

COUNTY OF



ALLEGHENY

March 2, 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. Changes made to Article XXI, Air Pollution Control Rules and Regulations, and County Ordinance 16782, involve Section 2108.01.e, "Reports Required – Emission Inventory Statements." This SIP revision is being tracked as our internal Revision Tracking Number 80.

This SIP Revision was the subject of a public comment period from July 23, 2014 until August 27, 2014, with a public hearing held on August 22, 2014, during which comments were received. It was approved by the Board of Health on November 5, 2014, enacted by County Council on May 5, 2015, approved and signed by the Allegheny County Chief Executive on May 8, 2015, and became effective June 19, 2015.

ACHD followed all of the applicable procedural requirements of the Commonwealth's laws and constitution in conducting and completing the adoption/issuance of the supplemental 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.



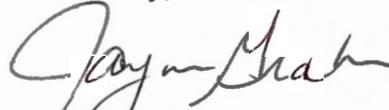
KAREN HACKER, MD, MPH, DIRECTOR
ALLEGHENY COUNTY HEALTH DEPARTMENT
AIR QUALITY PROGRAM

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 80 Submittal
March 2, 2017

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 (412) 578-8103 or email me at Jayme.Graham@AlleghenyCounty.US.

Sincerely,



Jayme Graham, Manager
Air Quality Program

cc: Kirit Dalal (Pa. DEP)
Stephen Hepler (Pa. DEP)
Sandra Etzel (ACHD)
T. 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. 80

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

§2108.01.e Reports Required – Emission Inventory Statements

Table of Contents

1. Changes to Article XXI Rules and Regulations:
 - §2108.01.e, Reports Required – Emissions Inventory Statements
2. Technical Support Document
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. Regulation Revision

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

PART H – REPORTING, TESTING, & MONITORING

§2108.01 REPORTS REQUIRED

...

e. Emissions Inventory Statements

1. The owner or operator of each source, or group of sources, on contiguous **or adjacent** property, in the County that ~~has the potential to emit a total of:~~

A. (Not part of SIP submittal.)

B. (Not part of SIP submittal.)

C. **Has the potential to emit a total of 25 or more tons of any other pollutant regulated under this Article, except for greenhouse gases;**

D. Has actual emissions of 10 tons or more per calendar year of any pollutant addressed in this Paragraph; or

E. Emits or has the potential to emit at or above 80% of the major source threshold,

shall, **unless exempted by Paragraph 2,** submit to the Department ~~a written~~ **an electronic** emissions inventory statement, in accordance with Paragraphs ~~2-3~~ and ~~3~~ **4** of this Subsection, showing the actual emissions of all ~~regulated~~ air pollutants **addressed in this Paragraph** from such source(s) during each calendar year and all supporting and identifying information deemed necessary by the Department.

2. The Department may issue a letter to a source exempting the source from the requirement to submit an electronic emissions inventory statement for one or more years. This exemption will be based on, but not limited to, confirmed actual emissions or emission source types. Exemptions can be reevaluated and extended or revoked by the Department at any time.

23. The emissions statements required by Paragraph 1 of this Subsection shall be in such form as the Department may prescribe and that is acceptable to the EPA. The emissions statement shall fully identify all emissions and include, at a minimum:

- A. A detailed description of how the annual emissions were measured, derived, or calculated;
- B. The nature and amounts of all emissions of ~~regulated~~ air pollutants **addressed in Paragraph 1 of this Subsection** emitted from each emissions unit ~~and from all associated mobile sources~~, including all fugitive emissions in the same manner as stack emissions;
- C. A detailed identification and description of all points of emissions including the specific geographical location and elevation of each emissions point;
- D. Actual emissions rates in tons per year (tpy);
- E. Types and amounts of fuels used, types and amounts of raw materials used, production rates, and operating schedules to the extent it is needed to determine annual emissions and emissions on whatever basis (e.g. daily or hourly) is required to determine compliance;
- F. Other identifying information required by the Department, including information related to stack heights and all other emission characteristics including all stack or emission point parameters such as size, exit velocity, flow rate, concentration, and temperature;

- G. Calculations **and methodologies, including any underlying assumptions,** on which the information in subparagraphs A through F of this ~~P~~paragraph is based **in the format required by the Department;** and
- H. A certification by the owner or operator, or an authorized representative, that the information contained in the statement is accurate and complete. For any submittal on behalf of a corporate owner or operator, the authorized representative must be either the company president, a plant manager, or such other representative as is approved in advance by the Department.
- 34.** The emission statements required by Paragraphs 1 and ~~2-3~~ of this Subsection shall be submitted to the Department ~~by April 30, 1995, for calendar year 1994,~~ and by March 15 of each subsequent year for the preceding calendar year. **If the Department requests a revision to a source's emissions inventory statement, the revised emissions inventory statement shall be submitted within 15 business days of receipt of the Department's request. A deadline may be extended on an individual basis as deemed necessary by the Department.** The Department may require more frequent submittals if the Department determines that more frequent submissions are required by the EPA or that analysis of the data on a more frequent basis is necessary to implement the requirements of this Article or the Clean Air Act.

