



ENFORCEMENT ORDER

Allegheny County Health Department

Air Quality Program

836 Fulton Street, Pittsburgh PA 15233

Phone: (412) 578-8103

Address of Alleged Violation			
Eddy Homes Autumn Grove Development at former 1070 Pleasant Hill Road, Wexford, PA 15090			
Name of Alleged Violator #1 - Owner			
Pleasant Hill Development, LLC			
Address of Alleged Violator #1			
290 Northgate Drive, Warrendale, PA, 15086			
Name of Alleged Violator #2			
Eclipse Construction Management, LP			
Address of Alleged Violator#2			
290 Northgate Drive, Suite 150, Warrendale, PA, 15086			
Contact Person	Title	Phone Number	Email
Steven Koehler	Real Estate Director	724-591-1147	schoehler@eclipsemgmnt.com
Name of Alleged Violator #3			
Rierner, Incorporated			
Address of Alleged Violator #3			
502 Deer Creek Road, Saxonburg, PA			
Contact Person	Title	Phone Number	Email
Hunter Rierner			hunterrierner@gmail.com

PART 1: DESCRIPTION OF INSPECTION(s)

On October 2, 2025, in response to complaint number H442365-091225, the Allegheny County Health Department (ACHD) contacted Marshall Township regarding the Eddy Homes Autumn Grove development located at 1070 Pleasant Hill Road, Wexford, PA 15090. The Eddy Homes Autumn Grove (Eddy Homes) development is owned by Pleasant Hills Development, LLC. The Marshall Township Manager confirmed they had received complaints and that Marshall Township notified Eddy Homes and suggested increased water spraying at the construction site. Eddy Homes is a residential development of 12 units under the control of Eclipse Construction Management, LP (Eclipse Construction) and is subject to the EPA's Asbestos regulations under the National Emission Standards for Hazardous Air Pollutants (NESHAP) and ACHD's Article XXI Air Quality Rules and Regulations.

On October 3, 2025, ACHD conducted an inspection at the Eddy Homes development site at 1070 Pleasant Hill Road, Wexford, PA 15090 around 10:30 am and spoke to the lead contractor, Scott Rierner, and his son, Hunter Rierner, of Rierner Incorporated regarding dust complaints. Rierner Incorporated is a contractor that performs commercial and residential site development. ACHD explained the applicability of Article XXI's fugitive emission regulations and discussed engineering controls. Rierner Incorporated was dismissive of the complaints and reported, "dust control isn't in [their] contract." Rierner Incorporated provided contact information for Eddy Homes' representative Matt Moritz. ACHD left a message for Matt Moritz regarding fugitive emissions complaints and informing Eddy Homes that ACHD would be conducting a site visit the following week to observe and document fugitive dust emissions. ACHD called Rierner Incorporated to provide the same information. ACHD witnessed two instances of fugitive dust emissions crossing the property line during the October 3, 2025 inspection. ACHD witnessed fugitive emissions blowing off the entrance to the main road when a dump truck drove across the worksite.

On October 6, 2025, ACHD contacted Marshall Township with an update regarding ACHD's plans to conduct fugitive emissions observations. On October 6, 2025, ACHD conducted fugitive emissions observations beginning at 2:08 pm and concluding at 2:53 pm, noting each time dust left the property line of the development

area and when dust suppression activities occurred. Fugitive dust emissions were observed crossing the property line seven times. The details of ACHD's findings are below:

2:12 pm	Construction vehicle drove by
2:26 pm	Dump truck drove by
2:32 – 2:34 pm	Wind
2:35 pm	Contractor sprayed around the dump truck loading area and Pleasant Hill Rd with a standard garden hose for approximately 15 minutes
2:37 pm	Wind
2:41 pm	Dump truck drove by, creating dust, and contractor sprayed the exit to Pleasant Hill Rd with a standard garden hose
2:49 pm	Wind
2:51 pm	Wind

On October 7, 2025, ACHD contacted Marshall Township regarding the observed fugitive emissions. ACHD also informed Riemer Incorporated via email of the fugitive emissions observed by ACHD at Eddy Homes and requested a Corrective Action Plan (CAP) be submitted to ACHD by Tuesday, October 14, 2025. The CAP was requested to detail the engineering controls that will be implemented to prevent dust from leaving the Eddy Homes property line. ACHD discussed engineering controls including speed limits and increasing the frequency and scale of water application. ACHD left another message for Matt Moritz asking for his email so ACHD could forward the request for a CAP.

On October 8, 2025, Marshall Township requested ACHD forward the email sent to Riemer Incorporated requesting a CAP.

On October 9, 2025, Marshall Township initiated an email chain with ACHD and Steven Koehler, Eclipse Construction's representative for Eddy Homes construction site. Marshall Township included the email sent to Riemer Incorporated outlining the fugitive emissions and request for a CAP. Eclipse Construction's representative responded with a draft CAP. ACHD identified insufficiencies including vague language in item one regarding "increased and more frequent water application" and requested a revised CAP. ACHD representatives stated the garden hoses deployed at Eddy Homes were insufficient as fugitive emission engineering controls for the large site area and additional controls were needed to prevent fugitive emissions. The revised CAP was deemed acceptable by ACHD.

