



# ENFORCEMENT ORDER

## Allegheny County Health Department

### Air Quality Program

**301 39th Street, Bldg. # 7, Pittsburgh, PA 15201**

**Phone: (412) 578-8103**

Address of Alleged Violator			
University Drive C, Pittsburgh, PA 15240			
Name of Alleged Violator			
Veterans Affairs Medical Center Oakland Facility			
Address of Alleged Violator			
University Drive C, Pittsburgh, PA 15240			
Contact Person:	Title:	Phone Number	Email
Curtis Wolfe	Environmental Protection Specialist	412-822-3197	curtis.wolfe@va.gov

<b>PART 1: DESCRIPTION OF INSPECTION(s)</b>	
<p>In a February 10, 2021 email, Curtis Wolfe asked an ACHD Representative if the current permit required stack testing, and stating that the last testing was completed in 2016. The ACHD Representative responded the same day that emissions testing is to be performed once every five (5) years.</p> <p>In a February 3, 2022 email, an ACHD representative emailed Curtis Wolfe, stating that the facility was overdue for a stack test (last emissions testing took place in December of 2016) and requesting an update. Mr. Wolfe responded that the solicitation for an emissions testing contract was to close the following week, and that he would have more information soon.</p>	
Did the individual/company cooperate with ACHD personnel? If not, explain:	Yes
Inspection Date(s)	Inspector Name(s)
02/10/2021; 02/03/2022	Erick Vail, Nicholas Delphia

<b>PART 2: YOU ARE IN VIOLATION OF THE FOLLOWING REGULATION(s):</b>	
Regulation Section: §2108.02	Regulation Requirement: Required Emissions Testing
<b>1</b>	<p>Description of Violation:</p> <p>Permit 0276-OP20 requires emissions testing shall be performed, once every five (5) years, in accordance with the Site Level Condition IV.13</p> <p>What You Must Do to Correct the Violation:</p> <p>Submit stack testing protocol to aqreports@alleghenycounty.us within 60 days of this order.</p>

**PART 3: YOU ARE HEREBY ORDERED AS FOLLOWS:**

- Immediately stop all work and/or cease operations at the following location(s):

\_\_\_\_\_

- You are hereby Ordered to correct the violation(s) listed in Part 2 within 60 days of the service of this Enforcement Order.

- You are hereby Ordered to comply with the following requirements within \_\_\_\_\_ days of the service of this Enforcement Order:

\_\_\_\_\_

**The Order(s) in this Part is enforceable upon issuance and any appeal shall not act as a stay.** The Order(s) shall remain in effect until you are notified in writing by the Department. Please contact the ACHD Air Quality Program at (412) 578-8103 to arrange for a reinspection or to request that the Order(s) be rescinded.

**Please be advised that failure to comply with this Order within the times specified herein is a violation of Article XXI giving rise to the remedies provided by Article XXI § 2109.02 including civil penalties of up to \$25,000 per violation per day.**

**PART 4: CIVIL PENALTY**

**For the violations listed in Part 2, you are hereby assessed a civil penalty of \$\_\_\_\_\_N/A\_\_\_\_\_.** The determination of the civil penalty is attached as **Exhibit No. 1** and is incorporated as part of this Enforcement Order.

Please be aware that if the Department did not assess a civil penalty, the Department may issue a subsequent enforcement order in which a civil penalty is assessed.

You shall pay the civil penalty amount within thirty (30) days of receipt of this Order. Payment shall be made by corporate or certified check, or the like, made payable to the "Allegheny County Clean Air Fund", and sent to Air Quality Program Manager, Allegheny County Health Department, 301 39th Street, Bldg. #7, Pittsburgh, PA 15201.


**PART 5: REQUEST FOR ADMINISTRATIVE HEARING**

Pursuant to Article XI, § 1104.A (“Hearings and Appeals”), of the Allegheny County Health Department Rules and Regulations, you are notified that if you are aggrieved by this Order, a Notice of Appeal shall be filed no later than thirty (30) days after receipt of written notice or issuance of this Order. Such a Notice of Appeal shall be filed in the Office of the Director at 542 Fourth Avenue, Pittsburgh, PA 15219.

This Order is enforceable upon issuance and any appeal of this Order shall not act as a stay unless the Director of the ACHD so orders. In the absence of a timely appeal, the terms of this Order shall become final.

Please be aware that if you wish to appeal this Order and a civil penalty has been assessed under Part 4, you are required within 30 days of receipt of this Order to either forward the penalty amount to the ACHD for placement in an escrow account or post an appeal bond to the ACHD in the amount of the penalty. Please review the specific requirements for prepaying the penalty or posting the appeal bond found in Article XXI § 2109.06.a.2-3.

A copy of Article XXI and Article XI may be found at <https://www.alleghenycounty.us/Health-Department/Health-Department-Regulations.aspx>.

  
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Air Quality Program Manager

3/10/2022  
Date