

# Allegheny County Health Department

## DIRECTOR

Bruce W. Dixon, M.D.



Ms. Joyce Epps  
Department of Environmental Protection  
Bureau of Air Quality  
Rachel Carson Building  
400 Market Street, P. O. Box 8468  
Harrisburg, PA 17105-8468

## AIR QUALITY PROGRAM

301 39<sup>th</sup> Street – Bldg. #7  
Pittsburgh, PA 15201-1891

Phone: (412) 578-8115  
Fax: (412) 578-8144

May 10, 2012

## BOARD OF HEALTH

Paul M. King, Esq., Q.E.P.  
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James M. Flynn, Jr.

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William Youngblood

Dear Ms. Epps:

Enclosed are a paper copy and an exact duplicate of this paper copy on a computer disk in searchable pdf file format of a revision to Allegheny County's portion of the Pennsylvania State Implementation Plans (SIPs) for the Attainment and Maintenance of the 8-Hr Ozone and the PM<sub>2.5</sub> National Ambient Air Quality Standards. Changes made to Article XXI, Air Pollution Control Rules and Regulations, and County Ordinance 16782 are related to incorporating 'Control of NOx Emissions From Glass Melting Furnaces' regulations at new Section 2105.101. This SIP revision is being tracked as Allegheny County Tracking Number 70A.2.

This SIP Revision was the subject of a public comment period from August 10, 2011 until September 12, 2011 the date of the public hearing. It was approved by the Board of Health on November 30, 2011, enacted by County Council on March 20, 2012, approved and signed by the Allegheny County Chief Executive on March 23, 2012, and became effective April 3, 2012.

We request that the Pennsylvania Department of Environmental Protection approve this revision and forward it to the U.S. EPA Region III with a recommendation for approval.

If you have any questions, please call me at the number above or email me at [jthompson@achd.net](mailto:jthompson@achd.net).

Sincerely,

James Thompson, Manager  
Air Quality Program

cc: Arlene Shulman, DEP  
Steve Hepler, DEP

Enclosures

**REVISION TO ALLEGHENY COUNTY'S PORTION**  
**of the**  
**PENNSYLVANIA STATE IMPLEMENTATION PLAN**  
**for the**  
**ATTAINMENT AND MAINTENANCE**  
**of the**  
**NATIONAL AMBIENT AIR QUALITY STANDARDS**

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**(Revision Tracking No. 70A.2)**

**Amendment to**

**Control of NOx Emissions**  
**from**  
**Glass Melting Furnace Regulations**

**For both the 8-hour Ozone and the PM-2.5**  
**National Ambient Air Quality Standards.**

**(Revision Tracking No. 70A.2)**

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Certificate of Approval & Adoption

A.

## **Control of NOx Emissions from Glass Melting Furnace Regulations**

### Summary of Action

ACHD is incorporating by reference the Pennsylvania Department of Environmental Protection's (DEP) Air Pollution Control Act at 25 Pa. Code §§ 129.301 - 129.310, Control of NOx Emissions from Glass Melting Furnaces, and the related definitions at 25 Pa. Code §121.1. By incorporating this regulation, ACHD removes any uncertainty regarding enforceability of NOx limits on glass melting furnaces in Allegheny County by ACHD. Included in Air Pollution Control Act at 25 Pa. Code §§ 129.301 - 129.310 are explicit references to the authority of local air quality agencies, including Allegheny County to regulate NOx levels from glass melting furnaces. By incorporating the regulation, an additional copy verifying ACHD's authority will be found in Article XXI. This regulation will be incorporated into Allegheny County's portion of the Pennsylvania's SIP, making it federally enforceable.

## **PART E - SOURCE EMISSION AND OPERATING STANDARDS**

### *Subpart 10 – NOx Sources*

**The following section is being added to Article XXI:**

....

