)(2)(D)(i) requirements.

The "good neighbor" provisions of section 110(a)(2)(D)(i) of the Act requires Allegheny County to submit a SIP revision that contains adequate provisions prohibiting any source or other type of emissions activity from emitting any air pollutant in amounts which will:

(I) contribute significantly to nonattainment in, or interfere with maintenance by, any other state with respect to any national primary or secondary air quality standard; or

(II) interfere with measures required to be included in the applicable implementation plan for any other state to prevent significant deterioration of air quality or to protect visibility.

**Section 110(a)(2)(D)(i) Requirements Related to Ozone and PM<sub>2.5</sub> Nonattainment New Source Review (NNSR) and Prevention of Significant Deterioration (PSD) Requirements:**

With respect to NNSR and PSD, the Harnett Memorandum advises that a state may fulfill its 110(a)(2)(D)(i) requirements by confirming that:

1. Major stationary sources for eight-hour ozone and PM<sub>2.5</sub> are currently subject to PSD and NNSR permitting programs, and that states are on track to meet the June 15, 2007, deadline for submitting SIPs to address the Phase II Ozone Implementation Rule requirements.
2. Major sources are subject to PSD and NNSR permitting programs implemented in accordance with EPA's interim guidance calling for use of PM<sub>10</sub> as a surrogate for PM<sub>2.5</sub>.

Major stationary sources located in Allegheny County are currently subject to PSD and NNSR permitting programs for eight-hour ozone and PM<sub>2.5</sub>. The June 15, 2007, deadline for submitting SIPs to address the Phase II ozone implementation rule requirements is no longer applicable to ACHD. Allegheny County is a "basic area," under the eight-hour ozone NAAQS and the South Coast Air Quality District v. EPA decision (See 472 F.3<sup>rd</sup> 882, D.C. Cir. 2006 as modified, 489 F.3<sup>rd</sup> 1245, D.C. Cir. 2007) had the effect of vacating the application of the June 15, 2007 deadline to basic areas. EPA has not yet established a subsequent deadline. ACHD believes that Pennsylvania's current SIP, which includes preliminary requirements for Allegheny County (Article XXI, Part B, excluding § 2102.07) meet EPA's NNSR obligations under §184 of the CAA.

As discussed in greater detail below, the ACHD confirms that it is meeting the CAA requirement for the use of PM<sub>10</sub> as a surrogate for PM<sub>2.5</sub> in its PSD Program and the NNSR Program under section 110(a)(2)(D)(i).

**Section 110(a)(2)(C) and (J) Requirements Related to PM<sub>2.5</sub> PSD Requirements:**

As you are aware, EPA has delegated the authority to implement the federal PSD program to the ACHD. See 68 FR 14617 (March 26, 2003). The Allegheny County PSD provisions are set forth at Article XXI §2102.07 of ACHD's regulations. These regulations are concurrently being submitted to PADEP as a SIP revision. For purposes of compliance with the PSD requirements of CAA Sections 110(a)(2)(C) and (J), ACHD acknowledges that it is following EPA's PM<sub>10</sub> Surrogate Guidance Documents, specifically, the April 5, 2005, Steven D. Page memorandum entitled "Implementation of New Source Review Requirements in PM<sub>2.5</sub> Nonattainment Areas;" and the October 23, 1997 John S. Seitz memorandum entitled "Interim Implementation of New Source Review Requirements for PM<sub>2.5</sub>."

The ACHD confirms that it is meeting the requirement for the use of PM<sub>10</sub> as a surrogate for PM<sub>2.5</sub> in its PSD program under CAA sections 110(a)(2)(C), (D)(i) and (J) and the NNSR Program under section 110(a)(2)(D)(i).

**Conclusion:**

The ACHD confirms that it meets the relevant and applicable NNSR and PSD requirements of CAA Section 110(a)(2)(D)(i) for the Eight-hour Ozone and the PM<sub>2.5</sub> NAAQS and that its permitting program does not significantly contribute to nonattainment or interference with maintenance of the NAAQS in another state. The Department also confirms that it meets the relevant and applicable PM<sub>2.5</sub> NAAQS PSD requirements of sections 110(a)(2)(C) and (J).

If you have any questions regarding this submittal, or require additional information, please contact Jayme Graham at 412-578-8120.

Sincerely,



Bruce W. Dixon, M.D.  
Director

**Revision of ALLEGHENY COUNTY'S portion of the  
PENNSYLVANIA STATE IMPLEMENTATION PLAN**

**For the**

**ATTAINMENT AND MAINTENANCE OF  
THE NATIONAL AMBIENT AIR QUALITY STANDARDS**

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**2. Support Documents**

**Revision Of Allegheny County's Portion Of The PA SIP for the Attainment and Maintenance of the National Ambient Air Quality Standards – PSD and 110(a)(2)(C), (D)(i) and (J) Obligations**

**2.A. Support Document for PSD SIP Submittal**

In support of the SIP PSD revision request, the County offers the following information:

1. Responsible Agency

The Allegheny County Health Department Air Quality Program (ACHD AQP) is the responsible agency for administering and enforcing PSD requirements in Allegheny County. The ACHD AQP is an approved local air pollution control agency under the Pennsylvania Air Pollution Control Act, 35 P. S. §§4001. et seq., and has been the air pollution permitting and enforcement agency in Allegheny County for many years.

