

COUNTY OF



ALLEGHENY

RICH FITZGERALD
COUNTY EXECUTIVE

February 1, 2018

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:

The Allegheny County Health Department hereby submits, using for the first time the State Planning Electronic Collaboration System (SPeCS) State Implementation Plan (SIP) submission system, 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 the addition of §2104.10, "Commercial Fuel Oil," and §2107.16, "Sulfur in Fuel Oil," as well as related additions and revisions to §2101.20, "Definitions," in order to implement low sulfur fuel oil provisions that will reduce the amount of sulfur in fuel oils used in combustion units which will aid in reducing sulfates that cause decreased visibility and regional haze. This change will also be codified in Chapter 505 of the Allegheny County Code of Ordinances, and this SIP revision is being tracked as our internal Revision Tracking Number 83.

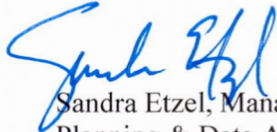
This SIP Revision was the subject of a public comment period from March 3 until April 10, 2017, with a public hearing held on April 3, 2017. No comments were received. The Board of Health approved it on May 3, 2017. County Council enacted it on November 21, 2017, it was signed by the Allegheny County Chief Executive on November 28, 2017, and it became effective December 8, 2017.

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.

ALLEGHENY COUNTY HEALTH DEPARTMENT • AIR QUALITY PROGRAM
301 39TH STREET BUILDING #7 • PITTSBURGH, PA 15201-1811
PHONE (412) 578-8103 • FAX (412) 578-8144

We request that the Pennsylvania Department of Environmental Protection approve this revision and forward it to the U.S. EPA Region III with a recommendation for approval. If you have any questions, please contact me at (412) 578-8116 or Sandra.Etzel@AlleghenyCounty.US

Sincerely,



Sandra Etzel, Manager
Planning & Data Analysis Section
Air Quality Program

cc: Jayme Graham, Program Manager, ACHD
Kirit Dalal (Pa DEP)
Stephen Hepler (Pa DEP)
Susan Hoyle (Pa DEP)

Attachment

**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. 83

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

§2104.10, Commercial Fuel Oil

§2107.16, Sulfur in Fuel Oil

And

§2101.20, Definitions

Table of Contents

1. Changes to Article XXI Rules and Regulations:
 - §2104.10, Commercial Fuel Oil (new addition to Article XXI)
 - §2107.16, Sulfur in Fuel Oil (new addition to Article XXI)
 - §2101.20, Definitions (new additions and updates of existing definitions)
2. Technical Support Document
3. Documentation of Public Hearing and Certifications
 - a. Public hearing notice
 - b. Transmittals of hearing notice to EPA & PA DEP
 - c. Proof of publication of notice of hearing
 - d. Certification of hearing
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 - f. Certifications of approval and adoption

1. Revision

The following section -- §2104.10 -- is being added to Article XXI.

§2104.10 COMMERCIAL FUEL OIL {This section added by 11/28/2017 amendment, effective 12/08/2017.}

Fuel-burning or combustion equipment must conform with the following:

- a. **Commercial Fuel Oil.** Except as specified in Paragraphs 1 and 2, a person may not offer for sale, deliver for use, exchange in trade or permit the use of commercial fuel oil in Allegheny County, if the commercial fuel oil contains sulfur in excess of the applicable maximum allowable sulfur content set forth in the following table:

***Maximum Allowable Sulfur Content
Expressed as Parts per Million (ppm) by Weight or Percentage by Weight***

Grades Commercial Fuel Oil (Consistent with ASTM D396)

| | | |
|------------------------------|-----------|---------|
| No. 2 and lighter oil | 500 ppm | (0.05%) |
| No. 4 oil | 2,500 ppm | (0.25%) |
| No. 5, No. 6 and heavier oil | 5,000 ppm | (0.5%) |

1. Commercial fuel oil that was stored in Allegheny County by the ultimate consumer prior to July 1, 2016, which met the applicable maximum allowable sulfur content at the time it was stored, may be used by the ultimate consumer.
 2. The applicable maximum allowable sulfur content for a commercial fuel oil set forth in Subsection a may temporarily be suspended or increased if the Pennsylvania Department of Environmental Protection (DEP) has acted to do so in accordance with 25 Pa. Code §§123.22(d)(2)(iii & iv) and (h), regarding the Allegheny County air basin.
- b. **Equivalency provision.** Subsection a does not apply to a person who uses equipment or a process, or to the owner or operator of an installation where equipment or a process is used, to reduce the sulfur emissions from the burning of a fuel with a higher sulfur content than that specified in Subsection a. The emissions may not exceed those which would result from the use of commercial fuel oil that meets the applicable maximum allowable sulfur content specified in Subsection a.

c. Sampling and testing.

