

COUNTY OF



ALLEGHENY

Meeting of the Allegheny County Board of Health

November 2, 2022

1. Call to Order
2. Approval of Minutes for the meeting of September 7, 2022
3. Public Comments on Agenda Items
4. Director's Report
5. New Business Action Items

For Public Comment:

- Revisions to Article II: Needle Exchange Programs
- Revisions to Article XXIII: Universal Blood Level Testing

For Final Approval:

- Revisions to Article XXI: Air Pollution Control by adding Section 2105.87: Control of Volatile Organic Compounds (VOC) Emissions from Oil & Natural Gas Sources and incorporating by reference the Air Pollution Control Act at 25 Pa. Code Sections 129.121- 129.130 and 129.131- 129.140, respectively
- Revisions to Article XXI: Air Pollution Control by amending Section 2105.73 Municipal Solid Waste Landfills and incorporating by reference 40 CFR Part 62, Subpart OOO
- Request for 5% of Clean Air Fund for Air Quality Program Operating Expenses in 2022

6. Public Comment on Non-Agenda Items
7. Adjournment



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Allegheny County Board of Health
September 7, 2022
Minutes

Present: Dr. Lee Harrison, Chair
Dr. Debra L. Bogen, Secretary
Dr. Donald Burke
Caroline Mitchell
Dr. Joylette Portlock
Dr. Ellen Stewart
William Youngblood, Vice Chair

Absent: Dr. Kotayya Kondaveeti
Anthony Ferraro
Dr. Edith Shapira

1. Call to Order

Board Chair Dr. Lee Harrison welcomed everyone to the Allegheny County Board of Health Meeting.

Dr. Harrison announced that the Board of Health held an executive session to discuss matters of personnel and litigation.

2. Approval of Minutes from the July 13, 2022 Meeting

Dr. Harrison asked for a motion to approve the minutes.

Action: Caroline Mitchell moved, and William Youngblood seconded the motion to approve the minutes from July 13, 2022. **Members approved the motion unanimously.**

3. Public Comments on Agenda Items

Patrick Dowd reported that the Board of Health received one written comment by Howard Reager regarding the July 4 outage at US Steel.

Jay Walker spoke on Coke Oven Regulations.

4. Director's Report

Dr. Bogen provided an update on COVID-19. She reviewed the dashboards highlighting the rates of infections, hospitalizations, individuals tested, and deaths. According to the CDC website, Allegheny County is in the medium range for community spread. She reviewed the Wastewater Surveillance Dashboard and explained that since people are home testing this method of surveillance is an important tool for identifying community spread. Starting this week, the ACHD will streamline its COVID-19 reports. Dr. Bogen encouraged residents to take advantage of the dashboards for more detailed information on COVID-19.

Turning to vaccines, Dr. Bogen provided the Board with information on the availability of the Bivalent COVID-19 vaccines that protects against the original strain of covid and the BA4 and BA5 omicron subvariants. The ACHD offers the bivalent vaccines at its Immunization Clinic, and they can be found around the county.

Dr. Bogen also shared information on treatments and specifically called attention to a recent research study on the effectiveness of Paxlovid, the antiviral medication. Research shows this medication reduces hospitalization and deaths and reinforces the benefit of taking Paxlovid particularly for those 65 and older. In its case investigations, the ACHD reach out to those who are 65 and older and not vaccinated to make sure they are aware of the availability of this medication to reduce the risk of hospitalization and death.

Last month the CDC published a report on life expectancy. Dr. Bogen offered the Board two slide from the report showing a slow rise in life expectancy up to 2019 and then a decline from 2019 to 2022 for both sexes. She reviewed the same information but this time accounting for race and gender. Disparities were clearly visible and, she pointed out, that we saw disparities in the county per our previous discussions with the Board. She also explained that the lower rate of influenza for the past two years was protective for life expectancy – offsetting the negative impact of COVID-19.

To date, Allegheny County has a total of 63 confirmed cases of Monkeypox. The ACHD website provides the most current information and shows that 330 people have been tested. The ACHD is conducting case investigations and contact tracing. Altogether, the ACHD and number of providers have given out more than 3,000 vaccines. There is treatment for Monkeypox called TPoxx, for short, which is an antiviral medication. This treatment is generally offered to people who have infections that are extremely painful or in places of concern. The ACHD has partnered with Hilltop Pharmacy to deliver doses to residents in their homes, and hospital have it onsite for inpatient use. The demand has slowed down and supply has improved.

Turning to updates, Dr. Bogen addressed several career opportunities at the Health Department and where to apply. She reminded the Board that the ACHD is in the process of finalizing all the materials required for submission to the Public Health Accreditation Board (PHAB) Reaccreditation Plan and described the corresponding timeline. In October, the ACHD will finalize a new version of the Plan for a Healthier Allegheny, our community health improvement plan. The ACHD will send the plan out for public review and comment and hopes to finalize it by the next meeting of the Board of Health. Dr. Bogen provided highlight for work conducted by each of the bureaus and the public health laboratory.

5. New Business – Action Items

A. Revisions Article XXI: Air Pollution Control – RACT III

JoAnn Truchan, Air Quality Program Manager for Permitting, asked the Board to give final approval to proposed amendments to Article XXI: Air Pollution Control to incorporate by reference the Commonwealth’s RACT III provisions. She reported that the proposed revisions received no comments from the public.

Action: Mr. Youngblood moved to approve the proposed revisions. M. Mitchell seconded the motion. **Members voted unanimously to approve the motion.**

B. Revisions Article XXI: Air Pollution Control – Coke Oven Regulations.

Dean DeLuca, Senior Air Quality Program Manager for Planning, requested that the Board give final approval to proposed revisions to the regulations related to coke ovens as outlined in Article XXI. Mr. Deluca provided a presentation with an overview of the operations of a coke battery,

the types of emissions, the inspection procedures, and the history of the proposed regulatory change. He outlined the impact of the 2019 settlement between the ACHD and U.S. Steel, including the informal and formal dispute resolution processes. He further noted that the initial revisions had gone out for public comment and that following the dispute resolution process, the ACHD had to modify the proposed regulations. Consequently, the proposed revisions received a second review from the public. The ACHD responded to both sets of comments from the public. The Board asked that Mr. Deluca provide guidance on the difference between the two versions of proposed changes, which he did.

Action: M. Mitchell moved to approve the proposed revisions as presented. Mr. Youngblood seconded the motion. **Members voted unanimously to approve the motion.**

C. Revisions Article XXI: Air Pollution Control – “Methods and Related Sections”

Mr. Deluca explained that Part G of the Article XXI section refers to inspection methodology and explained that these changes related to the changes just approved by the Board.

Action: Ellen Stewart moved to approve the proposed changes as presented and M. Mitchell seconded the motion. **Members voted unanimously to approve the motion.**

D. Revisions Article XV: Plumbing and Building Drainage-incorporating revisions on the 2018 International Plumbing Code as adopted by the Commonwealth of Pennsylvania

Geoff Rabinowitz, Deputy Director for the Bureau of Environmental Health and Drew Grese, Program Manager for the Plumbing Program asked the Board to approve revisions to Article XV: Plumbing and Building Drainage. Mr. Rabinowitz explained that the proposed changes incorporate the 2018 International Plumbing Code updates as adopted by the Commonwealth. Additionally, during the public comment period, the Plumbing Program received one comment regarding educational requirements for plumbers. The suggested change was incorporated it. The Board thanked Mr. Rabinowitz and Mr. Grese for their work.

Action: Mr. Youngblood moved to approve the proposed revisions to Article XV. Dr. Stewart Seconded the motion. **Members voted unanimously to approve motion.**

E. Fee Schedules

Kim Joyce, Deputy Director for the Bureau of Administration, asked the Board to approve the 2023-2025 Fee Schedules for Food Safety, Solid Waste Management, Housing & Community Environment, Plumbing and Asbestos. In the past, the ACHD based increases on inflation or the price index, but the proposed increase, 6% over three years, is much less than the current rate of inflation. The Health Department based these numbers on employee increases from the last three years. M. Joyce further explained that the department is working to get all our program fees on a three-year review cycle. The Board raised concerns about the need for revenue that aligns with costs and encouraged M. Joyce and the department to review these fees in the second year to confirm they meet the needs of the programs.

Action: Don Burke moved to approve the proposed 2023-2025 Fee Schedules. Dr. Stewart seconded the motion. **Members voted unanimously to approve the motion.**

6. Public Comment on Non-Agenda Items

Mr. Dowd reported that the Board received no written comments on non-agenda items.

Dana Donovan spoke on Healthy Homes. Patrick Campbell spoke about the July 4 outage at U.S. Steel. Angelo Taranto spoke on Metalico/Neville Recycling on Neville Island. Barbara Lee Pace and Anna Hoffman spoke on Air Quality.

7. Adjournment

Dr. Harrison adjourned the meeting at approximately 1:45.

