

COUNTY OF



ALLEGHENY

RICH FITZGERALD
COUNTY EXECUTIVE

April 28, 2017

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

Dear Mr. Ramamurthy:

Enclosed are a paper copy and an exact duplicate of this paper copy on a computer disk in searchable pdf file format 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. This revision is being tracked as our internal SIP Revision #73. Changes made to Article XXI, Air Pollution Control Rules and Regulations, and County Ordinance 16782 involve the following sections:

§2101.10, Ambient Air Quality Standards;
§2101.20, Definitions;
§2109.02, Remedies; and
§2109.03, Enforcement Orders.

All the changes to Article XXI should be submitted to the U.S. EPA to be incorporated as revisions to Allegheny County's portion of the Pennsylvania State Implementation Plan, except those portions of the regulatory language marked with double strikethroughs in §2101.10.a & b, and §2109.02.a.7. Please refer to the Technical Support Document for further details on the omitted language.

This SIP Revision was the subject of a public comment period from December 4, 2012 until January 9, 2013, with a public hearing held on January 4, 2013. It was approved by the Board of Health on March 6, 2013, enacted by County Council on August 27, 2013, approved and signed by the Allegheny County Chief Executive on August 29, 2013, and became effective September 23, 2013.



KAREN HACKER, MD, MPH, DIRECTOR
ALLEGHENY COUNTY HEALTH DEPARTMENT
AIR QUALITY PROGRAM

301 39TH STREET • CLACK HEALTH CENTER • BUILDING 7
PITTSBURGH, PA 15201-1811
PHONE (412) 578-8103 • FAX (412) 578-8144
24-HR (412) 687-ACHD (2243) • WWW.ACHD.NET

SIP Revision Tracking Number 73 Submittal
April 28, 2017

ACHD followed all the applicable procedural requirements of the Commonwealth's laws and constitution in conducting and completing the adoption/issuance of the SIP revision. ACHD also publishes the proposed SIP Revision on its website <http://www.achd.net/air/regulations.html> in accordance with PA State Act 27 of 2012.

We request that the Pennsylvania Department of Environmental Protection approve this revision and forward the paper copy and disk to the U.S. EPA Region III with a recommendation for approval. If you have any questions, please call me at the number below or email me at JaymeGraham@AlleghenyCounty.US.

Sincerely,



Jayme Graham, Manager
Air Quality Program

cc: Kirit Dalal (Pa. DEP)
Stephen Hepler (Pa. DEP)
Sandra Etzel (ACHD)
Tom Lattner (ACHD)

Enclosures

**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 Tracking No. 73

**Allegheny County Health Department
Rules and Regulations
Article XXI, Air Pollution Control**

**§2101.10 Ambient Air Quality Standards
§2101.20 Definitions
§2109.02 Remedies
and
§2109.03 Enforcement Orders**

Table of Contents

1. Changes to Article XXI Rules and Regulations:
 - §2101.10, Ambient Air Quality Standards;
 - §2101.20, Definitions;
 - §2109.02, Remedies; and
 - §2109.03, Enforcement Orders

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3. Documentation of Public Hearing and Certifications
 - Public hearing notice
 - Transmittals of hearing notice to EPA & PA DEP
 - News Release
 - Proof of publication of notice of hearing
 - Certification of hearing
 - Summary of Comments and responses
 - Certifications of approval and adoption

1.

Article XXI Changes

Deletions are shown with strikethroughs.
Additions are shown in larger font, bolded, and underlined.

Those additions with double strikethroughs are not part of
the SIP revision submittal.

PART A - GENERAL

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§2101.20 DEFINITIONS *{Added by August 29, 2013 amendment, effective September 23, 2013}*

....

"County Council" means the Council of Allegheny County, Pennsylvania.

"County Executive" means the County Executive of Allegheny County, Pennsylvania.