1. For the purpose of determining compliance with the requirements of this section, the actual sulfur content of commercial fuel oil shall be determined by one of the following:
 - A. In accordance with the sample collection, test methods and procedures specified under §2107.16, "Sulfur in Fuel Oil."
 - B. Other methods developed or approved by the Department, PA DEP or the Administrator of the EPA.
2. A refinery owner or operator who produces commercial fuel oil intended for use or used in Allegheny County is required to sample, test and calculate the actual sulfur content of each batch of the commercial fuel oil as specified in Paragraph 1.
3. Prior to offering for sale, delivering for use, exchanging in trade or permitting the use of commercial fuel oil in Allegheny County, a person other than the ultimate consumer that accepts a shipment of commercial fuel oil from a refinery or other transferor, shall sample, test and calculate the actual sulfur content of the commercial fuel oil in accordance with Paragraph 1 if the shipment lacks the record required under Subsection d that enables the transferee to determine if the sulfur content of the shipment of commercial fuel oil meets the applicable maximum allowable sulfur content.

d. Recordkeeping and reporting.

1. Beginning with the refinery owner or operator who sells or transfers commercial fuel oil into or within Allegheny County for use in Allegheny County and ending with the ultimate consumer, each time the physical custody of, or title to, a shipment of commercial fuel oil changes hands, the transferor shall provide to the transferee an electronic or paper record described in this paragraph. This record must legibly and conspicuously contain the following information:
 - A. The date of the sale or transfer.
 - B. The name and address of the transferor.
 - C. The name and address of the transferee.
 - D. The volume of commercial fuel oil being sold or transferred.
 - E. The identification of the sulfur content of the shipment of commercial fuel oil, determined using the sampling and testing methods specified in Paragraph c.1, expressed as one of the following statements:
 - i. For a shipment of No. 2 and lighter commercial fuel oil, "The sulfur content of this shipment is 500 ppm or below."
 - ii. For a shipment of No. 4 commercial fuel oil, "The sulfur content of this shipment is 2,500 ppm or below."
 - iii. For a shipment of No. 5, No. 6 and heavier commercial fuel oil, "The sulfur content of this shipment is 5,000 ppm or below."

- F. The location of the commercial fuel oil at the time of transfer.
 - G. Except for a transfer to a truck carrier, an owner or operator of a retail outlet or an ultimate consumer, the transferor may substitute the information required under Subparagraphs A - F with the use of a product code if the following are met:
 - i. The product code includes the information required under Subparagraphs A - F.
 - ii. The product code is standardized throughout the distribution system in which it is used.
 - iii. Each downstream party is given sufficient information to know the full meaning of the product code.
2. The refinery owner or operator shall do both of the following:
- A. Maintain, in electronic or paper format, the records developed under Paragraph c.2 to determine the actual sulfur content of each batch of the commercial fuel oil.
 - B. Provide electronic or written copies of the records developed under Paragraph c.2 of the actual sulfur content of each batch of the commercial fuel oil to the Department upon request.
3. The terminal owner or operator shall do both of the following:
- A. Maintain, in electronic or paper format, the applicable records developed under Paragraph c.3 or d.1, or both, to establish the maximum sulfur content of the shipment of commercial fuel oil.
 - B. Provide electronic or written copies of the records establishing the maximum sulfur content of the shipment of commercial fuel oil to the Department upon request.
4. A person subject to this section shall do both of the following:
- A. Maintain the applicable records required under Paragraphs 1 - 3 in electronic or paper format for 2 years unless a longer period is required under 2103.12.j.2 (relating to standard recordkeeping requirements).
 - B. Provide an electronic or written copy of the applicable record to the Department upon request.
5. The ultimate consumer shall maintain in electronic or paper format the record containing the information listed in Paragraph 1, except in either of the following situations:
- A. The transfer or use of the commercial fuel oil occurs at a private residence.
 - B. The ultimate consumer is an owner of an apartment or condominium building housing private residents and the transfer or use of the commercial fuel oil occurs for use at the building.

The following section--§2107.16--is being added to Article XXI, PART G.