2. Surveillance

Chapter 3 of Allegheny County's portion of the Pennsylvania SIP describes in detail the ACHD AQP's legal authority to require, and to obtain access to monitoring, recordkeeping and reporting of air pollution sources. As further described in the County's portion of the SIP, the AQP administers a comprehensive permitting program and a routine inspection program to discover the operation of sources in violation of applicable law.

3. Public Information

As required by Article XX, §2102.05, "Installation Permits for New and Modified Major Sources," the County provides the opportunity for public comment on Installation Permits for new and modified major sources in accordance with federal requirements, including 40 CFR 52.21(q). Copies of all public comment notices are provided to EPA.

With respect to all sources, new and existing, all information, except trade secrets, which is in the AQP's possession relevant to the issuance of permits or orders, the determination of actual or allowable emission rates, the reporting of breakdowns or shutdowns or the air quality data is open to public inspection, as required by Article XXI, §2101.07, "Administration and Organization." The AQP carefully reviews any information submitted as trade secrets to assure only proper use of confidentiality.

4. Reporting Requirements

The AQP presently submits to EPA the periodic reports required by federal regulations. The reports include information relative to major sources proposing to locate in attainment or unclassified areas of the County, PSD permit applications received or determinations made during the reporting period, and will continue to include information relative to any enforcement action affecting any source subject to PSD requirements.

5. Resources

The AQP's staffing, funding and other resources are fully identified and

**Revision Of Allegheny County's Portion Of The PA SIP for the Attainment and Maintenance of the National Ambient Air Quality Standards – PSD and 110(a)(2)(C), (D)(i) and (J) Obligations**

documented in the County's portion of the SIP and are sufficient to implement and enforce the PSD regulations at or near the current level of PSD activity.

**6. Identification and Notification of Potential New Sources**

The AQP has conducted an air pollution permit system for many years. Permit requirements are generally known to all companies, consultants, contractors and the like, which have had prior dealings with the County. Further, the AQP receives referrals from the PA Department of Environmental Protection, which is the air pollution permitting authority for other areas of the Commonwealth and the water and solid waste permitting authority for all areas of the Commonwealth.

In addition, the AQP conducts a continuing program of on-site field inspections and investigations, which will identify the construction of new sources. In the event that a new source is discovered being constructed in an attainment or unclassified area without a permit, immediate notification of the applicable PSD and other permit requirements will be given as appropriate. This will be followed by legal or other action as necessary.

**7. Enforcement**

The ACHD AQP derives its enforcement authority from the Pennsylvania Air Pollution Control Act, 35 P. S. §§4001 *et. seq.*, the Second Class County Code, 16 P.S. §§3101 *et. seq.* and the Local Health Administration Law, 16 P. S. §§ 1200 *et. seq.* This authority is discussed in detail, and the relevant statutes set forth in Chapter 3 of the County's portion of the SIP.

Legal remedies available for violations of County regulations, including PSD provisions, include:

- (a) Issuance of an enforcement order or an order requiring the shutdown of the source or the cessation of construction found to be in violation of PSD requirements;
- (b) Initiation of summary proceedings punishable by fines of from \$100 to \$1,000 per violation;
- (c) Initiation of civil penalty proceedings punishable by penalties up to \$10,000 plus \$2,500 per day of continued violation; and equitable relief.

**8. Consistency with Federal Regulations**

§2101.07 of Article XXI adopts and incorporates by reference the federal PSD requirements. §2101.07.d also makes it a violation of Article XXI to commence construction of a major source in an attainment or unclassified area of the County in a manner that does not comply with all PSD requirements now or hereafter promulgated by EPA.

At present there are no federal regulations for PSD for PM<sub>2.5</sub>. EPA has published several memoranda on how to address this issue. Allegheny County follows the guidance of these memos. A letter confirming this is part of this SIP.

**Revision Of Allegheny County's Portion Of The PA SIP for the Attainment and Maintenance of the National Ambient Air Quality Standards – PSD and 110(a)(2)(C), (D)(i) and (J) Obligations**

**2.B. Support Document for SIP submittal for Clean Air Act Sections 110(a)(2)(C), (D)(i) and (J) Obligations**

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This Infrastructure SIP for Clean Air Act Sections 110(a)(2)(C), (D)(i) and (J), is provided here as supporting information. The CAA citation is provided followed by the description of how the County satisfies the requirement.