Rules and Regulations

ARTICLE II ~~NEEDLE EXCHANGE~~ **SYRINGE SERVICES** PROGRAMS
APPROVAL AND REPORTING FOR COMMUNICABLE DISEASE
PREVENTION
~~AND PROVIDING DRUG TREATMENT OPPORTUNITIES~~

201. PURPOSES

The Allegheny County Health Department finds the sharing of intravenous injection apparatus **equipment** among ~~injecting drug users~~ **people who inject drugs (PWID)** a threat to public health. Sharing injection apparatus **equipment** is a significant factor in the transmission of infectious diseases, including HIV and Hepatitis B and C. **Syringe services programs are designed to prevent the spread of HIV, Hepatitis B and C, and other bloodborne pathogens by providing clean injection apparatus equipment and biohazard containers through a sanctioned needle exchange program, educating injecting drug users as to the dangers of sharing injection apparatus and continued drug abuse, and providing condoms to prevent sexual transmission of infectious diseases have been shown to reduce the incidence of infectious disease transmission among injecting drug users. Repeated offerings of drug rehabilitation services have also been demonstrated to increase the likelihood that injecting drug users will enter treatment, and through one or more attempts, become drug free. They also represent a significant opportunity to connect PWID to appropriate medical care and treatment. Syringe services programs operate under a philosophy of harm reduction, which honors the dignity of those who use drugs or are living with a substance use disorder, reduces the negative consequences of injection drug use, and provides a stigma-free environment for people who inject drugs by providing the care they desire and need. Programs can also act as trusted sources for other harm reduction services, allowing syringe services programs to act as a bridge to initiatives designed to prevent overdoses and overdose deaths as well as to social support services.**

202. STATEMENT OF POLICY

The regulation of ~~needle exchange~~ **syringe services** programs is necessary to assure that the distribution of clean injection apparatus **equipment** and biohazard containers is carried out in a manner consistent with the goal of preventing infectious disease transmission among ~~injecting drug users~~ **PWID**, and to encourage the provision of the greatest number of ~~treatment and prevention strategies~~ **harm reduction services** possible, with the ultimate goal of reducing the incidence of HIV and Hepatitis B and C among ~~injecting drug users, their sexual partners, and their offspring.~~ Such prevention **services** will promote **improve** the health, safety and welfare of the community.

203. EFFECTIVE DATE

The provisions of this Article will become effective ten days after the enactment date of an ordinance of Allegheny County approving its provisions.

204. DEFINITIONS

The following terms when used in this Article have the meanings indicated in this section, ~~except where the context indicates a clearly different meaning.~~

“Biohazard Containers” shall mean ~~approved~~, limited access, puncture-proof receptacles to be used for the safe storage of used hypodermic needles or sharps waste.

“Board of Health” shall mean the Allegheny County Board of Health.

“Department” shall mean the Allegheny County Health Department.

“Director” shall mean the Director of the Allegheny County Health Department or ~~his or her~~ their authorized representative.

“Emergency Opioid Antagonist” shall mean a drug approved by the United States Food and Drug Administration for the complete or partial reversal of an opioid overdose, including, but not limited to, intramuscular, nasal, and autoinjector formulations.

“Harm Reduction Services” shall mean programs or practices that aim to reduce the negative health and social impacts of substance use. Examples of harm reduction services include but are not limited to: infectious disease screenings; vaccinations; education about overdose prevention; wound care; opioid antagonist distribution and education; and referrals to health and social services.

~~“Infectious Disease Screening” or “IDS” shall mean testing blood or other tissue for HIV and Hepatitis B and C, by a Clinical Laboratory Improvement Amendments (CLIA) approved method.~~

~~“Injection Apparatus~~ **Equipment**” shall mean **materials involved in injecting drugs including, but not limited to,** syringes, hypodermic needles, cotton, water, and alcohol wipes.

“Medications for Addiction Treatment” shall mean drugs approved by the United States Food and Drug Administration for the treatment of substance use disorders or the use of such drug, in combination with counseling and behavioral therapies, to provide a “whole-patient” approach to the treatment of substance use disorders and any concomitant conditions associated with it.

“Overdose” shall mean an acute condition, including, but not limited to, physical illness, coma, mania, hysteria, seizure, cardiac arrest, cessation of breathing, or death, which reasonably appears to be the result of consumption or use of a controlled substance, or another substance with which a controlled substance was combined, and that a layperson would reasonably believe requires medical assistance.

"Program Participant" shall mean any individual receiving services, materials, or referrals from a needle exchange **syringe services** program.

"Program Location" shall mean the specific, **fixed** address at which a Needle Exchange **syringe services** Pprogram provides any materials or services to any Pprogram Pparticipant(s), whether inside a building or at a temporary facility, including, but not limited to, **a building**, tents, outdoor tables, or mobile facilities **vehicles**.

“Key Individuals” shall mean individual(s) with actual authority **and responsibility for** over the day-to-day operations of **the Needle Exchange syringe services Pprograms and that serves as the contact for communication with the Department.**

“Needle Exchange **Syringe Services** Program” shall mean a public or private enterprise with the goal of reducing the incidence of infectious disease transmission among, Program Participants, their sexual partners, and their offspring, approved by the Board of Health, through the provision of education on safe practices, counseling opportunities, clean Injection Apparatus, Biohazard Containers, and condoms or other barrier methods of preventing sexually transmitted diseases **a program where unused, sterile hypodermic needles, syringes, and other supplies are distributed and collected for safe disposal. These programs may also provide additional harm reduction services, either through direct access or referral, that are intended to lessen the adverse consequences of drug use and protect public health and safety.**

“Person” shall mean any natural person, corporation, partnership or association.

“Post-exposure Prophylaxis (PEP)” shall mean antiretroviral drugs approved by the United States Food and Drug Administration for the prevention of HIV infection after a possible exposure to HIV.

“Pre-exposure Prophylaxis (PrEP)” shall mean drugs approved by the United States Food and Drug Administration for the prevention of HIV infection in individuals at risk for exposure from sexual activity or injection drug use.

“Secondary Exchange” shall mean a practice through which persons distribute unused injection equipment and other supplies obtained from an approved syringe services program to PWID who are unable to travel to the program location, and who may also collect used hypodermic needles, syringes, and other supplies from PWID for safe disposal.

"Sharps Waste" shall mean used syringes and lancets.

"Wound Care" shall mean treatment of the symptoms of skin and soft tissue infections that may result from injection drug use.

205. ~~NEEDLE EXCHANGE~~ **SYRINGE SERVICES** PROGRAM REQUIREMENTS

205.1 Application and Approval Process

- A. ~~The Department shall, subject to the approval of the Board of Health, devise operating procedures~~ **an application process for persons proposing to establish a** of Needle Exchange **syringe services** Pprogram in Allegheny County, Pennsylvania. **Applications, including proof of approval of the proposed program location by resolution or ordinance from the municipality in which the program is proposed to operate, are to be submitted to the Department and the Director will present completed applications to the Board of Health for review and final determination of approval.** ~~The Board shall not approve or alter any operating procedure without providing written notice of the new procedure(s) to the Allegheny County Council and Chief Executive at least thirty (30) days prior to the Board's vote.~~
- B. ~~The Board of Health shall review each proposal for a Needle Exchange Program, and upon~~ **Following Board of Health** approval, **the Department** shall forward written copies of all materials pertaining to approved proposals **applications** to the County Chief Executive and **County** Council, and to the Mayor and Council or, if applicable, Commissioners of each municipality where a Needle Exchange **syringe service** Pprogram is proposed at least ninety (90) days before the Program proposes to begin operations.
- C. ~~Persons wishing to create and operate Needle Exchange~~ **a syringe services** Pprogram shall submit to the Board of Health **Director a completed application that includes the following information:**
- i.** ~~w~~**Written statements of their intent to promulgate such a program, including a rationale for the necessity for the program;**
 - ii.** ~~with~~**The names, addresses, and social security numbers** **position titles, and contact information** of ~~K~~**key** ~~H~~**individual(s);**
 - iii.** ~~Each statement shall include a rationale for the necessity for the program, t~~**The intended program location(s), days and hours of operations, and staffing. The description of staffing shall include number of staff, titles of positions, and descriptions of their functions;** ~~the proposed method for tracking program users. Any changes in this identifying information or the identity of Key Individuals shall be sent to the Board of Health within thirty days. All Needle Exchange Program shall maintain continuously updated records of the full names, addresses~~

and telephone numbers of all individuals providing services to or having contact with Program Participants at any Program Location.

- iv. A protocol for the safe and secure disposal of sharps waste and related supplies;**
- v. Proof of approval of the proposed program location by resolution or ordinance from the municipality in which the program is proposed to be located;**
- vi. As applicable, a description of proposed additional harm reduction services to be provided directly by the program; and**
- vii. If known, the names of community organizations the program plans to offer as referrals to participants for additional medical and social services.**

D. No Needle Exchange ~~Program~~ **syringe services** Program shall operate in any location until the address of the ~~Program~~ **Program** Location is specifically approved by **resolution or ordinance from the proposed site's municipality and** the Board of Health and the proposed site's municipality through legislative action. ~~i. Program Locations in operation with the approval of the Allegheny County Health Department as of January 1, 2007~~ **2023** shall not require additional approval by the Department or the municipality in which they are located, although all such Program Locations shall be disclosed to the Mayor, Council, and/or Commissioners of all municipalities in which they are located in writing within ten (10) days of the effective date of this Regulation.

