

ALLEGHENY COUNTY BOARD OF HEALTH

MINUTES

March 6, 2019

Present: Lee Harrison, MD, Chair  
William Youngblood, Vice Chair  
Karen Hacker, MD, Secretary  
Anthony Ferraro  
Ellen Stewart, MD  
Edith Shapira, MD (via phone)  
Donald Burke, MD  
Caroline Mitchell (via phone)  
Kotayya Kondaveeti, MD  
Joylette Portlock, PhD

Absent: None

1. **Call to Order**

The meeting was held at the Health Department office at 542 Fourth Ave. Dr. Harrison called the meeting to order and announced that an executive session was held to discuss litigation and personnel matters. Dr. Harrison thanked Allegheny County Councilmember Sue Means for attending the meeting.

2. **Approval of Minutes from January 9, 2019**

Dr. Harrison asked if there were any comments or questions about the minutes. There were none.

**Action:** Dr Burke moved to approve the minutes, Dr. Stewart seconded the motion. Dr. Portlock abstained from voting.

**Motion passed unanimously.**

3. **Public Comments on Agenda Items**

**A. Zach Barber, re: Environmental Health Programs Enforcement Update**

Mr. Barber stated that he was a Clean Air Advocate with Penn Environment. He stated that he supports ACHD's enforcement order regarding the Clairton Coke Works. He stated that people have a right to clean air and that he looks forward to collaboration with ACHD.

## **B. Matt Mehalik, re: Environmental Health Programs Enforcement Update**

Mr. Mehalik stated that he is the Director of the Breath Project. He thanked ACHD for exercising its authority with the recent enforcement order and stated that US Steel should apologize to the impacted community. He stated that US Steel's actions should match its rhetoric. He stated that community residents request that the plan be put on hot idle.

## **4. Old Business**

### **A. Environmental Health Programs Enforcement Update**

Jim Kelly, ACHD Deputy Director for Environmental Health, provided an update to the Board on his bureau's enforcement actions. He stated that Water Pollution Control has 3 open enforcement cases. Regarding ALCOSAN, Mr. Kelly stated that ACHD is working with the PaDEP to manage a corrective action plan for each municipality within ALCOSAN's area. He stated that the consent decree has been signed by ALCOSAN and is now awaiting the approval of the Department of Justice.

The Food Program had 478 year-to-date complaints, has issued 2 year-to-date consumer alerts and 14 year-to-date permit suspensions and closures. Plumbing had 44 year-to-date complaints. Housing and Community Environment had 514 year-to-date complaints.

The Air Program had 2,348 year-to-date complaints, 236 of which were submitted directly to ACHD. The remaining complaints were submitted via the SmellPgh app. Mr. Kelly provided an overview of the Air Program's open enforcement actions. Such enforcement actions include a \$1.4 million dollar fine of the old Westinghouse facility, the fine is under appeal to Commonwealth Court; a final enforcement order has been drafted for the case of MRIE, which is a fracking sand transfer station, Mr. Kelly stated that this facility has been pro-active and that the case is nearly finalized, no complaints have been received about this facility since August 2018; the PaDEP has decided to allow the underground fire at Pittsburgh Glass Works to burn itself out; and that ACHD is conducting inspections regarding Metalico, which is a scrap metal company. Mr. Kelly stated that ACHD has met with Metalico and that an improvement plan has been submitted.

Regarding US Steel, Mr. Kelly stated that 2016's consent order will end in March and that the notice of violation that ACHD issued jointly with the EPA is still with the Department of Justice. He also stated that an appeal hearing was held in December regarding 2018's enforcement order for Clairton, and that the appeal was still working its way through the process. Regarding the fire in Clairton, Mr. Kelly stated that an order was issued on February 28<sup>th</sup> and he informed the Board of the specifics of that order. However, a notice of appeal and notice of stay were filed on March 1<sup>st</sup>. ACHD's hearing officer granted a stay until March 11<sup>th</sup>.

Mr. Kelly asked if there were any questions. Dr. Portlock expressed concerns that new sanitary sewer systems aren't incorporating newer capacities for increased rainfall. She asked when those concerns should be raised. Mr. Kelly stated that it would be good to have the people

who crafted that plan come present it to the Board. Dr. Portlock agreed that would be good. Mr. Youngblood noted that there are concerns, namely siltation and flash flooding. He noted that a few people have drowned in flash floods.

Dr. Portlock then asked for a timeline for the next few months regarding what will happen with US Steel. Mr. Kelly stated that the order from 2016 will expire in March. He stated that the 2018 order requires US Steel to show increased compliance of Quarter One and Quarter Two in 2019 compared to 2018. He stated that this order was going forward. Dr. Portlock asked about the recent enforcement action. Mr. Kelly stated that the enforcement action in 2018 was regarding the operation of the batteries. The enforcement action in 2019 is for sulfur dioxide emissions. That order was issued on February 28<sup>th</sup> and will last until the end of June or until repairs are done.