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**§110 [142 U.S.C. 7410] Implementation Plans**

**(2) Each implementation plan submitted by a State under this Act shall be adopted by the State after reasonable notice and public hearing. Each such plan shall...**

**(C) include a program to provide for the enforcement of the measures described in subparagraph (A), and regulation of the modification and construction of any stationary source within the areas covered by the plan as necessary to assure that national ambient air quality standards are achieved, including a permit program as required in parts C and D;**

Description of how County meets the requirement –

- ☛ SIP Chapter 8.1, “Adoption in Legally Enforceable Form,” describes the incorporation into the SIP of the Rules and Regulations of the Allegheny County Health Department, Air Pollution Control (then Article XX, since revised and incorporated as Article XXI). SIP Chapter 3.2, “Enforcement Authority,” describes the Pennsylvania statutes which provide Allegheny County with the legal authority to enforce applicable laws, regulations and standards, and to seek injunctive relief for violations of applicable laws, regulations and standards. It also lists the enforcement options that the regulations authorize the ACHD to pursue. These enforcement options are incorporated as regulations in Article XXI, Sections 2109.02, “Remedies,” 2109.03, “Enforcement Orders,” and 2109.06, “Civil Proceedings,” and provide the enforcement program for the measures described in subparagraph (A) of Section 110(a)(2) of the CAA.
- ☛ SIP Chapter 3.4, “Regulation of Construction and Operation of Sources,” describes the Pennsylvania statute (Second Class County Code, Act of July 28, 1953, P.L. 723, as amended, 16 P.S. §5195) which provides the County with the legal authority to prevent construction, modification or operation of sources which will prevent the attainment or maintenance of NAAQS, and provides for the issuance of permits and certificates of compliance. The regulatory requirements for the permit program are also outlined in general. The permit program regulations are found in Article XXI, Part B, especially Section 2102.04, “Installation Permits”; and Part C - “Operating Permits,” especially Section 2103.12, “Issuance, Standard Conditions.”

**Revision Of Allegheny County's Portion Of The PA SIP for the Attainment and Maintenance of the National Ambient Air Quality Standards – PSD and 110(a)(2)(C), (D)(i) and (J) Obligations**

§ In SIP Appendix 21, Allegheny County requested the delegation of authority to implement and enforce (within the geographic boundaries of Allegheny County) regulations promulgated under Part C of the Federal Clean Air Act, 'Prevention of Significant Deterioration of Air Quality.' As a result, Article XX (now Article XXI), was amended to adopt by reference, in their entirety, the federal PSD requirements promulgated in 40 CFR Part 52. Thus, Article XXI, Section 2102.07.b, "Permits," requires the issuance of a PSD permit before construction of any new or modified major source in an attainment or unclassified area of the County, and before the issuance of an Operating Permit.

Thus, the requirements for a permit program as required by Part C are met.

§ SIP Chapter 12, "New Source Review," addresses the requirements of a permit program related to Part D, "Plan Requirements for Nonattainment Areas." Specifically, Section 12.4, "Offset Regulation," discusses offset regulations, 'net air quality benefit', LAER, and owner compliance. Reference is made to sections 806 through 808 of the regulations set forth in Chapter 17 of the Plan (then Article XX). These regulations are now located in Article XXI, Section 2102.06, "Major Sources Locating in or Impacting a Nonattainment Area." (Reference Sections 2102.06.b.1, 2, 3, 4.A, 4.C.i, & 2102.06.e.)

Regarding §173(b), the County does not use old growth allowances. Regarding §173(d), the County submits control technology information from permits to the RACT/BACT/LAER clearing house for the purposes of making such information available to other States and the general public.

Thus, the requirements for a permit program as required by Part D are met.

---

**§110 [142 U.S.C. 7410] Implementation Plans**

**(2) Each implementation plan submitted by a State under this Act shall be adopted by the State after reasonable notice and public hearing. Each such plan shall...**

**(D) contain adequate provisions-**

**(i) prohibiting, consistent with the provisions of this title, any source or other type of emissions activity within the State from emitting any air pollutant in amounts which will-**  
**(I) contribute significantly to nonattainment in, or interfere with maintenance by, any other State with respect to any such national primary or secondary ambient air quality standard, or**

**(II) interfere with measures required to be included in the applicable implementation plan for any other State under part C to prevent significant deterioration of air quality or to protect visibility,**

Description of how County meets the requirement –

SIP Subchapter 16.3.1.2, "Interstate Pollution," discusses the County regulations implementing the requirements of Sections 110 and 126 of the Clean Air Act relative to interstate pollution. (Interstate pollution is also discussed in SIP Chapter 12, "New

**Revision Of Allegheny County’s Portion Of The PA SIP for the Attainment and Maintenance of the National Ambient Air Quality Standards – PSD and 110(a)(2)(C), (D)(i) and (J) Obligations**

Source Review,” Sections 12.2, “Permit Review for All Sources,” and 12.4, “Offset Regulation”.) The sections of Article XXI comparable to the sections of Article XX discussed in the SIP, are presented below.

- Response to Section 110(a)(2)(D)(i)(I) and (II)  
Article XXI, Section 2101.12.a, “Interstate Air Pollution - General,” states, “It shall be a violation of this Article . . . for any person to operate, or allow to be operated, any source in such manner that emissions from such source:  
(1) Prevent the attainment or maintenance by any other state of any primary or secondary NAAQS; or  
(2) Interfere with any measure required to be included in the applicable implementation plan for any other state under Part C of the CAA relating to prevention of significant deterioration of air quality or protection of visibility.”

Article XXI, Section 2109.04, “Orders Establishing an Additional or More Restrictive Standard,” also allows that if emissions from any source violate the requirements of Section 2101.12 relating to interstate pollution, the Department may order compliance with more stringent emission limitations or may order the immediate shutdown of the source or any part thereof.

Thus, the requirements of Section 110(a)(2)(D)(i)(I) and (II) are met.

---

**§110 [142 U.S.C. 7410] Implementation Plans**

**(2) Each implementation plan submitted by a State under this Act shall be adopted by the State after reasonable notice and public hearing. Each such plan shall...**

**(J) meet the applicable requirements of section 121 (relating to consultation), section 127 (relating to public notification), and part C (relating to prevention of significant deterioration of air quality and visibility protection);**

Description of how County meets the requirement –

- Meeting the requirements of Section 121  
SIP Chapter 15, “Intergovernmental Consultation,” describes the intergovernmental - interagency consultation process which existed at the time the SIP was developed, and the County’s pledge to continue the process. That pledge is demonstrated now by:  
1) The air quality regulations, Article XXI, Section 2101.02, “Declaration of Policy and Purpose,” item (c)(7), which states that the purpose of Article XXI is, among other things, to “Maximize public and governmental understanding of, and participation in, efforts to improve and maintain the air resources of Allegheny County;”  
2) The existence of the Air Pollution Control Advisory Committee and its subcommittees; and  
3) The continuing input of the Southwestern Pennsylvania Commission to the transportation component of the SIP.

Thus, the applicable requirements of Section 121 are satisfied.

**Revision Of Allegheny County's Portion Of The PA SIP for the Attainment and Maintenance of the National Ambient Air Quality Standards – PSD and 110(a)(2)(C), (D)(i) and (J) Obligations**

Meeting the requirements of Section 127

SIP Chapter 16.2, "Public Notification and Education," addresses the requirements of Section 127 of the CAA. Subchapter 16.2.1, "Annual Reports on Air Pollution Episodes," describes how, within 60 days after the end of each calendar year, the Allegheny County Health Department will issue a press release identifying those instances and areas in which any primary NAAQS was exceeded during any portion of the preceding calendar year.

Subchapter 16.2.2, "Current Episode Information," describes how the Clean Air Monitor was published bi-monthly by the Health Department, and how it contains "periodic air quality reports, summaries of significant episodes and articles relating to the health effects of excessive concentrations of air pollutants, ways in which the public can participate in efforts to improve air quality and ways of obtaining additional information concerning air pollution." This publication has been replaced by a monthly air quality report.

Subchapter 16.2.3, "Public Education," describes how the Department's Public Information Office performs such duties as preparing press releases concerning enforcement activities, new programs relating to air pollution, upcoming meetings of the Advisory Committee and the Health Department, and other meetings, programs, and seminars which may be of public interest. It also describes how, the bi-monthly Clean Air Monitor and other informational and educational activities, will aid in increasing public awareness, understanding, and participation in matters related to the improvement of air quality. The Clean Air Monitor no longer exists, but there now is another bi-monthly publication called ECO-CURRENTS covering environmental issues, including those related to air quality.

Thus, the applicable requirements of Section 127 are satisfied.

↳ Meeting the requirements of Part C (relating to prevention of significant deterioration of air quality and visibility protection)

In SIP Appendix 21, Allegheny County requested the delegation of authority to implement and enforce, within the geographic boundaries of Allegheny County, regulations promulgated under Part C of the Federal Clean Air Act, 'Prevention of Significant Deterioration of Air Quality.' As a result, Article XX, now Article XXI, was amended to adopt by reference, in their entirety, the federal PSD requirements promulgated in 40 CFR Part 52. (See Article XXI, Section 2102.07.)

Thus the requirements of Part C are met.

**Revision of ALLEGHENY COUNTY'S portion of the  
PENNSYLVANIA STATE IMPLEMENTATION PLAN**

**For the**

**ATTAINMENT AND MAINTENANCE OF  
THE NATIONAL AMBIENT AIR QUALITY STANDARDS**

---

**3. Documentation of Public Hearing and Certifications**

Public hearing notice  
Transmittals of hearing notice to EPA & PA DEP  
Proof of publication of notice of hearing  
Certification of Hearing  
Summary of Comments and Responses  
Certification of Approval and Adoption

NOTICE OF PUBLIC HEARING  
FOR PROPOSED AMENDMENT TO  
ALLEGHENY COUNTY'S PORTION OF  
THE PENNSYLVANIA STATE IMPLEMENTATION PLAN

The Allegheny County Board of Health will hold a public hearing on **Friday, May 2, 2008**, at **10:00 AM**, Building #7 First Floor Conference Room, Clack Health Center, 301 39th Street, Pittsburgh, PA 15201 to take testimony on two items to be submitted as an addition to the County's portion of the Pennsylvania State Implementation Plan: the County's Prevention of Significant Deterioration (PSD) regulations, Article XXI, §2102.07; and a proposed letter that describes how the County meets Clean Air Act requirements of Sections 110(a)(2)(C), (D)(i), and J for interstate pollution transport requirements for the 1997 8-hour ozone and PM<sub>2.5</sub> NAAQS and in using the pollutant PM-10 as a surrogate for PM-2.5 in installation permit review.

Copies of these documents may be examined beginning Wednesday, April 2, 2008, at the Allegheny County Law Library, Room 921 City-County Building, Grant Street, Pittsburgh, PA 15219, from 8:30 AM to 5:00 PM; at the Allegheny County Health Department Library, Building 7, Clack Health Center, from 8:30 AM until 4:00 PM Monday thru Friday; on the Allegheny County Health Department web site: [www.achd.net](http://www.achd.net); or by calling 412-578-8120 to request a mailed printed copy.

Oral testimony must be pre-scheduled by calling 412-578-8008 no less than 24 hours in advance of the public hearing. Speakers will be limited to five minutes and should bring a written copy of their comments.

The Board will accept written testimony beginning **Wednesday, April 2, 2008**, and concluding **Monday, May 5, 2008**, by mail to:

Board of Health  
3333 Forbes Avenue  
Pittsburgh, PA 15213  
By email to [BOH@achd.net](mailto:BOH@achd.net)  
By Fax to 412-578-8325

# Allegheny County Health Department

## DIRECTOR

Bruce W. Dixon, M.D.



## AIR QUALITY PROGRAM

301 Thirty-Ninth Street  
Pittsburgh, Pennsylvania 15201-1891  
412-578-8103

April 1, 2008

## BOARD OF HEALTH

Paul M. King, Esq., Q.E.P.  
Chair

Lee Harrison, M.D.  
Vice Chair

Al M. Ahmed, P.E.  
Rev. Ricky V. Burgess.  
James M. Flynn, Jr.  
Ann S. Francis, R.N.  
Hon. Jan Rea  
Lidia C. Turzai, M.D.  
William Youngblood

Ms. Judith Katz, Director  
Air Protection Division  
Region III (3AP00)  
U.S. Environmental Protection Agency  
1650 Arch Street  
Philadelphia, PA 19103-2029

Dear Ms. Katz:

Enclosed is a Notice of Public Hearing scheduled to occur on May 2, 2008, regarding proposed revisions to Allegheny County's portion of the Pennsylvania State Implementation Plan for two items: inclusion of the County's Prevention of Significant Deterioration (PSD) regulations, Article XXI, §2102.07; and a proposed letter that describes how the County meets Clean Air Act requirements of Sections 110(a)(2)(C), (D)(i), and J for interstate pollution transport requirements for the 1997 8-hour ozone and PM2.5 NAAQS and in using the pollutant PM-10 as a surrogate for PM-2.5 in installation permit review.

Your comments are welcome.

Very truly yours,

Handwritten signature of James Thompson in cursive.

James Thompson  
Acting Manager  
Air Quality Program

cc: Kathleen Root  
Dave Campbell

## Enclosures

- Proposed SIP Revision 62
- Public Hearing Notice



# Allegheny County Health Department

## DIRECTOR

Bruce W. Dixon, M.D.



## AIR QUALITY PROGRAM

301 Thirty-Ninth Street  
Pittsburgh, Pennsylvania 15201-1891  
412-578-8103

April 1, 2008

## BOARD OF HEALTH

Paul M. King, Esq., Q.E.P.  
Chair

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Rev. Ricky V. Burgess.  
James M. Flynn, Jr.  
Ann S. Francis, R.N.  
Hon. Jan Rea  
Lidia C. Turzai, M.D.  
William Youngblood

Ms. Joyce Epps, Director  
Department of Environmental Protection  
Bureau of Air Quality  
Rachel Carson Building  
400 Market Street, P.O. Box 8468  
Harrisburg, PA 17105-8468

Dear Ms. Epps:

Enclosed is a Notice of Public Hearing scheduled to occur on May 2, 2008, regarding proposed revisions to Allegheny County's portion of the Pennsylvania State Implementation Plan for two items: inclusion of the County's Prevention of Significant Deterioration (PSD) regulations, Article XXI, §2102.07; and a proposed letter that describes how the County meets Clean Air Act requirements of Sections 110(a)(2)(C), (D)(i), and J for interstate pollution transport requirements for the 1997 8-hour ozone and PM2.5 NAAQS and in using the pollutant PM-10 as a surrogate for PM-2.5 in installation permit review.

