

COUNTY OF



ALLEGHENY

SARA INNAMORATO
COUNTY EXECUTIVE

May 3, 2024

CERTIFIED MAIL – 9489 0090 0027 6045 5253 37

Kurt Barshick
United States Steel Corporation
400 State Street
Clairton, PA 15025

RE: Enforcement Order #240501 – 400 State Street, Clairton, PA 15025 – Article XXI
§2103.12.g Standard Emission Limit Requirements, §2101.11 Prohibition of Air
Pollution, and Major Source Operating Permit #0052-OP22.

Dear Mr. Barshick,

Please find enclosed a copy of the Enforcement Order pertaining to the operations at U. S. Steel -
Mon Valley Works, Clairton Plant. 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, Gary Fischman at 412-578-8141 or e-mail at
gary.fischman@alleghenycounty.us.

Sincerely,

Allason Holt
Program Manager -- Compliance and Enforcement Program

A handwritten signature in black ink, appearing to read "Allason Holt".

CC: Gary Fischman, Air Quality Engineer (via email)
File



**ALLEGHENY COUNTY HEALTH DEPARTMENT
AIR QUALITY PROGRAM**

836 FULTON STREET • PITTSBURGH, PA 15233
PHONE (412) 578-8103 • FAX (412) 578-8144
24-HR (412) 687-ACHD (2243)
WWW.ALLEGHENYCOUNTY.US/HEALTHDEPARTMENT



To: Kurt Barshick
United States Steel Corporation

Re: May 3, 2024 Enforcement Order

IMPORTANT NOTICE

An Enforcement Order dated May 3, 2024, 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.

Pursuant to Article XI, Allegheny County Rules and Regulations, Hearings and Appeals, 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. Failure to forward the money or 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, then you have the burden to prove it.

In the absence of a timely appeal, the terms of this Order shall become final. Please be aware that any appeal of this Order shall not act as a stay unless the Director of the ACHD so orders.

Allegheny County Health Department
Air Quality Program
836 Fulton Street
Pittsburgh, PA 15233

**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. 240501

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

United States Steel
Corporation – Clairton Plant

ENFORCEMENT ORDER

NOW, this 3rd day of May , 2024 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. U.S. Steel owns and operates a facility in Clairton, Allegheny County, Pennsylvania (Clairton Coke Plant). Clairton Coke Plant operates ten coke batteries and produces approximately 11,000 tons of coke per day from the destructive distillation (carbonization) of approximately 14,000 tons of coal. During the carbonization process, approximately 174 million cubic feet of coke oven gas are produced. The volatile products of

coal contained in the coke oven gas are recovered in the by-products plant. In addition to the coke oven gas, daily production of these by-products includes approximately 98,000 gallons of crude tar, 42,000 gallons of light oil, 39 tons of elemental sulfur, and 37 tons of ammonia.

3. On November 21, 2022, the ACHD issued Operating Permit No. 0052-OP22 (hereinafter “OP22”) to U.S. Steel for the Clairton Plant.

4. Condition V.O.1 Restrictions of OP22 states in part:

e. Emissions from the Battery C Quench Tower shall not exceed the limitations in Table V-O-1: [§2103.12.g; IP 0052-I011b, Condition V.B.1.e; SO2 SIP IP 0052-I017, Condition V.B.1.c]

Table V-O-1 - C Battery Quench Tower Emission Limitations POLLUTANT	HOURLY EMISSION LIMIT (lb/hr	ANNUAL EMISSION LIMIT (tons/year)*
Sulfur Dioxides <i>{sic.}</i>	5.0	21.90

5. During September 19-22, 2023, U. S. Steel performed a biennial compliance test for filterable particulate matter, condensable particulate matter, total particulate matter, sulfur dioxide (hereinafter, “SO₂”) and volatile organic compounds emissions from Battery C Quench Tower.

6. On October 5, 2023, U. S. Steel notified the ACHD via email that SO₂ emissions test results may have be over the permitted limit and requested to schedule a re-test for October 11 through 13, 2023.

7. During the subsequent week, U. S. Steel and ACHD agreed that the re-test would be performed during the week of October 16, 2023. This was confirmed via email October 11, 2023, with test dates set for October 16-18, 2023.

8. On November 9, 2023, U. S. Steel submitted the initial report for the September 2023 test program along with the re-test results for SO₂ during October 2023. Only SO₂ was re-tested, as the September results for the other pollutants were below their respective permit limits.

9. After communication with the ACHD's Monitoring staff, U. S. Steel submitted a revised test report on February 27, 2024, with minor changes which did not change the compliance status determined from the initial test results.

10. Both the initial and revised report show SO₂ emissions from the September test of 6.7 lb/hr, exceeding the limit of 5.0 lb/hr from OP22.

11. Both the initial and revised report show SO₂ emissions from the October test of 4.75 lb/hr, less than the limit.

12. The ACHD has determined the release of excess SO₂ emissions from Battery C Quench Tower during the September test 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.

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:

13. For the violations set forth in the preceding paragraphs, United States Steel, is hereby assessed a civil penalty of **SEVEN THOUSAND, SEVEN HUNDRED DOLLARS** (\$7,700.00). The civil penalty is as follows:

A. Gravity Based Component

Violation	Gravity Based Penalty	Violation Days	Total Gravity Penalty
Excess Emission from Failed Stack Test for SO ₂ Prevention of Air Pollution	\$3,500.00	1	\$3,500.00
Gravity Component Subtotal			\$3,500.00

B. Adjustment Factors

Compliance History: 10 Issued violations in last 2 years	\$ 3,500.00
Title V Source:	\$ 700.00
TOTAL CIVIL PENALTY	\$ 7,700.00

14. 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 Program Manager, Compliance and Enforcement Program, Allegheny County Health Department, 836 Fulton St, Pittsburgh, PA 15233.


15. 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.

16. 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.

17. 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>.

DONE and ENTERED this 3rd day of May, 2024, in Allegheny County, Pennsylvania.



Allason Holt
Program Manager, Compliance and Enforcement Program

5/3/2024
Date