On October 15, 2025, ACHD conducted an inspection at Eddy Homes at 10:45 am to verify the contractors had implemented the CAP's engineering controls for the fugitive dust emissions. ACHD witnessed five mph speed signs posted at the construction vehicle entrance of the worksite. No water truck was observed on site. Eclipse Construction and ACHD discussed the use of a water truck. ACHD reported that excessive fugitive emissions were witnessed on October 6, 2025, at the back half of the property and excavation areas.

On October 16, 2025, Eclipse Construction called ACHD and stated a water truck will be onsite starting that day and that they would send an amended CAP. Marshall Township called ACHD to inform ACHD that an inspector from Marshall Township was onsite and stated their inspector did not see a water truck onsite.

On October 17, 2025, Eclipse Construction sent an amended CAP to ACHD. The CAP included a list of dust control measures that included enhanced water application, traffic controls, work practices and large scale water application via a water truck.

On November 5, 2025, ACHD conducted an inspection at Eddy Homes after receiving Complaint number H447518-110525. ACHD captured five videos of fugitive dust emissions leaving the property during their observation period of approximately 40 minutes. Dust was kicked up by construction vehicles and blowing off dirt piles throughout the worksite. ACHD witnessed dust suppression by the contractors using a standard garden hose around an active excavation site. A water truck was on site. The water truck was not observed operating during the inspection. During the site visit, Eclipse Construction did not enact the corrective action plan including enhanced water application and large scale water application as submitted to ACHD.

On November 6, 2025, ACHD representatives visited the worksite to speak to Scott Riemer. A Marshall Township inspector was also onsite conducting dust observations. Marshall Township expressed concerns as to whether the water truck was operational. ACHD spoke to Scott Riemer, asking about the usage of the water truck mentioned in their CAP. Scott Riemer said another company was responsible for operating the water truck “as needed.” ACHD expressed the need for the water truck as the garden hose water application methods have proved insufficient for controlling fugitive emission on the large worksite. Scott Riemer said the site would be paved over next week which should reduce the fugitive dust emissions.

Eclipse Construction and their contractor performed excavation activities that resulted in the fugitive emission leaving the development site and entering public space on October 3, 2025; October 6, 2025; and November 5, 2025.

Did the individual/company cooperate with ACHD personnel? If not, explain:	Riemer Incorporated was dismissive of fugitive dust. Riemer Incorporated and Eclipse Construction failed to implement their corrective action plan and failed to deploy appropriate resources to address fugitive dust.
Inspection Date(s): ACHD observed dust leaving the property line on October 3, October 6, and November 5, 2025.	Inspector Name(s) Emily Gagliardi, Joel Trenker, and Owen Kulp

PART 2: YOU ARE IN VIOLATION OF THE FOLLOWING REGULATION(s):

1	Regulation Section §2101.11.b.4	Regulation Requirement It shall be a violation of this Article for any person to Submit any application form, report, compliance certification, or any other submittal to the Department under this Article which is, in whole or in part, false, inaccurate, or incomplete.
	Description of Violation Eddy Home’s contractor Eclipse Construction submitted a Corrective Action plan to ACHD which was inaccurate as they failed to enact the action listed in the corrective action plan.	
	What You Must Do to Correct the Violation Do not submit inaccurate information to ACHD.	
3	Regulation Section §2101.11.b.1	Regulation Requirement It shall be a violation of this Article for any person to operate, or allow to be operated, any source in such manner as to allow the release of air contaminants into the open air or to cause air pollution.
	Description of Violation Construction activities resulting in dust leaving the property line and entering into open air.	
	What You Must Do to Correct the Violation Utilize engineering controls to prevent dust from leaving the property line and entering into open air.	

PART 3: YOU ARE HEREBY ORDERED AS FOLLOWS:

- ☐ Immediately stop all work and/or cease operations at the following location(s):

- ☐ You are hereby Ordered to correct the violations(s) listed in Part 2 within ____ days of the service of this Enforcement Order.
- ☐ You are hereby Ordered to comply with the following requirements within _____ days of the service of this Enforcement Order:

The Order(s) in this Part is enforceable upon issuance, and any appeal shall not act as a stay. The Order(s) shall remain in effect until you are notified in writing by the Department. Please contact the ACHD Air Quality Program at (412) 578-8103 to arrange for a reinspection or to request that the Order(s) be rescinded.

Please be advised that failure to comply with this Order within the times specified herein is a violation of Article XXI giving rise to the remedies provided by Article XXI § 2109.02 including civil penalties of up to \$25,000 per violation per day.

PART 4: CIVIL PENALTY

For the violations listed in Part 2, you are hereby assessed a civil penalty of \$ 5,660.00. The determination of the civil penalty is attached as **Exhibit No. 1** and is incorporated as part of this Enforcement Order.

Please be aware that if the Department did not assess a civil penalty, the Department may issue a subsequent enforcement order in which a civil penalty is assessed.