§2101.10 AMBIENT AIR QUALITY STANDARDS

{Amended August 29, 2013, effective September 23, 2013}

The following ambient air quality standards are hereby adopted as part of this Article. The values specified herein represent minimum acceptable air quality, not necessarily desirable or satisfactory air quality. The adoption of these ambient air quality standards shall not in any manner relieve any person from the duty to fully comply with all requirements of this Article in areas where the concentration of air contaminants is less than such standards.

CONTAMINANT	CONCENTRATIONS AVERAGED OVER						
	1 yr.	3 mos.	30 days	24 hrs.	8 hrs.	3 hrs.	1 hr.
PM-10							
National Primary & Secondary	50 ^a			150 ^a			
County						450 ^d	
County Free Silica Portion						100 ^d	
Sulfur Oxides							
National Primary	80 ^b			365 ^e			
National Secondary						1300 ^e	
Nitrogen Dioxide							
National Primary & Secondary	100 ^b						
Carbon Monoxide							
National Primary & Secondary					10,000 ^e		40,000 ^e
Ozone							
National Primary & Secondary	0.12ppm ^g						
Settled Particulates^e							
	0.8mg/cm ² /mo. ^b		1.5mg/cm ² /mo.				
Lead							
National Primary & Secondary	1.5 ^{b,f}						
County				10 ^d			25 ^{d,h}
Beryllium ^e				0.01			
Sulfates (as H ₂ SO ₄) ^e				10	30		
Fluorides ^e (total soluble, as HF)				5			
Hydrogen Sulfide ^e				0.005ppm			
	0.1ppm						

Unless otherwise specified, all values are stated in micrograms per cubic meter (ug/m³) and represent maximum values not to be exceeded. For conversion of standards for gaseous contaminants from ug/m³ to

ppm (dry volume) multiply $\mu\text{g}/\text{m}^3$ by $[24.5/(1000 \times \text{molecular weight})]$.

- ^aas determined pursuant to 40 CFR 50.6 and Appendix K thereto _____ ^fcalendar quarter
- ^barithmetic mean _____ ^gas determined pursuant to 40 CFR 50.9 and Appendix H thereto
- ^enot to be exceeded more than once a year _____ ^hInstantaneous Standards _____
- ^dCounty of Allegheny Standards _____
- ^cCommonwealth of Pennsylvania Standards _____

The values specified below shall be considered as representing minimum quality, but not necessarily desirable quality. Nothing contained in this Section shall be construed to preclude the Department from enforcing or applying any provision of this Article in areas where the ambient air quality is, or will be, at concentrations less than those specified in this Section.

a. ~~All final national and state ambient air quality standards, promulgated by EPA under the Clean Air Act at 40 CFR part 50, and by the state under the Air Pollution Control Act at 25 Pa. Code Chapter 131, respectively, are hereby incorporated by reference into this Article. Additions, revisions, or deletions to such standards by the EPA and the Commonwealth, respectively are incorporated into this Article and are effective on the effective date established by the federal or state regulations, unless otherwise established by regulation under this Article.~~

~~b. Allegheny County Specific Standards—In addition, the following are ambient standards as they relate to Article XXVI §2105.51, Abrasive Blasting, within Allegheny County:~~

CONCENTRATIONS AVERAGED OVER

<u>Contaminant</u>	<u>30 days</u>	<u>24 hrs.</u>	<u>8 hrs.</u>	<u>3 hrs.</u>	<u>1 hr.</u>
<u>PM-10</u>			<u>450</u>		
<u>County Free Silica Portion</u>			<u>100</u>		
<u>Lead</u>			<u>10</u>		<u>25</u>
<u>Sulfates (as H₂SO₄)^a</u>	<u>10</u>	<u>30</u>			

~~All values are stated in micrograms per cubic meter ($\mu\text{g}/\text{m}^3$) and represent maximum values not to be exceeded.~~

PART I - ENFORCEMENT

....