- ~~i. Under no circumstances shall the Department approve any future program location proposed to be within 1,500 feet of any elementary, primary school, secondary school, licensed day care facility, or drug treatment facility, except in the City of Pittsburgh.~~
- ~~ii. The Department shall not approve any temporary facility, including but not limited to tents, outdoor tables, or mobile units, as a Program Location unless such location is first identified by address and in writing by the Needle Exchange Program, and the municipality in which the temporary facility is to be located is notified in writing of the address of the temporary Program Location in accordance with the requirements of Subsection 205.C.~~

205.2 Operations and Services

- A. The Department shall devise application guidance for syringe services programs. The Department shall, at a minimum, make such materials available via print materials and on its website.**

- E. **B.** Needle Exchange Program shall enroll each Program Participant with a unique identifier, and shall not provide services before attempting to elicit the Program Participant's age, gender, self-reported race, zip code, and disease status (HIV, Hepatitis B or C.) **Syringe services programs shall institute a registration process for program participants for the purpose of records or data collection. Such registration shall be voluntary, non-contingent, and non-coercive.**
- C. **Syringe services programs shall maintain the anonymity of all program participants. Information obtained by a syringe services program that might directly or indirectly identify a program participant, including program records, shall be kept confidential.**
- F. Each Needle Exchange encounter shall be documented with the unique identifier and the date and time of the encounter. The person documenting the encounter and all individuals providing materials or services to any Program Participant shall provide his or her initials. Documentation **of registration and encounters with participants** shall be retained by the Needle Exchange **syringe services** Program for at least three (3) years.
- i. IDUs not known to be infected with HIV, or Hepatitis B or C infections at first screening shall be offered testing at the first visit that is at least six months from the date of first screening.
- ii. IDUs presenting with one or more symptoms of HIV or Hepatitis B or C shall be informed that they should follow up immediately with their primary care provider or the Department.
- iii. IDUs shall be counseled on safe sex practices.
- G. Needle Exchange Program shall be primarily for the use of Allegheny County Residents, but non-residents may participate if there are available resources.
- H. The number of Injection Apparatus and Biohazard Containers dispensed shall be no more than are reasonably necessary for one month's worth of injections at an IDU's first interaction with the Needle Exchange Program.
- D. **Syringe services programs are required to provide the following program components directly to program participants:**
- i. **Provide injection equipment and other supplies at no cost and in quantities sufficient to reasonably ensure that hypodermic needles, syringes, and other supplies are not shared or reused and**

ii. Provide education regarding the proper disposal of sharps waste and other supplies and offer one or more of the following disposal options for used hypodermic needles and syringes:

(a) An onsite hypodermic needle and syringe collection and disposal program that meets applicable state and federal standards;

(b) Furnish, or make available, mail-back biohazard containers authorized by the U.S. Postal Service; or

(c) Furnish, or make available, biohazard containers for use off-site by program participants that meet applicable state and federal standards.

E. Syringe services programs that permit secondary exchange shall make the following materials available for persons to distribute to PWID unable to access the program location:

i. Injection equipment and sharps containers as outlined in § 205.2 D;

ii. Notification of the syringe services program's hours of operation and program location(s); and

iii. Printed materials on availability of infectious disease services and on harm reduction practices, including safer injection practices and the proper disposal of sharps waste.

F. Syringe services programs may directly provide the below infectious disease services. If a syringe services program is unable to provide services directly, the program shall provide referrals to appropriate services or inform program participants of relevant services available through the Department and community organizations. Referrals and direct infectious disease services shall be documented for the purpose of records or data collection and be kept confidential.

i. Testing options for HIV, viral hepatitis, other bloodborne infectious diseases transmitted through injection drug use, sexually transmitted infections, and COVID-19;

ii. Prevention, treatment, and care services for HIV, including PEP and PrEP, viral hepatitis, other bloodborne infectious diseases transmitted through injection drug use, and sexually transmitted infections; and

iii. Vaccinations for hepatitis A, hepatitis B, human papillomavirus (HPV), influenza, pneumococcal, Tdap (tetanus, diphtheria, pertussis), and COVID-19.

I. G. ~~Each IDU shall be offered a referral to drug treatment and counseling services at each Needle Exchange Encounter.~~ Syringe services programs may either directly provide or may provide referrals to the below harm reduction services, where such services are reasonably available in the community. Such ~~referrals~~ Referrals and direct harm reduction services shall be documented for the purpose of records or data collection and be kept confidential with the initials of the person who made the referral and the IDU's response:

i. Emergency opioid antagonist kits and training on overdose prevention, including materials regarding how to recognize an opioid overdose and how an emergency opioid antagonist can help prevent a fatal overdose;

ii. Substance use disorder care, treatment, or recovery services, including, but not limited to, medications for addiction treatment and peer support services, as appropriate;

iii. Mental health services, including peer support services, as appropriate;

iv. Medical treatment services, including provision of antibiotics, wound care, treatment for viral hepatitis, PEP and PrEP, and pre- and post-natal care;

v. Condom distribution and education regarding safer sex practices; and

vi. Assistance with obtaining social services, such as legal services, identification, housing, food, health insurance enrollment, clothing, and transportation services.

205.3 Responsibilities of the Department

A. The Department shall confirm receipt of submitted applications. Programs shall receive notification of incomplete submissions and instructions on submitting needed materials.

B. Upon receipt of a completed application, the Department shall ensure that the Board of Health approval vote is scheduled in a timely manner.

~~I.~~ C. Whenever possible, the Department shall provide infectious disease testing materials as requested by Needle Exchange syringe services ~~P~~programs.

~~K. D.~~ Community laboratory facilities processing Needle Exchange syringe services Pprogram specimens shall report positive infectious disease tests not conducted by the Department shall be reported to the Department within seventy-two (72) hours.

~~L.~~ Department funds shall not be used to support any activity of any Needle Exchange Program without prior approval as required by law.

E. The Department shall ensure that syringe services program reports are submitted annually to the Board of Health.

206. **205.4** Reporting

A. Needle Exchange Syringe services Pprograms shall submit to the Director ~~Semi-annual~~ Annual rReports of the disease status of all enrolled IDUs on or before December 31 and July 1 of each calendar year, in a form to be determined by the Director Board of Health, but which shall include at least:

- i.** ~~€~~The number of encounters;
- ii.** ~~€~~The number of individual participants;
- iii.** ~~€~~The total **quantity** number of injection apparatuses **equipment distributed**; the number of treatment referrals made, the number of infectious disease tests performed.
- iv.** The estimated number of used hypodermic needles and syringes collected by or given to program staff, employees, or volunteers for disposal;
- v.** For programs that distribute emergency opioid antagonists, the quantity distributed;
- vi.** The number of participants who received tests for, or who were referred to services that provide testing for, HIV, viral hepatitis, or other bloodborne infectious diseases;
- vii.** The number of participants who received, or who were referred to services that provide, prevention, treatment, and care services for HIV, including PEP and PrEP, viral hepatitis, other bloodborne infectious diseases transmitted through injection drug use, and sexually transmitted infections; and
- viii.** The number of participants who received, or who were referred to services

that provide, vaccinations for hepatitis A, hepatitis B, human papillomavirus (HPV), influenza, pneumococcal, Tdap (tetanus, diphtheria, pertussis), and COVID-19.

B. If known, programs may also report out on:

- i. Demographic information regarding participants including, but not limited to, age, gender, race, ethnicity, area of residence, types of drugs used, length of drug use, and frequency of injection;
- ii. For programs that permit secondary exchange, an overview of populations served and the municipality or municipalities where secondary distribution has been facilitated;
- iii. The number of participants engaged in, or referred to, substance use disorder treatment services, either through referral or directly provided by the program;
- iv. The number of participants who received, or who were referred to entities that provide, medication for addiction treatment;
- v. The number of participants who received, or who were referred to entities that provide, mental health treatment services;
- vi. The number of participants who received, or who were referred to entities that provide, social services;
- vii. The number of participants who received, or who were referred to entities that provide, health care services, including reproductive health care, treatment for viral hepatitis, PEP, PrEP, and wound care services; and
- viii. The number of participants who received, or who were referred to entities that provide, recovery support services, including peer support services.

2076. VIOLATIONS NON-COMPLIANCE

- A.** Any Needle Exchange **syringe services** Pprogram approved by the Board of Health that violates **fails to comply with** any of the sections contained herein, shall **may** lose its authorization to continue to operate as a Needle Exchange **syringe services** Pprogram, subject to the discretion of the Department or upon the repeal of the legislative Program Location approval required under the terms of Subsection 205.D. by the host municipality. **In addition to options available in Section 207, aggrieved municipalities in which programs are located may also consult the Department regarding any**

limitations, corrective actions, or possible suspensions or terminations of approved syringe services programs.

B. Before any termination, suspension, or limitation of any operations, the Department shall first send written notice of non-compliance to the syringe services program. The written notice shall include the following:

- i. The specific findings of non-compliance;**
- ii. The program location where the non-compliant action(s) took place;**
- iii. The remedial measures, if any, the syringe services program shall take to consider removal of any limitation; and**
- iv. Steps to appeal the decision.**

2087. APPEALS

Any person aggrieved by any action of the Department may file an appeal in accordance with the Allegheny County Health Department Rules and Regulations, Article XI, entitled "Hearings and Appeals."

2098. SEVERABILITY

Should any section, paragraph, sentence, clause or phrase of this Article be declared unconstitutional, null or otherwise invalid for any reason, the remainder of this Article shall not be affected thereby.