You shall pay the civil penalty amount within thirty (30) days of receipt of this Order. Payment shall be made by corporate or certified check, or the like, made payable to the "Allegheny County Clean Air Fund", and sent to Air Quality Program Manager, Allegheny County Health Department, 836 Fulton Street, Pittsburgh, PA 15233.

PART 5: REQUEST FOR ADMINISTRATIVE HEARING

Pursuant to Article XI, § 1104.A (“Hearings and Appeals”), and Article XXI § 2109.06.a.5, of the Allegheny County Health Department Rules and Regulations, you are notified that if you are aggrieved by this Order, a Notice of Appeal shall be filed no later than thirty (30) days after receipt of written notice or issuance of this Order. Such a Notice of Appeal shall be filed in the Office of the Director at 542 Fourth Avenue, Pittsburgh, PA 15219.

This Order is enforceable upon issuance, and any appeal of this Order shall not act as a stay unless the Director or Hearing officer of the ACHD so orders. In the absence of a timely appeal, the terms of this Order shall become final.

Please be aware that if you wish to appeal this Order and a civil penalty has been assessed under Part 4, you are required within 30 days of receipt of this Order to either forward the penalty amount to the ACHD for placement in an escrow account or post an appeal bond to the ACHD in the amount of the penalty. Failure to forward the money or post the appeal bond at the time of the appeal shall result in a waiver of all legal rights to contest the violation or the amount of the civil penalty unless you allege financial inability to prepay the penalty or to post the appeal bond. If you allege financial inability to prepay or post the bond, then you have the burden to prove it. Please review the specific requirements for prepaying the penalty or posting the appeal bond found in Article XXI § 2109.06.a.2-3.

A copy of Article XXI and Article XI may be found at <https://www.alleghenycounty.us/Health-Department/Health-Department-Regulations.aspx>.



Air Quality Program Manager

8/14/2026

Date

EXHIBIT NO. 1

CIVIL PENALTY DETERMINATION AND CALCULATION

PURPOSE: The primary purpose for assessing civil penalties is to deter future violations not only at the specific facilities that are involved in the enforcement actions taken by the Department, but also at all the facilities within Allegheny County that are subject to the Article XXI regulations. In order to achieve the goal of deterrence, a civil penalty should remove any significant economic benefit resulting from noncompliance and include an amount beyond recovery of the economic benefit to reflect the seriousness of the violation.

CIVIL PENALTY FACTORS: The ACHD has determined the civil penalty to be in accordance with Article XXI, § 2109.06.b, reflecting relevant factors including, but not limited to: the nature, severity and frequency of the alleged violations; the maximum amount of civil and criminal penalties authorized by law; the willfulness of such violations; the impact of such violations on the public and the environment; the actions taken by the violator to minimize such violations and to prevent future violations; and the violator's compliance history.

$$\text{Civil Penalty} = (\text{Gravity Based Component} \times \text{Adjustment Factor}) + \text{Economic Benefit} + \text{Cost to the Department} + \text{Additional Deterrent Penalty}$$

CIVIL PENALTY FORMULA: The following calculation is used to assess the civil penalty:

Gravity Based Component: A gravity based component reflects the potential harm that the violation may have on the public or environment and the severity of the violation.

Adjustment Factor: The gravity based component may be adjusted for factors and circumstances unique to the violator. These adjustment factors include the violators degree of cooperation with the ACHD during the investigation, the compliance history of the violator, the degree of willfulness that violator exhibited with regard to the violation, the size of the violator, and whether the violator is a Title V source or a Synthetic Minor source.

Economic Benefit: This component is a measure of the economic benefit gained by the violator as a result of noncompliance with the regulatory, statutory, or permit requirements.

Cost to the Department: Extra monetary costs for the investigation and preparation of the case, such as source sampling costs and laboratory costs, may be identified and added to the adjusted civil penalty.

Additional Deterrent Penalty: An additional deterrent penalty may be assessed if justified by the circumstances of the case.

CIVIL PENALTY CALCULATION

A. Gravity Based Component

Violation	Gravity Based Penalty	Violation Days	Total Gravity Penalty
2101.11.b.4 Submitting inaccurate reports to ACHD	\$2,300.00	1	\$2,300.00
2101.11.b.1 Construction activities resulting in dust leaving the property line and entering into open air	\$1,300.00	3	\$3,900.00
Gravity Component Total			\$6,200.00

B. Adjustment Factors	Factor	Adjustment Amount
Degree of Cooperation	0.1	\$620.00
Compliance History	0	\$0
Degree of Willfulness – Inaccurate reports and October 3, October 6 Fugitive Dust Emissions	0	\$0
Degree of Willfulness – November 6 Fugitive Dust Violation– Water Truck was onsite and not used. Submitted a CAP and then failed to monitor and implement CAP after repeated complaints and interventions.	0.3	\$390.00
Size of Violator:	-0.25	-\$1,550.00
Title V source or a Synthetic Minor source:	0	\$0
Adjustment Factors Total		-\$540.00

C. Other Adjustments

Economic Benefit:	\$0
Cost to the Department:	\$0
Additional Deterrent Penalty:	\$0
Other Adjustments Total	\$0
TOTAL CIVIL PENALTY	\$5,660.00