#### **§2105.101 CONTROL OF NO<sub>x</sub> EMISSIONS FROM GLASS MELTING FURNACES**

*{Section added March 23, 2012, effective April 3, 2012.}*

- a. **Incorporation by Reference.** Except as otherwise specifically provided under this Section, this Section shall be applied consistent with the provisions of the state regulation for Control Of NO<sub>x</sub> Emissions From Glass Melting Furnaces promulgated under the Air Pollution Control Act at 25 Pa. Code §§ 129.301 - 129.310 and the related definitions at 25 Pa. Code §121.1 which are hereby incorporated by reference into this Article. 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. **Definitions.** Under the regulations incorporated by reference under this Section:
  1. "Department" shall mean Department as defined under this Article; and
  2. "Appropriate approved local air pollution control agency" shall mean Department as defined under this Article.
- c. **Compliance Determination.** For purposes of this Subsection:  
"Chapter 139, Subchapter C" shall mean "Part H §2108.03.c" of this Article.

**C.**

**Documentation of Public Hearing and Certifications**

Public hearing notice  
Proof of publication of notice of hearing  
Transmittals of hearing notice to EPA & PA DEP  
Certification of hearing  
Comment and response document  
Certificate of Approval & Adoption

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

The Allegheny County Board of Health will hold a public hearing on **Monday, September 12, 2011**, at **10:00 AM**, Building #7 First Floor Conference Room, Clack Health Center, 301 39th Street, Pittsburgh, PA 15201 to take testimony on the following proposed modifications to Allegheny County Health Department Article XXI and County Ordinance 16782:

Revisions or additions to the Article XXI Sections  
§2101.10 Definitions of major source and major modification  
§2102.04 Installation Permits  
§2102.06 Major Sources Locating in or Impacting a Nonattainment Area  
§2102.08 Emission Offset Registration  
§2105.88 Consumer Products  
§2105.101 Control Of NOx Emissions From Glass Melting Furnaces

As well as a letter modifying Allegheny's County's review of Reasonably Available Control Technology (RACT) plans for the eight-hour ozone standard.

**The proposed changes to §2101.10, §2102.04, §2102.06, and §2102.08 will be incorporated as a revision to Allegheny County's portion of the Pennsylvania State Implementation Plan for New Source Review.**

**The proposed changes to §2105.88 and §2105.101 and the RACT letter will be incorporated as a revision to Allegheny County's portion of the Pennsylvania State Implementation Plan for the control of ozone and particulate matter.**

Copies of the proposed amendments may be examined beginning Wednesday, August 10, 2011, at the Allegheny County Health Department Document Room, Building 7, Clack Health Center, from 8:30 AM until 3:30 PM Monday thru Friday; on the Allegheny County Health Department web site: [www.achd.net](http://www.achd.net); or by calling 412-578-8120 to request a mailed printed copy.

Oral testimony must be pre-scheduled by calling 412-578-8008 no less than 24 hours in advance of the public hearing. Speakers will be limited to five minutes and should bring a written copy of their comments.

The Board will accept written testimony beginning **Wednesday, August 10, 2011**, and concluding **Monday, September 12, 2011**, by mail to:

Board of Health  
3333 Forbes Avenue  
Pittsburgh, PA 15213  
By email to [BOH@achd.net](mailto:BOH@achd.net)  
By Fax to 412-578-8325

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 K. Flaherty, 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:

08 of August, 2011

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.

**COPY OF NOTICE OR PUBLICATION**

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

The Allegheny County Board of Health will hold a public hearing on Monday, September 12, 2011, at 10:00 AM, Building #7 First Floor Conference Room, Clack Health Center, 301 39th Street, Pittsburgh, PA 15201 to take testimony on the following proposed modifications to Allegheny County Health Department Article XXI and County Ordinance 16782:

- Revisions or additions to the Article XXI Sections:
  - § 2101.10 Definitions of major source and major modification
  - § 2102.04 Installation Permits
  - § 2102.06 Major sources Locating in or impacting a Nonattainment Area
  - § 2102.08 Emission Offset Registration
  - § 2105.88 Consumer Products
  - § 2105.101 Control Of NOx Emissions From class Heating Furnaces

As well as a letter modifying Allegheny's County's review of Reasonably Available Control Technology (RACT) plans for the eight-hour ozone standard.