Article II Revision: Overview

Article II is the regulation that provides oversight to Syringe Services Programs (SSPs) (formerly known as Needle Exchange Services) in Allegheny County. SSPs are designed to prevent the spread of HIV, Hepatitis B and C, and other bloodborne pathogens and the development of invasive bacterial infections by providing clean injection equipment and biohazard containers. They also represent a significant opportunity to connect individuals with substance use disorders to appropriate medical care, social services, and substance use treatment.

In order to effectively address the urgent issue of infectious disease spread among people who inject drugs (PWID), as well as in an effort to expand access to an important point of intervention in the overdose epidemic, the Allegheny County Health Department is proposing revisions to Article II that clarify administrative requirements and allow for an increase in applications to become an SSP provider. Proposed revisions to Article II were drafted in consultation with technical guidance provided by the Centers for Disease Control, policy recommendations from the Office of National Drug Control Policy, research conducted on best practices from neighboring jurisdictions, and recommendations from local providers.

Overview of Proposed Article II Revisions:

§201 Purposes: Language updated to reflect on-going infectious disease crisis. Introduces the philosophy of harm reduction and an overview of related services available to people who inject drugs (PWID). Language modernized to adhere with public health best practices. **p. 1**

§202 Statement of Policy: Language modernized to reflect both the infectious disease and harm reduction services provided by SSPs. **p. 1**

§204 Definitions: Language modernized to reflect current public health best practices. Definitions added for: **p. 2**

- Emergency Opioid Antagonist
- Harm Reduction Services
- Medications for Addiction Treatment
- Overdose
- Post-exposure Prophylaxis
- Pre-exposure Prophylaxis
- Secondary Exchange
- Sharps Waste
- Wound Care

§205 Syringe Services Program Requirements: Section has been reordered and divided into subsections to improve readability. **p. 4**

§205.1 Application and Approval Process: **New subsection.** Clarifies the responsibilities of the provider, the Board of Health (BOH), and the Department. Outlines the provider application process and clarifies the need for municipal approval prior to review by the BOH. Clarifies the content of SSP applications. Removes the requirement for proposed program locations to be more than 1500 feet school facilities, day care facilities, and drug treatment facilities. Municipalities and the BOH retain the ability to reject applications based on proposed location considerations. **p. 4**

§205.2 Operations and Services: **New subsection.** Language revised to modernize participant registration and confidentiality requirements. SSP required services for **p. 5**



Article II Revision: Overview

primary distribution and disposal of used equipment clarified. Minimum requirements for programs that permit secondary exchange are added. Required infectious disease services have been modernized and expanded. Recommended complimentary harm reduction services have been added.

§205.3 Responsibilities of the Department: **New subsection.** Language has been updated to reflect Department's role in compiling and presenting SSP provider applications to the BOH. **p. 8**

§205.4 Reporting: Previously Section 206. Added to Section 205. Updated to reflect current recommended practice as well as expanded infectious disease requirements. Ability to report on complimentary harm reduction services added. **p. 9**

§206 Non-compliance: Previously Section 207. Revised to reflect the role of the BOH and Department in making determinations as to the status of SSP suspensions or terminations. Specifies the ability of municipalities to bring grievances to the Department. Responsibilities of the Department to provide notice to non-compliant SSPs added. **p. 10**

How to Read the Article II Revision:

Plain text	Language that has not changed from the original Article II.
Strikethrough text	Language from the original Article II proposed to be removed.
<u>Bold and underline text</u>	Language that is proposed to be added to Article II. This includes revised language as well as new content.

ALLEGHENY COUNTY HEALTH DEPARTMENT

RULES AND REGULATIONS

ARTICLE XXIII. UNIVERSAL BLOOD LEAD LEVEL

TESTING Section 1. AUTHORITY, PURPOSE, AND SCOPE.

Pursuant to the authority granted to the Allegheny County Health Department under the Pennsylvania Local Health Administration Law, 16 P.S. §§ 12010(f) and 12011(c), this regulation has been promulgated to improve the health of the children of Allegheny County. Universal blood lead level testing will facilitate early detection and referral for treatment of ~~lead poisoning~~ **elevated blood lead levels**; will reduce the incidence, impact and cost of ~~lead poisoning~~ **elevated blood lead levels**; will inform parents and guardians of their children's lead exposure; and will enable countywide surveillance of childhood ~~lead poisoning~~ **blood lead levels**. The regulation applies to all residents ~~and schools~~ of Allegheny County.

Section 2. DEFINITIONS.

Blood Lead Level. A measure of lead in the blood, measured in micrograms of lead per deciliter of whole blood ($\mu\text{g}/\text{dL}$).

Child. A natural person under 72 months of age who is a resident of Allegheny County.

Department. Allegheny County Health Department.

Director. The Director of the Allegheny County Health Department.

Elevated Blood Lead Level. A blood sample obtained by venipuncture where the serum blood lead level of a person is equal to or greater than the level defined as elevated by the Centers for Disease Control.

Health Care Practitioner. An individual who is authorized to practice some component of the healing arts by a license, permit, certificate or registration issued by a Pennsylvania licensing agency or board.

Record of Blood Lead Level Testing. Any written or electronic document acceptable to the Director showing the date of blood lead level testing, including, but not limited to health care practitioner records, school health records, and other similar documents or history.

Blood Lead Level Testing. A blood sample obtained either by venipuncture or finger stick capillary blood collection ~~from a child not known to be lead poisoned or to have an elevated blood lead level in order to identify the child's risk of lead poisoning or elevated blood lead level~~ **used to measure the amount of lead in the blood calculated in micrograms per deciliter ($\mu\text{g}/\text{dL}$) of lead.**

Section 3. BLOOD LEAD LEVEL TESTING REQUIREMENTS.

- A. *General Rule.* Blood lead level testing shall be performed in accordance with the following:
1. Children shall receive a blood lead level testing in accordance with the following schedule:
 - a. Each child shall be tested between approximately 9 months to 12 months of age and again at approximately 24 months of age.
 - b. All children designated as high risk, as determined by a health care practitioner and based on the child's exposure to lead and any other factors indicating high risk, should receive subsequent blood lead level testing as deemed appropriate by a health care practitioner **and in accordance with Centers for Disease Control guidance.**
 - c. Blood lead level testing may be delayed if the health care practitioner is not able to collect a sufficient blood sample for testing.
 - d. If a child has not had their blood lead level tested between approximately 9 months to 12 months of age and at approximately 24 months of age, then that child shall have their blood lead level tested as soon as possible after 24 months but before 72 months of age or entry into kindergarten, whichever is sooner.
- B. *Testing Methods.* Health care practitioners shall ensure that blood lead level testing is conducted either by venipuncture or by capillary blood sampling in accordance with current best practices. Capillary blood sample testing results of $5 \mu\text{g/dL}$ or greater **equal to or greater than the blood lead reference value as established by the Centers for Disease Control (CDC)** shall be confirmed with a venipuncture test.
- C. *Exception.* If the parent or guardian of a child objects on the grounds enumerated in Section 4, below, then the testing required by Subsection A, above, may not be performed.

Section 4. EXCEPTIONS.

- A. *Medical Exemption.* Children need not have a blood lead level testing according to the schedule enumerated in Section 3, above, if a health care practitioner or ~~his/her~~ **their** designee provides a written statement that blood lead level testing may be detrimental to the health of the child. When the health care practitioner determines that blood lead level testing is no longer detrimental to the health of the child, the child should have their blood lead level tested according to Section 3, above.
- B. *Religious Exemption.* Children need not have a blood lead level testing according to the

schedule enumerated in Section 3, above, if the parent, guardian, or emancipated child objects in writing to the blood lead level testing on religious grounds or on the basis of a strong moral or ethical conviction similar to a religious belief.

~~Section 5. RESPONSIBILITIES OF SCHOOLS AND SCHOOL ADMINISTRATORS.~~

~~A. The administrator in charge of every school shall appoint a knowledgeable person to perform the following:~~

~~1. Inform the parent or guardian at registration or prior to registration, if possible, of the requirements of this regulation.~~

~~2. Ascertain the blood lead level testing status of every child prior to admission to kindergarten at the school.~~

~~B. The parent or guardian of a child who has not had their blood lead level tested in accordance with Section 3 (relating to blood lead level testing requirements) shall be informed of the blood lead level testing requirement and advised to go to his/her usual source of care, or to the nearest Allegheny County Health Department location offering blood lead level testing, to obtain a blood lead level test.~~

~~C. Each school shall maintain on file a Record of Blood Lead Level Testing for every child enrolled in kindergarten at the school.~~

~~D. Failure to have or document the blood lead level testing required by Section 3, above, shall not prevent a child's attendance at school.~~

~~Section 6. SCHOOL REPORTING.~~

~~A. Every public, private, parochial or nonpublic school, including intermediate units and special education, cyber and charter schools, in Allegheny County shall, after a child's entry to kindergarten and using forms provided by the Department, report blood lead level testing data to the Department by October 15 of each year.~~

~~B. The school administrator or his/her designee shall forward the blood lead level testing data reports to the Department's Bureau of Assessment, Statistics & Epidemiology, or as otherwise designated by the Department.~~

~~C. The content of the annual blood lead level testing data report shall include, at minimum, the following information:~~

~~1. The identification of the school including the name of the school, the school district, the intermediate unit, and the type of school.~~

~~2. The month, day, and year of report.~~

~~3. The number of children entering kindergarten at the school.~~

- ~~4. The number of children entering kindergarten at the school who have had their blood lead level tested.~~
- ~~5. The number of children entering kindergarten at the school who did not have their blood lead level tested due to medical exemptions.~~
- ~~6. The number of children entering kindergarten at the school who did not have their blood lead level tested due to medical exemptions or exemptions on religious grounds or on the basis of a strong moral or ethical conviction similar to a religious belief.~~
7. Other information as required by the Department.

