

COUNTY OF



ALLEGHENY

RICH FITZGERALD  
COUNTY EXECUTIVE

November 4, 2016

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 requested revision to Allegheny County's portion of the Pennsylvania State Implementation Plan for the Attainment and Maintenance of the National Ambient Air Quality Standards. The purpose of this revision request is to amend Article XXI, Air Pollution Control Rules and Regulations, and County Ordinance 16782, with respect to §2101.07.a, "Administration and Organization – Administration" and §2101.20, "Definitions." This SIP revision is being tracked as our internal Revision Tracking Number 81.

Along with the Article XXI changes described above, changes to §2101.07.c, "Air Pollution Control Advisory Committee," were also made concurrently and are shown in the submittal documentation, but only for information purposes. As described in the Technical Support Document of the attached submittal, although 40 CFR 52.2020 and 52.2063 c.192 list §2101.07.c (except paragraphs c.2 and c.8) as a part of the Allegheny County SIP, the current changes made to §2101.07.c are not being submitted here as a SIP revision because of specific past guidance provided by EPA indicating that EPA does not believe the provisions of Section 128 of the Clean Air Act apply to County provisions governing the Air Advisory Committee.

This SIP Revision was the subject of a public comment period from November 21, 2014 until December 29, 2014, with a public hearing held on December 23, 2014, during which comments were received. It was approved by the Board of Health on March 4, 2015, 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.



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

301 39<sup>TH</sup> 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 81 Submittal  
November 4, 2016

ACHD followed all of 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. As required by federal SIP-processing regulations, enclosed certifications demonstrate that the required public notices were provided and that a public hearing was held.

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](mailto:Jayme.Graham@AlleghenyCounty.US).

Sincerely,



Jayme Graham, Manager  
Air Quality Program

cc: Kirit Dalal  
Stephen Hepler

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. 81**

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

**§2101.07.a, Administration (SIP Change)**

**§2101.07.c, Air Pollution Control Advisory Committee (Non-SIP Change)**

**And**

**§2101.20, Definitions (SIP Change)**

## *Table of Contents*

1. Changes to Article XXI Rules and Regulations:

§2101.07.a, Administration and Organization – Administration  
(SIP change)

§2101.07.c, Administration and Organization – Air Pollution Control  
Advisory Committee (non-SIP change)

§2101.20, Definitions (SIP change)

2. Technical Support Document

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

Certifications of approval and adoption

# 1. Article XXI Revisions

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

## PART A – GENERAL

...

### §2101.07 ADMINISTRATION AND ORGANIZATION

{Subsection c amended May 7, 1998 effective May 15, 1998. Amended May 8, 2015, effective June 19, 2015.}

- a. **Administration.** This Article shall be administered and enforced by the Allegheny County Health Department Bureau of Environmental ~~Quality~~ **Health**, by the Director of the Allegheny County Health Department, and by the County of Allegheny pursuant to authority granted in the Local Health Administration Law, 1951, Aug. 24, P.L. 1304, 16 P.S. §§12001 et seq. and the Second Class County Code, 1953, July 28, P.L. 723, 16 P.S. §§3101 et seq.
- b. **Amendments.** Amendments to this Article shall be made in conformity with the Local Health Administration Law, 1951, Aug. 24, P.L. 1304, and the Second Class County Code, 1953, July 28, P.L. 723. A public hearing and a 30 day public comment period shall be conducted by the Board of Health prior to its consideration of any significant amendment or additions to this Article or any amendment or additions to this Article which constitute a proposed amendment to the County's portion of any SIP required under the Clean Air Act.
- c. **Air Pollution Control Advisory Committee.** There is hereby established an Air Pollution Control Advisory Committee which may recommend to the Board of Health additions and changes to this Article and advise the Bureau of Environmental ~~Quality~~ **Health** and the Board of Health on matters relative to the control of air pollution which are brought to its attention by any person.
  1. The Air Pollution Control Advisory Committee shall consist of ~~19~~ **at least 9 and up to 15** individuals appointed by the **County Executive** ~~Board of County Commissioners~~. Each member may identify an alternate in writing to vote in his/her stead. The member shall provide the name, address, and phone number of the alternate to the Chair of the Advisory Committee. The term of the alternate shall be that of the member or until the member identifies another alternate.
  2. All members of the Advisory Committee shall be appointed for a term of ~~one (1)~~ **three (3)** years or until the next appointment, whichever is longer.
  3. The Director, and Deputy Director **Bureau of Environmental Health, and Air Program Manager** shall be ex-officio members of the Committee but shall not have the right to vote on matters before the Committee.