§2109.02 REMEDIES

*{Paragraphs a.3 & 6 amended September 6, 1995, effective October 20, 1995.
Paragraphs a.5, 6, & 7 amended August 29, 2013, effective September 23, 2013.}*

- a. **General.** In addition to any remedy specifically authorized by any other provision of this Article or the laws of the Commonwealth or the United States, the Department may pursue any one or more of the following remedies for the violation of any requirement of this Article:
1. The issuance of an Enforcement Order as authorized by §§2109.03, 2109.04, and 2109.05 of this Article, including Emergency Orders to restrain or enjoin immediately and effectively any person from engaging in any activity in violation of a regulation or permit that is presenting an imminent and substantial endangerment to the public health or welfare, or the environment;
 2. The revocation of any applicable License or Installation or Operating Permit.
 3. The initiation of a summary criminal proceeding before a district justice, magistrate, or justice of the peace as authorized by §§9. and 12.g. of the Air Pollution Control Act, 35 P.S. §§4009. and 4012(g).
 4. The assessment of a civil penalty as authorized by §2109.06 of this Article;
 5. A request, from the Department or the Board of Health, to the ~~Board of County Commissioners~~ **County Executive** to initiate in a court of competent jurisdiction an action for an injunction or other equitable relief and may include a request for civil penalties in the amount set forth in §2109.06 of this Article, including to restrain or enjoin immediately and effectively any person from engaging in any activity in violation of a permit that is presenting an imminent and substantial endangerment to the public health or welfare, or the environment;
 6. A petition, from the Department or the Board of Health, to the ~~Board of County Commissioners~~ **County Executive** to request the District Attorney to initiate such other criminal action as may be appropriate, as authorized by §§9. and 12.g. of the Air Pollution Control Act, 35 P.S. §§4009. and 4012(g); and/or,
 - ~~7. A petition, from the Department or the Board of Health, to the Board of County Commissioners ~~County Executive~~ to request the EPA and U.S. Department of Justice, and/or the DEP and PA Attorney General, to initiate such other civil and/or criminal action as may be appropriate.~~
- b. **Other Rights and Remedies Preserved.** Nothing in this Article shall be construed as impairing any right or remedy now existing or hereafter created in equity, common law or statutory law with respect to air pollution, nor shall any court be deprived of such jurisdiction for the reason that such air pollution constitutes a violation of this Article.
- c. **Remedies Concurrent.** It is expressly declared that the remedies authorized by this Article shall be concurrent and that the existence of pendency of any remedy shall not in any manner prevent the Department from seeking or exercising any other remedy, whether authorized by this Article or otherwise existing at law or in equity.

§2109.03 ENFORCEMENT ORDERS

*{Paragraph b.5 amended September 6, 1995, effective October 20, 1995.
Paragraph b.1 amended August 29, 2013, effective September 23, 2013.}*

- a. **General.** Whenever the Department finds, on the basis of any information available to it, that any source is being operated in violation of any provision of this Article, including any provision of any permit or license issued pursuant to this Article, it may order the person responsible for the source to comply with this Article or it may order the immediate shutdown of the source or any part thereof. The issuance of an order to address any violations, including of permit conditions, need not be preceded by the revocation of a permit.
 1. The Department may also issue any such other orders as are necessary to aid in the enforcement of the provisions of this Article. These orders shall include, but shall not be limited to, orders modifying, suspending, terminating or revoking any permits, orders requiring persons to cease unlawful activities or cease operation of a facility or air contaminant source which, in the course of its operation, is in violation of any provision of this Article, or any permit, orders to take corrective action or to abate a public nuisance or to allow access to a source by the Department or a third party to take such action, orders requiring the testing, sampling, or monitoring of any air contaminant source, and orders requiring production of information. Such an order may be issued if the Department finds that any condition existing in or on the facility or source involved is causing, contributing to, or creating danger of air pollution, or if it finds that the permittee or any person is in violation of any provision of this Article.
 2. The Department may, in its order, require compliance with such conditions as are necessary to prevent or abate air pollution or effect the purposes of this Article.
 3. The Department shall have the authority to order any person causing a public nuisance under this Article to abate the public nuisance. In addition, when the Department undertakes to abate a public nuisance, it may recover the expenses of abatement following the process for assessment and collection of a civil penalty contained in §2109.06 of this Article. Whenever the nuisance is maintained or continued contrary to this Article, or any order or permit, the nuisance may be abatable in the manner provided by this Article. Any person who causes the public nuisance shall be liable for the cost of abatement.
- b. **Form.** Any Enforcement Order issued pursuant to this Section shall:
 1. Be in written form and be signed by the Director, ~~or~~ the Deputy Director, **of the Bureau of Environmental Quality, or the Manager of the Air Quality Program, or their respective designee.**
 2. Set forth the basis for such order;
 3. Require the performance of any acts specified by the order as expeditiously as practicable;
 4. Notify the person responsible that he has the right to a hearing as provided by Subsection d below;
 5. Notify the person responsible that the order is enforceable upon issuance and that appeal of an order shall not act as a stay unless the Director so orders.
 6. Notify the person responsible that failure to comply with the order within the times