PART G - METHODS

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§2107.16 SULFUR IN FUEL OIL

{This section added by 11/28/2017 amendment, effective 12/8/2017}

The following apply to tests for the analysis of commercial fuel oil:

- a. The fuel oil sample for chemical analysis shall be collected in a manner that provides a representative sample. Upon the request of a Department official, the person responsible for the operation of the source shall collect the sample employing the procedures and equipment specified in:
 1. ASTM D 4057, *Practice for Manual Sampling of Petroleum and Petroleum Products*, including updates and revisions; or
 2. ASTM D 4177, *Practice for Automatic Sampling of Petroleum and Petroleum Products*, including updates and revisions.
- b. Test methods and procedures for the determination of viscosity and sulfur shall be those specified in ASTM D 396, *Standard Specification for Fuel Oils*, including updates and revisions. The viscosity shall be determined at 100°F.
- c. Results shall be reported in accordance with the units specified in §2104.10, *Commercial Fuel Oil*.

The following new definitions are being added to §2101.20.

§2101.20 DEFINITIONS {following added by 11/28/2017 amendment, effective 12/8/2017}

“Commercial fuel oil” means a fuel oil specifically produced, manufactured for sale and intended for use in fuel-burning or combustion equipment. A mixture of commercial fuel oil with noncommercial fuel when greater than 50% of the heat content is derived from the commercial fuel oil portion is considered a commercial fuel oil. The term includes home heating oil.

“Noncommercial fuel” means a gaseous or liquid fuel generated as a byproduct or waste product which is not specifically produced and manufactured for sale. A mixture of noncommercial and a commercial fuel oil where at least 50% of the heat content is derived from the noncommercial fuel portion is considered a noncommercial fuel.

“Transferee” means:

- a. A person who is the recipient of a sale or transfer.
- b. For purposes of §2104.10, the term includes the following:
 1. Terminal owner or operator
 2. Carrier
 3. Distributor
 4. Retail outlet owner or operator
 5. Ultimate consumer.

“Transferor” means:

- a. A person who initiates a sale or transfer.
- b. For purposes of §2104.10, the term includes the following:
 1. Refinery owner or operator.
 2. Terminal owner or operator.
 3. Carrier.
 4. Distributor.
 5. Retail outlet owner or operator.

“Ultimate consumer” means, with respect to a commercial fuel oil transfer or purchase, the last person, facility owner or operator or entity who in good faith receives the commercial fuel oil for the purpose of using it in fuel-burning or combustion equipment or for purposes other than resale.

The following existing definitions are being revised in §2101.20.

*{Deletions are shown with strikethroughs. Additions to are shown in **bolded and enlarged font, and underlined.**}*

§2101.20 DEFINITIONS *{Amended 11/28/2017, effective 12/8/2017}*

"Carrier" means a distributor who transports or stores or causes the transportation or storage of **commercial fuel oil or gasoline** without taking title to or otherwise having ownership of the **commercial fuel oil or gasoline**, and without altering either the quality or quantity of the **commercial fuel oil or gasoline**. The term includes a pipeline, truck or marine vessel distributor. *{added by May 7, 1998 amendment, effective May 15, 1998. Amended 11/28/2017, effective 12/8/2017.}*

"Distributor" **means:**

- a. for purposes of the gasoline volatility program, means a person who transports, stores or causes the transportation or storage of gasoline at any point between a refinery, an oxygenate blending facility or terminal and a retail outlet or wholesale purchaser-consumer's facility. The term distributor includes a refinery, an oxygenate blending facility or a terminal. *{added by May 7, 1998 amendment, effective May 15, 1998}*
- b. **for purposes of commercial fuel oil under §2104.10, a person who transports, stores or causes the transportation or storage of commercial fuel oil at any point between a refinery, blending facility or terminal and a retail outlet, wholesale purchaser-consumer's facility or ultimate consumer. The term distributor includes a refinery, a blending facility or a terminal.** *{added by 11/28/2017 amendment, effective 12/8/2017.}*

"Retail Outlet" means an establishment at which **commercial fuel oil or gasoline** is sold or offered for sale to the ultimate consumer for use in **fuel-burning or combustion equipment or** motor vehicles, **respectively.** *{added by May 7, 1998 amendment, effective May 15, 1998. Amended 11/28/2017, effective 12/8/2017.}*

"Terminal" means:

- a. a facility at which gasoline is sold, or dispensed into trucks for transportation to retail outlets or wholesale purchaser-consumer facilities. *{added by May 7, 1998 amendment, effective May 15, 1998}*
- b. **For purposes of commercial fuel oil under §2104.10, a facility which is capable of receiving commercial fuel oil in bulk, that is by pipeline, barge, ship or other transport, and at which commercial fuel oil is sold or transferred into trucks for transportation to retail outlets or wholesale purchaser-consumer's facilities or ultimate consumers.** *{ Added by 11/28/2017 amendment, effective 12/8/2017}*

End of Regulation Changes

2. Technical Support Document

The regulation revision includes adding the following new sections to the Allegheny County Rules and Regulations, Article XXI, Air Pollution Control:

§2104.10, Commercial Fuel Oil (new addition to Article XXI)
§2107.16, Sulfur in Fuel Oil (new addition to Article XXI)

In addition, §2101.20, Definitions, will be updated to add several new definitions and revise several existing definitions related to the commercial fuel oil regulations.