4. Advisory Committee members may include both residents of Allegheny County and non-residents who have been deemed by the **County Executive** ~~County Commissioners~~ to have pertinent expertise. ~~At no time shall~~ ~~†~~ The Advisory Committee **shall** consist of ~~more than five (5) members who are~~ **a balance of representatives of industry, environmental organizations, academia, small business, and general citizenry, who maintain credentials in, or experience in, or knowledge of the field of air pollution.**
5. A member or his/her alternate is expected to be in attendance at all Advisory Committee meetings. If a member or his/her alternate is not in attendance at more than 3 out of any six (6) consecutive meetings, he/she will be notified by the County that his/her membership has been forfeited. A member may petition the Director for reinstatement at the next Advisory Committee meeting.
6. The Advisory Committee shall elect from its members a Chair and a Vice Chair of the Committee. The election shall be for one year terms and held at the first meeting after September 1 of each year.
7. The Advisory Committee shall meet at the call of the Chair, or at the request of the Director of the Allegheny County Health Department or the Board of Health, or upon the written request of any three (3) members of the Advisory Committee.
8. The Advisory Committee shall adopt such procedures as it deems necessary to conduct its business and shall adopt such provisions as are necessary in order to consider matters which are brought to its attention by any person or group.
9. A quorum shall be required to conduct the business of the Advisory Committee. A quorum shall consist of not less than a majority of the voting members of the Advisory Committee.

....

**§2101.20 DEFINITIONS** *{Added by August 29, 2013 amendment, effective September 23, 2013. Amended Month, Date, 2015 effective Month, Date, 2015.}*

....

"County Executive" means the ~~County~~ **Chief** Executive of Allegheny County, Pennsylvania, **as defined in the Allegheny County Home Rule Charter.**

## 2. Technical Support Document

The regulation changes include the following portions of the Allegheny County Rules and Regulations, Article XXI, Air Pollution Control:

§2101.07.a, Administration and Organization – Administration;  
§2101.07.c, Administration and Organization – Air Pollution Control Advisory Committee;  
and  
§2101.20, Definitions

Only §2101.07.a and §2101.20 are being submitted as SIP changes. The change to the former is being made to reflect the updated name of the Bureau of Environmental Health. The change to the latter is being made so that the definition of “County Executive” agrees with the description of that office found in the County Home Rule Charter.

Regarding the changes to §2101.07.c:

40 CFR 52.2020 and 52.2063 c.192 list §2101.07.c (except paragraphs c.2 and c.8), as a part of the Allegheny County SIP. However, the changes are not being submitted here as a SIP revision because of specific guidance provided by EPA in a public comment (see attached M. Spinks to R. Westman letter) during the 1998 change to this same Article XXI subsection.

“EPA has reviewed the proposed revisions to Article XXI, Section 2107C, governing the composition of the Air Pollution Control Advisory Committee. Section 128 of the Clean Air Act (“the ACT”) requires that State and local Boards which have the authority to issue and enforce permits meet certain criteria regarding conflicts of interest and representation of the public’s point of view. Such criteria are required to be incorporated into the applicable State SIP. Advisory boards which expressly do not have the authority to issue and enforce permits do not have to comply with these Section 128 requirements. It is EPA’s understanding that the Air Pollution Control Advisory Committee does not have the authority to issue and enforce permits in Allegheny County. Therefore, EPA concludes that the provisions of Section 128 of the Act do not apply to County provisions governing this committee.

EPA further notes that the proposed regulations to Section 2107C govern internal County administrative procedures, and do not support any other statutory requirement of the Clean Air Act. Therefore, EPA concludes that Allegheny County does not need to submit these proposed provisions to EPA as a formal revision to the Allegheny County portion of the Pennsylvania SIP.”

This change to Section 2101.07.c will:

1. Increase the appointment term from one year to three years. This will address a concern voiced by County Council, which historically has questioned the need to review appointments of the same members on a yearly basis.
2. Revise the number of individuals comprising the Committee from 19 to “at least nine (9) and up to 15.” This will present a more attainable number of members to comprise a full committee.
3. Revise the language that mandated that no more than five members be representatives of industry, to instead require the Committee consist of a balance of representatives from industry, environmental organizations, academia, small business and general citizenry. This will better reflect the composition of the Committee currently, and as anticipated for the future.
4. Update the titles of various positions within the Health Department and County.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
841 Chestnut Building  
Philadelphia, Pennsylvania 19107-4431

Dr. Roger Westman, Manager  
Air Quality Program  
Bureau of Air Pollution Control  
Allegheny County Health Department  
301 39th Street  
Pittsburgh, Pennsylvania 15201-1891

NOV 13 1997

Dear Dr. Westman:

Thank you for providing EPA with the opportunity to comment on proposed revisions to Article XXI of Allegheny County's air pollution control regulations. Enclosed are EPA's comments regarding the proposed Nitrogen Oxide Cap and Trade Program and proposed modifications to operational procedures of the Air Pollution Advisory Committee. EPA's comments regarding proposed regulation changes to definitions and permits were forwarded to you under a separate cover letter.