specified therein is a violation of this Article giving rise to the remedies provided by §2109.02 of this Article; and

7. Include the assessment of a civil penalty in accordance with §2109.06 of this Article, if deemed appropriate by the Department.
- c. **Service.** Any Enforcement Order issued pursuant to this Section shall be served upon the person responsible by:
1. Personally handing him a copy;
 2. Serving him in the manner provided by Rule 1009(b)(2) of the Pennsylvania Rules of Civil Procedure or such other rules as may hereafter be established for the service of a complaint in a civil action; or
 3. Mailing a copy to him at his last known address by registered or certified mail, return receipt requested.
- d. **Hearings.** Any person who is aggrieved by an Enforcement Order issued pursuant to this Section shall, upon request, be granted a hearing in accordance with the provisions of Article XI, Rules and Regulations of the Allegheny County Health Department, or in accordance with such other procedures as may hereafter be established by the ~~Board of County Commissioners~~ **County Council**. In all cases involving the provisions of this Article, hearings granted pursuant to this Subsection:
1. Shall not be held before employees of the Department who are assigned to the ~~Bureau of Environmental Quality Division of Air Quality~~ **Air Quality Program of the Department**; and
 2. Shall be held before a hearing officer who represents the public interest and does not derive any significant portion of his income from persons subject to the Clean Air Act or this Article, as defined in §2101.20 of this Article; except that, if a panel of three (3) or more persons is appointed to hear the case, a majority of the panel shall represent the public interest and shall not derive any significant portion of his income from persons subject to the Clean Air Act or this Article. Prior to being appointed to act as a hearing officer; each proposed appointee shall file with the Chief Clerk of the County of Allegheny a Disclosure Statement as required by Subsection f of §2109.06 of this Article. Said Disclosure Statement shall be subject to the public inspection provisions of this Article.
- e. **Violations.** Failure to comply with any Enforcement Order within the times specified therein shall be a violation of this Article and a public nuisance giving rise to the remedies and penalties provided by §§2109.02 and 2109.06 of this Article. In addition to such remedies and penalties, the Department may immediately revoke such order and may pursue any other remedy as if such order has never existed.
- f. **Other Remedies Unaffected.** The issuance of an Enforcement Order shall in no manner preclude or affect the right of the Department to pursue other remedies as are provided by §2109.02 for violations of this Article, whether occurring before or after the effective date of the order. The issuance of an Enforcement Order shall not be construed as a revision to the SIP for the Commonwealth of Pennsylvania and shall in no manner preclude or affect the right of the United States, the Commonwealth, or any citizen to enforce that portion of the SIP applicable to Allegheny County pursuant to the provisions of the Clean Air Act and the Air Pollution Control Act.