2. Technical Support Document

The ACHD Air Quality Program is updating its regulations regarding the submittal of annual emissions inventory statements to conform to current reporting policies and procedures, and to take into account the Department's experience with the facilities currently required to report and the level of actual emissions generated by these facilities.

The revisions to Article XXI, §2108.01., include specifying details related to:

- Electronic submittals;
- Annual due date;
- Levels of potential or actual emissions triggering the requirement for an annual report;
- Exempting non-Title V Sources from the annual report based on past reported emission levels;
- Clarifying supporting documentation needs; and
- Limiting the allowable period for completion of revisions.

The incorporation of these regulatory updates will allow ACHD to focus on facilities responsible for the majority of point source emissions in the County to the benefit of the health of all its citizens.

All of the changes, **with the exception of those being made to Subparagraphs §2108.01.e.1.A & B,** 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, August 22, 2014, at 10:00 AM**, in the First Floor Conference Room at Building #7 of the Clack Health Center, 301 39th Street, Pittsburgh, PA 15201 to take testimony on proposed modifications to Allegheny County Health Department Article XXI, §2108.01.e, 'Reports Required-Emission Inventory Statements,' and corresponding sections of County Ordinance 16782.

The proposed changes, with the exception of Subparagraphs §2108.01.e.A and B, will be incorporated as a revision to Allegheny County's portion of the Pennsylvania State Implementation Plan.

Copies of the proposed regulatory amendments may be examined beginning Wednesday, July 23, 2014, 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 Document Control Room, 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 412-578-8120 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 July 23, 2014**, and concluding **Wednesday, August 27, 2014**:

By mail to
Allegheny County Health Department
301 39th Street
Pittsburgh, PA 15201-1891
By email to aqcomments@achd.net
By Fax to 412-578-8144

COUNTY OF



ALLEGHENY

RICH FITZGERALD
COUNTY EXECUTIVE

July 17, 2014

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 for proposed revisions to the Allegheny County Health Department Rules and Regulations, Article XXI, Air Pollution Control and County Ordinance Number 16782, regarding §2108.01.e, "Reporting Requirements – Emission Inventory Statements."

These revisions, with the exception of §2108.01.e.A and B, will also be submitted as changes to Allegheny County's portion of the Pennsylvania State Implementation Plan under our Revision Tracking Number 80.

The public comment period begins July 23, 2014 and concludes August 27, 2014. The public hearing will be held August 22, 2014. Your comments are welcome.

Sincerely,

Jayme Graham, Manager
Air Quality Program

cc: File

Enclosures

- Public Hearing Notice
- Proposed Article XXI/SIP Revision 80

COUNTY OF



ALLEGHENY

RICH FITZGERALD
COUNTY EXECUTIVE

July 17, 2014

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 for proposed revisions to the Allegheny County Health Department Rules and Regulations, Article XXI, Air Pollution Control and County Ordinance Number 16782, regarding §2108.01.e, "Reporting Requirements – Emission Inventory Statements."

These revisions, with the exception of §2108.01.e.A and B, will also be submitted as changes to Allegheny County's portion of the Pennsylvania State Implementation Plan under our Revision Tracking Number 80.

The public comment period begins July 23, 2014 and concludes August 27, 2014. The public hearing will be held August 22, 2014. Your comments are welcome.

Sincerely,

Jayme Graham, Manager
Air Quality Program

cc: Kirit Dalal
Steve Hepler

Enclosures

- Public Hearing Notice
- Proposed Article XXI/SIP Revision 80

COUNTY OF



ALLEGHENY

RICH FITZGERALD
COUNTY EXECUTIVE

FOR IMMEDIATE RELEASE
July 24, 2014

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

Public Comments Sought on Regulatory Changes Related to Emissions Reporting

PITTSBURGH – The Allegheny County Board of Health is accepting public comments until August 27 on proposed changes to County air quality regulations for emissions inventory reporting and will hold a hearing on the revisions on Friday, August 22, at 10:00 a.m., at the Clack Health Center, Building 7, 301 Thirty-Ninth Street, Lawrenceville.