All of the changes are being submitted as SIP changes.

Basis in State Regulation

Pennsylvania is part of a regional planning organization, the Mid-Atlantic/Northeast Visibility Union (MANE-VU), established in 2000 to help the Northeast states plan for meeting regional haze requirements. MANE-VU states evaluated several categories for potential sulfur reductions and adopted a formal statement agreeing to pursue a regional low-sulfur oil strategy, among other means.

In 43 Pa.Bulletin 806, of February 9, 2013 the Pennsylvania Department of Environmental Protection updated its regulations (25 Pa. Code §123.22) by lowering the allowable sulfur content of commercial fuel oil used in residential and commercial/industrial boilers, furnaces and other heaters. The updated regulations became effective as of July 1, 2016.

The environmental and health benefits of lowering sulfur content in fuel are reduced sulfur dioxide (SO₂) and fine particulate matter (PM_{2.5}) emissions which will decrease regional haze and improve visibility; and decreased health effects of PM_{2.5} exposure such as respiratory and cardiovascular disease. Statewide, SO₂ emission reductions would be approximately 21,000 tons per year from the reduced fuel oil sulfur content.

The PA DEP rulemaking is part of PA's federally-mandated efforts to meet 2018 reasonable progress goals for reducing regional haze in national parks and forests that may be affected by emissions from the Commonwealth.

ACHD Implementation

With this regulation revision, the Allegheny County Health Department is promulgating regulations to be included in Article XXI that are similar to those contained in 25 Pa. Code §123.22. The addition of the new §2104.10, Commercial Fuel Oil, the related new §2107.16, Sulfur in Fuel Oil, and new definitions, will enable the Air Program to enforce the new sulfur limits within Allegheny County and meet the State's requirement that ACHD promulgate regulations to implement all state regulations.

Prior to the 2013 statewide regulation revision, 25 Pa. Code Chapter 123.22 included sulfur limits for commercial fuel oil for all air basins across the state, except for the "Allegheny County-Lower Beaver Valley-Monongahela Valley" air basin. The 2013 revision added commercial fuel oil sulfur limits in state regulations for the first time for the Allegheny County air basin at §123.22(d).

Since there were no existing limits on sulfur in commercial fuel oil for Allegheny County, for purposes of determining the degree to which the new Article XXI Section 2104.10 will reduce sulfur content, we can compare the new sulfur limits to those found in 25 Pa. Code §123.22 for other parts of the state prior to the 2013 statewide revision.

Limits in other state air basins prior to the 2013 revision of 25 Pa. Code §123.22

No.2 could be as high as 0.5% or 5000 ppm.

Nos 4 to 6 could be as high 2.8% or 28,000 ppm

New limits on sulfur in commercial fuel oil for the Allegheny County Air basin per 25 Pa. Code §123.22(d):

| | | |
|------------------------------|-----------|---------|
| No. 2 and lighter oil | 500 ppm | (0.05%) |
| No. 4 oil | 2,500 ppm | (0.25%) |
| No. 5, No. 6 and heavier oil | 5,000 ppm | (0.5%) |

These new limits are as much as 6 to 10 times lower.

25 Pa. Code Chapter 123.22 includes a provision allowing for temporary suspension or increase to the maximum allowable sulfur content for a commercial fuel oil should compliant fuel not be reasonably available in the given air basin and a waiver request is appropriately filed. The new Section 2104.10 or Article XXI contains the same provision, and due to the regional nature of the supply, has the PA DEP making the determination that an insufficient quantity compliant fuel oil is reasonably available.

3. Documentation of Public Hearing and Certifications

- a. Notice of Public Hearing
- b. Transmittals of hearing notice to EPA & PA DEP
- c. Proof of publication of notice of hearing
- d. Certification of hearing
- e. Summary of Comments and responses
- f. 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 **Monday, April 3, 2017, 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, that will add new §2104.10, 'Commercial Fuel Oil,' §2107.16, 'Sulfur in Fuel Oil,' and related §2101.20, 'Definitions,' and corresponding sections of County Ordinance 16782.