Thank you for your attention to this matter. If our office can be of further assistance, please contact David L. Arnold at 215/566-2172 (Nitrogen Oxide Cap and Trade Program), Kathleen Henry at 215/566-2175 (proposed regulation changes to definitions and permits), or Harold A. Frankford at 215/566-2108 (proposed modifications to operational procedures of the Air Pollution Advisory Committee).

Sincerely,

Marcia L. Spink,  
Associate Director, Air Programs  
Air Protection Division

Enclosures

RECEIVED

NOV 19 1997

ALLEGHENY COUNTY HEALTH DEPT.  
AIR QUALITY PROGRAM

## EPA's Comments Regarding Proposed Modifications to Operational Procedures of the Air Pollution Advisory Committee

EPA has reviewed the proposed revisions to Article XXI, Section 2107C. governing the composition of the Air Pollution Control Advisory Committee. Section 128 of the Clean Air Act ("the Act") requires that State and local Board which have the authority to issue and enforce permits meet certain criteria regarding conflicts of interest and representation of the public's point of view. Such criteria are required to be incorporated into the applicable State SIP. Advisory boards which expressly do not have the authority to issue and enforce permits do not have to comply with these Section 128 requirements. It is EPA's understanding that the Air Pollution Control Advisory Committee does not have the authority to issue and enforce permits in Allegheny County. Therefore, EPA concludes that the provisions of Section 128 of the Act do not apply to County provisions governing this committee.

EPA further notes that the proposed regulations to Section 2107C. govern internal County administrative procedures, and do not support any other statutory requirement of the Clean Air Act. Therefore, EPA concludes that Allegheny County does not need to submit these proposed provisions to EPA as a formal revision to the Allegheny County portion of the Pennsylvania SIP.

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

Notice of Public Hearing

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 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 **Tuesday, December 23, 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, §2101.07, 'Administration and Organization,' chiefly §2101.07.c, 'Air Pollution Control Advisory Committee,' and related §2101.20, 'Definitions,' and corresponding sections of County Ordinance 16782.

**Only the changes to Subsection 2101.07.a, and Section 2101.20 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 Friday, November 21, 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](http://www.achd.net); or by calling 412-578-8120 to request a mailed printed copy.

Oral testimony must be pre-scheduled by calling 412-578-8120 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 **Friday November 21, 2014**, and concluding **Monday, December 29, 2014**:

By mail to  
Allegheny County Health Department  
301 39<sup>th</sup> Street  
Pittsburgh, PA 15201-1891  
By email to [aqcomments@achd.net](mailto:aqcomments@achd.net)  
By Fax to 412-578-8144

COUNTY OF



ALLEGHENY

RICH FITZGERALD  
COUNTY EXECUTIVE

November 19, 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 §2101.07, Administration, §2101.07.c, "Air Pollution Control Advisory Committee," and §2101.20, "Definitions."

These revisions, with the exception of §2101.07.c, will also be submitted as changes to Allegheny County's portion of the Pennsylvania State Implementation Plan under our Revision Tracking Number 81.

The public comment period begins November 21, 2014 and concludes December 29, 2014. The public hearing will be held December 23, 2014. Your comments are welcome.

Sincerely,

Jayme Graham, Manager  
Air Quality Program

cc: File

Enclosures

- Public Hearing Notice
- Proposed Article XXI/SIP Revision 81

COUNTY OF



ALLEGHENY

RICH FITZGERALD  
COUNTY EXECUTIVE

November 19, 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 §2101.07, Administration, §2101.07.c, "Air Pollution Control Advisory Committee," and §2101.20, "Definitions."

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Sincerely,

Jayme Graham, Manager  
Air Quality Program

cc: Kirit Dalal  
Steve Hepler

Enclosures

- Public Hearing Notice
- Proposed Article XXI/SIP Revision 81

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**ALLEGHENY COUNTY HEALTH DEPARTMENT • AIR QUALITY PROGRAM**

301 39<sup>TH</sup> STREET BUILDING #7 • PITTSBURGH, PA 15201-1811

PHONE (412) 578-8103 • FAX (412) 578-8144

### 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:

**20 of November, 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:  
November 20, 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

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

To PG Publishing Company

Total ----- \$85.05

### 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.

### 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 Tuesday, December 23, 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, §2101.07, "Administration and Organization," chiefly §2101.07 c. "Air Pollution Control Advisory Committee," and related §2101.20, "Definitions," and corresponding sections of County Ordinance 16782.