Section 7 5. RESPONSIBILITIES OF THE DEPARTMENT.

- A. The Department will provide the blood lead level testing data reporting forms to schools **shall monitor blood lead level testing data and surveil for elevated blood lead level results among children.**
- B. The Department will monitor school districts for compliance with this regulation and will have access to school blood lead level testing data **shall make educational materials and other relevant services available to eligible families with children found to have elevated blood lead levels.**

Section 8 6. RESPONSIBILITIES OF HEALTH CARE PRACTITIONERS.

- A. Health care practitioners shall perform blood lead level testing on children in accordance with the provisions of this Article.
- B. Health care practitioners shall report the results of blood lead level testing administered in accordance with applicable Pennsylvania law or regulation.

Section 9 7. SEVERABILITY CLAUSE.

The provisions of these Rules and Regulations are severable. Should any section, paragraph, sentence, clause, or phrase of these Rules and Regulations be declared unconstitutional or invalid for any reason, the remainder of said Rules and Regulations shall not be affected thereby.

Section 10 8. EFFECTIVE DATE.

The provisions of these Rules and Regulations shall become effective ~~on January 1, 2018~~ **ten days after the enactment date of an ordinance of Allegheny County approving its provisions.**



Article XXIII “Universal Blood Lead Level Testing” Revision: Overview

Article XXIII is the regulation that established mandatory blood lead level testing for children in Allegheny County. The Centers for Disease Control (CDC) provides guidance for performing blood lead level testing and the recommended healthcare and environmental actions to pursue based on testing results. In 2021, the CDC updated its blood lead reference value (BLRV) from 5 µg/dL to 3.5 µg/dL. The Allegheny County Health Department (ACHD) is proposing changes to Article XXIII to align the regulation with the revised standards set by the CDC and to reflect current practices of the Department.

Proposed Changes:

- §1 Authority, Purpose, and Scope: Replaces the term “lead poisoning” with the more inclusive term of “elevated blood lead levels.” **p. 1**
- §2 Definitions: Definition for “Elevated Blood Lead Levels” added. Revises the definition for “Blood Lead Level Testing” to reflect its application both in identification of elevated blood lead levels and in monitoring the on-going status of tested children. **p. 1**
- §3 Blood Lead Level Testing Requirements: Subsection B revised to align the blood lead reference value (BLRV) with that of the Centers for Disease Control. **p. 2**
- §5 Responsibilities of Schools and School Administrators: **Removed**. Results of blood lead tests in children under age 6 are mandated at the state level to be universally reported electronically to public health agencies in Pennsylvania. The ACHD examines birth records and matches lead tests to assure that children are appropriately tested. The Department also uses this data to perform outreach in geographic regions or among demographic subgroups that lag in testing. Removal of Sections 5 and 6 would reduce unnecessary paperwork burdens on families and schools without impacting the Department’s surveillance and outreach activities. **p. 2**
- §6 School Reporting: **Removed**. See explanation above. **p. 3**
- §5 Responsibilities of the Department: Previously Section 7. Revised to remove references to school reporting. Clarifies the Department’s role in monitoring blood lead levels and assisting impacted families. **p. 4**
- §8 Effective Date: Previously Section 10. Updated to reflect current proposed revision. **p. 4**

How to Read the Article XXIII Revision:

Plain text	Language that has not changed from the original Article XXIII
Strikethrough text	Language from the original Article XXIII proposed to be removed
<u>Bold and underline text</u>	Language that is proposed to be added to Article XXIII. This includes revised language as well as new content.

For review by the
Board of Health
November 2, 2022

ACHD seeks final approval.

The Air Advisory Committee recommended approval at
its October 3, 2022 meeting.

Proposed

**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. 94)

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

Addition to Article XXI of:

**§2105.87 Control of VOC Emissions from
Unconventional and Conventional Oil and Natural Gas Sources**

(Document date: October 17, 2022)

Table of Contents

1. Proposed changes to Article XXI Rules and Regulations:

Addition of §2105.87, “Control of VOC Emissions from
Unconventional and Conventional Oil and Natural Gas Sources”

2. Technical Support Document

A. General

B. What is being incorporated by reference - Proposed 25 Pa. Code Sections 129.121 to
129.130, **and proposed 25 Pa. Code Sections 129.131 to 129.140.**

3. Documentation of Public Hearing and Certifications

Public hearing notice
Transmittals of hearing notice to EPA & PA DEP
Proof of publication of notice of hearing
Certification of hearing
Summary of Comments and responses
Certifications of approval and adoption (later)

1. Article XXI Changes

§2105.87 is proposed to be added to Article XXI and is printed in regular type to enhance readability.

Additions made since the public comment period are shown in **larger font, bolded, and underlined**, while deletions are shown with strikethrough.

PART E - SOURCE EMISSION AND OPERATING STANDARDS

Subpart 7 –Miscellaneous VOC Sources

....

§2105.87 CONTROL OF VOC EMISSIONS FROM UNCONVENTIONAL AND CONVENTIONAL OIL AND NATURAL GAS SOURCES *{Section added Month, Day, 20nn, effective Month, Day, 20nn}*

- a. **Incorporation by Reference.** Except as otherwise specifically provided under this Section, this Section shall be applied consistent with the provisions of the state regulations for ‘Control of VOC Emissions from Unconventional Oil and Natural Gas Sources,’ **and for ‘Control of VOC Emissions from Conventional Oil and Natural Gas Sources,’** promulgated under the Air Pollution Control Act at 25 Pa. Code §§129.121- 129.130 **and 25 Pa. Code §§129.131- 129.140, respectively,** which are hereby incorporated by reference into this Article. All terms used in 25 Pa. Code §§129.121- 129.130 **140** and defined in 25 Pa. Code §121.1 are hereby incorporated by reference, except as explicitly set forth herein. Additions, revisions, or deletions to such regulation by the Commonwealth are incorporated into this Article and are effective on the date established by the state regulations, unless otherwise established by regulation under this Article.
- b. For purposes of this Section:
 1. “Department” shall mean Department as defined under this Article;
 2. References in 25 Pa. Code §129.127, §129.130, **§129.137, and §129.140,** to “~~the Air Program Manager of~~ “the appropriate Department Regional Office” shall mean ~~the Air Program Manager of~~ the Allegheny County Health Department;
 3. ~~References in 25 Pa. Code §129.129, to “the Department’s Bureau of Waste Management” shall mean the Allegheny County Health Department’s Waste Management Program;~~

3. 4. "Plan approval" shall mean Installation Permit;
4. ~~5.~~ References in 25 Pa. Code §121.1, in the definition of "Responsible Official," to Chapter 127 (relating to construction, modification, reactivation and operation of sources), or Chapter 129 (relating to standards for sources), shall mean Article XXI, Parts B and C, and Article XXI, Part E, respectively.

2. Technical Support Document

A. General

The proposed change to Article XXI adds regulations addressing the Control Techniques Guidelines (CTG) for ‘Control of VOCs from Oil and Natural Gas Sources,’ as new Article XXI §2105.87.

The Clean Air Act requires that state implementation plans (SIPs) for ozone non-attainment areas and ozone transport regions include reasonably available control measures, including reasonably available control technologies (RACT), for sources of emissions. Control Techniques Guidelines (CTGs) are promulgated by the EPA to provide state and local air pollution control authorities information that should assist them in determining RACT. Air programs must revise their SIPs to include RACT for sources of volatile organic compounds (VOC) emissions covered by a CTG. The EPA has mandated that CTGs become regulations, written by state or local air pollution control agencies. ACHD has adopted all applicable CTGs issued prior to 2016.

On October 27, 2016, EPA issued the CTG for the Oil and Natural Gas Industry for emissions of VOC from existing sources. The Pennsylvania Department of Environmental Protection (PA DEP) developed proposed regulations to be promulgated at 25 Pa. Code Sections 129.121 to 120.130, to meet the requirements of the CTG for existing sources of natural gas and oil facilities. Sources covered by the regulations are storage vessels, natural gas-driven pneumatic controllers, natural gas-driven diaphragm pumps, centrifugal and reciprocating compressors, and fugitive emissions. While the proposed PA DEP regulations differ to some extent from the EPA CTG, the DEP has evaluated each source to be regulated to ensure alignment with EPA’s CTG.

On March 15, 2022, the Pennsylvania Environmental Quality Board (EQB) approved the PA DEP proposed final form rulemaking. That rulemaking would have addressed the above mentioned sources at both “unconventional” and “conventional” oil and natural gas facilities. On May 4, 2022, the EQB withdrew the final-form rulemaking from consideration by the Pennsylvania Independent Regulatory Review Commission (IRRC). Subsequently, PA DEP submitted to the EQB a revised proposed final-form rulemaking, “Control of VOC Emissions from **Unconventional** Oil and Natural Gas Sources.” This rulemaking consists of the proposed 25 Pa. Code Sections 129.121 to 120.130 presented to the EQB on March 15, 2022 modified to address only **unconventional** oil and natural gas sources. EQB adopted this proposed rulemaking on June 14, 2022, and the IRRC approved it as final on July 21, 2022. It will be published in the Pennsylvania Bulletin after review by the Office of Attorney General, which has not happened as of the time of this writing.