The proposed changes relate to electronic submittals; annual due dates; emission levels for annual reporting; exemptions from annual reporting; supporting documentation; and time allowed for revisions.

Testimony at the public hearing must be pre-scheduled by calling **412-578-8120**, no less than 24 hours in advance. 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 August 27 to submit comments via email, fax or mail to: aqcomments@achd.net; **412-578-8144**; or Allegheny County Health Department, Air Quality Program, 301 Thirty-Ninth Street, Pittsburgh, PA 15201-1891.

The proposed amendments are posted on the Health Department's web site, www.achd.net, and also available for public review Monday through Friday, 8:30 a.m. to 3:30 p.m., at the Allegheny County Health Department Document Control Room, Clack Health Center, Building 7; and 8:30 a.m. to 5:00 p.m., at the Allegheny County Law Library, Room 921, City-County Building, Grant Street, Downtown Pittsburgh. A printed copy of the revisions 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 revisions. The amendments will be submitted as a revision to Allegheny County's portion of the Pennsylvania State Implementation Plan.

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KAREN A. HACKER, MD, MPH, DIRECTOR
ALLEGHENY COUNTY HEALTH DEPARTMENT – PUBLIC INFORMATION OFFICE
955 RIVERMONT DRIVE • PITTSBURGH, PA 15207
PHONE (412) 578-8004 • FAX (412) 578-8325 • WWW.ACHD.NET



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 K. Flaherty, 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:

17 of July, 2014

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.

K. Flaherty
PG Publishing Company

Sworn to and subscribed before me this day of:
July 17, 2014

Linda M. Gaertner
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

RECEIVED
AUG 15 2014
ALLEGHENY COUNTY HEALTH DEPARTMENT

STATEMENT OF ADVERTISING COSTS

ALCTY Health Dept.
NANCY ANN WHITLEY
955 RIVERMONT DR, RM 430
OFFICE OF HUMAN RESOURCE
PITTSBURGH PA 15207

To PG Publishing Company

Total ----- \$90.30

Publisher's Receipt for Advertising Costs

PG PUBLISHING COMPANY, publisher of the Pittsburgh Post-Gazette, a newspaper of general circulation, hereby acknowledges receipt of the aforesaid advertising and publication costs and certifies that the same have been fully paid.

Office
34 Boulevard of the Allies
PITTSBURGH, PA 15222
Phone 412-263-1338

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.

Attorney For

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, August 22, 2014, at 10:00 AM, in the First Floor Conference Room at Building #7 of the Clack Health Center, 301 39th Street, Pittsburgh, PA 15201 to take testimony on proposed modifications to Allegheny County Health Department Article XXI, §2108.01 e, "Reports Required-Emission Inventory Statements," and corresponding sections of County Ordinance 16782.

The proposed changes, with the exception of Subparagraphs §2108.01 e A and B, will be incorporated as a revision to Allegheny County's portion of the Pennsylvania State Implementation Plan.

Copies of the proposed regulatory amendments may be examined beginning Wednesday, July 23, 2014, 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 Document Control Room, 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 412-578-8120 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 July 23, 2014, and concluding Wednesday, August 27, 2014.

By mail to, Allegheny County Health Department, 301 39th Street, Pittsburgh, PA 15201-1891. By email to accomments@achd.net. By Fax to 412-578-8144.

Revision 80

SIP Submittal for Emissions Inventory Statements

Certification of Hearing

Thomas Lattner deposes and says that he is an Air Pollution Control Engineer in the Air Quality Program of the Allegheny County Health Department and hereby certifies that a Public Hearing was held on August 22, 2014 on the proposed revisions to Section 2108.01.e, "Reports Required – Emissions Inventory Statements," of Article XXI, "Rules and Regulations of the Allegheny County Health Department for Air Pollution Control," and amendment to County Ordinance No. 16782;

that this change is to be incorporated as a change to Allegheny County's Portion of the Pennsylvania State Implementation Plan for the Attainment and Maintenance of National Ambient Air Quality Standards;

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 July 17, 2014; 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 *8/22/2014*

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

Date

SUMMARY OF COMMENTS AND RESPONSES

for

Proposed SIP Revision 80

Article XXI, Section 2108.01.e, Reporting Requirements – Emission Inventory Statements

Public Comment Period: July 23 to August 27, 2014

Public Hearing: August 22, 2014

- 1. Comment:** In paragraph 2108.01.e.2 it's written that "The Department may issue a letter to a source exempting the source from the requirement to submit an electronic emissions inventory statement for one or more years. This exemption will be based on, but not limited to, confirmed actual emissions or emission source types. Exemptions can be reevaluated and extended or revoked by the Department at any time. "

I think this addition to the rules and regulations should be removed. Allowing a seemingly rule-abiding emission source to not report its emission inventory statement for one or more years is just inviting abuse in the form of increased emissions. All sources should be evaluated as frequently as possible to ensure they are in compliance. The rest of the changes are fine.