Copies of this notice have also been sent to your Region V Pittsburgh Office for their information and review.

Your comments are welcome.

Very truly yours,

Handwritten signature of James Thompson in cursive.

James Thompson  
Acting Manager  
Air Quality Program

cc: Arlene Shulman

## Enclosures

- Proposed SIP Revision 62
- Public Hearing Notice



# Allegheny County Health Department

## DIRECTOR

Bruce W. Dixon, M.D.



## AIR QUALITY PROGRAM

301 Thirty-Ninth Street  
Pittsburgh, Pennsylvania 15201-1891  
412-578-8103

April 1, 2008

## BOARD OF HEALTH

Paul M. King, Esq., Q.E.P.  
Chair

Lee Harrison, M.D.  
Vice Chair

Al M. Ahmed, P.E.  
Rev. Ricky V. Burgess.  
James M. Flynn, Jr.  
Ann S. Francis, R.N.  
Hon. Jan Rea  
Lidia C. Turzai, M.D.  
William Youngblood

Mr, Mark Wayner  
Regional Air Quality Manager  
Department of Environmental Protection  
Southwest Regional Office – Region V  
400 Waterfront Drive  
Pittsburgh, PA 15222-4745

Dear Mr. Wayner:

Enclosed is a Notice of Public Hearing scheduled to occur on May 2, 2008, regarding proposed revisions to Allegheny County's portion of the Pennsylvania State Implementation Plan for two items: inclusion of the County's Prevention of Significant Deterioration (PSD) regulations, Article XXI, §2102.07; and a proposed letter that describes how the County meets Clean Air Act requirements of Sections 110(a)(2)(C), (D)(i), and J for interstate pollution transport requirements for the 1997 8-hour ozone and PM2.5 NAAQS and in using the pollutant PM-10 as a surrogate for PM-2.5 in installation permit review.

Copies of this submittal have been sent to Ms. Joyce Epps in Harrisburg for review.

Your comments are welcome.

Very truly yours,

A handwritten signature in cursive script that reads "J.E. Thompson".

James Thompson  
Acting Manager  
Air Quality Program

cc: Steve Hepler

## Enclosures

- Proposed SIP Revision 62
- Public Hearing Notice



### Proof of Publication of Notice in Pittsburgh Post-Gazette

Under Act No 587, Approved May 16, 1929, PL 1784, as last amended by Act No 409 of September 29, 1951

Commonwealth of Pennsylvania, County of Allegheny, ss M. Goodwin, being duly sworn, deposes and says that the Pittsburgh Post-Gazette, a newspaper of general circulation published in the City of Pittsburgh, County and Commonwealth aforesaid, was established in 1993 by the merging of the Pittsburgh Post-Gazette and Sun-Telegraph and The Pittsburgh Press and the Pittsburgh Post-Gazette and Sun-Telegraph was established in 1960 and the Pittsburgh Post-Gazette was established in 1927 by the merging of the Pittsburgh Gazette established in 1786 and the Pittsburgh Post, established in 1842, since which date the said Pittsburgh Post-Gazette has been regularly issued in said County and that a copy of said printed notice or publication is attached hereto exactly as the same was printed and published in the \_\_\_\_\_ regular \_\_\_\_\_ editions and issues of the said Pittsburgh Post-Gazette a newspaper of general circulation on the following dates, viz:

**31 of March, 2008**

Affiant further deposes that he/she is an agent for the PG Publishing Company, a corporation and publisher of the Pittsburgh Post-Gazette, that, as such agent, affiant is duly authorized to verify the foregoing statement under oath, that affiant is not interested in the subject matter of the afore said notice or publication, and that all allegations in the foregoing statement as to time, place and character of publication are true.

#### COPY OF NOTICE OR PUBLICATION

**NOTICE OF PUBLIC HEARING FOR PROPOSED AMENDMENT TO ALLEGHENY COUNTY'S PORTION OF THE PENNSYLVANIA STATE IMPLEMENTATION PLAN**

The Allegheny County Board of Health will hold a public hearing on Friday, May 2, 2008, at 10:00 AM, Building #7 First Floor Conference Room, Clack Health Center, 301 39th Street, Pittsburgh, PA 15201 to take testimony on the proposed addition of the County's Prevention of Significant Deterioration Program, as delineated in Article XXI, §2102.07, to the County's portion of the Pennsylvania State Implementation Plan.

Copies of the proposed amendment may be examined beginning Wednesday, May 2, 2008, at the Allegheny County Law Library, Room 221 City-County Building, Grant Street, Pittsburgh, PA 15219, from 8:30 AM to 5:00 PM; at the Allegheny County Health Department Library, Building 7, Clack Health Center, from 8:30 AM until 4:00 PM Monday thru Friday; on the Allegheny County Health Department web site: [www.achd.net](http://www.achd.net); or by calling 412-578-8120 to request a mailed printed copy.