The proposed changes to § 2101.10, § 2102.04, § 2102.06, and § 2102.08 will be incorporated as a revision to Allegheny County's portion of the Pennsylvania State Implementation Plan for New Source Review.

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3333 Forbes Avenue  
Pittsburgh, PA 15213  
By email to: [BOH@achd.net](mailto:BOH@achd.net)  
By Fax to: 412-578-8325

K. Flaherty  
PG Publishing Company  
Sworn to and subscribed before me this day of August 08, 2011

Linda M. Gaertner  
COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Linda M. Gaertner, Notary Public  
City of Pittsburgh, Allegheny County  
My Commission Expires Jan. 31, 2015  
MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

**STATEMENT OF ADVERTISING COSTS**  
ALCTY HEALTH-LEGAL-FORBES AVE  
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PITTSBURGH PA 15213

To PG Publishing Company

Total ..... \$127.05

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PG PUBLISHING COMPANY, publisher of the Pittsburgh Post-Gazette, a newspaper of general circulation, hereby acknowledges the receipt of the aforesaid advertising and publication costs and certifies that the same have been fully paid.

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PITTSBURGH  
Phone 412

PG Publishing Company, a Corporation, Publisher of Pittsburgh Post-Gazette, a Newspaper of General Circulation

By \_\_\_\_\_

I hereby certify that this is the original Proof of Publication and receipt for the Advertising costs in the subject matter of said notice.

Attorney For



# Allegheny County Health Department

## DIRECTOR

Bruce W. Dixon, M.D.



## AIR QUALITY PROGRAM

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Al M. Ahmed, P.E.  
Rev. Ricky V. Burgess  
Donald S. Burke, M.D.  
Hon. Joan Cleary, R.N.  
James M. Flynn, Jr.  
William Youngblood

August 3, 2011

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

Dear Ms. Epps:

Enclosed is a Notice of Public Hearing scheduled to occur on September 12, 2011, regarding proposed revisions to Allegheny County's portion of the Pennsylvania State Implementation Plans (SIPs), for (1) New Source Review and (2) the control of ozone and particulate matter. These SIP revisions are being tracked as our Revision Tracking Numbers 66 and 70, respectively.

Item (1) related regulatory changes include revising the definition of "major source" in light of the EPA Greenhouse Gas Tailoring Rule, and revising Article XXI non-attainment NSR regulations in response to EPA promulgated NSR regulation changes.

Item (2) related regulatory changes include the addition of new regulations in Article XXI for the control of VOC content in consumer products, and the control of NOx emissions from glass melting furnaces. Additionally, Item (2) includes a letter modifying Allegheny County's review of Reasonably Available Control Technology (RACT) for the 8-hr ozone standard.

Your comments are welcome.

Sincerely,

James E. Thompson  
Manager

cc: Arleen Shulman  
Steve Hepler

### Enclosures

- Public Hearing Notice
- Proposed SIP Revisions 66 and 70

# Allegheny County Health Department

## DIRECTOR

Bruce W. Dixon, M.D.



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Donald S. Burke, M.D.

Hon. Joan Cleary, R.N.

James M. Flynn, Jr.

William Youngblood

August 4, 2011

Ms. Diana Esher, Director  
Air Protection Division  
Region III (3AP00)  
U.S. Environmental Protection Agency  
1680 Arch Street  
Philadelphia, PA 19103-2029

Dear Ms. Esher:

Enclosed is a Notice of Public Hearing scheduled to occur on September 12, 2011, regarding proposed revisions to Allegheny County's portion of the Pennsylvania State Implementation Plans (SIPs), for (1) New Source Review and (2) the control of ozone and particulate matter. These SIP revisions are being tracked as our Revision Tracking Numbers 66 and 70, respectively.

