

MOTION EXPRESSING THE SENSE OF COUNCIL OF ALLEGHENY COUNTY

Encouraging the Allegheny County Board of Health to adopt and implement regulations that would provide for a "Bad Actor" policy requiring that public and private entities applying for air pollution permits are in compliance with their current pollution permits prior to receiving a new or modified permit.

Whereas, County Council is committed to protecting and improving the air quality within Allegheny County to the benefit of its residents and improving environmental compliance of companies within Allegheny County is a significant step towards furthering that goal; and

Whereas, the adoption and implementation of a policy that ensures that applicants for new or modified air pollution permits demonstrate that they have been in compliance for the previous year with their existing pollution permits and applicable air pollution laws and regulations provides that "bad actors" are not permitted to make additional changes that could increase the air pollution within the County; and

Whereas, such requests for new or modified permits should not be considered until the applicant can show their compliance through documentation and all required reports have been submitted to the Allegheny County Health Department and the absence of any of these items should deem the application incomplete; and

Whereas, a facility that has been sent a Notice of Violation or had an enforcement action taken against them by the Allegheny County Health Department or a state or federal environmental agency should not be considered to be in compliance although a single, accidental release should not be considered a violation unless that release caused significant harm or danger to human health or significant damage to the environment as determined by the Health Department; and

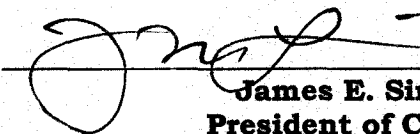
Whereas, facilities that are seeking permits to install new pollution control equipment or making pollution prevention changes should not be held to these criteria in deference to their initiative to improve the air quality within Allegheny County.


NOW THEREFORE, IT IS MOVED, AND IT IS THE SENSE OF THE COUNCIL OF ALLEGHENY COUNTY,

That this Council hereby does encourage the Allegheny County Board of Health to adopt and implement regulations that would provide for a "Bad Actor" policy requiring that public and private entities applying for air pollution permits are in compliance with their current pollution permits prior to receiving a new or modified permit.

SPONSORED BY COUNCIL MEMBERS RON FRANCIS, RICH FITZGERALD, DAVE FAWCETT & BRENDA FRAZIER

In Council November 19 2002, Read and Approved.


James E. Simms
President of Council

Attest: 
John Mascio
Chief Clerk of Council