Oral testimony must be pre-scheduled by calling 412-578-8008 no less than 24 hours in advance of the public hearing. Speakers will be limited to five minutes and should bring a written copy of their comments.

The Board will accept written testimony beginning Wednesday, April 2, 2008, and concluding Friday, May 2, 2008, by mail to:

Board of Health  
3333 Forbes Avenue  
Pittsburgh, PA 15213  
By email to: [BOH@achd.net](mailto:BOH@achd.net)  
By Fax to: 412-578-8325

M. Goodwin  
PG Publishing Company

Sworn to and subscribed before me this day of:  
March 31, 2008

Linda M. Gaertner

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal  
Linda M. Gaertner, Notary Public  
City of Pittsburgh, Allegheny County  
My Commission Expires Jan. 31, 2011  
Member, Pennsylvania Association of Notaries

**STATEMENT OF ADVERTISING COSTS**  
ALCTY HEALTH-LEGAL-FORBES AVE  
JANET NORKUS  
3333 FORBES AVE  
PITTSBURGH PA 15213

To PG Publishing Company

Total ----- \$442.80

#### Publisher's Receipt for Advertising Costs

PG PUBLIS NY, publisher of the Pittsburgh Post-Gazette, a newspaper of general circulation, hereby ackn of the aforesaid advertising and publication costs and certifies that the same have been fully p

Off  
34 Boulevard  
PITTSBURG  
Phone 412

PG Publishing Company, a Corporation, Publisher of Pittsburgh Post-Gazette, a Newspaper of General Circulation

By \_\_\_\_\_

I hereby certify that the foregoing is the original Proof of Publication and receipt for the Advertising costs in the subject matter of said notice.

### Proof of Publication of Notice in Pittsburgh Post-Gazette

Under Act No 587, Approved May 16, 1929, PL 1784, as last amended by Act No 409 of September 29, 1951

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**04 of April, 2008**

Affiant further deposes that he/she is an agent for the PG Publishing Company, a corporation and publisher of the Pittsburgh Post-Gazette, that, as such agent, affiant is duly authorized to verify the foregoing statement under oath, that affiant is not interested in the subject matter of the afore said notice or publication, and that all allegations in the foregoing statement as to time, place and character of publication are true.

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NOTICE OF PUBLIC HEARING FOR PROPOSED AMENDMENT TO ALLEGHENY COUNTY'S PORTION OF THE PENNSYLVANIA STATE IMPLEMENTATION PLAN

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M. Goodwin  
 PG Publishing Company  
 Sworn to and subscribed before me this day of:  
 April 04, 2008

Linda M. Gaertner  
 COMMONWEALTH OF PENNSYLVANIA  
 Notarial Seal  
 Linda M. Gaertner, Notary Public  
 City Of Pittsburgh, Allegheny County  
 My Commission Expires Jan. 31, 2011  
 Member, Pennsylvania Association of Notaries

**STATEMENT OF ADVERTISING COSTS**  
 ALCTY HEALTH-LEGAL-FORBES AVE  
 JANET NORKUS  
 3333 FORBES AVE  
 PITTSBURGH PA 15213

To PG Publishing Company

Total ----- \$553.50

#### Publisher's Receipt for Advertising Costs

PG PUBLI NY, publisher of the Pittsburgh Post-Gazette, a newspaper of general circulation, hereby ack of the aforesaid advertising and publication costs and certifies that the same have been fully

Of Oral testimony must be pre-scheduled by calling 412-578-8008 no less than 24 hours in advance of the public hearing. Speakers will be limited to five minutes and should bring a written copy of their comments.

PG Publishing Company, a Corporation, Publisher of Pittsburgh Post-Gazette, a Newspaper of General Circulation

By \_\_\_\_\_

I hereby certifi said notice. the original Proof of Publication and receipt for the Advertising costs in the subject matter of

The Board will accept written testimony beginning Wednesday, April 2, 2008, and concluding Monday, May 5, 2008, by mail to:  
Board of Health  
3333 Forbes Avenue  
Pittsburgh, PA 15213

Revision 62

SIP Submittal For PSD

Certification of Hearing

Thomas Lattner deposes and says that he is an Air Pollution Control Engineer of the Air Quality Program of the Allegheny County Health Department and hereby certifies that a Public Hearing was held on May 2, 2008 on the proposed amendment to the County's portion of the Pennsylvania State Implementation Plan that would add the County's Prevention of Significant Deterioration (PSD) Program as delineated in Section 2102.07; that the opportunity for written comments was given in accordance with the requirements of 40 CFR 51.102; that notice of such hearing was given by publication in a newspaper of general circulation on March 31, 2008 and April 4, 2008; and to the best of his knowledge, belief and understanding, such proceedings were in full compliance with all applicable State and Federal laws, regulations, and other requirements.