Item (1) related regulatory changes include revising the definition of "major source" in light of the EPA Greenhouse Gas Tailoring Rule, and revising Article XXI non-attainment NSR regulations in response to EPA promulgated NSR regulation changes.

Item (2) related regulatory changes include the addition of new regulations in Article XXI for the control of VOC content in consumer products, and the control of NOx emissions from glass melting furnaces. Additionally, Item (2) includes a letter modifying Allegheny County's review of Reasonably Available Control Technology (RACT) for the 8-hr ozone standard.

Your comments are welcome.

Sincerely,

James E. Thompson  
Manager

## Enclosures

- Public Hearing Notice
- Proposed SIP Revision 66
- Proposed SIP Revision 70

Revision 70A

SIP Submittal for  
Consumer Products and Glass Melting Furnaces Regulations  
For the  
8-Hour Ozone NAAQS

Certification of Hearing

Alaina Conner deposes and says that she is the Pollution Prevention and Outreach Coordinator for the Air Quality Program of the Allegheny County Health Department and hereby certifies that a Public Hearing was held on September 12, 2011 on the proposed amendment to the County's portion of the Pennsylvania State Implementation Plan for the 8-Hour Ozone National Ambient Air Quality Standard (NAAQS) that would revise Article XXI with the addition of regulations §2105.88, Consumer Products, and §2105.101, Control of NOx Emissions from Glass Melting Furnaces; 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 August 8, 2011; and to the best of her knowledge, belief and understanding, such proceedings were in full compliance with all applicable State and Federal laws, regulations, and other requirements.



Alaina Conner,  
Pollution Prevention & Outreach Coordinator  
Air Quality Program  
Allegheny County Health Department

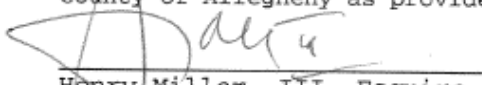
12/16/11  
Date

## SUMMARY OF COMMENTS AND RESPONSES

There were no public comments made on this SIP Revision.

**CERTIFICATION of APPROVAL and ADOPTION**

To the best of my knowledge, information, and belief, I the undersigned hereby certify that the amendments adding Sections 2105.88, and 2105.101, to Article XXI, Rules and Regulations of the Allegheny County Health Department, Air Pollution Control, and Ordinance No. 16782 of the County of Allegheny, adopted by the Allegheny County Board of Health on November 30, 2011, enacted by the Allegheny County Council on March 20, 2012 (Ordinance 06-12-OR), approved by the Allegheny County Chief Executive on March 23, 2012, and effective April 3, 2012, as a revision to the County's Portion of the Pennsylvania State Implementation Plan for the Attainment and Maintenance of the National Ambient Air Quality Standards, was duly and properly enacted as prescribed by the Local Health Administration Law and the Second Class Charter Law, and as such, are fully and legally enforceable by the Allegheny County Health Department and the County of Allegheny as provided for by the within authority.



Henry Miller, III, Esquire  
Solicitor  
Allegheny County Health Department

COMMONWEALTH OF PENNSYLVANIA)

COUNTY OF ALLEGHENY ) S.S. \_\_\_\_\_

On the 27<sup>th</sup> day of April, 2012,

Henry Miller, III personally appeared before me, the undersigned authority, satisfactorily proven to me to be the person whose name appears above, and did in my presence execute the above certification for the purposes contained therein.

WHEREFORE, I have hereunto set my hand and official seal the 27 day of April, 2012.

  
NOTARY PUBLIC

NOTARIAL SEAL  
JANET M NORKUS  
Notary Public  
PITTSBURGH CITY, ALLEGHENY COUNTY  
My Commission Expires May 29, 2015