PA DEP next submitted to the EQB a separate rulemaking for the RACT requirements for sources of VOC emissions installed at **conventional** oil and natural gas facilities. The DEP’s proposed “Final-Omitted” rulemaking adds new sections 25 Pa. Code Sections 129.131 to 120.140. Again, this rulemaking consists of the same proposed 25 Pa. Code Sections 129.121 to 120.130 presented to the EQB on March 15, 2022, this time modified to address only **conventional** oil and natural gas sources. The EQB adopted this proposed rulemaking on October 12, 2022, and the proposed rulemaking will be submitted to the IRRC at a future date.

ACHD is incorporating by reference the proposed final-form PA DEP regulations for both “unconventional” and “conventional” oil and natural gas sources. In so doing, these Article XXI proposed regulations will have requirements similar to those of the federal CTG, as explained above.

ACHD is submitting the addition of §2105.87 to Article XXI as a change to the Allegheny County portion of the Pennsylvania State Implementation Plan (SIP) for the control of ozone. The proposed incorporated by reference regulation will fulfill the County’s requirements to include the Oil and Natural Gas Industry CTG in its portion of the Pennsylvania SIP.

B. The “incorporated by reference” PA DEP regulations – for information only.

Attached, for illustrative purposes only, are the Pennsylvania Department of Environmental Protection’s proposed 25 Pa. Code Sections 129.121 to 129.130, and 25 Pa. Code Sections 129.131 to 129.140, as they were presented to the June 14, and October 12, 2022 meetings of Pennsylvania Environmental Quality Board (EQB), respectively, after having been modified to address emissions from “unconventional” or “conventional” oil and natural gas sources, respectively. Also attached is the March 15, 2022 version presented to the EQB which formed the basis for the subsequent two rules.

The March 15, 2022 document file name is “03_7-544_OG CTG_Final_Annex A.pdf.” Please click on the icon below to view the document.



03_7-544_OG
CTG_Final_Annex A.pdf

The June 14, 2022 document file name is “Unconventional highlighted. 02_7-544a_OG CTG_Final_Annex A.pdf.” Changes made to the March Annex are highlighted in yellow. Please click on the icon below to view the document.



Unconventional
highlighted. 02_7-544a_OG

The October 12, 2022 document file name is “03_7-579_COG VOC_FinalOmit_Annex.pdf.” Please click on the icon below to view the document.



03_7-579_COG
VOC_FinalOmit_Annex

These documents are being attached to assist in illustrating the regulations that are being incorporated by reference into Article XXI at Section 2105.87.

3. Documentation of Public Hearing and Certifications

Notice of Public Hearing

Transmittals of hearing notice to EPA & PA DEP

Proof of publication of notice of hearing

Certification of hearing

Summary of Comments and responses

Certification of approval and adoption (later)

NOTICE OF PUBLIC HEARING AND PUBLIC COMMENT PERIOD
FOR PROPOSED AMENDMENTS TO
ALLEGHENY COUNTY HEALTH DEPARTMENT RULES AND REGULATIONS
ARTICLE XXI, AIR POLLUTION CONTROL

The Allegheny County Board of Health (ACHD) will hold a public hearing on **Wednesday, June 1, 2022, 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 the proposed addition of Section 2105.87, "Control of VOC Emissions from Oil and Natural Gas Sources," to ACHD Article XXI, and corresponding County Ordinance 16782:

The addition of §2105.87 will be submitted as revisions to Allegheny County's portion of the Pennsylvania State Implementation Plan (SIP) for the ozone National Ambient Air Quality Standard (NAAQS).

The proposed regulation/SIP revision is available on the ACHD Air Quality web site at www.alleghenycounty.us/regs-sips. Written copies may be obtained by calling 412-578-8115.

- Persons wishing to present testimony at the hearing must register by using ACHD's [Public Hearing Participation Form](#). Persons who do not have access to the internet may register by calling 412-578-8115.
- You must register to present testimony no less than 24 hours in advance of the virtual hearing.
- Testimony is limited to 3 minutes. Witnesses are requested to submit written copies of the testimony by email to aqcomments@alleghenycounty.us.

The Board will also accept written comments, beginning on Friday, April 29, 2022, and concluding at 4:00 PM on Wednesday, June 1, 2022, by mail to ACHD Air Program, 301 39th Street, Bldg. 7, Pittsburgh, PA 15201-1811, or by email to aqcomments@alleghenycounty.us.

Please call 412-578-8115, if you have any questions or if you have any difficulty registering for the hearing.

COUNTY OF



ALLEGHENY

RICH FITZGERALD
COUNTY EXECUTIVE

April 26, 2022

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:

Attached is a Notice of Public Hearing for a proposed revision to the Allegheny County Health Department Rules and Regulations, Article XXI, Air Pollution Control and County Ordinance Number 16782, regarding the addition of Section 2105.87, "Control of VOC Emissions from Oil and Natural Gas Sources."

The addition of Section 2105.87 to Article XXI will also be submitted as a change to Allegheny County's portion of the Pennsylvania State Implementation Plan under our Revision Tracking Number 94, as delineated in the Technical Support Document for that SIP.

Information regarding the proposed SIP change may also be found on the ACHD website at: [Regulations and SIPs | Air Quality | Health Department | Allegheny County](#)

The public comment period begins April 29, 2022 and concludes June 1, 2022 at 4:00 pm. The public hearing will be held June 1, 2022 at 10:00 AM. Your comments are welcome.

Sincerely,

Dean DeLuca, electronically signed

Dean DeLuca, Manager
Air Quality Program

cc: Michael Gordon (U.S. EPA)
Megan Goold (U.S. EPA)
David Talley (U.S. EPA)

Page 1 of 2

Email Attachments

- Public Hearing Notice



Public_Hearing_Notice_Oil and Natural

- Proposed Article XXI/SIP Revision 94



SIP Rev 94 CTG for Control of VOCs fro

COUNTY OF



ALLEGHENY

RICH FITZGERALD
COUNTY EXECUTIVE

April 26, 2022

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

Dear Mr. Hammond:

Attached is a Notice of Public Hearing for a proposed revision to the Allegheny County Health Department Rules and Regulations, Article XXI, Air Pollution Control and County Ordinance Number 16782, regarding the addition of Section 2105.87, "Control of VOC Emissions from Oil and Natural Gas Sources."

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Sincerely,

Dean DeLuca, electronically signed

Dean DeLuca, Manager
Air Quality Program

cc: Kirit Dalal (PA DEP)
Steve Hepler (PA DEP)

Page 1 of 2

Email Attachments

- Public Hearing Notice



Public_Hearing_Not
ice_Oil and Natural

- Proposed Article XXI/SIP Revision 94



SIP Rev 94 CTG for
Control of VOCs fro

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 L. Weber, 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 April, 2022

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.

PG Publishing Company

Sworn to and subscribed before me this day of:
April 28, 2022

Commonwealth of Pennsylvania - Notary Seal
Karen Flaherty, Notary Public
Allegheny County
My commission expires November 16, 2024
Commission number 1386128
Member, Pennsylvania Association of Notaries

STATEMENT OF ADVERTISING COSTS
ALLEGHENY CO HEALTH DEPT-LEGAL
542 4TH AVENUE
PITTSBURGH, PA 15219

To PG Publishing Company

Total ----- \$77.70

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
legaladvertising@post-gazette.com
Phone 412-263-1440

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.

Attorney For

COPY OF NOTICE OR PUBLICATION

NOTICE OF PUBLIC HEARING AND PUBLIC COMMENT PERIOD FOR PROPOSED AMENDMENTS TO ALLEGHENY COUNTY HEALTH DEPARTMENT RULES AND REGULATIONS ARTICLE XXI, AIR POLLUTION CONTROL
The Allegheny County Board of Health (ACHD) will hold a public hearing on Wednesday, June 1, 2022, at 10:00 AM, in the First Floor Conference Room at Building #7 of the Clark Health Center, 301 39th Street, Pittsburgh, PA 15201 to take testimony on the proposed addition of Section 2105.87, "Control of VOC Emissions from Oil and Natural Gas Sources," to ACHD Article XXI, and corresponding County Ordinance 16782.
The addition of §2105.87 will be submitted as revisions to Allegheny County's portion of the Pennsylvania State Implementation Plan (SIP) for the ozone National Ambient Air Quality Standard (NAAQS). The proposed regulation/SIP revision is available on the ACHD Air Quality web site at www.alleghenycountypa.us/reg-sips. Written copies may be obtained by calling 412-578-8115.
• Persons wishing to present testimony at the hearing must register by using ACHD's Public Hearing Participation Form. Persons who do not have access to the internet may register by calling 412-578-8115.
• You must register to present testimony no less than 24 hours in advance of the virtual hearing.
• Testimony is limited to 3 minutes. Witnesses are requested to submit written copies of the testimony by email to accomments@alleghenycountypa.us. The Board will also accept written comments, beginning on Friday, April 29, 2022, and concluding at 4:00 PM on Wednesday, June 1, 2022, by mail to ACHD Air Program, 301 39th Street, Bldg. 7, Pittsburgh, PA 15201-1811, or by email to accomments@alleghenycountypa.us. Please call 412-578-8115, if you have any questions or if you have any difficulty registering for the hearing.