### **B. Live Well Allegheny Update & Overview of Grant from Richard King Mellon Foundation**

Dr. Hacker stated that Live Well Allegheny now has 62 municipalities as members and noted that this is nearly fifty percent of all of the municipalities within Allegheny County. The newest municipality to join Live Well Allegheny is Penn Hills. Dr. Hacker also informed the Board that this week is National School Breakfast Week and that Allies for Children released a breakfast report this week, the results of which look good. Dr. Hacker also informed the Board that the CDC Reach grant is now underway. The Reach grant will last for five years and will target six specific communities.

Hannah Hardy, Program Manager for ACHD's Chronic Disease Prevention program, gave the Board an overview of a grant from the Richard King Mellon Foundation. She stated that ACHD's partnerships were what made us competitive for this grant. Strategies of this grant include increasing access to fresh and healthy foods by partnering with the Green Grocer program. Green Grocer is a mobile farmers' market that has expanded to fourteen stops across the County. ACHD also partnered with Just Harvest to enable SNAP benefits to be used electronically at farmers' markets. A total of 24 active transportation projects were funded by the grant. ACHD also partnered with Fit United to increase access to healthy food and increase physical education and to engage in Day of Action projects. The Day of Action projects are one-day, high-impact beautification projects to create play spaces for children. Ms. Hardy stated that ACHD is very pleased with the results of the grant and hopes to continue and extend it.

### **C. Opioid Overdose Update**

Dr. Hacker informed the Board that ACHD is monitoring Emergency Department admissions with a chief complaint of overdose, Narcan use by EMS, and deaths from overdoses. She was happy to report that all three of these items have been trending downward since the end of 2017. She noted a 26% decrease in deaths compared to 2016. She stated that a huge volume of work has been committed to surveillance of the epidemic and in distributing Narcan. She also noted that fewer prescriptions are being written for opioids. She also noted that ACHD does not know the actual number of overdoses reversed by Narcan or if less people are actually

using heroin. She noted that there is some evidence to suggest that some users are switching from heroin to meth. She noted that the number of deaths is still higher than in 2014-2015, even after the recent decrease and noted that we need to remain vigilant. Dr. Harrison asked if users are wiser regarding the risks of fentanyl. Dr. Hacker thought so and thought that users are using harm reduction strategies. Dr. Kondaveeti asked if there was monitoring of how drugs were getting into the jail. Dr. Hacker stated that there is no MATP in jail, except for pregnant women. She stated that Narcan is distributed upon discharge, and that Vivitrol is being tried as part of a study.

5. **New Business**

**A. Strategic Plan**

Dr. Hacker reminded the Board that ACHD completed a Strategic Plan three-and-a-half years ago. That strategic plan covered the years 2015-2018 and was focused on infrastructure. The next strategic plan is looking at 2019 and beyond. Dr. Hacker stated that consultants were hired to work with a core team of ACHD staff and a focus group of community partners to develop this next iteration of the strategic plan. The priority areas for 2019's strategic plan are: innovation, policy leadership, health equity, community engagement, and workforce/infrastructure. Regarding the workforce, Dr. Hacker noted that more than half of ACHD's staff has been replaced within the past five years and that work is needed regarding retention of staff.

**Action:** Mr. Ferraro moved to approve the strategic plan, Dr. Burke seconded the motion.

**Motion passed unanimously.**

**B. Plan for a Healthier Allegheny Dashboard**

Alaina Conner, ACHD's Manager of Special Projects, gave the Board a demonstration of a website that is the dashboard for PHA metrics. All of the PHA's metrics are on the website, broken down into the PHA's priority areas. Documents related to each priority area are also included on the website. Ms. Conner noted that this will allow all interested parties to track the PHA's progress.

Dr. Harrison asked how Allegheny County achieved a rate of insured adults that is higher than the national average. Dr. Hacker stated that was because of Medicaid expansion, and noted that not all states did so. Dr. Burke noted that it was a crude comparator to judge Allegheny County's data against national averages, he suggested using peer counties as references. Ms. Conner stated that the reporting of data sources was not always consistent. Dr. Burke noted that this data is terrific, but it could be even better. Dr. Portlock asked if the data is automatically or manually updated. Ms. Conner stated that both is the case, HCI data is automatically updated but ACHD data is manually entered. Dr. Hacker stated that ACHD will do an annual oversampling of the state's BRFSS data in order to give ACHD better data.

*At this time, Dr. Kondaveeti excused himself and left the meeting.*

**C. Clean Air Fund Request: Municipalities Workshop on Air Quality: \$15,000**

Jayne Graham, ACHD Program Manager for Air Quality, stated that this request is for a half-day workshop for municipal officials on air quality topics. The workshop will be recorded so that it may be used in the future by local governments. Mr. Youngblood asked if the EPA may be interested in this workshop. Ms. Graham replied that they may be.