2. Technical Support Document

Summary of Changes

PART A – GENERAL

§2101.10 Ambient Air Quality Standards

ACHD is revising the existing Article XXI Part A, “General,” §2101.10 “Ambient Air Quality Standards.” The changes remove the existing list of National Ambient Air Quality Standards (NAAQS) and incorporate by reference all NAAQS promulgated by the United States Environmental Protection Agency under the Clean Air Act at 40 CFR Part 50 and all ambient air quality standards promulgated by the Pennsylvania Department of Environmental Protection under the Air Pollution Control Act at 25 Pa. Code Chapter 131.

The changes will make it so that Article XXI always reflects the most current EPA and DEP air quality standards, removing the need for ACHD to update Article XXI upon the issuance of a new air quality standard.

This section will retain its reference to Allegheny County-specific standards, which pertain to §2105.51, “Abrasive Blasting.” A reference to a sulfate standard will be removed from the Allegheny County-specific standards table. This standard was issued by Pennsylvania and has since been revoked. In order to be consistent with the state, the changes remove the reference to the revoked sulfate standard.

Only the leading paragraph of §2101.10, and a portion of the first sentence of §2101.10.a, are being submitted to the U.S. EPA to be incorporated as a revision to Allegheny County’s portion of the Pennsylvania State Implementation Plan. Specifically, the following text with the exception of the text with double strikethrough:

§2101.10 AMBIENT AIR QUALITY STANDARDS {Amended August 29, 2013, effective September 23, 2013}

The values specified below shall be considered as representing minimum quality, but not necessarily desirable quality. Nothing contained in this Section shall be construed to preclude the Department from enforcing or applying any provision of this Article in areas where the ambient air quality is, or will be, at concentrations less than those specified in this Section.

- a. ~~All final national and state ambient air quality standards, promulgated by EPA under the Clean Air Act at 40 CFR part 50, and by the state under the Air Pollution Control Act at 25 Pa. Code Chapter 131, respectively, are hereby incorporated by reference into this Article. Additions, revisions, or deletions to such standards by the EPA and the Commonwealth, respectively, are incorporated into this Article and are effective on the effective date established by the federal or state regulations, unless otherwise established by regulation under this Article.~~

The reason is that, in January, 2014, after the public comment and local government approval of the Article XXI changes presented in this submittal, EPA raised concerns regarding the automatic incorporation phrase which appeared in the NSR SIP submittal (ACHD SIP Revision 66). The phrase as expressed in SIP66 stated that “*Additions, revisions, or deletions to such regulations by the Commonwealth are incorporated into this Subsection and are effective on the date established by the*

state regulations, unless otherwise established by regulation under this Article". The concern raised by EPA was that this presents a problem in that if the EPA disagrees with the State on their proposed changes and disapproves the state SIP submission, or portions thereof, EPA's action would not alter the fact that state has previously approved the changes to its regulations and so the changes automatically become part of the County's portion of PA's SIP.

In the case of SIP-66, to remedy this, ACHD requested PA DEP to retract that statement from the NSR SIP submittal. This was done via a letter from the Secretary of the PA DEP to the EPA Regional Administrator. (Letter dated June 27, 2014 E.C. Abruzzo to S.M. Garvin.)

In order prevent the same problem from occurring for SIP revision 73, ACHD is submitting only that portion of §2101.10.a that incorporates EPA promulgated standards:

Finally, §2101.10.b is not submitted as part of a SIP change, because it addresses only pollutants related to abrasive blasting in Allegheny County, which have never been included under the SIP.

