



# Allegheny County Council

County of Allegheny  
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## Legislation Details (With Text)

**File #:** 12456-22      **Version:** 1      **Name:**

**Type:** Ordinance      **Status:** Enacted

**File created:** 9/16/2022      **In control:** Chief Clerk

**On agenda:** 9/20/2022      **Final action:** 10/25/2022

**Title:** An Ordinance of the Council of the County of Allegheny ratifying an amendment that adds §2105.08, "Additional RACT Requirements for Major Sources of Nitrogen Oxides and Volatile Organic Compounds For the 2015 Ozone NAAQS," to the Allegheny County Health Department Rules and Regulations, Article XXI, "Air Pollution Control."

**Sponsors:** Chief Executive

**Indexes:**

**Code sections:**

**Attachments:** 1. 12456-22 Exhibit A - Proposed RACT III Regulation.docx, 2. 12456-22 Legislative Summary - Revision to Article XXI §2105.08 Additional RACT Requirements.docx, 3. 34-22-OR 12456-22.pdf

Date	Ver.	Action By	Action	Result
10/26/2022	1	Chief Executive	Signed by Chief Executive	
10/25/2022	1	County Council	Passed for Chief Executive Signature	Pass
10/13/2022	1	Committee on Health & Human Services	Affirmatively Recommended	Pass
9/20/2022	1	County Council	Referred by Chair	

An Ordinance of the Council of the County of Allegheny ratifying an amendment that adds §2105.08, "Additional RACT Requirements for Major Sources of Nitrogen Oxides and Volatile Organic Compounds For the 2015 Ozone NAAQS," to the Allegheny County Health Department Rules and Regulations, Article XXI, "Air Pollution Control."

**Whereas**, Allegheny County, pursuant to the Pennsylvania Local Health Administration Law, 16 P.S. §§ 12001 - 12028, created the Allegheny County Health Department, and the Allegheny County Board of Health; and

**Whereas**, the Allegheny County Health Department regulates air quality under authority granted via the Pennsylvania Air Pollution Control Act, 35 P.S. §§ 4001 - 4106, and its implementing regulations; and

**Whereas**, Section 12011 of the Local Health Administration Law provides for the Board of Health to adopt regulations and submit such regulations to Allegheny County for approval or rejection; and

**Whereas**, on September 7, 2022 during its regularly scheduled public meeting, the Allegheny County Board of Health adopted by affirmative vote the attached amendment adding §2105.08, "Additional RACT Requirements for Major Sources of Nitrogen Oxides and Volatile Organic Compounds For the 2015 Ozone NAAQS," to the Allegheny County Health Department Rules and Regulations, Article XXI, "Air Pollution Control"; and

**Whereas**, it is the desire of Council to ratify the Allegheny County Health Department regulation amendments as approved by the Board of Health.

***The Council of the County of Allegheny hereby resolves as follows:***

***SECTION 1.           Incorporation of Preamble.***

The provisions set forth in the preamble to this Ordinance are incorporated by reference in their entirety herein.

***SECTION 2.           Ratification of Regulations.***

Acting pursuant to the Pennsylvania Local Health Administration Law and the Allegheny County Home Rule Charter, County Council hereby ratifies the amendments to the Allegheny County Health Department Rules and Regulations, Article XXI, “Air Pollution Control”, attached hereto as Exhibit “A.”

***SECTION 3.           Severability.***

If any provision of this Ordinance shall be determined to be unlawful, invalid, void or unenforceable, then that provision shall be considered severable from the remaining provisions of this Resolution which shall be in full force and effect.

***SECTION 4.           Repealer.***

Any Resolution or Ordinance or part thereof conflicting with the provisions of this Ordinance is hereby repealed so far as the same affects this Ordinance.

***SECTION 5           Effective Date.***

To be consistent with regulations promulgated by the Commonwealth’s Department of Environment Protection, this Ordinance shall become effective January 1, 2023.