Revision 94

Article XXI

Section 2105.87, "Control of VOC Emissions from Oil and Natural Gas Sources"

Certification of Hearing

Tom 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 June 1, 2022 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 adding §2105.87, "Control of VOC Emissions from Oil and Natural Gas Sources;"

that the addition is 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 April 28, 2022; 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.

 8-25-2022
Date

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

SUMMARY OF COMMENTS AND RESPONSES

for

Proposed SIP Revision 94

Article XXI, §2105.87, “Control of VOC Emissions from Oil and Natural Gas Sources.”

Public Comment Period: April 29 to June 1, 2022

Public Hearing: June 1, 2022

No public comments were received. However, because the Pennsylvania Department of Environmental Protection revised its proposed final form rulemaking that it presented to the EQB at its June 14, and October 12, 2022 meetings, the ACHD will make several changes as outlined in the comments below from ACHD.

1. **COMMENT:** Due to the changes made by the PA DEP, the proposed regulation should be changed to indicate that it addresses “unconventional” and “conventional” oil and natural gas sources.

COMMENTER: ACHD.

RESPONSE: ACHD has added the words “unconventional” and “conventional” to the title §2105.87, Control of VOC Emissions from Unconventional and Conventional Oil And Natural Gas Sources. ACHD has also added language to “incorporate by reference” the requirements of the newly proposed 25 Pa. Code Sections 129.131 to 129.140, addressing “conventional” oil and natural gas sources.

2. **COMMENT:** §2105.87.b.2 should be changed to delete references to the “Air Program Manager” and clarify that the term “appropriate Department Regional Office,” found in the proposed PA DEP rulemaking, shall mean the term “ACHD” in Article XXI.

COMMENTER: ACHD.

RESPONSE: That change has been made.

3. §2105.87.b.3, identifying the Article XXI term analogous to the PA DEP term “Bureau of Waste Management,” should be deleted because the reference in the proposed PA DEP rulemaking has been deleted.

COMMENTER: ACHD.

RESPONSE: That change has been made.

For review by the
Board of Health
November 2, 2022

ACHD seeks final approval.

Air Advisory Committee recommended approval at its
October 3, 2022 meeting.

PROPOSED

Revision to

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

Revision Tracking No. 99

(Not a SIP Change)

§2105.73, “Municipal Solid Waste Landfills”

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§2105.73 MUNICIPAL SOLID WASTE LANDFILLS

{Adopted July 15, 1997, Effective August 15, 1997. Amended mm/dd/2022, effective mm/dd/2022.}

- a. Applicability. The provisions of this subsection apply to each municipal solid waste landfill that commenced construction, reconstruction or modification **on or** before ~~May 30, 1991~~ **July 17, 2014** and has accepted waste at any time since November 8, 1987, or has additional design capacity available for future waste deposition. Physical or operational changes made to an existing municipal solid waste landfill solely to comply with this subsection are not considered construction, reconstruction, or modification and would not subject an existing municipal solid waste landfill to the requirements of New Source Performance Standards for Municipal Solid Waste Landfills.
- b. **Each municipal solid waste landfill meeting the conditions of Subsection a shall comply with all of the applicable standards, requirements and provisions of 40 CFR Part 62 Subpart OOO, as amended, which are herein incorporated by reference.**
- ~~c.~~ The provisions of this subsection are in addition to any applicable New Source Performance Standards for Municipal Solid Waste Landfills, or any other Pennsylvania Department of Environmental Protection or Allegheny County permit requirements.
- ~~d.~~ Definitions of all terms used, but not defined in this subsection, have the meaning given them in 40CFR ~~Part 60 Subpart WWW~~ **Part 62 Subpart OOO**, as amended. Terms not defined therein shall have the meaning given to them in the federal Clean Air Act, 40CFR Part 60 Subparts A and B, or this Article. For the purposes of these rules, “Administrator” shall **also** mean the Director of the Allegheny County Health Department ~~of~~ **or** his **or her** designated representative.
- ~~d.~~ ~~Each municipal solid waste landfill meeting the conditions of paragraph 1 of this subsection shall comply with all of the applicable standards, requirements and provisions of 40CFR Part 60 Subpart WWW, as amended, which are herein incorporated by reference with the exceptions as follows:~~
 - ~~1.~~ ~~Standards for air emissions from municipal solid waste landfills. The provisions of 40 CFR60.752 are applicable with the exception of the following:~~
 - ~~A.~~ ~~In lieu of 40CFR60.752(a)(2), the following provision applies; When an increase in the maximum design capacity of a landfill exempted from the provisions of 40CFR60.752(b) through 40CFR60.759 on the basis of the design capacity exemption in 40CFR60.752(a) results in a revised maximum design capacity equal to or greater than 2.5 million megagrams and 2.5 million cubic meters, the owner or operator shall comply with the provisions of 40CFR60.752(b) through 40CFR60.759~~

~~B. In lieu of 40CFR 60.752(b)(2)(i)(B), the following provision applies: The collection and control system design plan shall include any alternatives to the operational standards, test methods, procedures, compliance measures, monitoring, recordkeeping or reporting provisions of 40CFR60.753 through 40CFR60.758 proposed by the owner or operator. In addition, the collection and control design plan must specify: (1) the date by which contracts for control system/process modifications shall be awarded, (which shall be no later than 20 months after the date the NMOC emissions rate is first calculated to meet or exceed 50 megagrams per year); (2) the date by which on-site construction or installation of the air pollution control device(s) or process changes will begin (which shall be no later than 24 months after the date the NMOC emission rate is first calculated to meet or exceed 50 megagrams per year); and (3) the date by which the construction or installation of the air pollution control devices or process changes will be complete.~~

~~C. In lieu of 40CFR60.752(b)(2)(ii), the provisions of paragraphs i and ii below shall apply:~~

~~i. Install and operate a collection and control system capable of meeting the requirements of 40 CFR60.752(b)(2) within 30 months after the date the NMOC emission rate is first calculated to meet or exceed 50 megagrams per year, unless Tier 2 or Tier 3 calculations demonstrate that the NMOC emission rate is less than 50 megagrams per year, as specified in 40CFR 60.757(c)(1) or (2).~~

~~ii. The provisions of 40CFR60.752(b)(2)(ii)(A) and (B) apply as stated therein.~~

~~2. Operational standards for collection and control systems. The provisions of 40CFR60.753 apply as stated therein.~~

~~3. Test methods and procedures. The provisions of 40CFR60.754 apply as stated therein with the exception of 40CFR60.754(e), which does not apply.~~

~~4. Compliance provisions. The provisions of 40CFR60.755 apply as stated therein.~~

~~5. Monitoring of operations. The provisions of 40CFR60.756 apply as stated therein.~~

~~6. Reporting requirements. The provisions of 40CFR60.757 apply as stated therein with the exception of the following:~~

~~A. In lieu of 40CFR60.757(a)(1) the following provision applies: The initial design capacity report shall be submitted by the effective date of this Subsection plus 90 days.~~

~~B. In lieu of 40CFR60.757(b)(1)(i), the following provision applies: The initial NMOC emission rate report shall be submitted by the effective date of this Subsection plus 90 days and may be combined with the initial design capacity report required in 40CFR60.757(a). Subsequent NMOC emission rate reports shall be submitted annually thereafter, except as provided for in 40CFR60.757(b)(1)(ii) and 40CFR60.757(b)(3).~~

~~7. Recordkeeping requirements. The provisions of 40CFR60.758 apply as stated therein.~~

~~8. Specifications for active collection systems. The provisions of 40CFR60.759 apply as stated therein.~~

2. Technical Support Document

A. Background

The Clean Air Act (CAA) requires the U.S. Environmental Protection Agency (EPA) to establish performance standards for Municipal Solid Waste Landfills pursuant to section 111 of the Act. The EPA promulgates New Source Performance Standards (NSPS) for "new" MSW Landfills and Emission Guidelines (EG) for "existing" MSW Landfills. The NSPS and EG are based on the EPA's determination that MSW landfills cause, or contribute significantly to, air pollution that may reasonably be anticipated to endanger public health or welfare. The NSPS are directly enforceable Federal regulations. EG, on the other hand, promulgated under section 111(d) of the CAA, establish criteria for state and local agencies to develop control strategies for "existing" landfills. The EG are not themselves directly enforceable. Instead, states must submit to the EPA a Plan to implement and enforce the requirements of the EG.

If states fail to submit such plans, the EPA is required to develop, implement, and enforce a Federal plan for MSW Landfills located in any states that have not submitted an approvable plan. The majority of states and local agencies where such landfills are located, including Allegheny County, have not submitted state 111(d) plans for their MSW Landfills. Therefore, on May 21, 2021 (86 FR 27756), the EPA promulgated "Federal Plan Requirements for Municipal Solid Waste Landfills That Commenced Construction On or Before July 17, 2014, and Have Not Been Modified or Reconstructed Since July 17, 2014," found at 40 CFR Part 62, Subpart OOO, ensuring implementation and enforcement of the EG until such states submit approvable plans.

As an alternative to submitting a state plan, EPA allows that a state may also meet its CAA section 111(d) obligations by submitting an acceptable written request for delegation of authority of the federal plan. (86FR27766, May 21, 2021).