PART I – ENFORCEMENT

§2109.02 Remedies, §2109.03, Enforcement Orders, and §2101.20, Definitions

ACHD is revising the existing Article XXI Part I, "Enforcement," §2109.02, "Remedies," and §2109.03, "Enforcement Orders." These two sections detail the manner in which ACHD Air Quality pursues remedies for violations of requirements found in Article XXI. The changes revise the language currently used to identify the ACHD Air Quality Program, the County Council, the County Executive, and ACHD Air Quality staff authorized to sign enforcement orders. The past language referred to the Department as the "Bureau of Environmental Quality Division of Air Quality." The changes are to revise the language to read "Air Quality Program of the Department" throughout. The past language also refers to the "Board of County Commissioners" as the entity which assists the Department in legal affairs arising from enforcement actions and which establishes rules that other entities may be found in non-compliance of. The changes revise "Board of County Commissioners" to "County Executive" and "County Council," where appropriate. The final language change is to establish the authorized individuals who may sign Enforcement Orders given by the ACHD Air Quality Program. The changes add "the Manager of the Air Quality Program, or their respective designees," to the current list of "Director or Deputy Director, Bureau of Environmental Quality."

Relatedly, §2101.20, "Definitions," are updated with the addition of the definitions of "County Executive" and "County Council."

All of the changes discussed for §2101.20, §2109.02 and §2109.03, with the exception of §2109.02.a.7, will be submitted to the U.S. EPA to be incorporated as revisions to Allegheny County's portion of the Pennsylvania State Implementation Plan.

3. Documentation of Public Hearing and Certifications

Notice of Public Hearing

Transmittals of hearing notice to EPA & PA DEP

News Release

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 AMENDMENTS TO
ALLEGHENY COUNTY HEALTH DEPARTMENT RULES AND REGULATIONS
ARTICLE XXI, AIR POLLUTION CONTROL

The Allegheny County Board of Health will hold a public hearing on **Friday, January 4, 2013, at 10:00 AM**, Building #7 First Floor Conference Room, Clack Health Center, 301 39th Street, Pittsburgh, PA 15201 to take testimony on the following proposed modifications to County Ordinance 16782 and Allegheny County Health Department Article XXI:

Revision to the following Article XXI sections:

§2101.10, Ambient Air Quality Standards;

§2101.20, Definitions;

§2109.02, Remedies; and

§2109.03, Enforcement Orders;

All of the proposed changes will be submitted to the U.S. EPA to be incorporated as revisions to Allegheny County's portion of the Pennsylvania State Implementation Plan, with the exception of §2101.10.b, §2109.02.a.7, and any incorporations by reference made in §2101.10.a to portions of 25 Pa. Code Chapter 131 not incorporated in the PA State SIP.

Copies of the proposed amendments may be examined beginning Tuesday, December 4, 2012, 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 3:30 PM Monday thru Friday; on the Allegheny County Health Department web site: 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 **Tuesday, December 4, 2012**, and concluding **Wednesday, January 9, 2013**, by mail to:

Board of Health
3333 Forbes Avenue
Pittsburgh, PA 15213
By email to BOH@achd.net
By Fax to 412-578-8325

COUNTY OF ALLEGHENY



RICH FITZGERALD
COUNTY EXECUTIVE

November 29, 2012

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

Dear Ms. Esher:

Enclosed is a Notice of Public Hearing scheduled to occur on January 4, 2013, regarding proposed revisions to the Allegheny County Health Department Rules and Regulations, Article XXI, Air Pollution Control and County Ordinance Number 16782, regarding:

§2101.10, "Ambient Air Quality Standards,"
§2101.20, "Definitions,"
§2109.02, "Remedies," and
§2109.03, "Enforcement Orders."

These additions will also be submitted as changes to Allegheny County's portion of the Pennsylvania State Implementation Plan.

Your comments are welcome.

Sincerely,

James Thompson, Manager
Air Quality Program

Enclosures

- Public Hearing Notice
- Proposed Article XXI/SIP Revision

RONALD E. VOORHEES, MD, MPH, ACTING DIRECTOR
ALLEGHENY COUNTY HEALTH DEPARTMENT
3333 FORBES AVENUE • PITTSBURGH, PA 15213
PHONE (412) 687-ACHD (2243) • FAX (412) 578-8325 • WWW.ACHD.NET

COUNTY OF ALLEGHENY



RICH FITZGERALD
COUNTY EXECUTIVE

November 29, 2012

Ms. Joyce Epps, Director
Bureau of Air Quality
Department of Environmental Protection
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 January 4, 2013, regarding proposed revisions to the Allegheny County Health Department Rules and Regulations, Article XXI, Air Pollution Control and County Ordinance Number 16782, regarding:

- §2101.10, "Ambient Air Quality Standards,"
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These additions will also be submitted as changes to Allegheny County's portion of the Pennsylvania State Implementation Plan.

