

**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. 210201

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

United States Steel  
Corporation – Clairton Plant

**ENFORCEMENT ORDER**

NOW, this 19<sup>th</sup> day of February, 2021 the Allegheny County Health Department (hereinafter "ACHD") issues this Enforcement Order after it has found and determined the following:

1. The Director of the ACHD has been delegated authority pursuant to the federal Clean Air Act, 42 U.S.C. Sections 7401 -7671q (hereinafter “CAA”), and the Pennsylvania Air Pollution Control Act, 35 P.S. Sections 4001-4014 (hereinafter “APCA”), and the ACHD is a local health agency organized under the Local Health Administration Law, 19 P.S. §§ 12001-12028, whose powers and duties include the enforcement of laws relating to public health within Allegheny County including, but not limited to, the ACHD’s Rules and Regulations, Article XXI, Air Pollution Control (Allegheny County Code of Ordinances Chapters 505, 507 and 535) (hereinafter “Article XXI”).

2. On May 26, 2020, at 9:11 PM, the United States Coast Guard National Response Center (NRC) took a report from United States Steel concerning a release into the open air of approximately 100 lbs of anhydrous ammonia.

3. The release resulted from an equipment failure which caused a pressure release valve to open at the Clairton facility.

4. Pennsylvania Department of Environmental Protection was notified of this incident at 9:20 PM the same day and forwarded the notification to ACHD on May 27, 2020 at 7:34 AM. The NRC notification indicated that the incident occurred on May 26, 2020 at 7:30 PM local time.

5. As of the date of this order, US Steel has not submitted a breakdown report to the ACHD for the aforementioned equipment failure. ACHD has determined that the equipment failure that caused the anhydrous ammonia release constituted a breakdown subject to reporting requirement under Article XXI §2108.01.c which reads as follows:

#### **§2108.01 REPORTS REQUIRED**

##### **c. Breakdowns.**

1. In the event that any air pollution control equipment, process equipment, or other source of air contaminants breaks down in such manner as to have a substantial likelihood of causing the emission of air contaminants in violation of this Article, or of causing the emission into the open air of potentially toxic or hazardous materials, the person responsible for such equipment or source shall immediately, but in no event later than 60 minutes after the commencement of the breakdown, notify the Department of such breakdown and shall, as expeditiously as possible but in no event later than seven (7) days after the original notification, provide written notice to the Department.

6. ACHD has determined that United States Steel is in violation of Article XXI, § 2108.01.c, of the ACHD's Rules and Regulations for failing to report the subject incident as a breakdown to the ACHD within 60 minutes of the occurrence.

7. Anhydrous Ammonia is designated a toxic chemical by EPA. ACHD has determined the accidental release of 100 lbs of anhydrous ammonia to be a violation of Article XXI §2101.11.b which reads as follows:

**§2101.11 PROHIBITION OF AIR POLLUTION**

**b. It shall be a violation of this Article for any person to:**

1. 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 as defined in this Article, except as explicitly permitted by this Article.
  
8. ACHD has determined that US Steel is in violation of Article XXI, §2101.11.b, of ACHD’s Rules and Regulations the release of 100 lbs of anhydrous ammonia.

**ORDER**

**NOW THEREFORE**, pursuant to the authority granted to the ACHD by Article XXI §§ 2109.03.a.1 and the Local Health Administration Law, 19 P.S. § 12010, it is hereby ORDERED that:

9. For the violations set forth in the preceding paragraphs, United States Steel, is hereby assessed a civil penalty of **FOUR THOUSAND ONE HUNDRED SIXTY-FIVE DOLLARS** (\$4,165.00). The civil penalty is as follows:

**A. Gravity Based Component**

<b>Violation</b>	<b>Gravity Based Penalty</b>	<b>Violation Days</b>	<b>Total Gravity Penalty</b>
Failure to timely report breakdown § 2108.01.c -Breakdown Report	\$400.00	1	\$400.00
Release of Anhydrous Ammonia § 2101.11 Prohibition of Pollution	\$1,300.00	1	\$1,300.00
<b>Gravity Component Subtotal</b>			<b>\$1,700.00</b>

**B. Adjustment Factors**

<b>Degree of Cooperation</b>	\$ 425.00
<b>Compliance History:</b> 9 Issued violations in last 2 years	\$1,700.00

**Title V Source:** \$ 340.00

---

**TOTAL CIVIL PENALTY** **\$4,165.00**

---

10. United States Steel 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, 301 39th Street, Bldg. #7, Pittsburgh, PA 15201.

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

12. 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.

13. Please be aware that if you wish to appeal this Order, you are required within 30 days of receipt of this Order to either forward the penalty amount of 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>.

14. 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 <http://www.achd.net/regs.html>.

**DONE** and **ENTERED** this 19<sup>th</sup> day of February, 2021, in Allegheny County, Pennsylvania.

Dean DeLuca  
Dean DeLuca  
Air Quality Program Manager

2/19/2021  
Date