B. History of Federal and ACHD MSW Landfills Regulations

Under authority of the CAA, the EPA has promulgated several regulations that apply to MSW landfills. In 1996, the EPA promulgated the original standards of performance for new MSW landfills (i.e., NSPS) at 40 CFR Part 60, Subpart WWW, and emission guidelines (EG) for existing MSW landfills at 40 CFR Part 60, Subpart Cc (61 FR 9905; March 12, 1996).

On October 23, 1997, the Commonwealth of Pennsylvania submitted on behalf of Allegheny County, the County's Section 111(d) plan for implementing EPA's 1996 MSW Landfills EG. EPA granted final approval effective April 16, 1999 (64 FR 13075, March 17, 1999). Concurrently, ACHD revised Article XXI by adding Section 2105.73, Municipal Solid Waste Landfills (reference ACHD file number APP-37) which satisfied the EG by essentially incorporating by reference the requirements of NSPS 40 CFR Part 60 Subpart WWW, with some explanations and minor exceptions.

(For the sake of completeness, it is noted here that in 1999, the EPA promulgated a Federal plan under CAA section 111 to implement the 1996 EG for MSW landfills located in states that did not

have approved and effective state plans (40 CFR Part 62, Subpart GGG) (64 FR 60689, November 8, 1999). This did not impact ACHD's regulatory requirements since, as just mentioned, ACHD had already submitted its 111(d) plan at that time.)

C. Current Federal and ACHD MSW Landfills Regulations

Beginning in 2014, the EPA reviewed the NSPS and EG based on changes in the landfill industry since the rules were first promulgated in 1996, including changes to the size and number of existing landfills, industry practices, and gas control methods and technologies. In August 2016, the EPA made several revisions to further reduce emissions of landfill gas (LFG) and its components and promulgated revised subparts for the MSW Landfills NSPS at 40 CFR Part 60, Subpart XXX, and the EG for existing MSW landfills at 40 CFR Part 60, Subpart Cf (81 FR 59276 and 59332, August 29, 2016).

As described earlier, the CAA regulations implementing the EG require states with existing MSW landfills subject to the EG to submit state plans to the EPA in order to implement and enforce the EG. CAA section 111 and 40 CFR 60.27(c) and (d) require the EPA to develop, implement, and enforce a Federal plan for existing MSW landfills located in any state that does not have an approved state plan that implements the 2016 MSW Landfills EG.

On August 22, 2019, the EPA proposed a Federal plan to implement the 2016 EG for MSW landfills located in states that did not have approved and effective state plans (40 CFR Part 62, Subpart OOO) (84 FR 43745, August 22, 2019).

The EPA promulgated a final action that established 40 CFR Part 62, Subpart OOO as the MSW Landfills Federal Plan to implement the 2016 MSW Landfills EG for those states that do not presently have an approved state plan (86 FR 27756, May 21, 2021).

Allegheny County does not presently have an approved 111(d) plan to implement the 2016 MSW Landfills EG.

As stated above, as an alternative to submitting a state plan, EPA allows that a state (or local agency) may meet its CAA section 111(d) obligations by submitting an acceptable written request for delegation of authority of the federal plan. This is the approach being taken by Allegheny County. In a document separate from this regulation revision, the ACHD is submitting a Request for Delegation of Authority to implement the Federal Plan requirements of 40 CFR Part 62, Subpart OOO.

In 1997, when ACHD submitted its 111(d) plan it also promulgated Section 2105.73 of Article XXI to incorporate by reference the requirements of 40 CFR 60 Subpart WWW. Now, in this 2022 Article XXI revision, ACHD proposes to update Section 2105.73 to remove the requirements of Subpart WWW and instead incorporate by reference the requirements of the Federal Plan for MSW Landfills codified at 40 CFR 62 Subpart OOO. Under this revision, Allegheny County's existing MSW landfills – those that commenced construction on or before July 17, 2014, and that have not been modified or reconstructed since July 17, 2014, will be regulated in accordance with 40 CFR Part 62 Subpart OOO.

Note that, although the issue is not addressed in Article XXI, Section 2105.73, MSW landfills that commence construction after July 17, 2014, will be regulated under NSPS 40 CFR Part 60 Subpart XXX. Article XXI Section 2105.05, "New Source Performance Standards," incorporates by reference all NSP established by EPA at 40 CFR Part 60.

The Pennsylvania Department of Environmental Protection (DEP) also does not have an approved 111(d) plan to implement the 2016 MSW Landfills EG, and it has also prepared a proposed Request for Delegation of Authority to implement the Federal Plan requirements of 40 CFR Part 62, Subpart OOO. PA DEP submitted it to public comment and a public hearing was held January 6, 2022. (51 Pa.B. 7569, December 4, 2021). In its request, PA DEP makes clear that its request excludes MSW landfills located in Allegheny and Philadelphia Counties.

Finally, because ACHD had a 111(d) Plan for the 1996 MSW Landfills EG, ACHD will request in its 2022 Request for Delegation of Authority that the plan approved effective April 16, 1999 (64 FR 13075, March 17, 1999) be withdrawn.

3. Documentation of Public Hearing

The following are “For Information Only.”

They are not required for regulation changes that are not also SIP changes.

Notice of Public Hearing

Proof of publication of notice of hearing

Summary of Comments and responses

NOTICE OF PUBLIC HEARING AND PUBLIC COMMENT PERIOD
FOR PROPOSED REQUEST FOR DELEGATION OF AUTHORITY TO IMPLEMENT THE
FEDERAL PLAN FOR MUNICIPAL SOLID WASTE LANDFILLS
AND RELATED AMENDMENTS TO
ALLEGHENY COUNTY HEALTH DEPARTMENT RULES AND REGULATIONS
ARTICLE XXI, AIR POLLUTION CONTROL

The Allegheny County Board of Health (ACHD) will hold a public hearing on **Monday July 11, 2022**, 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 the proposed Request for Delegation of Authority to Implement the Federal Plan for Municipal Solid Waste Landfills and the related revision to Section 2105.73, “Municipal Solid Waste Landfills,” of ACHD Article XXI, and corresponding County Ordinance 16782.

The proposed request for delegation and related regulation revision are available on the ACHD Air Quality web site at www.alleghenycounty.us/regs-sips. Written copies may be obtained by calling 412-578-8115.

- Persons wishing to present testimony at the hearing must register by using ACHD’s [Public Hearing Participation Form](#). Persons who do not have access to the internet may register by calling 412-578-8115.
- You must register to present testimony no less than 24 hours in advance of the hearing.
- Testimony is limited to 3 minutes. Witnesses are requested to submit written copies of the testimony by email to aqcomments@alleghenycounty.us.

The Board will also accept written comments, beginning on Friday, June 10, 2022, and concluding at 4:00 PM on Monday, July 11, 2022, by mail to ACHD Air Program, 301 39th Street, Bldg. 7, Pittsburgh, PA 15201-1811, or by email to aqcomments@alleghenycounty.us.

Please call 412-578-8115, if you have any questions or if you have any difficulty registering for the hearing.

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 T. Kopyar, 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:

09 of June, 2022

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.


PG Publishing Company

Sworn to and subscribed before me this day of:
June 09, 2022



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Allegheny County
My commission expires November 16, 2024
Commission number 1386128
Member, Pennsylvania Association of Notaries

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To PG Publishing Company

Total ----- \$78.75

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Attorney For

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OR PUBLICATION**

NOTICE OF PUBLIC HEARING AND PUBLIC COMMENT PERIOD FOR PROPOSED REQUEST FOR DELEGATION OF AUTHORITY TO IMPLEMENT THE FEDERAL PLAN FOR MUNICIPAL SOLID WASTE LANDFILLS AND RELATED AMENDMENTS TO ALLEGHENY COUNTY HEALTH DEPARTMENT RULES AND REGULATIONS ARTICLE XXI, AIR POLLUTION CONTROL.

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SUMMARY OF COMMENTS AND RESPONSES

for

Proposed

Revision to

Section 2105.73, “Municipal Solid Waste Landfills,” of ACHD Article XXI, Revision
(Tracking 99)

Public Comment Period: June 10 to July 11, 2022

Public Hearing: July 11, 2022

No comments were received during the public comment period.

Allegheny County Clean Air Fund Request Annual Transfer of 5% for Operating Expenses in 2022

Allegheny County Health Department Article XXI 2109.09.c.2, allows that “An amount, no greater than 5% of the balance of the Clean Air Fund on December 31 of the previous year, may be used to fund the normal operating costs of the County’s Air Quality Program.”

The Allegheny County Health Department requests the use of up to five percent (5%) of the Clean Air Funds available on December 31, 2021. On December 31, 2021, the ending balance of the Clean Air Funds was \$10,782,508. Five percent (5%) of that balance equal \$539,125.

Summary Report CAF 5% Transfer to Air Programs Projected Expenditures January 1, 2022 - December 31, 2022

Category	Amount
Legal and Clerical Support	\$187,625
Supplies	\$10,000
Materials	\$1,500
Repair & Maintenance	\$1,000
Equipment/Fixed Assests	\$22,500
Utilities	\$17,500
Employee Related Travel	\$15,000
Contracted Services	\$260,000
Court Costs	\$12,000
Other Services (Advertising,printing, ect)	\$12,000
Total 2022	\$539,125