



ALLEGHENY COUNTY

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ACHD Announces Air Pollution Enforcement Not Impacted by Temp EPA Policy

PITTSBURGH – The Allegheny County Health Department (ACHD) announced today that its enforcement of the county’s air pollution control regulations will not be impacted by a temporary U.S. Environmental Protection Agency (EPA) policy announced last week.

In response to the COVID-19 pandemic, the Environmental Protection Agency (EPA) last week announced a new environmental policy declaring the EPA’s intention to exercise enforcement discretion when the COVID-19 pandemic prevents compliance with the Clean Air Act.

“Air quality in our region, particularly in the Mon Valley, continues to be one of our most pressing public health challenges,” said Dr. Debra Bogen, Director of the Health Department. “Even during this pandemic, with our attention focused on response and actions to deal with COVID-19 in our community, we are not losing sight of that need.”

As a result of this temporary policy, the EPA suspended its standard approach to issuing fines for violations of certain air, water and hazardous waste reporting requirements where compliance is not reasonably practical due to COVID-19. This suspension is only allowable if non-compliant facilities work to minimize the violation, identify when and why the violation occurred, identify how COVID-19 is the cause of the violation, return to compliance as soon as possible, and document all of the steps taken. This only applies to facilities that EPA directly regulates.

The policy specifically allows approved air agencies, such as the ACHD’s Air Program, to take a different approach under local legal authority. As a result, ACHD’s enforcement of the county’s air pollution control regulations will not be impacted by the temporary EPA policy. Article XXI, Air Pollution Control, will remain in place to govern the county’s air pollution control regulations with ACHD as the local regulatory authority. Violators of Article XXI will continue to be subject to ACHD’s civil penalty policy; however, any air-improvement related construction may be delayed due to Governor Wolf’s COVID-19 orders to temporarily shut down non-life-sustaining business.

The Health Department’s air quality program will continue to process air quality complaints and will maintain its air quality monitoring network throughout the county’s COVID-19 response.

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