Your comments are welcome.

Sincerely,

James Thompson, Manager
Air Quality Program

cc: Arleen Shulman
Steve Hepler

Enclosures

- Public Hearing Notice
- Proposed Article XXI/SIP Revision

RONALD E. VOORHEES, MD, MPH, ACTING DIRECTOR
ALLEGHENY COUNTY HEALTH DEPARTMENT
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COUNTY OF



ALLEGHENY

RICH FITZGERALD
COUNTY EXECUTIVE

FOR IMMEDIATE RELEASE
Wednesday, December 19, 2012

CONTACT: Guillermo Cole
Public Information Officer
412-578-8004
gcole@achd.net

BOARD OF HEALTH SEEKS PUBLIC COMMENTS ON REGULATORY CHANGES

PITTSBURGH – The Allegheny County Board of Health is accepting public comments until January 9 on proposed changes to County air quality regulations and will hold a hearing on the proposed changes Friday, January 4, at 10 a.m., at the Clack Health Center, Bldg. 7, 301 Thirty-Ninth Street, Lawrenceville.

The changes are minor revisions updating the list of state and federal standards in the ambient air quality standards section and references to governing authorities and entities in the enforcement section.

Testimony at the public hearing must be scheduled in advance, by calling **412-578-8008**, no later than 24 hours ahead of time, by 10 a.m. on Thursday, January 3. Speakers are limited to five minutes and asked to submit a written copy of their testimony.

Those unable to present testimony at the hearing have until January 9 to submit comments via email, fax or mail to: boh@achd.net; **412-578-8325**; or Allegheny County Board of Health, 3333 Forbes Avenue, Pittsburgh, PA 15213.

The proposed changes are posted on the Health Department's web site, www.achd.net, and also available for public review Monday through Friday, from 8:30 a.m. to 3:30 p.m., at the Allegheny County Health Department Library, Clack Health Center, Building 7, and from 8:30 a.m. to 5 p.m., at the Allegheny County Law Library, Room 921, City-County Building, Grant Street, Downtown Pittsburgh. A printed copy of the amendments can be requested and obtained via mail by calling **412-578-8120**.

The Board of Health will consider all public comments before finalizing and voting on the changes.

###

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 C. Mohamed, 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:

23 of November, 2012

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 AMENDMENTS TO ALLEGHENY COUNTY HEALTH DEPARTMENT RULES AND REGULATIONS ARTICLE XXI, AIR POLLUTION CONTROL

The Allegheny County Board of Health will hold a public hearing on Friday, January 4, 2013, at 10:00 AM, Building #7 First Floor Conference Room, Clack Health Center, 301 39th Street, Pittsburgh, PA 15201 to take testimony on the following proposed modifications to County Ordinance 16782 and Allegheny County Health Department Article XXI:

Revision to the following Article XXI sections:

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All of the proposed changes will be submitted to the U.S. EPA to be incorporated as revisions to Allegheny County's portion of the Pennsylvania State Implementation Plan, with the exception of §2101.10.b, §2109.02.a.7, and any incorporations by reference made in §2101.10.a to portions of 25 Pa. Code Chapter 131 not incorporated in the PA State SP.

C. Mohamed
PG Publishing Company
Sworn to and subscribed before me this day of
November 23, 2012

Judith M. Hartman
COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Linda M. Gaertner, Notary Public
City of Pittsburgh, Allegheny County
My Commission Expires Jan. 31, 2015
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 ----- \$109.20

Publisher's Receipt for Advertising Costs

PG PUBLI hereby ack been fully of 34 Boulevard PITTSBURC Phone 41 I hereby certifi said notice.