Thomas Lattner,  
Air Pollution Control Engineer  
Air Quality Program  
Allegheny County Health Department

*Thomas Lattner 5-2-08*

Date

SUMMARY OF PUBLIC COMMENTS AND RESPONSES

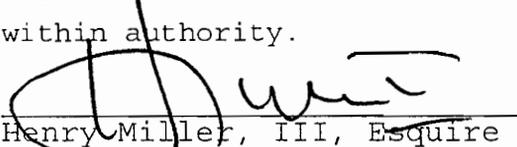
Allegheny County SIP Submittal for PSD and Clean Air Act Sections 110(a)(2)(C), (D)(i) and (J) Obligations

May 2, 2008 Public Hearing (Public Comment Period from April 2 until May 5, 2008)

*No Comments were received on either issue.*

CERTIFICATION of APPROVAL and ADOPTION

To the best of my knowledge, information, and belief, I the undersigned hereby certify that the amendment to the County's portion of the Pennsylvania State Implementation Plan for the addition of the County's Prevention of Significant Deterioration Program as delineated in Section 2102.07 of Article XXI of the Allegheny County Health Department Rules and Regulations for Air Quality, and the addition of the ACHD letter that states how the Department meets its obligations under Sections 110(a)(2)(C), (D)(i) and (J) for the Eight-hour Ozone and PM2.5 National Ambient Air Quality Standards, were adopted by the Allegheny County Board of Health on May 7, 2008, and the said section of Article XXI adopted by the Board of Health on December 3, 1997 and having been approved by the Board of County Commissioners on January 22, 1998 becoming effective on March 31, 1998, was duly and properly enacted as prescribed by the Local Health Administration Law and the Second Class County Code, and as such, is fully and legally enforceable by the Allegheny County Health Department and the County of Allegheny as provided for by the within authority.



Henry Miller, III, Esquire  
Solicitor, Allegheny County Health Department

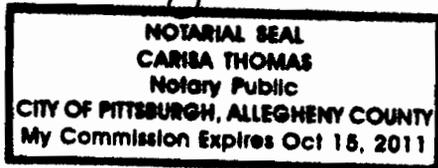
COMMONWEALTH OF PENNSYLVANIA)

COUNTY OF ALLEGHENY ) S.S. \_\_\_\_\_

On the 8<sup>TH</sup> day of MAY, 2008,

Henry Miller, III personally appeared before me, the undersigned authority, satisfactorily proven to me to be the person whose name appears above, and did in my presence execute the above certification for the purposes contained therein.

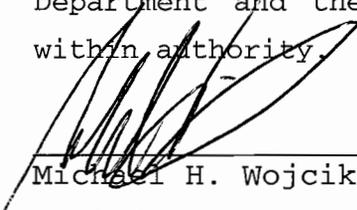
WHEREFORE, I have hereunto set my hand and official seal the 8<sup>TH</sup> day of MAY, 2008.



  
NOTARY PUBLIC

**CERTIFICATION of APPROVAL and ADOPTION**

To the best of my knowledge, information, and belief, I the undersigned hereby certify that the amendment to the County's portion of the Pennsylvania State Implementation Plan for the addition of the County's Prevention of Significant Deterioration Program as delineated in Section 2102.07 of Article XXI of the Allegheny County Health Department Rules and Regulations for Air Quality, and the addition of the ACHD letter that states how the Department meets its obligations under Sections 110(a)(2)(C), (D)(i) and (J) for the Eight-hour Ozone and PM2.5 National Ambient Air Quality Standards, were adopted by the Allegheny County Board of Health on May 7, 2008, and the said section of Article XXI adopted by the Board of Health on December 3, 1997 and having been approved by the Board of County Commissioners on January 22, 1998 becoming effective on March 31, 1998, was duly and properly enacted as prescribed by the Local Health Administration Law and the Second Class County Code, and as such, is fully and legally enforceable by the Allegheny County Health Department and the County of Allegheny as provided for by the within authority.

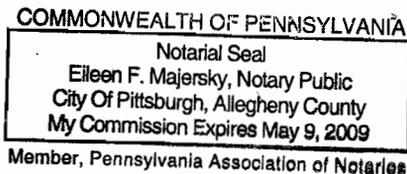
  
\_\_\_\_\_  
Michael H. Wojcik  
Solicitor, County of Allegheny

COMMONWEALTH OF PENNSYLVANIA)

COUNTY OF ALLEGHENY ) S.S. \_\_\_\_\_

On the 13<sup>th</sup> day of May, 2008,  
Michael H. Wojcik personally appeared before me, the undersigned authority, satisfactorily proven to me to be the person whose name appears above, and did in my presence execute the above certification for the purposes contained therein.

WHEREFORE, I have hereunto set my hand and official seal the 13<sup>th</sup> day of May, 2008.



  
\_\_\_\_\_  
NOTARY PUBLIC