

No. 16-25-RE

A RESOLUTION

A Resolution of the County of Allegheny, Commonwealth of Pennsylvania establishing goals and objectives for the creation of an Air Fees Relief Program by the Allegheny County Board of Health.

WHEREAS, in November of 2025, Allegheny County Council ratified changes to the Allegheny County Health Department (ACHD) air quality fee structure through the passage of Bill Numbers 13228-24 and 13229-24, both sponsored by the Chief Executive; and

WHEREAS, Bills 13228-24 and 13229-24 establish, *inter alia*, multiple new fees and increases to existing fees relating to the Air Quality Program Asbestos and Abrasive Blasting Fee Schedule; and

WHEREAS, prior to passage of 13228-24 and 13229-24, several Council members expressed concerns about the impact of the new and increased asbestos and abrasive blasting fees upon smaller asbestos remediation projects subject to the new fee structure; and

WHEREAS, as noted by Pittsburgh law firm Goldberg Persky White in *The Ongoing Challenges One Year After the U.S. Asbestos Ban*, published in Asbestos, Asbestos & Lung Cancer, Asbestos & Mesothelioma, News on June 4, 2025: “[r]emoving asbestos from buildings isn’t as simple as tearing out old insulation or floor tiles. It’s a highly regulated, technical process that demands specialized equipment, protective gear, and trained abatement teams. For many building owners, especially in lower-income areas or smaller municipalities, safe removal remains unaffordable.”; and

WHEREAS, as the article continued: “[w]ithout subsidies or grant programs, some property owners may opt for cheaper but hazardous shortcuts that put workers and residents in harm’s way.”; and

WHEREAS, it is the desire of Council to mitigate the risk of smaller asbestos remediation projects being deferred or undertaken under unnecessarily hazardous conditions, in whole or in part due to the new fee structure; and

WHEREAS, as noted in *Got Asbestos or a Popcorn Ceiling? Here’s How Much It Costs to Remove It* (Sperring, HomeServ.com, October 4, 2025), the cost of asbestos abatement can be significant: “[t]he direct labor costs to remove asbestos depend on how easy it is to access the parts of the building containing asbestos materials and the amount of disassembly needed to remove these materials. The costs shown below are for asbestos removal only and don’t include the cost of replacing the material that’s removed.

The approximate cost to remove asbestos from inside the home varies from \$5 to \$20 per square foot. Because of the difficulty of accessing external components, it's more expensive to remove materials with asbestos, so outside removal costs are higher — between \$50 and \$150 per square foot.”; and

WHEREAS, against this economic backdrop, and based upon information and recommendations received by Council from the ACHD and Allegheny County Department of Budget & Finance, it is the judgment of Council that an Air Fees Relief Program should be established;

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

SECTION 1. Incorporation of the Preamble.

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

SECTION 2.

- A. The County of Allegheny hereby declares that the Allegheny County Health Department shall establish an Air Fees Relief Program.
- B. The Air Fees Relief Program shall be established pursuant to the following goals and objectives:
 - 1. Within sixty (60) days of the effective date of this Resolution, the Health Department will promulgate rules and regulations for the program and submit such rules and regulations for Council's legislative approval via ordinance, pursuant to the procedures established for ACHD regulations under the terms of the Local Health Administration Law (specifically 16 P.S. §12011(c)).
 - 2. The Program will be structured to allow certain disadvantaged or distressed businesses to qualify for direct subsidy from the County that equals half of the latest increased fee for the specific asbestos mitigation permit that is being applied for.
 - 3. Businesses will qualify for the subsidy under the following criteria, or under other criteria that achieve the same intent and effect to award relief funds to distressed businesses:

- a. A business applies for the relief funds and presents a letter with supporting documentation from an independent certified public accountant in the Commonwealth of Pennsylvania indicating that their business has experienced either:
 - i. A negative cash flow for more than six consecutive months during the prior calendar year,
 - ii. A debt-to-equity ratio of more than two, or
 - iii. Profit margins that have declined for at least two consecutive years.
4. The Health Department will allocate \$500,000 of the proposed annual total increase in fee revenue from asbestos fees to fund the relief program in the first year and then will adjust the total allocated amount to meet anticipated program demand annually thereafter. The relief funds will not be held in trust year-to-year and unused funds will be returned to the air pollution fund at the conclusion of each fiscal year.
5. The Health Department may from time to time alter the rules and regulations governing the Air Fees Relief Program, provided that such alterations become effective only after Council's legislative approval of the changes via ordinance, pursuant to the procedures established for ACHD regulations under the terms of the Local Health Administration Law (specifically 16 P.S. §12011(c)).

SECTION 3. Effective Date.

The provisions of this Resolution shall become effective immediately upon the date of final approval.

SECTION 4. Severability. If any provision of this Resolution 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 5. *Repealer. Any Resolution or Ordinance or part thereof conflicting with the provisions of this Resolution is hereby repealed so far as the same affects this Resolution.*

PRIMARY SPONSOR(S): PRESIDENT CATENA

CO-SPONSOR(S):

Enacted in Council, this 16th day of December, 2025

Council Agenda No. 13735-25


Patrick Catena
President of Council

Attest: 
Jared Barker
Chief Clerk of Council

Chief Executive Office December 22, 2025

Approved: 
Sara Innamorato
County Executive

Attest: 
John Farris