NY, publisher of the Pittsburgh Post-Gazette, a newspaper of general circulation, of the aforesaid advertising and publication costs and certifies that the same have

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

By _____

the original Proof of Publication and receipt for the Advertising costs in the subject matter of

Attorney For

Copies of the proposed amendments may be examined beginning Tuesday, December 4, 2012, 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 3:30 PM Monday thru Friday on the Allegheny County Health Department web site: www.schl.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 Tuesday, December 4, 2012, and concluding Wednesday, January 9, 2013, by mail to:
Board of Health
3338 Forbes Avenue
Pittsburgh, PA 15213
By email to
BOH@schl.net
By Fax to
412-578-8325

Revision 73

SIP Submittal for
Revision of Ambient Air Quality Standards, Remedies, and Enforcement Regulations and
Definitions

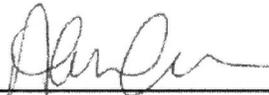
Certification of Hearing

Alaina Conner deposes and says that she is the Pollution Prevention and Outreach Coordinator for the Air Quality Program of the Allegheny County Health Department and hereby certifies that a Public Hearing was held on January 4, 2013 on the proposed amendment to the County's portion of the Pennsylvania State Implementation Plan that would revise the following sections of Article XXI, the Rules and Regulations of the Allegheny County Health Department for Air Pollution Control, and make same amendments to the County Ordinance No. 16782:

§2101.10, Ambient Air Quality Standards,
§2101.20, Definitions,
§2109.02, Remedies, and
§2109.03, Enforcement Orders;

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 November 23, 2012; and to the best of her knowledge, belief and understanding, such proceedings were in full compliance with all applicable State and Federal laws, regulations, and other requirements.

TRZ 5/16/14



Alaina Conner,
Pollution Prevention & Outreach Coordinator
Air Quality Program
Allegheny County Health Department

1/14/13

Date

**Comment and Response Document for SIP Revision 73
Regulation Changes for Ambient Air Quality Standards, Definitions, Remedies, and
Enforcement Orders**

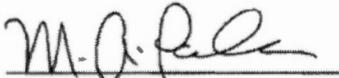
Public Comment Period – December 4, 2012 to January 9, 2013

January 4, 2013 Public Hearing

No comments were received.

CERTIFICATION of APPROVAL and ADOPTION

To the best of my knowledge, information, and belief, I the undersigned hereby certify that the amendments to §§2101.10, 2101.20, 2109.02, and 2109.03 of Article XXI, Rules and Regulations of the Allegheny County Health Department, Air Pollution Control, and Ordinance No. 16782 of the County of Allegheny, adopted by the Allegheny County Board of Health on March 6, 2013, enacted by the Allegheny County Council on August 27, 2013 (Ordinance 20-13-OR), approved by the Allegheny County Chief Executive on August 29, 2013, and effective September 23, 2013, as a revision to the County's Portion of the Pennsylvania State Implementation Plan for the Attainment and Maintenance of the National Ambient Air Quality Standards (with the exception of §2101.10.b, §2109.02.a.7, and any incorporations by reference made in §2101.10.a to portions of 25 Pa. Code Chapter 131 not incorporated in the PA State SIP), were duly and properly enacted as prescribed by the Local Health Administration Law and the Second Class County Charter Law, and as such, are fully and legally enforceable by the Allegheny County Health Department and the County of Allegheny as provided for by the within authority.



Michael A. Parker
Assistant Solicitor
Allegheny County Health Department

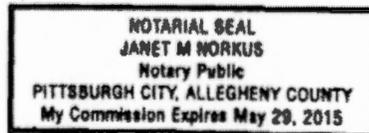
COMMONWEALTH OF PENNSYLVANIA)

COUNTY OF ALLEGHENY) S.S. _____

On the 9 day of May, 2014,

Michael A. Parker 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 09 day of May, 2014.



NOTARY PUBLIC