All of the changes will be submitted 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, March 3, 2017, 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 March 3, 2017**, and concluding **Monday, April 10, 2017**:

By mail to
Allegheny County Health Department
301 39th Street, Bldg #7
Pittsburgh, PA 15201-1811
By email to aqcomments@achd.net
By Fax to 412-578-8144

COUNTY OF



ALLEGHENY

RICH FITZGERALD
COUNTY EXECUTIVE

February 28, 2017

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

Dear Ms. Fernandez:

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 addition of new sections §2104.10, Commercial Fuel Oil, and §2107.16, "Sulfur in Fuel Oil," and revisions to §2101.20, "Definitions."

These revisions will also be submitted as changes to Allegheny County's portion of the Pennsylvania State Implementation Plan under our Revision Tracking Number 83.

The public comment period begins March 3, 2017 and concludes April 10, 2017. The public hearing will be held April 3, 2017. Your comments are welcome.

Sincerely,

Jayme Graham, Manager
Air Quality Program

cc: File

Enclosures

- Public Hearing Notice
- Proposed Article XXI/SIP Revision 83

COUNTY OF



ALLEGHENY

RICH FITZGERALD
COUNTY EXECUTIVE

February 28, 2017

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

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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 83

No. _____ Term, _____

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:

28 of February, 2017

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:
February 28, 2017

Linda M. Gaertner
COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL

Linda M. Gaertner, Notary Public
Findlay Twp., Allegheny County
My Commission Expires Jan. 31, 2019
MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

STATEMENT OF ADVERTISING COSTS
ALLEGHENY COUNTY HEALTH DEPT-LEG
542 4TH AVENUE
PITTSBURGH PA 15219

To PG Publishing Company

Total ----- \$78.75

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
2201 Sweeney Drive
CLINTON, PA 15026
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

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By mail to: Allegheny County Health Department, 301 39th Street, Bldg #7, Pittsburgh, PA 15201-1811. By email to agcments@achd.net. By Fax to 412-578-8144

Revision 83

Article XXI

Section 2104.10, "Commercial Fuel Oil"

Section 2107.16, "Sulfur in Fuel Oil"

and

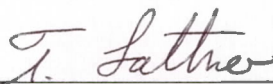
Section 2101.20, "Definitions"

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 April 3, 2017 on the proposed revisions to Article XXI, "Rules and Regulations of the Allegheny County Health Department for Air Pollution Control," and County Ordinance No. 16782 by adding new Sections §2104.10, "Commercial Fuel Oil," and §2107.16, "Sulfur in Fuel Oil," and revising §2101.20, "Definitions";

that these changes 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 February 28, 2017; and to the best of his knowledge, belief and understanding, such proceedings were in full compliance with all applicable State and Federal laws, regulations, and other requirements.



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

4-11-2017

Date

SUMMARY OF COMMENTS AND RESPONSES

for

Proposed SIP Revision 83

Article XXI, Section 2104.10, Commercial Fuel Oil

§2107.16, Sulfur in Fuel Oil

and

§2101.20, Definitions

Public Comment Period: March 3 to April 10, 2017

Public Hearing: April 3, 2017

No comments were received during the public comment period.

CERTIFICATION of APPROVAL and ADOPTION

To the best of my knowledge, information, and belief, I the undersigned hereby certify that the amendments adding §§ 2104.10 and 2107.16, and adding/revising portions of § 2101.20 of Article XXI, Rules and Regulations of the Allegheny County Health Department, Air Pollution Control, and the corresponding sections of Chapter 505 of the Allegheny County Code of Ordinances, adopted by the Allegheny County Board of Health on May 3, 2017, ratified by the Allegheny County Council on November 21, 2017 (Ordinance 27-17-OR), approved by the Allegheny County Chief Executive on November 28, 2017, and effective December 8, 2017, 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 Allegheny County Home Rule Charter, 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, Esq.
Solicitor
Allegheny County Health Department

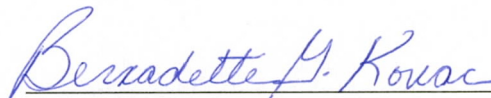
COMMONWEALTH OF PENNSYLVANIA

COUNTY OF ALLEGHENY

On the 25 day of Jan., 2018,

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 25 day of Jan., 2018.



Bernadette Kovac
Notary Public
Allegheny County Health Department

