



Allegheny County Council

County of Allegheny
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Legislation Text

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An Ordinance of the Council of the County of Allegheny ratifying amendments to Section 2102.06, “Major Sources Locating in or Impacting a Nonattainment Area”, and Section 2101.20, “Definitions”, of 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 to it 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 August 24, 2016, the U.S. Environmental Protection Agency issued requirements for the State Implementation Plans for Fine Particulates mandating amendments to state and local regulations to include volatile organic compounds and ammonia as precursors to fine particulates; and

Whereas, on January 9, 2019, during its regularly scheduled public meeting the Allegheny County Board of Health adopted by affirmative vote the attached amendments to Section 2102.06, “Major Sources Locating in or Impacting a Nonattainment Area”, and Section 2101.20, “Definitions”, of 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 on January 9, 2019.

The Council of the County of Allegheny hereby enacts 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.