**Action:** Mr. Ferraro moved to approve the CAF request for \$15,000, Dr. Stewart seconded the motion.

**Motion passed unanimously.**

**D. Clean Air Fund Request: Professional Support for Air Quality Program: \$120,000**

Ms. Graham stated that this request is for professional and technical support on an as-needed basis for case analysis, data and technical support, legal support, and medical and toxicology consulting. She noted this request is for funding ahead of time and that she does not know how often this fund will be used. Dr. Harrison asked if \$120,000 was the maximum amount that could be used. Ms. Graham stated that it was and noted that this request was for two years. She stated that if the money is not used, it will remain in the Fund.

**Action:** Mr. Youngblood moved to approve the CAF request for \$120,000, Mr. Ferraro seconded the motion.

**Motion passed unanimously.**

**E. Environmental Health Fund Request: Pool Operators & Inspectors Courses: \$600**

Jim Kelly, ACHD Deputy Director for Environmental Health, reminded the Board that Housing & Community Environment inspectors inspect pools and spas. This request is for training for those inspectors.

**Action:** Mr. Youngblood moved to approve the EHF request for \$600, Mr. Ferraro seconded the motion.

**Motion passed unanimously.**

**F. Environmental Health Fund Request: Sewage Enforcement Officers Courses: \$1,000**

Mr. Kelly stated that this request was for ongoing training for Plumbing and Water Pollution Control inspectors.

**Action:** Mr. Youngblood moved to approve the EHF request for \$1,000, Mr. Ferraro seconded the motion.

**Motion passed unanimously.**

**G. Food Safety Fund Request: Trainings for Plan Reviews & Food Safety Procedures: \$4,000**

Mr. Kelly stated that this was only the second time making a request from this fund. He stated that this request was for \$3,500 for plan review training and \$500 for food safety training. Mr. Ferraro asked about the status of the Food Safety Advisory Committee. Mr. Kelly stated that it was going well. Mr. Ferraro commended the Food Safety Program's Enforcement Report. Dr. Portlock asked about the status of the Food Safety Fund. Mr. Kelly stated that it was not very large.

**Action:** Mr. Ferraro moved to approve the EHF request for \$4,000, Mr. Youngblood seconded the motion.

**Motion passed unanimously.**

6. **Director's Report**

Dr. Hacker had nothing additional to report.

7. **Announcements**

There were no announcements.

8. **Public Comments on Non-Agenda Items**

**A. Chie Togami, re: Air Quality**

Mrs. Togami stated that she is a resident of Hazelwood and a doctoral student at Pitt, studying environmental sociology. She stated that she has industrial smells in her home and she suffers from asthma. She stated that she appreciates enforcement against US Steel. She read the list of complaints submitted via the Smell Pittsburgh app that are printed on Mr. Mark Dixon's scroll.

**B. Dave Smith, Clean Air Council, re: Clairton Coke Works**

Mr. Smith stated that he works for the Clean Air Council and that he appreciates the enforcement action against US Steel. He noted an increase in sulfur dioxide emissions in violation of permits and stated that this was a serious problem that should be addressed immediately. He stated that air pollution shouldn't be moved from one place to another. He stated that residents of Clairton are concerned.

**C. David Meckel, re: Clairton Coke Works**

Mr. Meckel stated that he was a resident who was under chemical attack from US Steel. He stated that he has been suffering from a chronic cough since January and that his home smells like farts and cat urine in the morning. He stated that the residents are suffering and that Clairton Coke Works needs to be shut down now.

**D. Mark Dixon, re: Air Quality**

Mr. Dixon stated that if US Steel cared then they would work towards a hot idle instead of continuing business as usual. He stated that US Steel has illegally polluted for decades and doesn't care about the health of communities. He stated that US Steel violates its own Gary

Principles. He stated that he visited Glassport and that residents there fear retaliation from people associated with US Steel. He stated that he appreciates enforcement actions and thanked ACHD.

**E. Renee Wilson, re: Air Quality in the Mon Valley**

Ms. Wilson was not present to offer comment.

**F. Johnie Perryman, re: Clairton**

Mr. Perryman stated that he will be 76 years old in a few months and that his heart is operating at 73% of its capacity. He stated that he is afraid that what's happening in Clairton will kill him. He stated that ACHD should use money collected from fines to buy residents gas masks or air filters for their homes. He stated that would do more good than a new office building.

**G. Gloria M. Ford, re: Clairton**

Ms. Ford stated that she has been a resident of Clairton for more than 70 years. She stated that children are being sickened and developing asthma at an early age. She asked where is the compassion to stop this instead of just going to court and paying fines. She quoted John 14:13 and stated that God can put a stop to US Steel's polluting for more than 100 years.

**H. Kurt Barshick, US Steel, re: US Steel Mon Valley Works Air Quality Update**

Mr. Barshick stated that he is the General Manager of US Steel's Mon Valley Works. He stated that tremendous progress is being accomplished after the fire event and is optimistic that repairs will be completed before May 15<sup>th</sup>. He stated that prior to the fire, air quality at the Liberty monitor was improving and he noted that US Steel worked closely with ACHD regarding the SIP. He stated that US Steel completed \$100 million worth of improvements and feels confident that improvements will continue.

9. **Adjournment**

Dr. Burke moved to adjourn the meeting, Dr. Stewart seconded the adjournment.