

COUNTY OF



ALLEGHENY

May 10, 2019

Michael Rhodes
United States Steel Corporation
Clairton Works
400 State Street
Clairton, PA 15025

RE: Enforcement Order #190502 – United States Steel Corporation, Clairton Works, 400 State Street, Clairton, PA 15025, §2102.03.c for failure to meet permit limits for Battery C Quench Tower.

Dear Mr. Rhodes,

Please find enclosed a copy of the Enforcement Order pertaining to the coke oven batteries at USS Clairton Works. Also attached is an "Important Notice" for you to review.

Thank you for your anticipated prompt attention to this matter and future increased efforts to comply with all applicable regulations. Any questions concerning this Order should be directed to the ACHD's representative, William U. Clark at 412-578-8136 or e-mail at bill.clark@alleghenycounty.us.

Sincerely,

Dean DeLuca
Air Quality Enforcement Section Chief

CC: Wm. U. Clark, Air Quality Engineer (via email)
File



KAREN HACKER, MD, MPH, DIRECTOR
ALLEGHENY COUNTY HEALTH DEPARTMENT
AIR QUALITY PROGRAM

301 39TH STREET • CLACK HEALTH CENTER • BUILDING 7
PITTSBURGH, PA 15201-1811
PHONE (412) 578-8103 • FAX (412) 578-8144
24-HR (412) 687-ACHD (2243) • WWW.ACHD.NET



To: Michael Rhodes
United States Steel Corporation
Clairton Works
400 State Street
Clairton, PA 15025

Re: May 10, 2019 Enforcement Order

IMPORTANT NOTICE

An Enforcement Order dated May 10, 2019, was mailed to you by the Allegheny County Health Department (ACHD) notifying of the possibility that a Civil Penalty will be levied by virtue of your failure to take certain action.

If you fail to take action pursuant to said enforcement order, a judgment may be entered against you in the Court of Common Pleas of Allegheny County. The sheriff may take your money or other property to pay the judgment any time after the judgment is entered.

YOU ARE WARNED THAT IF YOU FAIL TO CORRECT VIOLATIONS AND/OR PAY FINES OR PENALTIES LEVIED AGAINST YOU IN THE ENFORCEMENT ORDER THAT THE ALLEGHENY COUNTY HEALTH DEPARTMENT MAY PROCEED WITHOUT YOU AND A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT FURTHER NOTICE. YOU MAY LOSE MONEY OR PROPERTY OR OTHER RIGHTS IMPORTANT TO YOU.

Allegheny County Health Department
Air Quality Program
301 39th Street, Building #7
Pittsburgh, PA 15201-1811

**ALLEGHENY COUNTY HEALTH DEPARTMENT
AIR QUALITY PROGRAM**

In the Matter of:

United States Steel Corporation
Clairton Works
400 State Street
Clairton, PA 15025

Violation No. 190502

Violations of Article XXI ("Air
Pollution Control") at property:

United States Steel
Corporation – Clairton Plant

ENFORCEMENT ORDER

NOW, this 10th day of May, 2019, the Allegheny County Health Department (hereinafter "ACHD") issues this Enforcement Order after it has found and determined the following:

FINDINGS

After a review of the C Battery Quench Tower Exhaust test report received from United States Steel on January 15, 2018, the ACHD has determined that United States Steel has failed their emissions test conducted on November 13 - 15, 2017, for sulfur dioxide (SO₂).

Pollutant	Average Result	Permit Limit
SO ₂	8.28 lb/hr	5.00 lb/hr

The above result is a violation of the emission limit indicated in Installation Permit #0052-I017.

During a retest of the C Battery Quench Tower on August 14-16, 2018, test results indicated compliance with the emission limit in Installation Permit #0052-I017. See below.

Pollutant	Average Result	Permit Limit
SO ₂	1.70 lb/hr	5.00 lb/hr

The ACHD has determined that United States Steel was in violation of Article XXI, § 2102.03.c, of the ACHD's Rules and Regulations by failing to meet the compliance limits stated in the applicable ACHD permit which was effective at the time of the original test. Specifically, United States Steel exceeded the pounds/hour limit for sulfur dioxide emissions in IP #0052-I017, Condition V.B.1.c., Table V-B-1 – Quench Tower B Emission Limitations. Article XXI, § 2102.03.c, reads as follows:

§ 2102.03 Permits Generally

c. Conditions

It shall be a violation of this Article giving rise to the remedies provided by Part I of this Article for any person to fail to comply with any terms or conditions set forth in any permit issued pursuant to this Part.

NOW THEREFORE, pursuant to the authority granted to the ACHD by Article XXI § 2109.03.a.1 the Local Health Administration Law, 19 P.S. § 12010, it is hereby **ORDERED** that: within thirty (30) days of receipt of this Order, United States Steel shall pay an assessed civil penalty of **\$5,750.00** for the violation of Article XXI § 2102.03. Payment shall be made by corporate check, or the like, made payable to the “Allegheny County Clean Air Fund”, and sent to Air Quality Program Manager, Allegheny County Health Department, 301 39th Street, Bldg. #7, Pittsburgh, PA 15201

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.

The ACHD has determined the above penalty 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 United States Steel to minimize such violations and to prevent future violations; and United States Steel compliance history.

Pursuant to Article XI (“Hearings and Appeals”) of the Allegheny County Health Department Rules and Regulations, you are notified that if you are aggrieved by this Order you have thirty (30) days in which to file an appeal from the receipt 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 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 the ACHD has imposed a civil penalty, 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. 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>.

Please be advised that the ACHD has determined, and the EPA has agreed, that the above violations meet criterion 2 of the *Timely and Appropriate Enforcement Response to High Priority Violations [HPV] – 2014.*

Thank you for your anticipated prompt attention to this matter and future increased efforts to comply with all applicable regulations. Any questions concerning this Order should be directed to the ACHD's representatives, William Clark, at 412-578-8136 or e-mail bill.clark@alleghenycounty.us.

DONE and ENTERED this 10th day of May, 2019, in Allegheny County, Pennsylvania.



Jayme Graham
Air Quality Program Manager

5/10/2019
Date