Only the changes to Subsection 2101.07 a and Section 2101.20 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 Friday, November 21, 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 Friday November 21, 2014, and concluding Monday, December 29, 2014:

By mail to Allegheny County Health Department, 301 39th Street, Pittsburgh, PA 15201-1891 by email to [agcomments@achd.net](mailto:agcomments@achd.net), By Fax to 412-578-8144.

Revision 81

Article XXI

Section 2101.07, "Administration and Organization"

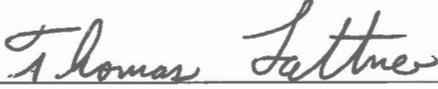
Section 2101.20, "Definitions"

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 December 23, 2014 on the proposed revisions to Section §2101.07.a, "Administration," §2101.07.c, "Air Pollution Control Advisory Committee," and §2101.20, "Definitions," of Article XXI, "Rules and Regulations of the Allegheny County Health Department for Air Pollution Control," and amendment to County Ordinance No. 16782;

that portions of this change (§2101.07.a, §2101.20) are 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 November 20, 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,

Date

Air Pollution Control Engineer

Air Quality Program

Allegheny County Health Department

## SUMMARY OF COMMENTS AND RESPONSES

for

### SIP Revision 81

**Article XXI, Section 2101.07.a, Administration (SIP Change)**  
**§2101.07.c, Air Pollution Control Advisory Committee (Non-SIP Change)**  
**and**  
**§2101.20, Definitions (SIP Change)**

**Public Comment Period: November 21 to December 29, 2014**

**Public Hearing: December 23, 2014**

- Comment:** ...given the Committee's influence on ACHD's efforts to develop and implement air quality regulations that have a direct impact on public health in Allegheny County, the Council strongly recommends that ACHD require a public health professional be a member of the Committee in addition to the other amendments to § 2101.07(c)(4).

The effects of air pollution on public health are well known and thoroughly documented. Public health professionals serve a critical function for local communities by pursuing solutions to detrimental conditions and improving collective health. Public health professionals are also uniquely positioned to work with local communities and authorities to raise awareness of the health impacts of poor air quality and support initiatives to reduce pollution. Lastly, public health professionals provide decision-making bodies an important, objective perspective for developing and implementing air quality rules, regulations, and plans. For the reasons stated above, Clean Air Council recommends that ACHD require a public health professional to serve as a member of the Air Pollution Control Advisory Committee.

**Commenter:** Joseph Otis Minott, Esq., Executive Director, Clean Air Council.

**Response:** The Health Department appreciates the comment. However, the Department believes that it is not necessary to include language in the second sentence of Paragraph 2101.07.c.4: "The Advisory Committee shall consist of a balanced number of representatives of industry, environmental organizations, academia, small business, and general citizenry, who maintain credentials, or experience in, or knowledge of the field of air pollution," to add a requirement for representation of "public health professionals." Such specificity is no more necessary than adding a requirement for representation of the environmental legal profession or the environmental consultant profession. The Department believes that the existing language stated in the quotation above is wholly inclusive of professionals with experience in air quality as to include such health professionals

with the related experience and will achieve the goal of creating a balanced committee.

The Department also notes that the proposed revisions in this submittal were the subject of review by the Regulation Subcommittee at four separate meetings. During the third such meeting (August 7, 2014), a suggestion to add the same language proposed above by the commenter was made. The Regulation Subcommittee gave the suggestion significant consideration, but could not reach consensus on adding it. The meeting minutes reflect that the chief concern was over the impact this addition would have on the “balance” of the Committee makeup. The Department wishes to honor the deliberations on the issue made by the Subcommittee, by maintaining Paragraph c.4 as proposed in this submittal.

2. **Comment:** Given the strong connection between air quality and human health we believe it is important to explicitly add a public health and/or medical professional to the list of representatives outlined in 2101.07c.4. Thus the statement would change to, “The Advisory Committee shall consist of a balance of representatives of industry, public health and/or the medical field, environmental organizations, academia, small business, and general citizenry, who maintain credentials in, or experience in, or knowledge of the field of air pollution.” Making certain that at least one member of the committee has a public health or medical background will help ensure that decisions are being made, at least in part, from a human health perspective and is in line with the fact that the Air Quality Program is housed at the Allegheny County Health Department.

**Commenter:** Rachel Filippini, Executive Director, Group Against Smog and Pollution (GASP).

**Response:** Please see the response to Comment 1.

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**CERTIFICATION of APPROVAL and ADOPTION**

To the best of my knowledge, information, and belief, I the undersigned hereby certify that the amendments to §§2101.07.a, and 2101.20 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 4, 2015, enacted by the Allegheny County Council on May 5, 2015 (Ordinance 16-15-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 11<sup>th</sup> 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 11<sup>th</sup> 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