Commenter: Douglas Placais.

Response: The Department considers it unlikely that sources will alter their processes/operations resulting in increased emissions, as a direct consequence of being granted a reporting exemption. However, to ensure any exemption is warranted, the Department will conduct due diligence prior to issuing an exemption letter, including observing consistently low actual emissions annually. Additionally, as the regulation states, exemptions can be re-evaluated and revoked at any time should indications of emission increases appear that would warrant resumed reporting.

2. **Comment:** Be careful with all these amendments that are being proposed...they will effect jobs and the economy...I'll bet that most of all our pollutants are coming from the west of us Ohio, Illinois etc...so it is probably nothing we are doing here in Allegheny County that is against regs....so take a better look at this more restrictions mean less jobs...and we don't need that.....

Commenter: Paul Hochendoner.

Response: The proposed regulation changes do not add more restrictions. The Department expects that the proposed regulation revisions will lessen the burden on smaller sources and improve Department efficiency.

3. **Comment:** The proposed revision to §2108.01.e.1 currently reads:
"The owner or operator of each source, or group of sources, on contiguous and adjacent property,"

I suggest modifying it to read:

"The owner or operator of each source, or group of sources, on contiguous OR adjacent property,"

Changing the "and" to "or" is necessary to maintain consistency with the definition of source in Article XXI (see e.g., Art. XXI definitions for "major source" and "source") as well as with federal PSD, NNSR, and title V requirements (see 40 CFR §52.21(a)(5) & (6), 40 CFR §51.165(a)(1), and 40 CFR §70.2 - definition of "major source", respectively).

Hopefully it would not be complicated or controversial to make this change. Failing to do so raises the possibility that, down the road, ACHD and a facility operator may disagree about what specific emission units must be included in a facility's emissions report. The facility operator could argue that the use of "and" as opposed to "or" implies a narrower definition of source for emissions reporting purposes than is used for NNSR, PSD, Title V, minor NSR, or county operating permits--why else, the company could argue, would Article XXI §2108.01.e.1 diverge from the standard, longstanding "contiguous or adjacent" language.

Commenter: Joe Osborne, Legal Director, Group Against Smog and Pollution.

Response: The Health Department has reviewed the definitions of "source" and "major source" found in Article XXI and has reviewed the Code of Federal Regulations citations provided by the commenter, and agrees that the change should be made.

4. **Comment:** Paragraph e.1, which includes a statement that an emission source “shall” submit an electronic emissions inventory statement, should be clarified to take into account the possibility of the source being granted an exemption by Paragraph e.2.

Commenter: ACHD Air Program.

Response: The Health Department will revise Paragraph e.1, to indicate that the emission inventory shall be submitted “unless exempted by Paragraph 2.”

5. **Comment:** In Subparagraph e.1.E, the language “Title V” should be deleted, because it is redundant to the adjacent text “major source”, and because Article XXI does not define “Title V.”

Commenter: ACHD Air Program.

Response: The Health Department will revise Subparagraph e.1.E accordingly.

CERTIFICATION of APPROVAL and ADOPTION

To the best of my knowledge, information, and belief, I the undersigned hereby certify that the amendments to §2108.01.e 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 November 5, 2014, enacted by the Allegheny County Council on May 5, 2015 (Ordinance 15-15-OR), approved by the Allegheny County Chief Executive on May 8, 2015, and effective June 19, 2015, 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, 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

Michael A. Parker
Assistant Solicitor
Allegheny County Health Department

COMMONWEALTH OF PENNSYLVANIA)

COUNTY OF ALLEGHENY) S.S. _____

On the 11th day of August, 2015,

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 11th day of August, 2015.

Henry Miller III

NOTARY PUBLIC



COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Henry Miller III, Notary Public
Ross Twp., Allegheny County
My Commission Expires Nov. 29, 2016
MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES