

**ALLEGHENY COUNTY HEALTH PROGRAM  
AIR POLLUTION CONTROL ADVISORY COMMITTEE**

**Community College of Allegheny County - Allegheny Campus  
K. Leroy Irvis Science Center, Room 302  
808 Ridge Ave, Pittsburgh, PA 15212  
Meeting No. 04-25**

**August 11, 2025 - 5:30 p.m.**

**Committee Members Present**

Dan Bricmont (Chair), Bricmont Law  
Anna Batista, High Street Consulting\*  
Steven Hvozdochich, Clean Water Action\*  
Courtney Mahronich Vita, Friends of the Riverfront\*  
Robert Orchowski, Hillcrest Group  
Michael Winek (Alternate), Babst Calland\*

**Committee Members Not Present**

Chip Babst, Babst Calland  
Sara Marie Baldi, Salvation Army  
Mary Ann Bucci, Port of Pittsburgh  
Jeanne Clark, ALCOSAN  
Mark Jeffrey (Vice Chair), U. S. Steel  
John Palmiere, Vice Pres., Allegheny County Council  
Anna Siefken, U.S. DOE

**ACHD Staff Present**

Dr. Iulia Vann, Director, ACHD  
Kim Joyce, MPA, COO, ACHD\*  
Geoff Rabinowitz, DPA, Dep. Director, EH Bureau  
Jason Willis, Senior Solicitor, ACHD  
Jason Maranche, AQ Program Manager  
Ian Anderson, EH Administrator  
Wesley Speary, Assistant Solicitor, ACHD  
Tom Lattner, AQ Engineer\*

\*Denoted participated via remotely; all others in person attendance

**Participants Present**

Coleen M Davis, Consultant\*  
Amanda Gillooly, G.A.S.P.\*  
Jeremy Hancher, SBAC/EMAP\*  
Steve Hepler, PADEP\*  
Marty Hochhauser, Citizen  
Brian Joos, Citizen\*  
Karen Sagel, Citizen\*  
Valerie Lynn Shaffer, Pitt/EMAP\*  
Gary Steinbauer, Babst Calland\*  
Carol Wivell, Citizen\*

**1. Welcome and Call to Order**

**Action:** Chair Dan Bricmont called the meeting to order at 5:36 p.m. A quorum was not present. All in attendance in person and via Microsoft Teams made their introductions.

**2. Chair's Remarks**

Mr. Bricmont noted that five members were present, which does not constitute a quorum. Therefore, the Committee cannot vote on approving minutes or taking any decisions. He then asked for a moment of silence to mark the solemn events of the day with respect to

the injuries and loss of life at the U.S. Steel Clairton Works. This was observed and then Mr. Bricmont indicated that the meeting would provide informational updates and then be adjourned.

### **3. Approval of Minutes**

**a. Approval of Minutes** – April 14, 2025

**b. Approval of Minutes** – June 9, 2025

**Action:** Since a quorum was not present, a vote was not taken. Approval of minutes will be readdressed at the next meeting.

### **4. Air Quality Program Financial Update – Kim Joyce**

Kim Joyce provided a summary of the status of the funding of the Air Program. She presented a list showing revenue sources (grants and fees) and expense line items. She remarked that the Air Program had reached the point, as predicted, where, without the previously sought permit fee increases, the balance sheet shows a deficit. This deficit stands currently at just over \$1.1Million. She noted, however, that slightly more than \$600,000 in grant funding from the U.S. EPA has not yet been received, therefore, the actual current deficit can be considered closer to \$500,000. Given that, and with the permits expected to be issued before the end of 2025, it is expected that the Air Program will end the year with a deficit of approximately \$1Million. Ms. Joyce stated that as a backstop, the Department does have some grant funds that it may access, after discussion with the State, to cover some of the Air Program's expenses for the remainder of this year, but that funding source will not be available after 2025.

With reference to the previous legislative efforts made by the Department to increase permit fees, Ms. Joyce stressed how important it is that all present at this meeting continue to understand, based on the financial situation, the need for County Council to take up the permit fee increase again, and for all to advocate to Council that a vote be taken on it. But she also indicated that, based on insights the Department has gained, it may be necessary to restart regulatory efforts with a new proposal, a new round of public comment and subsequent new reviews and approvals, because the Department cannot simply remain on standby on this issue awaiting a vote on the initial submittal sent to Council in 2024.

