

**ALLEGHENY COUNTY HEALTH DEPARTMENT
AIR POLLUTION CONTROL ADVISORY COMMITTEE
BUILDING #7 – CONFERENCE ROOM
MEETING – 2-21
February 8, 2021 - 5:30 PM**

Committee Members/(Alts) Present

Dan Bricmont, (Chair), Bricmont Law
Chip Babst, Babst, Calland (Vice Chair)
Sara Marie Baldi, Salvation Army
Jeanne Clark, ALCOSAN
Michael Corcoran, PPG
Rachel Filippini, GASP
Steven Hvozdoovich, Clean Water Action
Mark Jeffrey, US Steel
Robert Orchowski, Hillcrest Group

Others Present

Lee Ann Briggs, SBAC/EMAP
Coleen Davis, US Steel
Joe Fisher, ELG Metals
Amanda Gillooly, GASP
Steve Hepler, DEP
Brian Joos, Citizen
Ned Mulcahy, GASP
Sean Nolan, DEP
Ryan Repoff, Eastman Chemical
Brett Tummo, US Steel
Jay Ting Walker, Clean Air Council
Shaena Ulissi, Citizen
Mike Winek, Babst Calland
Carol Wivell, Citizen

Committee Members/ Not Present

John Palmiere
Richard Schwartz

ACHD Members Present

Jeff Bailey
Sandra Etzel
Jayme Graham
Jim Kelly
Tom Lattner
Jason Maranche
Karen M Sagel
Shannon Sandberg

1. Welcome and Call to Order

Dan Bricmont called the meeting to order at 5:30 PM

Action: A quorum was present. All in attendance made their introduction.

2. Chair's Remarks – Dan Bricmont – No comments were made at this time.

3. Approval of Minutes December 2020 meeting – approved with no changes.

Action: Moved by Chip Babst 2nd by Mark Jeffrey – unanimous

4. Sub Committee Reports:

- A. **Criteria Pollutant/Air Monitoring Sub-Committee** – Coleen Davis – Met February 2nd. Monitoring Updates –The Metal Surveillance in Swissvale now has six months of data and the Health Department is meeting with a third-party toxicologist and will update the website with the results after that meeting. The BTEX samples at Liberty are complete through Mid-December 2020. Lincoln Monitoring Site was discontinued on January 14th; vegetation overgrowth impacted the air flow to the monitoring system. The new PM_{2.5}/PM₁₀ monitor at Lawrenceville has been performing very well. Monitor data updates Ozone was below the design values for 2020 showing attainment. SO₂ is on pace for attainment after 2021. PM_{2.5} annual was at attainment for all sites. The Liberty 2020 annual value was 9.8 µg/m³ with a 2018 – 2020 design value of 11.1. The PM 2.5 24-hour was also at attainment for all sites. Liberty 2020 98th percentile was 27.2 µg/m³ with a design value of 32. All monitors showed a decrease in 2020. The County is going to show that the decrease is not due to Covid and that all the sites have continued to decrease. SIP updates – PM_{2.5} final approval may be published in early 2021 with conditional approval for contingency measures. The County will submit an early certification of the data and request a clean data determination. This will suspend most SIP elements. The PM₁₀ Limited Second Maintenance Plan went out to public comment on January 29th and ends March 1st at 4:00 pm the virtual hearing at 2:00 pm. Response to comments will be finalized in March, the final version expected at our April subcommittee meeting.

The next meeting is April 6th, 2021 at 10:30 AM.

- B. **Pollution Prevention and Education Sub-Committee** – Rachel Filippini – was unable to attend the meeting and Jayme was in and out of the meeting herself so there is no report at this time.

The next meeting is March 18, 2021 at 1:30 PM

- C. **Regulation Sub-Committee** – Bob Orchowski – A virtual meeting on January 26th had a very high level of attendance. Bob reviewed the Regulations in Progress Table. The Episode Control Plan Regulation is to be discussed later in the meeting.

The next meeting is March 23, 2021 at 2:00 PM

5. **Episode Control Plan Regulation** – Jamey Graham explained the Episode Control Plan Regulation is not to bring us into attainment. It is because the standard allows for up to 7 days above the value of 35 and we have been experienced several periods where we will get three or four days where the weather is such a condition that it holds the emissions in. The air quality remains poor and becomes a problem for the people living in the immediate area. This Episode Control Plan Regulation to keep from getting those multiple days air quality days. Jayme reviewed what would be expected for sources, who would be included

in these expectations, and how they would be notified during these events. She discussed the changes that will also affect the Open Burning Regulations. Jason Maranche and Shannon Sandberg showed maps and data to explain the composition of the particulates in questions, and which sources would be required to report.

Request for Recommendation to take it to the Board of Health (BOH) to put out for Public Comment.

Mark Jeffrey spoke for US Steel. Although the company is in favor of the concept, the company cannot support this regulation as it stands. US Steel believes it needs more specificity as to how a watch or warning is called, what constitutes a plan, and whether the actions would show a measurable change. The material Jason presented was informative, and it should be added to the Technical Support Document.