Finally, Ms. Joyce noted that there is uncertainty regarding the level of federal funding that will be received from the EPA for fiscal year 2026 which begins October 1, 2025 and runs until September 30, 2026. She cautioned that we should anticipate cuts in that funding. Given these factors, Ms. Joyce stated that, although a hiring freeze is a step that could be and would likely be taken, her objective is to ensure that the current Air Program staffing is kept intact. She then opened the discussion to questions.

Mr. Bricmont expressed his appreciation for the update, noting that it was important to the Committee since, as Ms. Joyce noted, the issue will likely be returned to the Committee for future consideration.

Bob Orchowski inquired about the “Title V Fees” revenue line item which did not have an amount entered in the “2025 Actual to Date” column. He inquired as to whether the passage of the permit fee measures would have made up that \$1Million for the Title V fee situation. Ms. Joyce responded that the asbestos fees are the larger issue. The Title V related money is going to help, but the other increases in fees that were in the intended fee schedule increase are actually the larger problem because that is where most of the staff time is spent. Getting those fees to the right place would help the Air Program make up that deficit. Geoff Rabinowitz noted that besides asbestos there are also minor permits. Whereas there are only 29 Title V facilities, there are 370 minor permit facilities plus the asbestos, that are under Air Program jurisdiction. She clarified that line item “Title V Fees” represents the Title V emission fees.

Mr. Orchowski then inquired about how a deficit can be “carried” by the Air Program. Ms. Joyce stated that the accounting system is set up to allow carrying a deficit because it must accommodate grant funded scenarios involving reimbursement bases, but that “carrying” is only over the short term, and deficits cannot be carried forever, of course. She mentioned again the existence of a public health infrastructure grant intended to help the Department as a whole keep staffing in place. She anticipates that grant may be used to alleviate short term funding problems in the Air Program until we get a chance to get a new scenario to Council that Council can approve.

Coleen Davis inquired regarding the revenue list and whether the line item “Annual Major Source Permit Fees” referred to fees for new permits that are applied for. Ms. Joyce indicated that it was not necessarily only new permits but could include existing permits, and the line item “Annual Permit Fees” refers to the fees for minor sources.

Regarding the hiring freeze previously mentioned above, Ms. Davis inquired whether staff had been added. Ms. Joyce stated that the Department is attempting to maintain a stable workforce. Mr. Rabinowitz noted that, while not an official budgetary hiring freeze, the Air Program has been carrying about seven positions as “unfilled” to try to stretch the budget. He also noted that even had the permit fee increase been approved, the intention a year ago was only to hire one new position, a community outreach position, which of course has not been filled.

Mr. Bricmont repeated his appreciation for the presentation.

## **5. Regulations in Progress Status – Tom Lattner**

Bob Orchowski noted that the Regulation Subcommittee held a meeting on July 29 during which time the regulatory items on tonight’s agenda were presented and discussed.

Tom Lattner provided a brief update on the Regulations in Progress table. Most notably, he pointed out that the U.S. EPA had approved the majority of SIP100, the redesignation requests and maintenance plans for the 1997 annual and 2006 hourly PM2.5 NAAQS, and the maintenance plan for the 2012 annual PM2.5 NAAQS. He noted that the

redesignation request for the 2012 annual PM<sub>2.5</sub> NAAQS was recently resubmitted to EPA for approval, and we await that approval.

He also explained the current situation regarding SIP98A, the CTG Certification SIP for the 2015 Ozone NAAQS. He indicated that additional work and revisions would be required considering input received from EPA on August 5, after the July 29 meeting of the Regulation Subcommittee, and therefore, the Air Program would not be seeking a recommendation for a public comment period. He anticipated that this item would be returned to the Advisory Committee in January of 2026 in order to go to public comment in March of 2026.

## **6. Action Items – Tom Lattner/Jason Maranche**

Prior to the action items, Geoff Rabinowitz introduced Dr. Iulia Vann, ACHD Director, to the Committee. Dr. Vann expressed her appreciation for the work the Committee is doing with respect to air quality in the County.