Dan Bricmont wanted clarification as to what is going to be required in the plan. Jayme said the Department will be writing guidance documents to provide to the sources. A source can be subject to an order if they cannot come to an agreement with the Department on what the plan should be. If the source disagrees with the order, they do have the right to appeal and able to follow the process just like any other order issued by the Department.

Chip Babst agrees with the concept but feels the regulations seem vague and need to be clearer about what is needed to comply and feels this should not be submitted to the BOH in this form. The information provided by the Department was lacking in information and he feels that at this time the information is skeletal and not ready for presentation to the BOH.

Bob Orchowski spoke on behalf of the Regulations Subcommittee that no one had concerns regarding the concept, however there were a lot of concerns that more work was needed, in particular, a guidance document is fine but then it takes the form of a regulation if you are a regulated source. Also, it seems unbalanced toward the Health Department. The company submits a plan, the Health Department reviews it, if they don't think its adequate, they send it back, the if the company doesn't with that then they can hit you with an order. Jayme responded that the Department would like to work with all the sources to develop an implementable quick response plan rather than issuing an order. The regulation would need to be flexible, to allow for a wide range of responses.

Chip commented that he does not think it is fair to ask the Committee to approve something based on things that have not been reviewed before the meeting and things that are going to be developed after the meeting. Bob agreed that this needs some work and let it have at least one more read through the Regulations Sub-Committee to get the details worked out. Jayme responded that the Department can commit to putting the Technical Support Document together better.

Steven Hvozdochich wanted to know how much access the public will have to these plans once they are accepted by the Department; will this be public information or through a

Right-To-Know request. He would also like clarification on the vagueness of the outreach to the municipalities. Jayme responded that because some municipalities have limited communication abilities, the Department is looking at various ways to reach them in a timely fashion. Jayme will defer to the ACH attorneys regarding the availability of the documents regarding the source plans, but she does feel they would be publicly available unless confidential information was contained within the plan.

Rachel mentioned that the Department should be making all methods of communication necessary in terms of letting citizens know this information. In terms of the regulation itself, what is in place obviously isn't working and it has been in place for a really long time with no action level for PM 2.5 even in the current regs. She appreciates that the Department is moving quickly on this and can understand the concerns around vagueness she does worry about it going back to the Regulation Sub-Committee and there just not being enough common ground between industry and Health Department to move it forward.

Action: Motion to table until reviewed by Regulations Sub-Committee – Mark Jeffrey – Seconded by Bob Orchowski

Roll Call Vote – Unanimous to table subject to review

6.. Changes to Air Quality Website Dashboard – Jayme gave an overview of the design of the new dashboard for the Air Quality Departments space on the Allegheny County webpage. She explained the changes that have been made and why they were needed.

7. Clean Air Fund – Jayme Graham

a. Report for 2020 5 % Operational Costs - Jayme reviewed how the monies that were allocated to the Health Department through the Clean Air Fund were spent in 2020.

b. Request for 5% for Operations Costs – reviewed what the Department would need to operate in 2021.

Action: Moved by Bob Orchowski, 2nd by Rachel Filippini

Roll Call Vote – Approved Unanimous.

Rachel questioned the money spent for Services and Interns and why such a large jump from last year with the Department requesting less money this year. Jayme explained that it is dependent on the internship program and last year there were more interns available. Rachel also questioned the repair and maintenance requests and what that is used for, Jayme explained primary it is electronic equipment that is sent out for repair.

Mark Jeffrey questioned if the stated balance includes monies previously promised to grant requests. Jayme said some of those projects can go one for three years or more so they are not discounted from the budget.

8. **Report if the Air Program** – Jayme Graham – Tony Sadar has retired as Administrator – he served as an in-house meteorologist. ACHD attorney Michael Parker has left for another job. Aja Ellis has been hired as an Administrative I in Planning. The Coke Oven Regulations received over 600 comments so it’s going to take a little bit of time to assemble them and respond. There are several permits out for public comment right now. PM₁₀ Maintenance plan is out for public comment.
9. **Other Business / Citizen Comments** – Carol Wivell wanted to clarify that open burning will be included in the Watch/Warning Episode regulations. Jayme affirmed that the language will be included in the regulations.

Chip requested that Jayme notify the Committee if the Department decides to take the purposed Episode Control Plan forward to the BOH prior to a review by the Regulations Sub-Committee and Jayme said she would let the Committee know if the Department does.

Rachel commented prior to the this meeting Jayme had sent out the draft guidance document for the Clean Air Fund to which she returned to Jayme with a number of questions and potential edits, will the Committee be seeing another reiteration of that or will it go to the BOH as was sent to them. Jayme said it is a policy, so it will be signed by the Director rather than doing to the Board. The Department did receive several comments and concerns and the Department is making modifications; she will be sending out copies to the Committee when it is final. Rachel also mentioned that there are no public announcements regarding these meetings and would like to see more information shared by the Department in the future. Jayme said that it will not happen again.

10. Date of Next Meeting and Adjournment April 12, 2021 at 5:30 PM

Action: Moved to adjournment by Chip Babst, 2nd by Mark Jeffrey - Unanimous

Draft Minutes transcribed by: Karen M Sagel

Draft Minutes approved by: Jayme Graham

*All power points and handouts available upon request.