### **a. SIP 106 – Coke Oven Regulation Revision**

Given the lack of a quorum and the inability of the Committee to vote on a recommendation to the Board of Health that the item move to public comment, Mr. Bricmont inquired whether the Air Program had a sense as to whether the item would still move to the Board for such approval. He noted that the item did not seem urgent but still represented something that the Air Program wanted to move ahead with. Mr. Orchowski noted that the regulation change was discussed at the July 29 Regulation Subcommittee meeting and there was only one substantive technical comment that was addressed. There were no objections from the Subcommittee regarding moving this item forward.

With respect to qualifying the urgency, Mr. Maranche noted that the regulation change is being made in order to fulfill terms of a 2024 consent decree. However, no determination had been made about moving to the BOH prior to the next Advisory Committee meeting. Mr. Bricmont reminded that if it is moved to the BOH in September, the BOH should be informed that the Committee did not have a recommendation.

### **b. SIP 98A – CTG Certification and Appendix**

Mr. Bricmont noted that this item will be returned to the Committee next year, as discussed above under Item 5.

### **c. Clean Air Fund Request – PM<sub>2.5</sub> Modeling**

Mr. Rabinowitz noted that the proposed Clean Air Fund request would cover 25% of the cost of air modeling services associated with the 2024 PM<sub>2.5</sub> NAAQS attainment demonstration. The Pennsylvania Department of Environmental Protection would fund the remaining 75% of the cost. Mr. Maranche noted that although the CAF application includes a good deal of complex material in a few pages, the substance of the request is as stated by Mr. Rabinowitz. He added that a contract had yet to be

awarded, but that securing the CAF request approval was a step that was desired to be completed to be able to move ahead with finalizing an agreement with the PA DEP. Mr. Bricmont noted to the members of the Committee that this was another issue that could go to the Board of Health without the Committee's vote, if the Air Program determines that it is urgent enough to proceed there in September.

**Actions:** Since a quorum was not present, votes were not taken for recommendation of the above items as explained above.

## **7. Subcommittees Procedures – Geoff Rabinowitz**

Dr. Rabinowitz reported that procedures for how the Air Advisory Committee's subcommittees operate must mirror those under which the full Committee operates. Agendas, preparation of meeting minutes, the meeting settings, and leadership, should all be handled as they are handled by and for the full Committee. Developing procedures that define these operations was discussed within the past couple of years by this Committee and something the Committee may already have started to prepare. The Air Program would encourage the Committee to continue on the path of developing those procedures or "bylaws," with the assistance of the Program to the extent that it can assist given the resources at its disposal. He mentioned that issues to consider might include what subcommittees should exist, what products should they produce, are they to be standing subcommittees or ad hoc subcommittees that are formed to meet a specific need and then disbanded? These considerations are all things that the Committee can start thinking about and that can be discussed at our upcoming meetings this year.

Coleen Davis noted that the Criteria/Monitoring Subcommittee should also be meeting, and it did have agendas, minutes, official members and assigned leadership. She noted that this would be a return to past practices.

When the Chair inquired generally about the reason for what appears to be a change in the Program's viewpoint on subcommittees, Jason Willis spoke to the issue by noting that it came as a function of a question about the Sunshine Act. The Department received an advisory opinion from the Office of Open Records indicating that not only are committees that are created by statute or regulation subject to the Sunshine Act, but also the subcommittees that are created by those committees or in the case of a board or authority, anything that is created by that board or authority is equally subject to the Sunshine Act and all its requirements.

## **8. Other Business/Citizen Comments**

Carole Wivell suggested that the videos of Advisory Committee and even future subcommittee meetings be made available on Facebook, just as the Board of Health makes its meetings available there. This could save Department resources (used to create minute minutes) and would increase transparency. Mr. Bricmont indicated that it is a suggestion worth taking under consideration.

Steve Hepler notified the Committee that he will be retiring at the end of October after 40 years of service. He wanted to inform the Committee that at this point he was not aware

of who might be assigned from PA DEP to listen in on these meetings and provide comment in the future. He noted that inroads have been made with several of the County staff with some of the PA DEP Central Office staff. So, the relationships are there for the future. He noted that it might have been too late to wait until the October meeting to notify the Committee in case there were any questions or concerns about what the state's role will be in the future.

Mr. Bricmont thanked Steve for the notification and for being a great resource to the Committee for so many years.

## **9. Adjournment**

**Action:** Mr. Bricmont adjourned the meeting as a quorum was not present to vote, the meeting ended at 6:13 p.m. The next meeting date is October 6, 2025.